

B.A. LL.B 5 YEAR INTEGRATED COURSE

SCHEME OF EXAMINATION

paper Subject Duration Marks

First Semester

Paper - I General English-I 3 hours 100 marks
Paper – II Political science – I 3 hours 100 marks
Paper – III Economics – I 3 hours 100 marks
Paper – IV Contracts – I 3 hours 100 marks

Second semester

Paper - V General English-II 3 hours 100 marks
Paper – VI Political science – II 3 hours 100 marks
Paper – VII Sociology - I 3 hours 100 marks
Paper – VIII Contracts – II 3 hours 100 marks

Third Semester

Paper – IX Political Science- III 3 hours 100 marks
Paper –X Economics- II 3 hours 100 marks
Paper – XI Torts and CP Act 3 hours 100 marks
Paper – XII Constitutional Law-II 3 hours 100 marks

Fourth Semester

Paper – XIII Political Science-IV 3 hours 100 marks
Paper –XIV Sociology – II 3 hours 100 marks
Paper – XV Constitutional Law-II 3 hours 100 marks
Paper – XVI Administrative Law 3 hours 100 marks

Fifth Semester

Paper – XVII Political Science-V 3 hours 100 marks
Paper –XVIII Economics – III 3 hours 100 marks
Paper – XIX History of Courts,
Legislation and Legal
profession in India
3 hours 100 marks
Paper – XX Law of Crimes- I (IPC) 3 hours 100 marks
Paper – XXI Family Law – I 3 hours 100 marks

Sixth Semester

Paper – XXII Political Science-VI 3 hours 100 marks
Paper –XXIII Sociology – III 3 hours 100 marks
Paper – XXIV Legal Language and
Legal writing
3 hours 100 marks
Paper – XXV Jurisprudence 3 hours 100 marks
Paper – XXVI Environmental Law 3 hours 100 marks

Seventh Semester

Paper – XXVII Property Law 3 hours 100 marks
Paper –XXVIII Labour Law – I 3 hours 100 marks
Paper – XXIX Company Law 3 hours 100 marks

Paper – XXX Public International
Law

3 hours 100 marks

Paper – XXXI Interpretation of
Statutes (Optional – 1)

3 hours 100 marks

Eighth Semester

Paper-XXXII Labour Law – II 3 – Hours 100

Paper- XXXIII Family Law – II 3- Hours 100

Paper- XXXIV Taxation Law 3- Hours 100

Paper – XXXV Intellectual PropertyRights Law (Optional -2) 3- Hours 100

Paper – XXXVI Land Law including Tenure and TenancySystem (Optional -3) 3- Hours 100

Ninth Semester

Paper-XXXVII Civil Procedure Code and Limitation Act 3 – Hours 100

Paper- XXXVIII Law of Crimes – II (Criminal Procedure Code)
3- Hours 100

Paper- XXXIX Law of Evidence 3- Hours 100

Paper – XXXX Banking Law (Optional -4) 3- Hours 100

Paper – XXXXI Media Law with RTI Act (Optional -5) 3- Hours 100

Tenth Semester

Paper-XXXXII P.T – 1: Drafting Pleading and Conveyancing 3– Hours Internal Assess -ment -
90 marks and Viva-voce – 10 marks.

Paper- XXXXIII P.T -2: Professional Ethics and Accounting System 3- Hours Uni. Exam. 80
marks, 3 Hours duration and viva-voce 20 marks

Paper- XXXXIV P.T- 3: Alternate Dispute Resolution

1 ½ - Hours Uni. Exam. 50 marks, 1 ½ Hour duration and Extension work for 50 marks.

Paper – XXXXV P.T -4: Moot Court Exercise and Internship 3- Hours Internal Assess -ment -
90 marks and Viva-voce – 10 marks.

Paper – XXXXVI Penology and Victimology (Optional -6) 3- Hours 100

Detailed Syllabus

5 YEARS LL.B COURSE

FIRST SEMESTER

PAPER-I

GENERAL ENGLISH -I

Unit1: Grammar and usage (Communication skills)

1 : Simple sentences (one clause) their phrase structure:

: i. Tense and concord

: ii. New modifiers (Determiners, prepositional phrases clauses)

: iii. Basic transformations

a. Passives

b. Negatives

c. Questions

2 : Complex and compound sentences (use of connectives)

3 : Conditionals

4 : Reported speech

5 : Questions tags and short response

6 : Some common errors

Unit 2: Vocabulary (communication skills)

1 : Legal terms (relevant to the subject paper of LL.B student)

2 : Use of legal terms and idiomatic expression

Unit 3: Comprehensive skills

1 : Reading comprehension (principles and practice)

2 : Listening comprehension

Unit 4: Composition skills

1 : Paragraph writing

2 : Formal Correspondence

3 : Note taking

4 : Translation from regional language into English and vice-versa

BOOKS PRESCRIBED

1 : Wren and Martin: English Grammar and Composition

2 : Eroforin-Home, Mac Millan: Essay, Precise, Composition and

3 : Comprehension

4 : Berry. T.E: The Most Common Mistakes in English

5 : Ishitiaeque Abidi: Law and Language

BOOKS FOR REFERENCE

1 : Close. R.A: A reference Grammar for students of English

2 : Dallas: Read to Understand

3 : Control Institute of Indian Language: Speed Reading

PAPER-II

POLITICAL SCIENCE-I

Unit 1: Political theory:

Unit 2: Nature of State:- Theories of origin of the State; State as a conceived by different schools of thought; forms of Government; Constitution of Government.

Unit 3: Main Currents of Western Political Thought: Natural Law and Natural Rights; Liberalism; socialism, Marxism and idealism.

Unit 4: Main Currents of Indian Political Thought: Classical Hindu concept of the State; Islamic concept of the State; Liberalism in India, Marxism in India, Gandhism and Sarvodaya in Indian political thought.

Unit 5: Conception of Political and Legal Sovereignty.

Unit 6: The totalitarian State

Unit 7: Political organization: Organization of Government: Unitary, Federal, Quasi-Federal and Confederal Constitutions-One-Party democracies; military rule, Presidential and parliamentary form with reference to

India, U.K. France, Canada, USSR, U.S.A and UNO

Unit 8: The legislature, Executive and Judiciary; the Doctrine of Separation of powers, parliamentary sovereignty and independence of the judiciary.

Unit 9: Conceptions of representation, public opinion and participation.

BOOKS PRESCRIBED

1 : Finer.H: theory and Practice of Modern Government.

2 : Appaduria: Substance of Politics.

3 : Dunning: History of Political Thought.

4 : Varma.S.P: Modern Political Theory.

5 : Lasky.H.J: The State in Theory and Practice.

6 : Gettel.R.C: History of Political Thought.

7 : Wheare.K.C: Federal Government.

PAPER-III

ECONOMICS-I

Unit 1: Economics as a Science and its relevance to Law.

Unit 2: Economics as a basis of Social Welfare and Social Justice.

Unit 3: Free Enterprise, Planned Economics and Mixed Economics.

Unit 4: General Principles of Economics;

i . Demand supply

ii. Markets, determination of prices; Business organizations; perfect competition, monopoly, monopolistics competition, oligopoly control of monopolies and prevention of economic concentration.

iii. Labour and Wages.

iv. Capital and Money

v. Saving, Consumption, Investment, Theory of National Income or National Income determination

Unit 5: International comparisons of developmental strategies and experiences, theories of economic growth and problems of development, Technology and Economic Growth.

Unit 6: Banking and Fiscal Policy:

i. Resource Mobilization and fiscal resources, Taxation.

ii. The role of credit and banking system, rural money markets.

iii. International financial institutions.

BOOKS PRESCRIBED

1: Paul Samuelson-Economics: An introductory Analysis (International Student

Edition-Mc Graw Hill Book Company, Seventh Edition, 1061).

2: Fredruthue Levis: Theory of Economic Growth (Unwin University Books 1954,

3: Mc Councill, Cambell: R. Economics (New York: Mc Graw Hill Book CS) 61.

4: Lepsey and Steimner: Economics (New York: Herper and Row, 1981).

BOOKS FOR REFERENCE

1 : Leftwitch: Richard H. The price systems and resource allocation (New York) The Dryden Press, 1982).

2 : Grandt Commission Report: North South-A programme for survival

(London Pan Books, 1980).

3 : Work Development Reports (1983): Public by World Bank Oxford University Press).

PAPER-IV

CONTRACTS-I

(General Principles of Law of Contract)

Unit 1 : History and nature of contractual obligations-writs of debt, covenant and account-actions on the

case and on assumptionist consideration-moral basis for contractual obligations subjective and objective theories sanctity of contracts.

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

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

Unit 4: Consideration. *Nudum pactum*-its need, meaning, kinds, essential elementsprivity of contract and considerations-its exception adequacy of consideration-

Present, past and adequate consideration, unlawful consideration and its effects

Views of law commission of India on consideration-evaluation of the doctrine of consideration

Unit 5: Capacity to contract: Meaning-incapacity arising out of status and mental effect minor's agreements-definition of "minor"-accessories supplied to a

minor-agreements beneficial and detrimental to a minor affirmationratification

in cases by a person of an agreement made by him while he was

a minor-agreements and estoppels-evaluation of the law relating to minors

agreements-other illustrations of incapacity to contract.

Unit 6 : Free consent: Its need and definition-factors vitiating free consent

6.1 : Coercion-definition-factors elements-duress and coercion-various illustrations of coercion-doctrine of economic duress-effect of coercion-evaluation of Sec.15.

