

CONSTITUTIONAL LAW-I

(The entire syllabus is divided into five units. Ten questions shall be set in all with two questions from each unit. The candidate shall be required to answer five questions in all selecting one from each unit.)

UNIT- I

- **Constitutional Law:** Concept, Definitions & Kinds-Special Features of the Constitution
- Constitutionalism
- **Rule of Law:** Concept and New Horizons
- Separation of Powers

UNIT- II

- **Concept and Development of Federalism:** Essentials of a Federal Government-Challenges to Indian Federalism
- **Legislative:** Distribution of Legislative Powers
- **Executive:** Administrative-Resolution of Conflict
- **Financial:** Distribution of Taxing Power and Distribution of Revenues

UNIT- III

- Privileges of Legislature
- Nature of Parliamentary Sovereignty-Parliamentary Privileges-Privileges and Fundamental Rights
- Anti-Defection Law
- **Role of the Speaker:** Speaker's Power under Anti-Defection Law

UNIT- IV

- Concept of Executive Power
- Westminster Model-Choice of Parliamentary Government at the Centre and State
- **President of India:** Election, Qualification and Impeachment-Position of President-Relationship between Cabinet & President
- **Powers of the President:** Executive Power, Ordinance Making Power, Pardoning Power and Emergency Powers

UNIT- V

- **Judicial Review:** Nature and Scope
- **Amendment to the Constitution:** Methods of Constitutional Amendment
- Limitation Upon Constituent Power-Doctrine of Basic Structure
- Judicial Activism and Judicial Restraint

Suggested Readings:

1. Durga Das Basu: *Introduction to the Constitution of India*, LexisNexis India.
2. Durga Das Basu: *Shorter Constitution of India*, Prentice-Hall of India, New Delhi.
3. Shibnikinkar Chaube: *Constituent Assembly of India*, Manohar Publishers & Distributors, New Delhi.
4. J. N. Pandey: *Constitutional Law of India*, Central Law Agency, Allahabad.
5. Zoya Hasan & E. Sridharan (eds.): *India's Living Constitution: Ideas, Practices, Controversies*, Permanent Black Publishers, Delhi.
6. M.C. Jain Kagzi: *The Constitutional of India*, India Law House, New Delhi.
7. Arthur Berriedale Keith: *A Constitutional History of India 1600-1935*, Methuen & Co. Ltd., London.
8. M. P. Jain: *Indian Constitutional Law*, LexisNexis India.
9. P. D. Mathew: *Fundamental Rights in Action*, Indian Social Institute, New Delhi.
10. Prof. M. P. Singh: *V.N. Shukla's Constitution of India* Eastern Book Company, Lucknow.

11. M. V. Pylee: *Constitutional Amendments in India*, S. Chand & Company, New Delhi.
12. M.V. Pylee: *Our Constitution Government & Politics*, Universal Law Publishing Co. Pvt. Ltd., New Delhi.
13. M. V. V. Ramana: *Inter-State River Water Disputes in India*, Orient Longman, New Delhi.
14. H. M. Seervi: *Constitutional Law of India*, N.M. Tripathi, Bombay.
15. Jagdish Swarup: *Constitution of India*, Modern Publications, New Delhi.

Relevant Cases:

1. *A. K. Roy v. Union of India*, AIR 1982 SC 710.
2. *A.S Mohammed Rafi v. State of Tamil Nadu*, AIR 2011 SC 308.
3. *Balchandra L. Jarkiholi and Ors. v. B.S Yedyurappa and Ors.*, (2011) 7 SCC 1.
4. *Bandhua Mukti Morcha v. Union of India*, AIR 1982 SC 802.
5. *BSE Brokers Forum Bombay v. SEBI*, AIR 2001 SC 1010.
6. *Centre for PIL v. Union of India*, (2011) 1 SCC 560.
7. *Chief Election Commissioner v. Jan Chukidar*, (2013) 7 SCC 507.
8. *D. C. Wadhwa v. State of Bihar*, AIR 1987 SC 579.
9. *Devender Pal Singh Bhullar v. State (NCT of Delhi)*, (2013) 6 SCC 195.
10. *Dhananjay Chatarjee v. State of West Bengal*, AIR 2004 SC 3454.
11. *Divisional Manager, Aravali Golf Club v. Chander Hass*, (2008) 1 SCC 683.
12. *Epuru Sudhakar v. Government of Andhra Pradesh*, (2006) 8 SCC 161.
13. *GVK Industries Ltd. v. The Income-Tax officer*, (2011) 4 SCC 36.
14. *I.R. Coelho v. State of Tamil Nadu*, (2007) 2 SCC 1.
15. *Jagjit Singh v. Haryana*, (2006) 11 SCC 1.
16. *K. M. Sharma v. Shri Devi Lal*, AIR 1990 SC 528.
17. *Kehar Singh v. Union of India*, AIR 1989 SC 653.
18. *Kesavanand Bharti v. State of Kerala*, AIR 1973 SC 1416.
19. *Kihota Hollohan v. Zachilhu* AIR 1993 SC 412.
20. *Kuljeet Singh v. Lt. Governor of Delhi*, AIR 1982 SC 774.
21. *Md. Sukur Ali v. State of Assam*, (2011) 4 SCC 729.

