

**DRAFT ONLY**

**REPORT  
OF  
THE CURRICULUM DEVELOPMENT  
COMMITTEE  
(CDC)**

**Volume I**

**BAR COUNCIL OF INDIA  
NEW DELHI  
15<sup>th</sup>. FEBRUARY, 2010**

## **BAR COUNCIL OF INDIA**

### **CURRICULUM DEVELOPMENT COMMITTEE REPORT, 2010**

**This is the first Curriculum Development Committee (CDC) of the Bar Council of India constituted for the purpose of facilitating Universities and Institutions to formulate the course design in various courses in Law, Social Sciences, English Language, Science, Management and Commerce courses for both Unitary (three Years') and Double Degree Integrated (not less than Five Years') courses.**

**The Committee highlights the faculty sovereignty in designing and successfully running those courses in the University. The Bar Council of India does not have any intention to interfere with independence of the Faculty but would encourage such planning and designing of courses as stipulated in the Education Rules. The CDC provides guidelines and would also assist the University Faculties with any other suggestion that they may be in need of. The Faculty of the University concerned has to ensure that: (a) the course design is up-dated each time and keep the study-materials dynamic; (b) develop appropriate methodology of teaching-learning based on the object and objectives (variables) of the study; and (c) evaluate the standard achieved by the learners without unduly pressurizing only the memory level but emphasizing the skill of application of law and in detailing the fact analysis with lawyers' analytical precision.**

**Integrated law course with the first degree subjects is highly technical and hence harmonization of the curriculum is very challenging. Here the commitment level of the students is high and the learning intention is very positive. Therefore, possibility of failure level may also be high unless the development of the course is thoroughly monitored. CDC will be satisfied if the faculty of the Institutions seriously customizes the course and develop the**

**strategy of teaching-learning based on the local resources available to attain maximum result in the context of localized environment.**

**This volume contains commonly run (i) Social Sciences like Political Science, Economics, History and Sociology, (ii) Science subjects like, Physics, Chemistry, Life Science and Mathematics, (iii) Management and (iv) Commerce courses.**

**This volume contains preliminary course design especially in courses to be allocated in the first year of studies in both the Unitary and Double degree integrated courses. CDC would come forward with details of course designs of other courses in greater details in succeeding volumes. It would feel obliged if the effort comes in aid of the institutions. CDC shall also encourage development of study materials and Case-books based on the course design. Any suggestion sent to the CDC of the Bar Council of India for further developing the design shall be highly appreciated.**

**The Committee puts on record its appreciation of services of many faculty members of various Universities especially of National Law School, Bangalore, National Law Universities of Jodhpur, Delhi, Lucknow, Amritsar, and Cuttack who enriched the Committee deliberations and recommendations by participating in meetings or by way of supplying suggestive course designs. The Committee also recognizes the advice and guidance of the Chairman of the Legal Education Committee of the Bar Council of India, Mr. Justice A.P.Misra.**

**This Volume contains standard in various subjects for guidance and is only to be considered as suggestive benchmark at the minimum level. Universities are free to improved upon and prescribe higher standards, which would be taken into consideration for evaluating the national/state accreditation grading of the University / Institution concerned by the BCI Accreditation Committee.**

**The Committee puts its appreciation to the Chairman of the Bar Council of India and its members for their constant suggestions, advice and support extended to the Committee. The members of the Legal Education Committee of the Bar Council of India have always**

**extended their support and cooperation but for which it would have been difficult for the Committee to submit the report within such a short time.**

**No word of appreciation is good enough for the Vice Chancellor, Registrar and the National Law University, Delhi for extending all support and cooperation and in hosting most of the meetings of the Committee.**