6.2 : Undue influence-definition-essential elements-between which influence-Independent advice-*paradarhanashin* women-unconscionable bargains effect of undue influence.

6.3 : Misrepresentation-definition-misrepresentation of law and of fact-their effects and illustrations.

6.4 : Fraud-definition-essential elements-suggestion-false *suppressio veri*-when does silence amounts to fraud? Active concealment of truth-importance of intention.

6.5 : Mistake-definition-kinds-fundamental error-mistake of law and of fact-their effects-when does a mistake vitiate free consent and when does it not vitiate from consent?.

Unit 7 : Legality of objects

7.1 : Void agreements-lawful and unlawful consideration and objects void. Voidable. Illegal and unlawful agreements and their effects.

7.2 : Unlawful considerations and objects

7.2.1 : Forbidden by law

7.2.2 : Defeating the provision of any law

7.2.3 : Fraudulent

7.2.4 : Injurious to person or property

7.2.5 : Immoral

- 7.2.6 : Against public policy
- 7.3 : Agreements without consideration
- 7.3.1 : Agreements without consideration
- 7.3.2 : Agreements in restraint of marriage
- 7.3.3 : Agreements in restraint of trade-its exceptions-sale of good will, sec.11 restrictions, under the partnership act, trade combinations exclusive dealing agreements, restraints on employees under agreements of service.
- 7.3.4 : Agreements in restraint of legal proceedings-its exceptions
- 7.3.5 : Uncertain agreements
- 7.3.6 : Wagering agreements-its exceptions

Unit 8 : Discharge of a contract and its various moods:

8.1 : By performance-conditions of valid tender of performance-how? By whom? Where? When- in what manner? Performance of reciprocal promises-time essence of contract.

8.2 : By breach-anticipatory breach and present breach.

8.3 : Impossibility of performance-specific grounds of frustration-application to leases-theories of frustration-effect of frustration-frustration and restitution.

3

8.4 : By period of limitation.

8.5 : By agreement recession and alteration-their effect-remission and waiver of Performance extension of time-accord and satisfaction.

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

Unit 10 : Remedies in contractual relations.

10.1 : Damages-kinds-remoteness of damages ascertainment of damages.

10.2 : Injunction-when granted and when refused-why?

10.3 : Refund and restitution

10.4 : Specific performance-why? When?

10.5 : Specific performance of contracts under Specific Relief Act 1969

10.6 : Recession of contracts

10.7 : Cancellation of instruments

10.8 : Declaratory decrees

10.9 : Preventive relief

SUGGESTED READINGS

1 : Indian Contract Act,1872 and Specific Relief Act, 1963 and their commentaries.

2 : Guest-Anson. A.G. Law of Contract (24th Edn 1974)

3 : Avtar Singh. Dr -Law of Contract.

4 : Cheshire. G.C & Fifoor. H.S -The Law of Contract. (2 Edn. 1976).

5 : Chitty- Chitty on contracts- General Principles Vol-I (22 Edn. 1977).

6 : Kapur. J.L)Ed) Pollock and Mulla on the Indian Contract and Specific Relief Acts (9 Edn. 1972).

7 : Dalal J.H (Ed) Mulla on the Indian Contract Act (10 Edn. 1977).

8 : Krishnan Nair. M. Law of Contracts (3rd Edn. 1973)

9 : Sen. G.M – Case Book on the Law of Contract (1970).

10 : Treitel. G.H – Law of Contract (1962).

11 : Venkatraman. S and Ramamurthy K. – Venkatesa Iyer. T.S Law of Contract (4th

Edn, 1983).

12 : Singhal. J.P and Subrahmanyam-Indian contract Act (Vol=I),

13 : Relevant volumes of the Annual Survey published by the Indian law Institute.

SECOND SEMESTER 5 YEARS LL.B COURSE

PAPER-V

GENERAL ENGLISH-II

Unit 1: Vocabulary

1. Foreign words and phrases (important Latin and English affixes)
2. Certain set of expression and phrases
3. One word substitution
4. Words of ten confused

Unit 2: Comprehension skills

1. Concern logical fallacies
2. Comprehension of legal texts
3. Use of cohesive devices (Legal drafting)
4. Precise-writing, summarizing and briefing
5. Brief-writing and drafting of reports
6. Essay writing on topics of legal interests
7. Varieties of sentence structures and verb pattern
8. Translation (from English to regional language and from regional language to English)

Unit 3: Speech writing

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

Unit 4 : M.K. Gandhi-The Law and Lawyer

: Lord Denning-due process of Law parts I to III

: M.C. Setaved-My Life

: M.C. Chagla: Roses in December

BOOKS FOR REFERENCE

- 1 : Selected materials drawn from renowned judgments
- 2 : Materials drawn from legal notices, petition, appeals, court orders, statutes, bills, rules etc
- 3 : Lifco-legal drafting
- 4 : David Green- contemporary English Grammar, Structure composition (MacMillan) Chapters XLI and XLII

PAPER VI

POLITICAL SCIENCE-II

(Foundation of Political obligation)

Unit 1: Conceptions of power, authority and legitimation

Unit 2: Legitimacy of power-The classical (Hobbes, Locke) and Roussoe and modern (Max Weber, Karl Marx, Durkheim) approaches to the notion of political obligation

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

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

Unit 5: The problem of obedience to unjust laws

Unit 6: Foundations of promissory and contractual liability

Unit 7: The problem of punishment: Use of force by State against the citizen, the basis of Criminal sanction

Unit 8: The contemporary crisis of legitimation

BOOKS PRESCRIBED

1 : Rajani Kothari-Democratic policy and social change in India: Crisis and opportunities (Allied publishers, 1976)

2 : Karl Lowernestein-Political power and the Government process

3 : Nisbet R.A, The Sociological Tradition, 1967, Heinemonn, London, Part-II- Chapter-4 Authority for authority and power.

4 : Bierstedt Ropbert: Power and progress, 1974 McGraw-Hill, New York and Delhi

5 : Leiser; (ch 12-Civil disobedience) Liability justice and Hurton

6 : George Lichtheim: A short history of socialism (1976)

PAPER-VII

SOCIOLOGY-I

Unit 1: Sociology as a science:

a Data, concepts and theory.

b The Comparative method.

Unit 2: Basic concepts in sociology

a Structure and function.

b Status and role.

c Norms and values.

d Intuitions, community and association

Unit 3: Social institutions:

a Marriage, family and kinship.

b Economic institutions.

c Political intuitions.

d Religious institutions.

e Educational institutions.

Unit 4: Social Stratification, Caste and class

Unit 5: Social control, order and stability.

Unit 6: Coercion, conflict and change.

Unit 7: Sociologie as a discipline.

Unit 8: Law and society, sociology of law, sociology of legal profession.

BOOKS PRESCRIBED

1 : T.B.Bottomore: Sociology: Guide to problems and Literature.

2 : Peter Worsley et.al: Introducing Sociology.

3 : M.Haralambos: Sociology: Themes and Perspectives.

4 : Andre Beteille: Inequality and Social Change.

5 : N.K.Vose: The structure of Hindu Society.

- 6 : David G. Mandelmaum: society in India.
- 7 : Ramesh thapper (ed): Tribe, Caste and Religion in India.
- 8 : Andre Beteille: Inequality and Social change.
- 9 : Andre Beteille: The Backward classes and the New social order.

PAPER-VIII

CONTRACTS-II (Special Contracts)

Unit 1 : Indemnity and guarantee:

1.1 : Indemnity and guarantee (Sec. 134, 127) Indian Contract Act 1872

1.2 : Contract of indemnity

(A) Definition

(B) Rights of indemnity holder

(C) Liability of indemnifier.

1.3 : Contract of guarantee

a. Definition

b. Essential characteristics of contract of guarantee

c. Distinction between contract of indemnity and contract of guarantee

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d. Kinds of guarantee

e. Rights and liabilities of surety

f. Discharge of surety

g. Contract of Bailment and (Sec. 148-181 of Indian Contract Act 1872).

Unit 2 : Bailment

2.1 : Definition

2.2 : Essential requisites of bailment

2.3 : Kinds of bailment

2.4 : Rights and duties of bailer and bailee

2.5 : Termination of bailment

2.6 : Pledge

a. Definition

b. Rights and duties of pawnor and Pawnee

c. Pledge by Non Owners.

Unit 3 : Contract of Agency (Sec. 182-238 of the Indian Contract Act 1872)

3.1 : Definition of agent

3.2 : Creation of agency

3.3 : Rights and Duties of agent

3.4 : Delegation of authority

3.5 : Personal liability of agent

3.6 : Relations of principal with third parties

3.7 : Termination of agency.

Unit 4 : Contract of sale of goods (The Indian Sale of Goods Act 1930).

4.1 : Formation of Contract

4.2 : Subject matter of Contract of Sale

4.3 : Conditions and Warranties

4.4 : Express and Implied conditions and Warranties

4.5 : *Caveat Emptor*

4.6 : Property, Possession and Risk

4.7 : Passing of Property

4.8 : Sale of non-owners

4.9 : Delivery of goods

4.10 : Rights and duties of seller and buyer before and after sale.

4.11 : Rights of unpaid seller.

Unit 5 : Contracts of partnership (The Indian Partnership Act,1932).