22. *Mohammed Ajmal Amir Kasab v. The State of Maharashtra*, AIR 2012 SC 3565.
23. *Mohd. Ajmal Amir Kasab v. State of Maharashtra*, (2012) 9 SCC 1.
24. *Mohd. Hussain@Julfikar Ali v. The State (Govt. of NCT) Delhi*, AIR 2012 SC 750.
25. *Nandini Sunder v. State*, (2011) 1 SCC 577.
26. *National Human Rights Commission v. State of Gujarat*, (2009) 6 SCC 342.
27. *P. V. Narsimha Rao v. State (CBI/SPF)* AIR 1998 SC 2120.
28. *People's Union For Civil Liberties (PUCL) v. Union Of India*, (2003) 4 SCC 399.
29. *R.M.D.C. v. Union of India*, 1957 SC 628.
30. *Raja Ram Pal v. The Hon'ble Speaker, Lok Sabha*, (2007) 3 SCC 184.
31. *Rajendra Singh Rana v. Swami Prasad Maurya*, AIR 2007 SC 1305.
32. *Ram Javaya Kapoor v. State of Punjab*, AIR 1955 SC 549.
33. *Rameshwar Prasad v. Union Of India*, AIR 2006 SC 980.
34. *Re Article 143* AIR 1965 SC 745.
35. *Re Berubari Union & Exchange of Enclaves*, AIR 1960 SC 845.
36. *Re Delhi Laws Act*, AIR 1951 SC 332.
37. *Rupa Ashok Hurra v. Ashok Hurra*, AIR 2002 SC 1771.
38. *S.P. Gupta and Others v. President of India and Others* AIR 1982 Sc 149.
39. *S.R. Bommai v. Union of India*, AIR 1994 SC 1918.
40. *Sahara India Real State Corporation Ltd. v. SEBI*, (2012) 10 SCC 603.
41. *State of Kerala v. M/s Mar Appraem Kuri Co. Ltd.*, AIR 2012 SC 2375.
42. *State of U.P. v. Jeet Singh Bisht*, (2007) 6 SCC 586.
43. *State of West Bengal v. Committee For Protection of Democratic Rights*, AIR 2010 SC 1476.
44. *University of Kerala v. Council of Principals of Colleges, Kerala*, (2011) 14 SCC 357.
45. *V.K Naswa v. Home Secretary, Union of India*, 2012(2) SCC 542.

ISLAMIC JURISPRUDENCE

(The entire syllabus is divided into five units. Ten questions shall be set in all with two questions from each unit. The candidate shall be required to answer five questions in all selecting one from each unit.)