**New Delhi, the 18<sup>th</sup> day of December, 2009**

**Professor N.L.Mitra**

Member, Legal Education Committee  
Convener, CDC

**Mr. J.R. Beniwal**

Senior Advocate, Rajasthan  
Vice Chairman, BCI  
Member, CDC

**Professor Ranbir Singh**

Vice Chancellor, NLU, Delhi  
Member CDC

**Professor Balraj Chauhan**

Vice Chancellor, RML NLU, Luknow  
Member, CDC

**Professor Gurjeet Singh**

Vice Chancellor, RGNLU, Patiala  
Member, CDC

**Professor M.K.Balachandran**

Director, Amity Law School, Delhi  
Member, CDC

**Professor Vijayakumar**

UNHCR Professor, NLSIU, Bangalore, Former Dean, HP University &  
Member, CDC

**Professor Amar Singh**

Professor, NLU, Delhi  
Member, CDC

## Index

<b>Chapter 1</b>	<b>Introductory Remark</b>	<b>Page 06 to 12</b>
<b>Chapter II</b>	<b>Academic structure (unitary)</b>	<b>Page 13 to 32</b>
<b>Chapter III</b>	<b>Features of Integrated course (double degree structure)</b>	<b>Page 33 to 49</b>
<b>Chapter IV</b>	<b>Integrated Program Strategy</b>	<b>Page 50 to 58</b>
<b>Chapter V</b>	<b>English</b>	<b>Page 59 to 67</b>
<b>Chapter VI</b>	<b>Social Sciences:</b>	<b>68-120</b>
	<b>Political Science</b>	<b>Page 68 to 79</b>
	<b>Economics</b>	<b>Page 80 to 93</b>
	<b>Sociology</b>	<b>Page 94 to 102</b>
	<b>History</b>	<b>Page 103 to 111</b>
	<b>Psychology</b>	<b>page 112 to 120</b>
	<b>Science Subjects</b>	<b>121 -151</b>
	<b>Physics</b>	<b>page 121 – 133</b>
	<b>Chemistry</b>	<b>page 134 - 143</b>
	<b>Life Science</b>	<b>page 144 – 151</b>
	<b>Management Science</b>	<b>page 152 – 178</b>
	<b>Law Papers</b>	<b>page 179 - 248</b>

## Chapter I

### Introductory Remarks

**1. Steps taken by the Bar Council of India for Standardization of Legal Education:** The Bar Council of India, in course of last three years, has taken some very strong positive steps to up-grade the standards of legal education. Some of these steps were (a) overhauling the Education Rules by introduction of New Education Rules from the academic session of 2009 to strengthen the standard of legal education after reviewing the standard of professional legal education in various countries; (b) proposing to establish the Accreditation Committee for national and state level accreditation of the Law Schools; (c) proposing to establish the Directorate of Education at the BCI under the leadership of a senior Professor of Law as Director of the Directorate for conducting Faculty Improvement Program for academics and continuing legal education program for the legal professionals; (d) constituting a Curriculum Development Committee (CDC) to design a standard curriculum of various courses to be run by the Law Schools across the nation; and (e) planning to conduct an All India Examination for enrolment of Indian Students studying and obtaining degree from a foreign recognized University.

**2. Constitution of Curriculum Design Committee:** The CDC has been constituted with Professor N.L.Mitra, member of the Legal Education Committee of BCI as its Convener and the following members (b) Mr. J.R.Beniwal, Vice Chairman of the Bar Council of India (c) Professor Ranbir Singh, VC of NLU, Delhi, (d) Professor Balraj Chauhan, VC, RMLNLU, Lucknow, (e) Professor Gurjeet Singh, VC, RGNLU, Patiala, (f) Professor M.K.Balachandran, Director, Amity Law School, Delhi (g) Professor Vijayakumar, UNHCR Chair Professor, NLS, Bangalore, and (h) Professor Amar Singh, Former Dean of H.P. University and presently Professor, NLU, Delhi.

**3. Double role of Legal Education as Value Education and Professional Education:** Legal Education is both a ‘value education’ relating to human behaviour and also ‘professional education’. Whereas Universities are and have to be, more concerned in Legal education as value education, the professional part of legal education is required to be standardized by the BCI in consultation with Universities and State Bar Councils to attain higher level of professional skills and specialized knowledge. It is required that the BCI to take full advantage for forcefully enforcing the New Rules for Legal Education for upgrading the standard of professional legal education in the country.