5.1 : Definition and nature of Partnership

5.2 : Formation of Partnership

5.3 : Test of Partnership

5.4 : Partnership and other Associations

5.5 : Registration of Firms

5.6 : Effect of non-registration

5.7 : Relation of Partners

5.8 : Rights and Duties of Partners

5.9 : Properties of the Firm

5.10 : Relation of Partners to third parties

5.11 : Implied authority of a partner

5.12 : Kinds of Partners

5.13 : Minor as Partners

5.14 : Reconstitution of a Firm

5.15 : Dissolution of firm.

Unit 6 : Negotiable Instruments Act, 1881

SUGGESTED READINGS

1 : Indian Contract Act, 1872 (Sec. 124-238)

2 : The Sale of Goods Act, 1930.

3 : The Partnership Act, 1932.

4 : Negotiable Instrument Act, 1881.

5 : Cheshire and Fifoot-The Law of Contract.

6 : Chitty- on contracts (Specific Contracts) Vol-II

7 : Pollock and Mulla-Indian contracts and Specific Relief Act.

8 : Pollock and Mulla- Sale of Goods and Partnership Acts.

9 : Avtar Singh-Law of Contracts.

10 : Khargumwallah-The Negotiable Instruments Act.

11 : S.T. Desai- Partnership

12 : Bowstead- Agency

13 : Relevant volumes of the Annual Survey Published by Indian law institute.

3rd – SEMESTER

Paper –IX- Political Science –III

INDIAN POLITICAL THOUGHT

Indian political thought of the following persons.

1. Manu

2. Koutailya

3. Dandhism

4. Nehru
5. Jaaprakash narayanan
6. Dr.B.R.Ambedkar
7. Goutham Budda
8. M.N.Roy
9. Hindu Concept of State and Islamic Concept of State
10. Gandhism and Sarvodaya in political thought
11. Liberalism and Marxism in India

Books Recommended;

Paper -X – ECONOMICS – II

Unit 1 STRUCTURE OF INIDAN ECONOMY :

1. Structure of Indian economy
2. Estimates of national income in India
3. post – independence economic polices in India

Unit 2 POVERTY AND INCOME DISTRIBUTION

1. Trends and inter-regional variations in the incidence of rural poverty
2. Unemployment generation schemes
3. Labour, productivity and wages

AGRICULTURAL ECONOMICS :

1. Basic Characteristics of the economy and its transformation
2. evolution of agrarian relations, integrated rural
3. Development Commercialization of agriculture
4. Economics of farm management
5. Agricultural credits

Unit 3 THE LOGIC OF INDIA’S DEVELOPMENT STRATEGY

- a Planning process
- b Priorities between agriculture and industry
- c Choice if technology
- d Role of public private and joint sectors
- e Large, medium and small scale industries

Unit 4 PROBLEM OF CONTROL IN ECONOMIC CONCENTRATION :

- a Regulation of the private corporate sector (controls, licence quota)
- b Anti-monopolies and restrictive practices, regulations
- c prioning
- d Labour relations

Unit 5 FOREIGN INVESTMENT:

- a International investments
- b International aid
- c International corporations
- d Trends in New Economic Order

Unit 6 EXPORT AND IMPORT polices, import

substitution and export promotion

Unit 7 CREDIT AND BANKING SYSTEM IN INDIA

Including regulations of banking

BOOKS PRESCRIBED:

1. Rudder Datt and sundaram – Indian economy, Delhi S Chand & Co. 1982
2. A .N .Agrawals – Indian Economics, New Delhi, Vikas 1979
3. K K Dogett – Indian Economics
4. Gunner Myrdal of world poverty
5. C T Kurien : Planning, poverty and social transformation (Allied publications)
6. C H Hannamantha Rao & P C Joshi, Reflections of Economic Development and social change essays in honour of VKRV Rao (Allied 1979)

Paper –XI: LAW OF TORTS AND

CONSUMER PROTECTION ACT

Unit 1 : Evolution of law of torts

- 1.1 : Development by Courts in England.
- 1.2 : Forms of Action.
- 1.3 : Emergence of specific remedies from case to case.
- 1.4 : Reception of Law of Torts in India.
- 1.5 : Principles of Equity, Justice and good conscience
- 1.6 : Definition, nature, scope and objects
- 1.7 A wrongful act-violation of a duty (*in rem*) imposed by law, duty which is owed to people generally, Legal damages-*damnum sine injuria and injuria sine damno*.
- 1.8 : Tort distinguished from crime, breach of contract-The concept of unliquidated damages-Changing scope of Law of Torts: Expanding character-duties owed to people generally due to complexities of modern society, scientific and technological progress, industrialization, organization, specialization, occupational hazards-objects-prescribing standards of human conduct, redressal of wrongs by payment of compensation, prescribing unlawful conduct by injunctions.

Unit 2 : Principles of liability in torts:

- 2.1 : Fault
- 2.2 : Wrongful intent
- 2.3 : Negligence
- 2.4 : Liability without fault
- 2.5 : Violation of Ethical codes
- 2.6 : Statutory liability
- 2.7 : Fatal Accidents Act-Railway Act-Workmen's compensation Act-Motor vehicles Act-Carrier Acts-Insurance Laws
- 2.8 : Place of motive in Torts.
- 2.9 : Extinguishments of liability in certain situations:
- 2.10 : Death, *Actio personalis moritum cumpersona*-Exceptions-Law reform (Miscellaneous Provisions) Act, 1934.

2.11 : Waiver and Acquiescence-Release-Accord and satisfaction-Limitation

Unit 3 : Justification in tort:

3.1 : *Volenti non fit injuria*-What is free consent? Informed consent, mere knowledge and knowledge coupled with assumption of risk.

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3.2 : Necessity, Private and Public.

3.3 : Plaintiff's default

3.4 : Act of good and Inevitable Accident

3.5 : Private defense

3.6 : Statutory Authorisation

3.7 : Judicial and Quasi-Judicial Acts

3.8 : Parental and Quasi Parental Authority

Unit 4 : Doctrine of sovereign immunity and its relevance in India

4.1 : Liability of state-sovereign and non-sovereign functions, Crown Proceedings Act of U.K.. Federal Tort Claims Act of U.S.A.

4.2 Constitution of India (Arts 294 and 300).

4.3 : Act of state.

Unit 5 : Vicarious liability:

5.1 : Basis, Scope and Justification

5.2 : Express Authorization

5.3 : Ratification

5.4 : Abetment

5.5 : Special Relationships

5.6 : Master and servant-arising out of and in the course of employment who is master? -Control test who is servant, borrowed servant independent contractor?.

5.7 : Principal and Agent

5.8 : Corporation and Principal Officer

Unit 6 : Torts against persons, personal relations and property:

6.1 : Assault, Battery, Mayhem

6.2 : False Imprisonment

6.3 : Defamation-Libel, slander including law relating to privileges

6.4 : Marital Relations, Domestic Relations, Parental Relations, Master and Servant Relations.

6.5 : Malicious prosecution

6.6 : Shortened Expectation of life.

6.7 : Nervous shock.

6.8 : Defenses.

6.9 : Trespass to land, Trespass *ab initio*, dispossession

6.10 : Movable property-Trespass to goods, Detinue, Conversion

6.11 : Torts against Business interests-Injurious Falsehood, Misstatements passing off.

Unit 7 : Absolute/strict liability:

7.1 : Basic concepts

7.2 : Theories of Negligence

7.3 : Standards of care, Duty to take care, carelessness inadvertence

7.4 : Doctrine of contributive Negligence.

7.5 : *Res ipsa loquitur* and its due to Negligence with special reference to Consumer protection law.

7.6 : Professional liability due to Negligence with special reference to consumer protection law.

7.7 : The rule in *Ryland v. Fletcher*. Principle for application of these rules.

7.8 : Storing of dangerous things.

7.9 : Escape of dangerous things-application of principles in concrete cases of damage arising out of industrial activity. (The Bhopal Disaster, Oelum Gas Escape, Machua Dam Burst, M.C. Mehta case, Nuclear Installations and their hazards).

7.10 : Liability under Motor Vehicle Act, Railway Act etc.

Unit 8 : Nuisance

8.1 : Definition, Essentials, Types

8.2 : Acts which constitute nuisance-obstructions of highways, pollution of air, water, noise, interference with light and air.

Unit 9 : Legal Remedies:

9.1 : Legal remedies

9.2 : Award of damages-simple, special, punitive

9.3 : Remoteness of damages-foreseeability and directness tests

9.4 : Injunction

9.5 : Specific restitution of property

9.6 : Extra-legal remedies-self help, re-entry in land, re-capture of goods, distress damage feasant abatement to nuisance

9.7 : Judicial process in Tort-Dilatoriness-Complicated rules of procedures and Evidence-Experts in trial process, reports of testing labs-Court fees, problems of access

9.8 : Who may sue in torts-Aggravated individuals-Class action O 1 R 8-

Social Action Groups Statutes granting standing to certain persons or groups-

Who may not be sued-Ambassadors-Lunatics-Infants

Unit 10 : Common Law and the Consumer

10.1 : Duty to take care and liability for negligence: Manufacturers and traders and providers of services such as lawyers, doctors and other professionals

10.2 : *Caveat emptor and Caveat Venditor*

10.3 : Deceit and false advertisement

10.4 : Liability for hazardous and inherently dangerous industrial activity.

10.5 : Product liability-EEC directives

10.6 : Right to common property resources-right to pass and repass on pathways

10.7 : Consumer Protection Act, 1986

SUGGESTED READINGS

1 : Winfield: Law of Torts

2 : Salmond: Law of Torts

3 : Ramaswami Iyer: Law of Torts

4 : Consumer Protection Act, 1986

5 : Bangia.R.K.Dr. Consumer Protection Laws and Procedures

6 : Indian Law Institute's-Annual Survey of India Law-Relevant articles.