UNIT- I

- **Definition of Law:** Comparison between God-Given and Man-Made Laws- Origin and Development of Muslim Law
- **Pre-Islamic Arabia:** Socio-Legal Conditions
- **Islam after Prophet Mohammad (SAW):**The Prophet of Islam and Impact of Islam on West and Modern Technology and Democracy

UNIT- II

- Who is a Muslim?
- **Muslim Law as Applied and Interpreted in India:** Operation of Muslim Law Legislative Enactments-The Muslim Personal Law (Shari'at) Application Act, 1937
- **Sources of Islamic Law:** The Holy Quran-Hadith and Sunnah

UNIT- III

- **Secondary Sources:** Ijma (Consensus of Opinions) and Qiyas (Analogy)
- Ijtehad and Taqlid
- Equity, Justice and Good Conscience

UNIT- IV

- **Schools of Islamic Law:** General Introduction
- **Sunni Schools:** Hanafi –Maliki-Shafie-Hanbali-Tasawwuf-Sufism

- **Shia Schools:** Ja'fari or Imāmī School-Ismaeli School-Zaidiya School

UNIT- V

- Democracy and Islamic System of Shura-Concept of Justice and Sharia Adalat
- Concept of Conversion and Apostasy under Islam
- Rights of Muslim Women and the Dissolution of Muslim Marriage Act, 1939-Right of Maher, Maintenance and the Muslim Women (Protection of Rights on Divorce) Act, 1986

Suggested Readings:

1. A.M. Bhattarcharjee: *Muslim Law and the Constitution*, Eastern Law House, Calcutta.
2. Abdul Rahim: *The Principles of Muhammadan Jurisprudence*, Luzac and Company, London.
3. Aqeel Ahmad: *Muslim Law*, Central Law Agency, Allahabad.
4. Asif Ali A. Faizee: *A Modern Approach to Islam*, Oxford University Press, Delhi.
5. Asif Ali A. Faizee: *Outlines of Mohammadan Law*, Oxford University Press; Delhi.
6. J. Schachet: *The Origin of Mohammadan Jurisprudence*, Clarendon Press, Oxford.
7. Khalid Rasheed: *Muslim Law*, Eastern Book Co., Lucknow.
8. Mir Waliullah: *Muslim Jurisprudence and the Qur'anic Law of Crimes*, Adam Publishers & Distributers, New Delhi.
9. S. Mahmassni: *(Falsafat al-tashrifi-Islam)-Philosophy of Jurisprudence in Islam*, Beirut, 1946. [English Translation by F.J. Ziadeb (Beirut) Leiden, 1961].
10. Sir D.F. Mulla: *Principles of Mahomedan Law*, Lexis Nexis, Gurgaon.
11. Tahir Mahmood: *Muslim Law in India and Abroad*, Universal Law Publishing Co., New Delhi.

LEGAL METHODS

(The entire syllabus is divided into five units. Ten questions shall be set in all with two questions from each unit. The candidate shall be required to answer five questions in all selecting one from each unit.)

UNIT-I

(CONCEPT OF LAW, TYPES & FUNCTION)

- **Perceptions of Law:** Approaches to the Study of Law-Historical, Philosophical, Analytical, Sociological etc.-Law as Distinct from Religion, Morality, Custom, and Public Opinion
- **Types of Law:** Common Law-Civil and Criminal Law-Public and Private Law-Substantive and Procedural Law-Adjective Law-International Law & Municipal Law

UNIT-II

(SOURCES OF LAW)

- **Purpose and Function of Law:** Normative-Social Ordering-Justice Delivery-Dispute Settlement-Directing Social Change-Social Engineering-Legitimising Power
- **Sources of Law:** Religion-Culture-Agreement-Custom-Precedent & Legislation

UNIT-III

(LAW AS A SYSTEM)

- **Form & Structure of Legal System:** Rule of Law-Institutions of Law / Hierarchy of the English & Indian Courts
- Structure of the Indian Legal System

**UNIT-IV
(METHODS OF LAW)**

- **Statute:** How is a Statutory Law Enacted?-The Structure of a Statute-How to Read a Statute
- **Cases:** What is a Precedent in Law?-How to Read a Case?-Distinguishing 'Ratio' from Obiter-Judicial Law Making

**UNIT-V
(LEGAL RESEARCH METHODS)**

- **Primary:** Statutes, Ordinance, Delegated Legislation, Rules, Regulations, Bye-Laws, Orders, Notification, Judicial Decisions, Decisions of Tribunals etc.
- **Secondary:** Journals, Articles, Books, Newspapers, Where to Find Materials-Law Reports, Official Gazettes

Suggested Readings:

1. Anwarul Yaqin: *Legal Research And Writing Methods*, LexisNexis, India.
2. Carl Stychi: *Legal Method: Text and Materials*, Sweet & Maxwell, London.
3. Dr. G. P. Tripathi: *Legal Method*, Central Law Publications, Allahabad.
4. Dr. Sanjeev Kumar Tiwari: *Legal Method*, Samudhvab Publisher & Book Sellers, New Delhi.
5. Lon L. Fuller: *Morality of Law*, Universal Law Publishing Co. Private Limited, New Delhi.
6. Glanville L. Williams: *Learning the Law*, Sweet & Maxwell, London.
7. Ian McLeod: *Legal Method*, Palgrave Macmillan, London.
8. Robert M. Baird: *Morality and the Law (Contemporary Issues in Philosophy)*, Prometheus Books, New York.
9. Sebastian Urbina: *Legal Method and the Rule of Law*, Springer, Berlin.
10. Simon Lee: *Learning Legal Skills*, Oxford University Press, Oxford.
11. Sir Carleton Kemp Allen: *Law in Making*, Oxford University Press, UK.
12. Tushar Kanti Saha: *Textbook on Legal Methods, Legal Systems & Research*, Universal Law Publishing Co. Pvt. Ltd., New Delhi.

LEGAL AND CONSTITUTIONAL HISTORY

(The entire syllabus is divided into five units. Ten questions shall be set in all with two questions from each unit. The candidate shall be required to answer five questions in all selecting one from each unit.)

UNIT- I

(DEVELOPMENT OF COURTS & JUDICIAL INSTITUTIONS FROM 1600 TO 1781)

- **India at the Dawn of British Arrival:** English East India Company, Foundation, Constitution and Growth till 1726-Administration of Justice in Presidency Towns (1600-1726) and Development of Court and Institutions under the East India Company.
- **Establishment of Crown Courts in India:** The Mayor's Courts and Courts of Request in Presidency Towns-Beginning of Adalat System-Warren Hastings Plan of 1772, Reforms under Plan of 1774 and Reorganization in 1780-Regulating Act of 1773
- **Salient Features of Supreme Court at Calcutta:** Composition-Powers-Functions-Working-Landmarks Cases: Trial of Raja Nand Kumar (1775)-Case of Kamaluddin (1775)-The Patna Case (1779)-The Cossijurah Case (1779-80)

UNIT- II

(DEVELOPMENT OF COURTS & JUDICIAL INSTITUTIONS SINCE 1781)

- **Act of Settlement 1781:** Supreme Courts at Madras and Bombay- Role of Cornwallis in Judicial Reforms: Judicial Plans of 1787, 1790 and 1793-Progress of Adalat System under Sir John Shore, Lord Walleseley, Lord Amherest and Lord William Bentick

- History of Indian High Courts under Act of 1861, 1865, 1911 & Govt. of India Act, 1915 & 1935
- Judicial Committee of Privy Council as a Court of Appeal and its Jurisdiction to Hear Appeals from Indian Decisions-Abolition of the Jurisdiction-Federal Court-Modern Judicial System

UNIT-III
(DEVELOPMENT OF LAW)

- Racial Discrimination in Administration of Civil and Criminal Justice
- Introduction of English Law in the Presidencies and Mufussils
- Development of Criminal Law-Development of Civil Law-Development of Personal Law during British Period

UNIT-IV
(CIVIL REBELLIONS, RISE & GROWTH OF INDIAN NATIONAL MOVEMENT)

- Revolt of 1857: Civil Rebellious and Peasant Revolts with Special Reference to Indigo-Revolt, Deccan Riots and Mappila Uprising-Early Nationalists and Militant Nationalists-Revolutionary Group-Terrorists
- Passing of the Indian Council Act, 1881, 1892 and the Govt. of India Act of 1909, 1919 & 1935
- **Emergence of Gandhi in Indian Politics and Techniques of Mass Mobilization:** Non-Cooperation, Civil Disobedience and Quit Indian Movement-Transfer of Power and Indian Independence Act, 1947

UNIT-V

(HISTORICAL GROWTH OF LEGAL PROFESSION & LAW-REPORTING)

- **Codification of Indian Laws and the Law Commissions:** The Charter Act of 1833- First Law Commission- Charter Act of 1853-Second, Third & Fourth Law Commission
- **Growth of Legal Profession in India:** Legal Practitioners Act, 1853, The High Court of 1861, The Legal Practitioners Act 1879, Report of the Indian Bar Committee, 1923, The Indian Bar Council Act, 1926 and The Advocates Act, 1961
- History of Law Reporting in India