**4. Steps taken for Professional Legal Education:** The Government of India in pursuance of its responsibility to ‘Legal Profession’ passed the Advocates Act, 1961 and provided for constitution of a Bar Council of India and thought perhaps that enough had been done for the legal profession. The Bar Council of India could take the matters from there. In the largest democracy of the world, the Union Government did not think it appropriate to put any focus on professional legal education as an essential need for strengthening democratic fabric of governance. It only prescribes an enormous power of standard setting and enforcement of such standard by an ‘ego-fat provision’ of ‘inspection and recognition of a University’ for conducting LL.B. course which is virtually the only degree to get into the legal profession in India. The fault in the legal architecture for professional legal education lies in a massive bundle of contradiction. The Bar Council of India has the statutory power of standard setting for legal education but does not have, according to judiciary, the power of testing the level attained by university graduates. Under parliamentary legislative policy, it is evident that the body which sets the standard may also test the attainment of the standard. Why then the Bar Council of does not have the statutory power to hold ‘entry test’ for enrolment, which is very common feature in the Common Law World?

**5. Some Unresolved Contradictions to be resolved by the BCI:** The Legal Education Committee of the Bar Council of India is now examining the possibility of formulating extensive Rules for conducting test as condition precedent to enrolment under section 24 (e) read with section 28 (2) (d) and condition subsequent under section 49(1)(ah) in order to resolve unresolved and apparent complex situation that has arisen on the issue of ‘enrolment test’. State Bar Councils have the right to enrole and can prescribe rules as precondition to enrolment. Bar Council of India has the power to determine conditions by way of

rules to allow advocates enrolled to have right to practice. Thus for long the enrolment and practice, these two rights being tagged as if united with an umbellical cord is now found to be not the desire under the legislative policy. The parallel is of a chartered accountant who is registered as a CA but can not practice unless there is a certificate of practice obtained.

**6. Professional Legal Education Policy in India:** It can, however, be argued that historically in India, professional legal education remained with Universities for more than last 150 years almost in the line as legal education remains with British Universities for more than last three hundred years. But legal education that the British Universities impart, is in pursuance of the higher education policy of the University for liberal and value education as a part of behavioral sciences. British Universities do not have any obligation to the legal profession to prepare legal professionals. That is the responsibility of the Colleges / Institutes run by the Solicitors' Society or the Inns of Courts. These two professional bodies prepare the legal professionals for the job of solicitors and of the Bar as the case may be. In USA, the American Bar Association (ABA) prepares guidelines for the enrolment examination conducted by each State Bar. American Law School Association keeps a close relation with ABA on the standard setting and assists the ABA to bring out study materials for the test. ABA does not have any regulatory power on legal education. It only provides for accreditation of the Law Schools on national basis depending upon various stipulated standards of the course design and the suitability of developing skills of legal professionals. The accreditation shows how students of the institutions fare in the Bar test. On the other hand, the Advocates Act, 1961 does not empower the Bar Council of India or the State Bar Councils to cater the need of the professional education as the Institute of Chartered Accountants is authorized to do for Professional Accounting education. The law provides as at present, 'law graduates' from Universities to straight land up into the profession. BCI is looking into making exhaustive Rules for stipulating pre and post enrolment conditions specifically on professional legal education for upgrading standards.

**7. UGC's role:** Added with this is the role of University Grants Commission (UGC) on legal education. UGC has taken a stand that it has no role in College Education which is the domain of the State Government and of the University. UGC kept it scrupulously out from 'Law College Education' and only argued to take care of Post Graduate Legal and Research Education at the University level. In that field also, the pre-1985 investment of the UGC was very poor excepting financing through the Central Universities. UGC is neither aware of the standard



of legal education in all its stages nor sure of the availability of human resource developed for the professional legal education.