Paper- XII: CONSTITUTIONAL LAW – I

UNIT 1: Preamble Federal Secularism Social justice and the interpretation of preamble

UNIT 2: The union and its territory – Admission or establishment of new States – Formation of a new State- Alteration of boundaries of existing states.

UNIT 3: Citizenship- Right of citizenship of persons migrated from Pakistan, and persons of Indian origin residing outside of India, voluntary acquiring citizenship of foreign state not to be citizens continuance of the rights of citizenship, Citizenship Act.

UNIT 4: Fundamental Rights - Definition – Laws inconsistent with or in derogation of the fundamental rights- The Right to equality, equality of opportunity – Prohibition of discrimination on grounds of religion, race caste, sex or place of birth.

UNIT 5 : Right to freedom- Freedom of Speech and Expression – Freedom of the press – Freedom of Speech and Contempt of Court – Freedom of Assembly – Freedom of Association – Freedom of Movement – Freedom of Reside and Settle – Freedom of Profession / Business e.t.c – Property and Social Control 1950 to 1978 – Property and Social Control – After 1978- Freedom of Religion.

UNIT 6: Right against exploitation Prohibition of traffic in human beings and forced labour – Prohibition of employment of children in factories e.t.c. – Protection of interests of minorities – Right of minorities to establish and administer educational institutions.

UNIT 7 : Personal Liberty- Right of an accused – Double jeopardy – Right against self – Incrimination – Right against Retrospective Punishment – Right to life and personal Liberty – Meaning of Art 21, Gopalan case- “ Personal Liberty “ Meaning in Maneka Gandhi, Sunil Batra e.t.c

UNIT 8 : Constitutional Remedies- Art 32 enforcement of fundamental rights – Power of parliament to modify the rights conferred by this part in their application to forces etc.

Unit 9: Fundamental Rights and Directive Principles: Directive Principles – Reasons for incorporation – Directive Principles – Direction of social change – A new social order- The interrelationship of Fundamental Rights and directive principles- Judicial balance- Constitutional amendments Arts 31 –A, 31- B, and 31-C to strengthen Directive Principles- Judicial policy towards directive principles from Champakam to Minerva Mills- What is “State” ? Art 12 – Naresh Vs State of Maharashtra – is Judiciary “State”?

SUGGESTED READINGS :

1. H.M.Seervai – Constitution of India.
2. M.P.Jain – Indian Constitutional Law.
3. Dr. J.N. Pandey – Constitution Law

4th Semester

Paper – XIII- POLITICAL SCIENCE –IV

(Principles of Public Administration)

Unit – 1 : Introduction : nature and scope of public administration, its importance with special reference to developed societies, relations with other Social Sciences; Politics, Sociology , Economics and Law, Differences between Public Administration and Private

Administration, Evolution of Public Administration as a Classical, Neo Classical and Behavioral discipline and Evolution of Public Administration - New Public Administration and onwards.

Unit – 2: Classical and Behavioral theories; Luther Gullick, Henry Fayol, F.W. Taylor, Max Weber, Chester Bernard and Herbert Simon.

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

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

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

PAPER –XIV- : SOCIOLOGY – II

The study of Indian society

1 The development of Indian society

a Unity and Diversity

b Continuity and change, ancient, medieval

2 India as a plural society; variations of

a Cultural diversities

b Linguistic, religions, political, economic and cultural communities

3 Major institutions of Indian society

a Family

b Caste

c Village

4 Tribe and caste in the traditional order

5 Caste and class in contemporary India

6 The backward classes

7 Trends of change in Indian society - rural and urban

8 Indian cultural values and development

9 Impact of Muslim and British culture

BOOKS PRESCRIBED:

1 N. K. Bose, The structure of Hindu society, New Delhi, Orient Longman, 1975

2 G S Gurye – Caste: Class and occupation

3 Romesh Thapper (ed) Tribe, Caste and Religion in India, New Delhi, Mac Millan, 1977

4 Andhra Esteile: The backward classes and the new social order

5 A R Desai: Rural sociology

6 M.K. Srinivasan: Social change in Modern India

7 K M Kapadia: Marriage and family in India

8 Government of India publication: Social Legislation

9 Prabhu – Hindu social organization
10 Kingsley Davis: Human Society

Books Recommended:

1. David G. Mendemam : Society in India, Bombay, popular Prakashan.
2. Harvey Johnson: Sociology; A systematic introduction
3. Mac. Iver and page; Society.

Paper - XV: CONSTITUTIONAL LAW-II

Unit 1 : Federalism:

- 1.1 : Federalism-Principles-Comparative study of other Federations. Why India has a Federal Government.
- 1.2 : Indian Federalism-President of India-Council of state-Process of Constitutional Amendment. Identification of Federal features.
- 1.3 : Legislative relations between the Centre and the State
- 1.4 : Administrative Relations-Centre States.
- 1.5 : Financial Relations-centre-states
- 1.6 : Governor's position from the Perspective of Federalism.
- 1.7 : Center's Powers over the States-Art. 356.
- 1.8 : J&K-Special status.
- 1.9 : Critical problems of Indian Federalism. Sarkaria Commission-Greater Autonomy v. Central Control. One party domination. Emergence of Political Federalism. Growth of Regional Parties.

Unit 2 : Parliamentary government:

- 2.1 : West Minister Model-Indian experience before independence-Choice of Parliamentary Government
- 2.2 : President of India-Election, Qualifications, Impeachment, salary
- 2.3 : Council of Ministers-President's constitutional position.
- 2.4 : Governor and State Government-Constitutional Relationship
- 2.5 : Legislative Process-Privileges, freedom of speech. Practice of law making etc.,
- 2.6 : Legislative Privileges v. Fundamental Rights. In re. Art. 143 of the Constitution of India.
- 2.7 : Prime Minister-Cabinet System-Collective responsibility Individual responsibility. President-Prime minister relation ship.
- 2.8 : Party system-Anti –defection law. Freedom of an A.P./M.L.A to dissent.

Unit 3 : Constitutional process of adaptation and alteration:

- 3.1 : Methods of Constitutional Amendments-Written-Unwritten, Rigid-Flexible Constitutions. Provisions which can be amended by ordinary procedure, special procedure, Review of Constitutional Amendments.
- 3.2 : Limitations upon Constitutional amendments *Shankari Prasad, Sajjari Singh.*
- 3.3 : *Golaknath v. Punjab*-Why should federal Rights be immune from the process of Constitutional Amendment.
- 3.4 : Basic structure doctrine as a limitation-*Kesavanand Bharathi.*
- 3.5 : Development of the Basic Structure Doctrine. Constituent Power of the Supreme Court. *Vaman Rao v. Minerva Mills.*
- 3.6 : *Indira Gandhi v. Raj Narain*; Judicial Consensus on Basic Structure Doctrine.
- 3.7 : Legislative and Judicial Attempts to bury the Basic Structure Doctrine;

Legitimation of the Basic Structure Doctrine. Special Bench to Reconsider the Basic Structure Issue. Forty-second Constitutional Amendment. Forty fourth Constitutional Amendment .

3.8 : Minerva Mills and subsequent developments of the Basic Structure Doctrine. Responsibility of the Court; Activism v. Restraint.

Unit 4 : Emergency:

4.1 : Emergency-need for such a provision. Types of Emergencies, Experience in other democracies.

4.2 : Proclamation of emergency-conditions-Art. 352-Effect of Emergency on Centre-State Relations.

4.3 : Emergency and suspension of Fundamental Rights Arts. 358, 359- Makhan Singh Tarasikha to A.D.M. Jabalpure.

4.4 : Financial emergency.

Unit 5 : Services under the constitution.

5.1 : Doctrine of Pleasure (Art. 310)

5.2 : Protection against Arbitrary Dismissal, Removal or Reduction in Rank (Art. 311)

5.3 : Tulsiram Patel-Exceptions to Art. 311.

Unit 6 : Judicial process under the constitution.

6.1 : Judicial Review-Art. 32, 226, 227.

6.2 : Nature of Judicial Review.

6.3 : Court system in India: Backlogs, Arrears, Alternatives, Lok Adalats, etc.,
12

6.4 : Judges, Appointments, Conditions of service etc.,

6.5 : Subordinate Judiciary.

6.6 : Jurisdiction of Supreme Court and High court.

6.7 : Advisory Jurisdiction of the Supreme Court.

6.8 : Public interest Litigation.

SUGGESTED READINGS

1 : Basu.D.D -Commentary on the Constitution of India.

2 : Hidayatullah.M (Ed) -Constitutional Law of India

3 : Seervai.H.M -Constitution of India.

4 : Austin.G –Indian Constitution A cornerstone of a Nation.

5 : Banerjee.A.C –Constitutional History of India.

6 : Khanna.H.R –Making of India’s Constitution

7 : Shiva Rao.B –Framing of India’s Constitution.

8 : Jain.M.P –Indian Constitutional Law.

9 : Relevant volumes of the Annual survey published by Indian Institute.