Suggested Readings:

1. J. K. Mittal: *Indian Legal & Constitutional History*, Allahabad Law Agency, Allahabad.
2. Kailash Rai: *Indian Legal & Constitutional History*, Allahabad Law Agency, Allahabad.
3. M P Jain: *Outlines Of Indian Legal and Constitutional History*, LexisNexis India, Gurgaon.
4. M. P. Singh: *Outlines of Indian Legal and Constitutional History: Including Elements of Indian Legal System*, Universal Law Publishing Co. Pvt. Ltd, New Delhi.
5. M. Rama Jois: *Legal and Constitutional History of India: Ancient Legal, Judicial and Constitutional System*, Universal Law Publishing-An Imprint of LexisNexis, New Delhi.
6. Sumeet Malik: *V. D. Kulshreshtha's Landmarks in Indian Legal & Constitutional History*, Eastern Book Company, Lucknow.

LAW OF CRIMES-I

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UNIT- I

(INTRODUCTION)

- **Concept of Crime:** *Mens Rea-Actus Rea*
- **Stages of Crime:** Intention, Preparation, Attempt and Completion
- Responsibility of State in Detecting, Controlling and Punishing Crimes

UNIT- II

(OFFENCES AGAINST HUMAN BODY-I)

- Culpable Homicide
- Murder
- Death Caused by Rash & Negligent Act

UNIT- III

(OFFENCES AGAINST HUMAN BODY-II)

- Hurt: Grievous and Simple- Assault and Criminal Force
- Wrongful Restraint and Wrongful Confinement
- Kidnapping and Abduction

UNIT- IV

(OFFENCES AGAINST PROPERTY)

- Theft-Extortion-Robbery-Dacoity

- Criminal Misappropriation-Criminal Breach of Trust
- Mischief-Cheating-Criminal Trespass

UNIT- V
(OFFENCES AGAINST WOMEN)

- Pornography/Indecent Representation of Women, Eve-teasing, Outraging Modesty of Woman & Rape
- Offence Relating to Miscarriage
- **Kidnapping or Abducting of a Woman:** Buying or Selling a Minor for Prostitution
- Dowry Death-Cruelty by Husband or Relatives of a Husband

Suggested Readings:

1. C.K. Takwani: *Indian Penal Code*, Eastern Book Company, Lucknow.
2. Dr. S.R. Myneni: *Law of Crimes (Indian Penal Code, 1860)*, Asia Law House, Hyderabad.
3. Harish Chander: *The Indian Penal Code-A Critical Commentary*, Eastern Law House, Kolkata.
4. Justice K.T. Thomas & M. A. Rashid: *Ratanlal & Dhirajlal-The Indian Penal Code*, LexisNexis India.
5. K. D. Gaur: *Commentary on the Indian Penal Code*, Universal Law Publishing Co. Pvt. Ltd., New Delhi.
6. K. S. N Murthy & K. V. S Sarma: *KSN Murthy's Criminal Law (Indian Penal Code)*, LexisNexis India, Gurgaon.
7. P. S. A. Pillai: *Criminal Law-Incorporating the Criminal Law (Amendment) Act, 2013*, LexisNexis India, Gurgaon.
8. R. A. Nelson: *Indian Penal Code*, LexisNexis India, Gurgaon.
9. S. N. Misra: *Indian Penal Code (As amended by Criminal Law (Amendment) Act, 2013*, Central Law Publications, Allahabad.
10. S. R. A. Rosedar: *Indian Penal Code*, LexisNexis India, Gurgaon.

PROPERTY LAW

(The entire syllabus is divided into five units. Ten questions shall be set in all with two questions from each unit. The candidate shall be required to answer five questions in all selecting one from each unit.)