**8. Discrimination against the National Law Universities:** Under the present system structure, UGC discriminates between the State and the Central Universities. It also discriminates 'National Law Universities' from both State and Central Universities in so far as infrastructure development through plan and non-plan grant. UGC does not have a plan developing and growth of supply-chain of Law faculties and up-gradation of teaching capability. In fact the ability of the UGC in this regard is in the declining phase. For example, as early as in 1989, the UGC on its own accord declared National Law School, Bangalore, then just commenced its functions, as the only National Academic Staff College for the entire country. Only a few of those orientation and refresher courses conducted with all zeal at that time produced a chain of legal academics and administrators who now successfully lead the growing number of National Law Universities in the country. To day, not a single National Law University is in the schedule of Academic Staff Training College of the UGC. National Law Universities are also not showing keen interest excepting feeling that the supply chain of faculty is in a pathetic incompetent hands. There is no coordination between the Bar Council of India and the University Grants Commission in so far as developing the human resources with better inter-institutional planning and cooperation.

**9. Post-graduate Legal Education:** Now some of the National Law Universities geared up their Master degree program, but not even 5% of the 'pass-out students' from such courses come to teach Law. In England, Universities produce human resources for the university legal education and research. In USA, Universities run higher education and research program through which higher mobility is ensured between the profession and academy. Here 'professional legal education' is 'no body's baby'.

**10. Some Basic Approximate Data:** It is unfortunate that there is no system of computation and processing of any official data. There are [910] Law Schools in the whole country including [more than 300] University Schools including Deemed University Schools and 13 National Law Universities. These institutions are expected to bring out [about 100,000] law graduates every year of whom about 35 to 40% join the legal profession. Universities 'pass-out' nearly 300-400 Masters and about 15-20 doctorates annually, in a country with more than 1.2 million lawyers, country-wise the second largest law profession of the world.

There are now about 15,000 applicants to take up legal studies seriously just after '+2' stage and about 75,000 graduates in any subject wanting to register for legal education after graduation. In post-NLS period, the demand for legal education has tremendously increased both qualitatively and quantitatively. This has increased the load on the Bar Council of India without having any financial, technical, and inspectional support from any Government to carry on its statutory power of 'standard setting for legal education' and 'inspecting and accrediting Law Schools'. How can such a body then take the responsibility for 'faculty improvement program'?

**11. Role of a Law University:** One has to clearly understand now the role-difference between a Law School/College and a Law University. A Law School/College is run to impart 'professional legal education' for skill-learning through the prescribed courses and instructions as laid down by the Bar Council. The School/College has to strictly adhere to the standards to make the students competent to be a legal professional. On the other hand, a Law University has wider responsibility to carry on its higher educational experiments with both low-end and high-end integration of knowledge in addition to its usual School/College functions. Law Universities are also required to develop human resources for the Law Schools/Colleges and carry on higher studies and research in legal courses. Australian Universities took the plan of 'integrated law course' after the Bar Council of India carried on 'the National Law School experiment' in Bangalore. But now, while the National Law School kept it confined in the very narrow 'low-end' domain of integration and other Law Universities in India engaged in copying the National Law School experiment with very low standard of social science education integrated with law courses, one has to see what is happening in Australian Universities to take legal education at a higher standard of integration. Australian Universities went for integration of Social Science and Law, Science and Law, Management and Law, Economics and Law, Engineering and Law, Medicine and Law, Anthropology and Law and even Sports Sciences or Music and Law. National Law Universities could not even whole heartedly accept Science and Law, leave aside, Technology and Law. There is no effort on high-end integration of knowledge-base at Master's degree level, like Finance and Law, Management and Law, or Forensic Sciences and Law. Opportunities are plenty for such high-end integrated courses in Australia and US. Thus Indian Law Universities are falling behind severely in Knowledge integration though Indian technologists and scientists go for integration of knowledge marching with the global speed. Thus Law and Justice in India fall back tremendously compared

to other branches of knowledge. Naturally Justice Delivery System gets severely affected.