Paper-XVI: ADMINISTRATIVE LAW

Unit -1 : Evolution, Nature and Scope of Administrative Law

1.1 : From a *Laissez Faire* to a Social Welfare State; State as regulator of private interest; State as provider of services; Other functions of Modern State; Relief; Welfare

1.2 : Evolution of Administration as the fourth branch of government; Necessity for delegation of powers on administration

- 1.3 : Evolution of agencies and procedures for settlement of disputes between individual and administration
- 1.3.1 : Regulatory Agencies in the United States
- 1.3.2 : Conseil d' Etate of France
- 1.3.3 : Tribunalization in England and India
- 1.4 : Relationship between Constitutional Law and Administrative Law and Public Administration
- 1.5 : Separation of Powers: To what extent relevant to administrative functions?
- 1.6 : Rule of Law and Administrative Law
- 1.7 : Definitions of Administrative Law
- 1.8 : Scope of Administrative Law
- 1.9 : Emerging trends: Positive duties of administration under the modern social welfare legislation and compulsions of planning

Unit -2 : Bureaucracy in India

- 2.1 : Nature and Organization of civil service; central and State
- 2.2 : It's hierarchical character; Accountability and Responsiveness
- 2.3 : Powers and Functions
- 2.4 : Attainment of developmental and social welfare goals through bureaucracy;

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Problems and perspectives

- 2.5 : Class character and Structure
- 2.6 : Administrative deviance; Corruption; Nepotism; Mal-administration; Disciplinary proceedings and Prosecutions under Prevention of Corruption Act.

Unit -3 : Legislative powers of administration

- 3.1 : Necessity for delegation of legislative power
- 3.2 : Constitutionality of delegated legislation; Powers of exclusion and inclusion and power to modify statute.
- 3.3 : Requirements for the validity of delegated legislation
- 3.3.1 : Consultation of affected interests and public participation in decision making
- 3.3.2 : Publication of delegated legislation
- 3.4 : Administrative directions; circular and policy statements
- 3.5 : Legislative Control of delegated legislation
- 3.5.1 : Laying procedures and their efficacy
- 3.5.2 : Committees on delegated legislation-their constitution-function and effectiveness
- 3.5.3 : Hearings before Legislative Committees
- 3.6 : Judicial Control of delegated legislation-Doctrine of *Ultra Vires*
- 3.7 : Sub-Delegation of legislative powers

Unit-4 : Judicial powers of administration

- 4.1 : Need for devolution of adjudicatory authority on administration
- 4.2 : Administrative Tribunals and other adjudicating authorities their *ad hoc* character-Compare administration of justice in court with that of Tribunals (Ref.Robson)
- 4.3 : Nature of Tribunals; Constitution; Procedure; Rules of evidence, etc., with special reference to the following:
 - 4.3.1 : Central Board of Customs and Excise
 - 4.3.2 : MRTP Commission

- 4.3.3 : ESI courts
- 4.3.4 : Service Tribunals
- 4.4 : Jurisdiction of Administrative Tribunals and Other authorities; Distinction between quasi-judicial and administrative functions and relevance of this distinction in the light of recent decisions of the Supreme Court
- 4.5 : The Right to Hearing; Essentials of hearing process, Bias (no one can be a judge in his own cause); Oral Hearing, etc.,
- 4.6 : Rules of Evidence- No evidence; Some evidence and Substantial evidence rules
- 4.7 : Requirements regarding Reasoned Decisions.
- 4.8 : The Right to Counsel
- 4.9 : Institutional Decisions
- 4.10 : Administrative Appeals
- 4.11 : Council on Tribunals and Inquiries in England
- 4.12 : US Regulatory Agencies and Administrative Procedures Act, 1946
- 4.13 : Emerging trends of Tribunalization in India as a means to relieve congestion in the courts and utilization of administrative expertise
- Unit -5 : Judicial Control of Administrative Action**
- 5.1 : Preliminary
- 5.1.1 : Courts as the final authority of determine legality of administrative action; Problems and Perspectives
- 5.1.2 : Exhaustion of Administrative Remedy
- 5.1.3 : Standing; Standing for Social Action Litigation
- 5.1.4 : Laches
- 5.1.5 : *Res Judicata*
- 5.2 : Grounds of Judicial Review: Scope of judicial review
- 5.2.1 : Jurisdictional error/*ultra vires*
- 5.2.2 : Abuse and non exercise of jurisdiction
- 5.2.3 : Error apparent on the face of the record
- 5.2.4 : Violation of Principles of Natural Justice
- 5.2.6 : Primary jurisdiction
- 5.2.7 : Absence of ripeness
- 5.2.8 : Political Question
- 5.2.9 : Doctrine of Legitimate Expectation
- 5.3 : Methods of Judicial Review
- 5.3.1 : Statutory Appeals
- 5.3.2 : *Mandamus*
- 5.3.3 : *Certiorari*
- 5.3.4 : *Prohibition*
- 5.3.5 : *Quo-warranto*
- 5.3.6 : *Habeas corpus*
- 5.3.7 : Declaratory Judgment and Injunctions
- 5.3.8 : Specific Performance and civil suits for compensation
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- 5.3.9 : Fact-finding Commissions
- Unit -6 : Administrative Discretion**
- 6.1 : Need for administrative discretion

- 6.2 : Administrative discretion and Rule of Law
- 6.3 : Malafide exercise of discretion
- 6.4 : Constitutional imperatives and use of discretionary authority
- 6.5 : Irrelevant Considerations
- 6.6 : Non-exercise of discretionary power
- 6.7 : Discretion to prosecute or to withdraw prosecution
- 6.8 : Limiting, confining and restructuring discretion-general discretion, technical discretion

Unit-7 : Liability for wrongs: (Tortuous and Contractual)

- 7.1 : Tortuous Liability: Sovereign and Non-sovereign functions
- 7.2 : Crown Proceedings Act of UK and Torts Claims Act of US
- 7.3 : Statutory Immunity
- 7.4 : Act of State
- 7.5 : Contractual liability of Government
- 7.6 : Government privilege in legal proceedings; State secrets, Public interest, etc.,
- 7.7 : Right to Information and Open government
- 7.8 : *Estoppel* and Waiver

Unit 8 : Corporations and Public undertakings

- 8.1 : State Monopoly; Remedies against arbitrary action or for action against public policy
 - 8.2 : Liability of public and private corporations of departmental undertakings
 - 8.3 : Legal Remedies
 - 8.4 : Accountability; Committee on public undertakings, Estimates committee, etc.,
- Unit-9 : Informal methods of settlement of disputes and grievance redressal procedure
- 9.1 : Conciliation and mediation through Social Action Groups
 - 9.2 : Use of media, lobbying and public participation in policy making
 - 9.3 : Public inquiries and Commissions of inquiry
 - 9.4 : Ombudsman, Parliamentary Commissioner
 - 9.5 : *Lok pal, lok ayukta*
 - 9.6 : Vigilance Commission
 - 9.7 : Congressional and Parliamentary Committees

SUGGESTED READINGS

- 1 : D.D.Basu, Comparative Administrative Law (1998).
- 2 : Wade, Administrative Law (Seventh Ed, Indian print 1997), Universal ,Delhi
- 3 : J.C.Garner, Administrative Law(1989)
- 4 : M.P.Jain, Cases and Materials on Indian Administrative Law, Vol.I and II (1996)Universal,Delhi.
- 5 : Jain & Jain, Principles of Administrative Law (1997),Universal Delhi.
- 6 : P.Sathe, Administrative Law (1998) Butterworths-India,Delhi.

SEMESTER – V

PAPER – XVII - POLITICAL SCIENCE –V(International relations and Organizations)

The course is divisible in to two major parts;

- Part – 1 :International Relation and
- Part – 2 : International Organization

Part – 1 :

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

Causes of I world war, II world war, Study of various Treaties

Avoidance of war and facilitation of peaceful change; Alliance and balance of power approach; Collective security and disarmament, diplomacy and peaceful resolution of conflicts by negotiation, mediation, conciliation and resource to international organization arbitration and judicial settlement; the cultural approach and the UNESCO, promotion of international cooperation and the functional approach, the Specialized Agencies. The case for against world government.

Part - II

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

Books Recommended:

1. D.W.Bowett, International Institutions, London, Methuen
2. Verson van Dyke; International Politics;
3. Palmer and Perking; International Relations;
4. E.H. Hentmen. The Relations of Nations;
5. Quiney Wright; Study of International Relations, New York, Appleton Century Crofts.
6. Hans Morgenthau; Political among Nations, The Struggle for Power and Peace, New York, Knopf.

PAPER – XVII: ECONOMICS – III

(MONEY, BANKING AND OTHER FINANCIAL INSTITUTIONS)

Unit – I: Money, inflation and monetary, Policy, Money, function of money, Primary or main or original functions, Secondary functions, contingent functions.

Unit II: Kinds of Money, Money can be classified according to various basis, Role or importance of Money, Objective of Monetary policy, monetary policy for under developed or developing economy.

Unit – III: Central and Commercial Banking, Central Bank, Principles of central

Banking, Functions of central Banks, functions of commercial banks, Utility of commercial Banks, Balance sheet of the Bank Specimen of a balance sheet.

Unit – IV: Role of credit and Banking system; Negative role of credit, Banking credit systems, Principles of credit creation by banks, Principles of sound lending Creation of credit basing on primary or, passive deposits, Creation of credit basing or derivative or active deposits, Multiple Expansion of Credit through the banking system, Limitation of bank rate policy, condition to be fulfilled or limitations.

Unit – V: Rural Money Markets; Non-institutional agencies or private sources, Money-lenders are popular in rural areas due to many reason, organized rural money market, objective of NABARD

Unit – VI: Resource Mobilization and Fiscal Resources, Domestic or internal sources of resources mobilization, External resources.