UNIT-I

(INTRODUCTION)

- Concept & Meaning of Property
- Kinds of Property
- **Interpretation Clause (Section 3):** Distinction between Movable and Immovable Property-Attestation-Actionable Claim-Doctrine of Notice

Relevant Cases:

1. *Anand Behara v. State of Orissa*, (1955) 2 SCR 919.
2. *Bamadev Panigrahi v. Manorama Raj*, AIR 1974 AP 226.
3. *Ahmedabad Municipal Corp. v. Haji Abdul*, AIR 1971 SC 1201.
4. *Md. Mustufa v. Haji Md. Isa*, AIR 1987 Pat 05.
5. *United Indian Fire & Gen. Ins. Ltd. v. Palaniaappa & Transport Carrier*, AIR 1986 AP 32.

UNIT-II

(TRANSFER OF PROPERTY BY ACT OF PARTIES)

- **Meaning of Transfer of Property (Section 5):** Modes of Transfer of Property-What Property may be Transferred (Section 6)-Doctrine of Feeding the Grant by Estoppels (Section 43)

- **Competency of a Person to Transfer Property (Section 7):** Conditional Transfer (Sections 10, 11, 25)-Rules against Perpetuity (Sections 13, 14, 15)-Vested and Contingent Interest (Sections 19 and 21)
- **Doctrine of Election (Section 35):** Transfer by Ostensible Owner (Section 41)-*Lis Pendens* and Part-Performance (Sections 52, 53A)

Relevant Cases:

1. *V. N. Sarin v. Ajit Poplai*, AIR 1966 SC 432.
2. *Ram Niwas v. Nankoo*, (1929) 921 IC 401.
3. *Cooper v. Cooper*, (1874) HL 53.
4. *Amarnath v. Dy. Dir. of Consolidation, Kanpur*, AIR 1985 All 16.
5. *Sunil Kr. Sarkar v. Aghor Kr. Basu*, AIR 1989 Gauh 39.

UNIT- III

(SPECIFIC TRANSFER-I)

Laws Relating to Sale, Exchange and Mortgage (Sections 54-56, 118-120, 58-60, 81, 91)

Relevant Cases:

1. *Ganga Dhar v. Shankar Lal*, (1958) SC 770.
2. *Pomal Kanji Govingji v. VrajiLal K. Prohit*, AIR 1989 SC 436.
3. *Abdul Hakim v. Sajjad Hussain*, (1923) 26 PC 206.
4. *Meena Devi v. Thakur Man Singh*, AIR 1986 Raj 44.

UNIT- IV

(SPECIFIC TRANSFER-II)

Law Relating to Lease and Gift (Sections 105-111, 122-127)

Relevant Cases:

1. *Errington v. Errington*, (1952) 1 All ER 149.
2. *Associated Hotels of India Ltd v. R. N. Kapoor*, (1960) 1 SCR 368.
3. *Quality Cut Pieces v. M. Laxmi & Co.*, AIR 1986 SC 1816.
4. *Sm. Kartari v. Keval Krishan*, AIR 1972 HP 117.
5. *Tila Bewa v. Mana Bewa*, AIR 1962 Ori 130.

UNIT- V
(EASEMENT)

- Concept and Meaning of Easement
- Creation and Extinction of Easement
- License-Difference between Easement and License

Suggested Readings:

1. Avtar Singh: *Textbook on the Transfer of Property Act*, Universal Law Publishing-An Imprint of LexisNexis, New Delhi.
2. Darashaw J. Vakil: *Commentaries on the Transfer of Property Act*, LexisNexis India, Gurgaon.
3. Dr. H. N. Tiwari: *Transfer of Property Act*, Allahabad Law Agency, Allahabad.
4. Dr. R. K. Sinha: *The Transfer of Property Act*, Central Law Agency, Allahabad.
5. G. P. Tripathi: *The Transfer of Property Act*, Central Law Publications, Allahabad.
6. Poonam Pradhan Saxena: *Mulla: The Transfer of Property Act*, Lexis Nexis, India.
7. Poonam Pradhan Saxena: *Property Law*, LexisNexis India, Gurgaon.
8. Rega Surya Rao: *Lectures on Transfer of Property Act*, Asia Law House, Hyderabad.
9. S. N. Shukla: *The Transfer of Property Act*, Allahabad Law Agency, Allahabad.
10. S. R. A. Rosedar: *Transfer of Property Act*, LexisNexis India, Gurgaon.
11. Sudhir Jairam Birje: *The Transfer of Property Act, 1882 & Indian Easement Act, 1882*, Ajit Prakashan, Pune.]



Semester - IV