**12. Justice Education, What and Why:** ‘Law education’ can transcend to ‘Justice education’ only if there is a very high degree of integration between education relating to ‘matters of fact’ and ‘matters of law’. ‘Matters of fact’ education comes from science, social science, engineering, technology, medicine, etc. On the other hand, ‘matters of law’ education comes from value education in each branches of knowledge and consequently development of system of ‘procedure and proof’. Weakness in any one would weaken the administration of justice and ultimately damage ‘rule of law’. So there are dual responsibility of the Bar Council of India, firstly to create environment for good legal professionals to come out of our Law Schools/Colleges and secondly, to create good atmosphere of high integration of knowledge for development of human resources to become good jurists, judges and academicians to come out of the Universities. The experiment in National Law School of India University was only one experiment of understanding what could possibly fulfill the first commitment. The next experiment has to start now till it is too late for the country to take legal education to the realm of convergence of knowledge in a knowledge society. Only a very high quality education in ‘matters of fact’ can produce competent legal professionals after the ‘matters of law’ education.

**13. Various Stakeholders:** In this backdrop the Curriculum Development Committee (CDC) of the Bar Council of India has taken over to formulate the various courses of studies to facilitate high professional skills, building up of human resource with proper integration of knowledge to match the growing world standard. If all the stakeholders like Universities, Law Colleges/Schools, Union Government and State Governments, Private Initiatives, University Grants Commission and the Bar Council of India actively collaborate to attain the standards now laid down by the Bar Council of India, there is no reason why the Indian Legal System cannot write up the next big success story in professional legal education and consequently higher efficiency in Justice Delivery System.

**14. Debate on Specialization:** Recently there has been a controversy on whether or not legal education at the graduation level should have any facility for honours or specialization in any specialized field. The Legal Education Committee of the Bar Council of India debated this issue extensively and has taken a considered opinion that world is moving towards more and more specialization in every branch of knowledge. Law and Legal profession can not avoid it. There are

facilities of honours and specialization in all graduate level degree educational courses in Arts, Social Sciences, Sciences, Management, Commerce, etc. Society is growingly being attracted and impacted by technology. Many of the Universities of the common law countries including UK, Australia and Canada have already introduced 'honours' courses and award 'honours degree' in law. Therefore, it was of the stand of the Council that there could be honours/specialization in various branches of law courses on optional basis as is already done in some of the National Law Universities.

## Chapter II

### Structures of Legal Education: Present and Future

**2.1 Courses under the New Rules:** Bar Council of India, as has already been suggested, amended Part IV of the Rules containing the education rules. The new rules have been aimed to upgrade the standard of legal education in all levels comparable to what is available in Law Schools of advanced countries yet retaining the operational need of the legal system of the country. Under the old Rules, both Unitary and Double Degree Integrated Law Courses were available but there was no provision for or against the facility of honours /specialization. The New Rules allowed Universities/Law Schools the liberty to introduce honours/specialization courses. Presently some of the Institutions use the word “LL.B.(Hons.)” in the degree certificate though in the content of the course nothing is found different from “LL.B.” course run by other Universities. The present Rules now prescribe the standard of such honours/specialization courses side by side General courses for the Degree in law. The present rules liberate Universities to prescribe the course-design of first degree courses as the first part of the Integrated Double Degree course. The Curriculum Development Committee (CDC), however, provides a suggested outline as a recommended benchmark standard, which a University may consider while finalizing its curriculum design. A standardized structure and curriculum design through out the country, if possible, shall also provide for mobility of student community from one part of the country to another encouraging more national integration.

**2.2 CDC Curriculum, only suggestive:** The Curriculum Development Committee (CDC) provides for suggestive structural designs for legal education for a range of situations from small institutions which may not command big resources especially in a semi-urban area, to a very capital intensive modern and competitive legal education. Presently 910 institutions run the following types of Law courses: (i) Three Years’ LL.B. course for those who were already graduates in any subjects; (ii) Five Years’ integrated BA,LL.B./BBA,LLB/BScLL.B courses (iii) Five Years’ BA,LL.B (Hons)/ BSc,LL.B.(Hons)/ BBA,LLB(Hons) courses. Similarly Universities may design for integrated legal education with any other professional courses like, ACA, B.Tech or MBBS, with one year

concession from the time taken for two courses studied separately back to back. Private Universities are showing more romantic enterprises in blending courses but often with very inadequate infrastructure and other resources.

**2.3 Paucity of Data:** It is quite evident that paucity of authentic data on the following is really distressing and without such data it is difficult to make any critical review.