Unit – VII: Public Expenditure, Public Debt and Budgeting

Unit – VIII: Fiscal Policy, Objective of fiscal policy in under developed countries.

Fiscal policy and trade cycles (1) Fiscal policy during inflation (2)

Fiscal policy in a depression. Bringing to stabilisator or correction of disequilibrium of Balance of payments, Trade Measures, Other Corrective measures, monetary measures and devaluation.

Unit – IX Role of Capital Formation, Credit and Banking System.

Unit – X International Financial Institutions, IMF and IBRD

The International Monetary Fund (IMF), Structure and management of the IMF< Resources of the IMF,

a) Aid to countries

b) Repurchase of purchases

c) Stand by Arrangements

d) Exchange Stability (Determination of par Value)

e) Control against the IMF

f) Criticism against the IMF and

g) Achievement of the IMF

Books recommended:

Myneni, Principles of Economics

Paper – XIX: HISTORY OF COURTS

LEGISLATURE AND

LEGAL PROFESSION IN INDIA – I

Unit 1: COURTS, LEGISLATURE:

1.1 Administration of Justice in the Presidency Towns

(1600 – 1773) And the development of courts and

judicial institutions under The East India Company

1.2 Warren Hastings Plan of 1772 and the Adalat

System of Courts – Reforms made under the Palan of

1774 and re – organization in 1780

1.3 Regulating Act of 1773 – Supreme Court at Calcutta

– its composition, power and functions – failure of the

court – Act of 1781 –Supreme Court vis – a – vis

Mofussil Courts

1.4 Judicial measures of Lord Cornwallis 1781, 1790,
1793 progress of Adalat system under Sir. John Shore, **Charter Act, 1833, Law Commissions**

1.5 **Indian Councils Act, 1909 (Minto Morley Reforms)**

1.6 **The Government of India Act, 1919**

1.7 **The Government of India Act, 1935**

1.8 **The Indian Independence Act, 1947**

1.8 Conflicts arising out of the dual judicial system tendency for amalgamation of the two systems of Courts – The Indian High Courts under the Government of India Act, 1915 – High Courts under the Government of India, 1935 – High courts under the Indian Constitution

1.9 Development of Rule of law, separation of powers, Independence of judiciary

1.10 Judicial Committee of Privy Council as a Court of Appeal and its jurisdiction to hear appeals from Indian decisions – Abolition of the Privy Council to hear appeals from Indian decisions

1.11 Court system generally under the Constitution of India

Unit 2: LEGAL PROFESSION:

2.1 Legal profession in Pre – British India – Role, Training and functions

2.2 Law practitioners in the Mayor's Courts established Under the Charter of 1726

2.3 Organization of legal profession under the Charter of 1774

2.4 Legal profession in Company's Courts

2.5 Provision for enrolment of Advocates, Vakils and Attorneys Under Legal Practitioner's Act, 1853

2.6 **Advocates Act, 1961**

2.7 **History of Law Reporting in India**

RECOMMENDED SOURCE MATERIALS:

1 Herbert Cowell, The History and Constitution of the Courts and Legislative Authorities in India – 6th Ed.

Rev. S S Bagchi, Calcutta, Macker, Spink, 1936

2 Sr. Courtenay Ilbert, The Government of India, 2nd Ed. London, OUP 1907

3 M P Jain – Outline of Indian Legal History, Dahawantra Mechanical and Law Book House, Delhi

4 A B Keith – A Constitutional History of India, 1600 – 1935, 2nd Ed. Allhabad, Central Book Depot, 1961

5 Gwyer and Appadorai – speeches and Documents on the Indian Constitution, 1945 – 1947 (2 Vols), London, OUP, 1957

6 M V Pylee, Constitutional History of India (1600 – 1950, Bombay, Asia, 1967)

Paper – XX: LAW OF CRIMES (IPC)

Unit 1 : General

1.1 : Conception of Crime

1.2 : State's power to determine acts or omissions as crimes

1.3 : State's responsibility to detect, control and punish crime

- 1.4 : Distinction between crime and other wrongs
- 1.5 : Pre-colonial notions of crime as reflected in Hindu, Muslim, tribal laws
- 1.6 : The Colonial reception-Macaulay's draft based essentially British notions
- 1.7 : I.P.C a reflection of different social and moral values
- 1.8 : Applicability of I.P.C
- 1.8.1 : Territorial
- 1.8.2 : Personal
- 1.9 : Salient features of the I.P.C

Unit 2 : Elements of Criminal Liability

- 2.1 : Author of crime-natural person and a fit subject for punishment, companies and corporations
- 2.2 : *Mens rea*-evil intention
- 2.3 : Importance of *mens rea*
- 2.4 : Recent trends of fix liability without *mens rea* in certain socio-economic offences
- 2.5 : An act in furtherance of guilty intent
- 2.6 : An omission as specifically includes in the Code
- 2.7 : Injury to another

Unit 3 : Group Liability

- 3.1 : Stringent provision in case of combination of persons attempting to disturb peace
- 3.2 : Common intention
- 3.3 : Abetment
- 3.3.1 : Instigation, aiding and conspiracy
- 3.3.2 : Mere act of abetment punishable
- 3.4 : Unlawful assembly
- 3.4.1 : Basis of liability
- 3.5 : Criminal conspiracy
- 3.6 : Rioting as a specific offence

Unit 4 : Stages of Crime

- 4.1 : Guilty intention-mere intention not punishable
- 4.2 : Preparation
- 4.2.1 : Preparation not punishable
- 4.2.2 : Exception in respect of certain offences of grave nature or of peculiar kind such as possession, counterfeit coins, false weights and measure
- 4.3 : Attempt
- 4.3.1 : Attempt when punishable-specific IPC provisions
- 4.3.2 : Tests for determining what constitutes attempt proximity equivocally and social danger .
- 4.3.3 : Impossible attempt

Unit 5 : Factors negating guilty intention

- 5.1 : Mental incapacity
- 5.1.1 : Minority
- 5.1.2 : Insanity-impairment of cognitive facilities, emotional imbalance
- 5.1.3 : Medical and legal insanity
- 5.2 : Intoxication-involuntary

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- 5.3 : Private defense-justification and limits

5.3.1 : When private defense extends to causing of death protection body and property

5.4 : Necessity

5.5 : Mistake of fact

Unit 6 : Types of punishment

6.1 : Death

6.1.1 : Social relevance of capital punishment

6.1.2 : Alternative to capital punishment

6.2 : Imprisonment-for life, with hard labour, simple imprisonment

6.3 : Forfeiture of property

6.4 : Fine

6.5 : Discretion in awarding punishment

6.6 : Minimum punishment in respect of certain offences

Unit 7 : Specific offences against human body

7.1 : Causing death of human beings

7.1.1 : Culpable homicide

7.1.2 : Murder

7.1.2.1 : Distinction between culpable homicide and murder

7.4 : Specific mental element requirement in respect of murder

7.3 : Situation justifying treating murder as culpable homicide not amounting to murder

7.3.1 : Grave and sudden provocation

7.3.2 : Exceeding right to private defense

7.3.3 : Public servant exceeding legitimate use of force

7.3.4 : Death in sudden fight

7.3.5 : Death caused by consent of the deceased-Euthanasia

7.3.6 : Death caused by person other than the person Intended

7.3.7 : Miscarriage with or without consent

7.4 : Rash and negligent act causing death

7.5 : Hurt-grievous and simple

7.6 : Assault and criminal force

7.7 : Wrongful restraint and wrongful confinements-kidnapping from lawful guardianship and from outside India

7.8 : Abduction

Unit 8 : Offences against women

8.1 : Insulting the modesty of a woman

8.2 : Assault or criminal force with intent to outrage the modesty of a woman

8.3 : Causing miscarriage without woman's consent

8.4 : Causing death by causing miscarriage without women's consent

8.5 : Kidnapping or abducting woman to compel her to marry or force her to illicit intercourse

8.6 : Buying a minor for purposes of prostitution

8.7 : Cruelty by husband or relatives of the husband

8.8 : Rape

8.9 : Custodial rape

8.10 : Marital rape

8.11 : Cruelty by husband or relatives of the husband

8.12 : Common law remedies to protect against obscene/indecent depiction of woman

Unit 9 : Offences against property

9.1 : Theft

9.2 : Cheating

9.3 : Extortion

9.4 : Robbery and dacoity

9.5 : Mischief

9.6 : Criminal misrepresentation and criminal breach of trust

9.7 : Criminal trespass

9.8 : Forgery

Unit 10 : Offences by or relating to public servants

10.1 : Public servant taking gratification of other than legal remuneration

10.2 : Public servant induced by illegal or corrupt means to do or not to do an act

10.3 : Public servant obtaining valuable thing without consideration connection with official functions.

10.4 : Public servant framing incorrect document without intent to cause injury

10.5 : Unlawful buying or bidding by public servant

10.6 : Special legislation dealing with prevention of corruption, prevention of corruption Act, objective and scope

10.7 : False evidence and offences against public justice

Unit 11 : Offences against the State

11.1 : Waging attempting conspiring to wage or collecting the ammunition to wage war against the Government of India

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11.2 : Assaulting President or Governor of a State with an intent to compel or restrain the exercise of any lawful power

11.3 : Sedition

11.4 : War against a power at peace with the Government of India are committing depredations on the territories or such powers

11.5 : Permitting or aiding or negligently suffering the escape of or rescuing of harbouring, a state of prisoner

Unit 12 : Defamation

12.1 : Defamation

12.2 : Punishment for defamation

12.3 : Printing or engraving matter known to be defamatory

12.4 : Sale of printed or engraved substance containing defamatory matter

SUGGESTED READINGS

1 : Gaur.K.D-Criminal Law-Cases and materials (1985 Edn)

2 : Ratanlal-Dhirajlal-Law of Crimes (1987) 23rd Edn.

3 : Huda-Law Crimes

4 : Kenny-Outlines of Criminal Law (Chapt 1to3)

5 : Ratanlal-Dhirajlal-The Indian Penal Code

6 : Achuthen Pillai.P.S-Criminal Law

7 : Nigam,R.C-Law Crimes in India-Vol-I

8 : Stewart,S.W-A Modern view of Criminal Law (Pergamon Press Oxford 1969)

9 : Gari Sing Gour-Penal Law of India

10 : Bhatt,V.R-Essays in Criminal Law

11 : Relevant volumes of the Annual survey published by Indian Law institute

Paper - XXI: FAMILY LAW-I

Unit 1 : Marriage and Kinship

1.1 : Evolution of the institution of marriages and family

1.2 : Role of religion, rituals and practices in moulding the rules regulating marital relations

1.3 : Types of family based upon; lineage-patrilineals, matrilineal, authority, structure patriarchal and matriarchal, location-patrilocal and matrilocal and number of conjugal units nuclear extended, joint and composite.

1.4 : Applicability of law

1.4.1 : Who is a Hindu?

1.4.1.1 : Who is s Muslim?

1.4.1.2 : Who is a Christian?

1.4.2 : Sources of Hindu law, Muslim law and Christian law

Unit 2 : Customary practices and the State

2.1 : Polygamy

2.2 : Concubinage

2.3 : Child marriage

2.4 : Sati

2.5 : Dowry

2.6 : State intervention through various legal measures

Unit 3 : Conversion and its effect on family

3.1 : Marriage

3.2 : Adoption

3.3 : Guardianship

3.4 : Succession

Unit 4 : Matrimonial Remedies

4.1 : Non-judicial resolution of marital conflict problems

A : Customary dissolution of marriage-unilateral divorce, divorce by mutual consent and other modes of dissolution

B : Divorce under Muslim personal law-Talaq and Talaq-e-tafweez

4.2 : Judicial resolution of marital conflict problems. A general perspective of matrimonial fault theory and principles of irretrievable breakdown of marriage

4.3 : Nullity of marriage

4.4 : Option of puberty

4.5 : Restitution of conjugal rights

4.6 : Judicial separation

4.7 : Desertion-a ground for matrimonial relief

4.8 : Cruelty-a ground for matrimonial relief

4.9 : Adultery- a ground for matrimonial relief

4.10 : Other grounds for matrimonial relief

4.11 : Divorce by mutual consent under Special Marriage Act, 1954, Hindu Marriage Act, 1955 and Muslim law(Khula and Mubaraat)

4.12 : Bars to matrimonial relief

- 4.12.1 : Doctrine of strict proof
- 4.12.2 : Taking advantage of one's own wrong and disability
- 4.12.3 : Accessory
- 4.12.4 : Connivance
- 4.12.5 : Collusion
- 4.12.6 : Condonation
- 4.12.7 : Improper or unnecessary delay
- 4.12.8 : Residuary clause-no other legal ground exists for refusing the matrimonial relief

Unit 5 : Alimony and maintenance

- 5.1 : Maintenance of neglected wives, divorced wives, minor children, disabled children and parents who are unable to support themselves under the Code of Criminal Procedure, 1973
- 5.2 : Alimony and maintenance as an independent remedy-a review under different personal laws
- 5.3 : Alimony and maintenance as ancillary relief, alimony, pendente lite and permanent maintenance
- 5.4 : Maintenance of divorced Muslim women under The Muslim Women (Protection of Rights on Divorce) Act, 1996-a critical review

Unit 6 : Child and the Family

- 6.1 : Legitimacy
- 6.2 : Adoption
- 6.3 : Custody, maintenance and education
- 6.4 : Guardianship

Unit 7 : Family and its changing patterns

- 7.1 : New emerging trends
 - 7.1.1 : Attenuation of family ties
 - 7.1.2 : Working women and their impact on spousal relationship, composition of family, status and role of women and decision making authority structure.
- 7.2 : Factors affecting the family-demographic, environmental, religious, legislative
- 7.3 : Process of social change in India-Sanskritisation, Westernization, secularization, universalisation, patriarchalisation and modernization including industrialization and urbanization

Unit 8 : Establishment of Family court

Unit 9 : Securing of a Uniform Civil Code

- 9.1 : Religious pluralism and its implication
- 9.2 Connotations of the directive contained in Article 44 of the Indian Constitution
- 9.3 : Impediments to the formulation of the Uniform Civil Code

SUGGESTED READINGS

- 1 : Kuppaswamy.A (ed) Maine's Hindu Law and Usage (1986)
- 2 : Kane.P.V History of Dharmasastras, Vol.II (1974)
- 3 : Sivaramaiah.B. Inequalities and the law (1985)
- 4 : Derrett.J.D.M A Critique of Modern Hindu Law
- 5 : Malik.B, Verma's Mohammedan Law (1978)
- 6 : Desai.S.T. Mulla's Principles of Hindu Law
- 7 : Diwan Paras. Hindu Law
- 8 : Diwan Paras: Family law

9 : Subba Rao,G.C.V. Family Law in India
10 : Mulla's Principles of Mohammedan Law

6TH SEMESTER

PAPER -XXII POLITICAL SCIENCE – VI (LOCAL- SELF GOVERNMENT)

Unit –I :Introduction, Historical back ground of the Panchayat Raj Institutions in India, village administration in ancient India , Position of Panchayat Raj during Medieval period, Panchayat Raj institution under the period of British rule.

Unit – II: Concept of Local-self Government Gandi-Vinoba's grama swaraj

Unit – III :Theory of decentralized local self government

Unit – IV: Local-government in rural India and Community development programmes

Unit –V :Balwantrai Mehata Committee, 1957, Ashok Mehata Committee, 1978 and their recommendations on Panchayati Raj system.

Unit – VI: The concept of Panchayati Raj

Unit – VII: Gramasabha, village and Panchayat, Panchayat Samithi, Zilla Parishad

Unit – VIII: Panchayat Raj and State Government, Supervision and guidance, General need, present methods and proposals and a new approach.

Unit – IX : Political parties and Panchayat Raj

Unit –X : Changing pattern of Panchayat Raj

Unit – XI: 73rd and 74th Constitutional Amendment, Dr.L.M. Singhvi and P.K. Thunga recommendations.

Unit - XII: Election for Local self –governments: The Panchayat, the Municipalities, the Scheduled and Tribal Areas and the Election Commission for the purpose.

Books Recommended :

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

PAPER – XXIII- SOCIOLOGY –III (Rural, Urban and Tribal Sociology)

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

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

3. Rural Poverty, Bonded Labour, Agricultural Labour, Rural Employment, Town and Country Planning Environmental Issues, Role of local bodies in Law enforcement.

4. Role of GOs and NGOs in rural and urban settings. Corporate social responsibility in combating rural and urban problems.
5. Gram Nyayalaya, Lok Adalats, Right to Information Act, Legal Literacy.
6. Social Work as a Profession, Methods and techniques of Social Case Work, Social Group work, Community Development and Social Action.
7. Law and Public Opinion, Law as an Instrument of Social Change
8. Tribe and Caste in the traditional Order-Caste and Class in Contemporary India – The Backward Classes.
9. Trends of change in Indian Society – Indian Cultural values and Development – Coercion, Conflict and Change – Sociology as a Discipline – Law and Society – Sociology of law and sociology of Legal Profession.

Books Recommended :

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

Paper – XXIV- LEGAL LANGUAGE AND LEGAL WRITING

Part-A

Unit 1: FUNDAMENTAL PRINCIPLES OF LEGAL WRITING:

- 1.1 Concisions-clarity, cogency
- 1.2 Simplicity of Structure
- 1.3 Attention and awareness of Practical, legal import of sentences
- 1.4 Communicative Skills

Unit 2: GENERALLY USED LEGAL TERMS AND EXPLANATIONS IN TELUGU / ENGLISH:

PART-B

Unit 3: The student shall be explained about reading for understanding the contents and Organization of the text, reading for details & language study, vocabulary identification of source of law and case law. Use of

legal dictionaries. For the above purpose a passage from a referred law book, journal or judicial decision may be given from the passage. The student may be asked to-

- 1 Identify “Legal Terms”
- 2 Explain those terms
- 3 Use equivalent other terms
- 4 Identify case law
- 5 Analyze the point of law involved
- 6 Precise
- 7 Answer the questioned put based on that passage

PART-C

Unit 4: CONSTITUTION: Salient features of Indian Constitution

Unit 5: CONTRACTS: Essentials of valid contract-Indemnity, Guarantee, Bailment, Pledge, Partnership, Negotiable Instruments, Hindu Marriage and ground of divorce

Unit 6: TRANSFER OF PROPERTY: Classification of movable and immovable Properties, essentials of gift, lease, mortgage, sale of agreement to sell, will.

Unit 7: EVIDENCE: Definition of Evidence Fact-Fact in Issue, Relevance of facts.

Unit 8: CRIMES: Essentials of Crime-Variety categories of crimes.

Unit 9: TORTS: Definition of Torts-Variety categories of Torts.

Unit 10: CRIMINAL PROCEDURE CODE: Cognizable, noncognizable offences arrest, warrant, bail, FIR – Hierarchy of courts.

Unit 11: CIVIL PROCEDURE CODE: Meaning of Order, Rule, Decree Judgment- Hierarchy of Courts.

Part-D

Unit 12: Translation of Legal forms – English to Telugu or writing of Legal Terms in English

Unit 13: Pleadings and convincing in Telugu/English Plaint, Written Statement, Sale and Agreement to sell, Gift, lease, Mortgage, Will

Note: Those whose mother tongue is not telugu they may be permitted to write in English

SUGGESTED READINGS

- 1 Misra S.K – Legal Language and Legal Writing
- 2 Srikantha Mishra – Legal Language and Legal Writing
- 3 Sridhar M – Legal Language
- 4 Chaturvedi A.N – Principles and form of Pleading and Conveyancing
- 5 De Souza – Conveyancing

6 Mogha – Law of Pleadings

7 Mogha – Indian Conveyance

Narayana P.S – Pleadings and Practice (Civil and Criminal)

Paper -XXV: JURISPRUDENCE

Unit-1 : Need to study Jurisprudence; Its relationship with political; power structures and just society.

Unit-2 : What is a Concept?

2.1 : Concept; Ideas and Notions

2.2 : What is Theory? Difference between theory; hypothesis; conjecture; and opinions.

Unit-3 : What is a Norm?

3.1 : Difference between maxims, rules, principles and customary rules

3.2 : Differences between Primary Rules and Secondary Rules.

3.3 : What is a Normative System

Unit-4 : Concept of Law; Its difference with laws of natural science, social sciences, statistics, history

4.1 : Laws on obligation

Unit-5 : Why are Laws obligatory?

5.1 : Define and discuss the following legal concepts: liability, obligation, sanction, coercion, compulsion, duty, estoppel, promise, Dharma with case material

5.2 : Contractarian Theories: General-will theories and Free-will theories and Autonomous theories particularly Positivist theories connected development of Austin onwards: Reference to Dworkin; Rawls and Marxian terms of the Doctrine of withering away of state, including Transcendental Theories.

5.3 : Whom does the law obligate? Personality; people; state-with particular reference to Directive Principles of State Policy; *locus standi*, Randhir Singh, Golaknath and other relevant cases.

Unit-6 : Theories of Authority

6.1 : Types of authority; legislative, judicial and customary-their binding nature.

6.2 : Bindingness with regard to Precedent. Determination of ratio and methods of Wanbaugh, Salmond, Good Hart, Simpson's approach in Jacob's case. Also the studying factors of Llewellyn (information to be provided that there is no

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distinction between making and declaring, basing on Gestalt psychology.

(Ref: Peter Brett)

Unit-7 : Limits on Legislative Authority

7.1 : Positivist view that there are no limits. Discuss with reference to Austin, Kelsen, Golaknath and D.C Wadhwa's case.

7.2 : Natural Law view that the limits are defined by principles of morality or natural justice; the legislation, from whatever source, must be in accordance with such principles. Discuss with reference to Aquinas, Finnis.

7.3 : The Rationalists view that the limits are set by rational principles of justice- Discuss with reference to Kant, Rawls.

7.4 : The Basic Structure Doctrine-that the limits are set by the Basic Structure of the Constitution or the law itself; any legislation contrary to the basic structure is

non-law (ref: *Kesavananda Bharathi's* case)

7.5 : Define and discuss the basic legal Concept of Reasonableness with reference to Indian cases. *State of Madras v. V.G. Row* (1952 SC 196).

Dwaraka Prasad Laxmi Narayan v. State of U.P (AIR 1954 SC 224).

Krishanchanda Arora v. Commissioner of Police (1961 3 SCR 135).

Hardhan Shah v. State of West Bengal (1975 3 SCC 198).

Air India v. Nargesh Meerza (AIR 1987 SC 1829).

Maneka Gandhi v. Union of India (1978 2SCR 621).

Unit -8 : The Functions of Law

8.1 : Law as the upholder of the moral order in the society

8.2 : Concept of Dharma and connection between Law and Morality

8.3 : Law for bringing efficiency and social stability; the utilitarian views

8.4 : The differences between the ends of a legal order, a political order and a religious order. Are they interchangeable? Can one replace another? Issue concerning the dialectics of law

8.5 : Law as a means of Social Control

8.6 : Law as Volksgeist

SUGGESTED READINGS

1 : Bodenheimer Jurisprudence - The Philosophy and Method of Law (1996), Universal, Delhi.

2 : Fitzgerald, (ed) Salmond on Jurisprudence (1999) Tripathi, Bombay

3 : W. Friedmann, Legal Theory (1999) Universal, Delhi.

4 : M.D.A Freeman (ed.), Lloyd's Introduction to Jurisprudence, (1994), Sweet & Maxwell

5 : H.L.A Hart, the Concepts of Law (1970) Oxford, ELBS

6 : Dias, Jurisprudence (1994 First Indian re-print), Aditya Books, New Delhi.

Paper - XXVI: ENVIRONMENTAL LAW

Unit 1 : The meaning of environment and pollution:

1.1 : Definition, as defined in the Environment Protection Act: 1986 Sec. 2(a); "Pollution" as defined in the same Act, Sec 2(a), (b), (c), (d), (e); and in the water (Prevention and Control of Pollution) Act, 1974. "Forests", as defined in the Indian Forest Act, 1927, and the Forest conservation Act, 1980. the intended meaning of environment in Constitution, Articles 15(2) (b), 24, 39 (a), (b), (c), (e), (f), 47, 48 A, 49.

1.2 : Causative factors of Pollution.

Unit 2 : Subject matter of environmental laws:

Unit 3 : Types and functions of environmental laws

3.1 : Primary Protective Laws

3.1.1 : For human-beings:

: Laws pertaining to: (a) Water (b) Air, (c) Noise, (d) Nuclear radiation, (e) Toxic substances.

3.1.2 : For non human-beings:

: Laws pertaining to (a) Wild life (b) Marine life, (c) Forests, (d) Minor-forests, (e) restrictions on trade.

3.2 : Primary planning laws

3.2.1 : For production:

: Laws pertaining to : (a) Land use (b) Irrigation, (c) Industries, (d) Mining, (e) Grazing-land, (f) Catchments areas, (g) Wet land, (h) Estuaries.

3.2.2 : For distribution:

: Laws pertaining to : (a) Land ceiling (b) Town planning/zoning, (c) Slums, (d) Housing, (e) Recreational areas, (f) Parks, (g) Sanctuaries, (h) Biospheres.

Unit 4 : Secondary laws:

4.1 : Pertaining to the administration and functioning of Pollution Control Boards; Water-Boards; the Factories Acts, Forest Act Land Reform and Development Acts, industries Act, etc.,

4.2 : Laws relating to the administration within the Ministry of Environment and forest.

4.3 : Laws relating to the collection, dissemination and publication of data by the Boards of Ministry, concerning.

: a) Hazardous material, b) Endangering industries, c) Levels of pollution; and d) Types of safety measures available and implemented.

4.4 : Laws relating to the role of the lower courts (including the Forest Courts).

Unit 5 : Tertiary laws:

5.1 : Constitutional provisions concerning inter-state relations that concern acquisition, regulation and distribution natural resources, (Water, Forests, Mines, Oil) (with special emphasis on Art. 14, 19, 31-A, 31-B, 31-C, 39(b)&(c); Union list; 6, 52, 56, 57 State list: 17, 18, 21, 23. concurrent List: 17, 17-A, 17-B, 18, 20, and Ninth Schedule.

5.2 : Constitutional provisions: The Constitution of India Art. 14, 15, 2(b), 19(e), 21, 31-c, 32, 38, 39, 42, 47, 48-A, 49, 51, 51-A(g).

Unit 6 : International parameters of environment:

6.1 : Stockholm Declaration and its impact.

6.2 : Rio Summit

6.3 : United Nations Environmental Programme (UNEP).

6.4 : State responsibility for environmental pollution

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6.5 : North South Perspective.

Unit 7 : Legal strategies regulation

7.1 : Deterrence through criminal liability, Strict liability, Absolute Liability and Vicarious liability.

7.2 : Principles of calculating penalties and economic sanctions against offenders.

7.3 : Principles and methods of standardization

7.4 : Managerial

7.4.1 : Principles of tortious liability

7.4.2 : Estoppel

7.4.3 : Strategies of incentives, through non-taxation, deductions etc.,

7.4.4 : Methods of recovery through insurances, sureties, bonds etc.,

7.5 : Environmental courts/Tribunals

Unit 8 : Rights in common law:

: Basis of occupancy, usufruct and group or collective rights of indigenous communities in national and international laws.

Unit 9 : Natural rights theories and its advocacy in environment related issues:

9.1 : Right to life.

9.2 : Right to livelihood

9.3 : Right to reside

9.4 : Right to development

9.5 : The rights of future generations

Unit 10 : Multinational corporate liabilities:

: In the legal responsibilities of multinational funding agencies.

Unit 11 : Judicial activism and environment:

SUGGESTED READINGS

1 : Agarwal.A. (ed)-The State of India's Environment the Second Citizen's Report (1985).

2 : Chatrapathi Singh-Common property and common poverty (1985)

3 : Jayal, Bandhopadhyay and Singh (ed) India's environment crises and response (1985)

4 : Leelakrishnan.P (ed)-Environment and the law (1986)

5 : Jain.S.N (ed)-Pollution Control and the law (1978)

6 : Baxi.U-The Bhopal case (1986)