(a) There are more than 500 Law Schools/colleges running Unitary Law Degree course for those who have obtained a Bachelor's degree (First degree) in any subject. These are affiliated to nearly 200 Universities, composed of: [ na ] institutions with one section per class per year, [ na ] institutions with two, [ na ] Institutions with three and [ na ] Institutions with four sections per year; [ na ] of these institutions are Private and [ na ] are government institutions.

(b) There are nearly 350 Law Schools/Colleges running Integrated Law Courses for five years duration after '+2' stage being affiliated to about 200 Universities comprising [ na ] institutions with one section per year, [ na ] institutions with two, [ na ] institutions with three and [ na ] institutions with four section per year; [na ] of these institutions are in private enterprise and [ na ] run by government.

(c) There are [ na ] recognized Foreign Universities where Indian students can receive law education;

(d) There are [na ] University Departments which run three years' Law education after graduation in any subject, having [ na ] of them with one section in-take per year, [na ] with two, [ na ] with three and [ na] with four sections in-take per year;

Of these there are [ na ] Private Universities/Deemed Universities,

(e) There are [ na] University Departments/Faculties where five years' integrated education is provided comprising [ na ] with one section per year, [ na] with two, [ na ] with three and [ na ] with four sections per year;

Of these there are [na] Private Universities/Deemed Universities.

(f) There are [ 13 ] National Law Universities where integrated law courses in Social Science & Law [ 13 ], Management Science and Law [ 2 ], Science and Law [ 2 ] are available. It is understandable that with such a paucity of official records it is very difficult to evaluate the position of legal education in its entire form.

**2.4 Institutions with Differential Capacity:** The CDC shall endeavor to provide advice on structure suitable for small, medium and larger need for infrastructure development so as to make good legal education within the affordable capacity of various types of Institutions. The design would have programs for both urban and rural Universities within the framework of the respective capacity and ability. Law Schools suitable for Trial courts lawyers would necessarily be low-investment oriented institution but would require high skills to match the needs of the trial courts.

The Committee also suggested the appropriate minimum infrastructure requirement for various types of institutions. Institutions may be classified into various categories such as (i) local institution, state level and national level institution; (ii) annual intake of one section/two section/three section/four section; (iii) running only Unitary Law course, or only integrated double degree law course or running both the program. It is true that law education is beneficial for all types of employment and engagement. Majority of the graduates of three years' course do not join the law practice but minority of the five years' course join other than a legal profession. But among those who join the legal profession, majority of those coming out of three years' course join litigation practice whereas minority from the five years' course join litigation practice.

Students passing out of rural Universities join trial court litigation. Professional expertise required for trial court litigation is different from that of the High Court or Supreme Court. Keeping all these in view the Committee suggest that:

- (a) A rural University based on District towns with limited resource may sponsor a Law School suitable for starting a course which is less investment oriented and call for more skills suitable for trial court litigation and also develop entrepreneurial skills for developing non-governmental organization to help dispensation of justice at the grass route level. These Institutions may also focus on the aim of making subordinate court judges.
- (b) The big City based Law Schools with comparatively bigger capacity of investment may run Law Schools with Honors courses to make students motivated to practice in variety of fields such as Tribunals and also in the High Courts with specialized knowledge in various branches of law.
- (c) Big Universities and National Law Schools, one of which would be located ultimately in each of the states have to invest big in the teaching

and learning to prepare legal skills for all specialized branches of law and develop excellence in legal education.

Every Institution has to evaluate its ability to generate its own resource so as to play its role in meeting local, state or national demand. Proficiency is needed in each of these institutions of learning to match up by stages to achieve excellence in law and justice. The academic planning is based upon the interest for role-play of an institution and its strategy in the legal education as a whole.

**2.5 Structural Framework needed for Different Grades of Institutions:** A curriculum design can not be made functional unless structural framework of an Institution can be envisaged. As such CDC has based its curriculum design upon four types of Law courses that the country may develop, viz, (1) low cost-oriented 'Three Years' LL.B. course with one/two/three section per year, (2) Medium cost oriented Three Years' LL.B. course with Honours/Specialization and with one/two/three sections per year; (3) High cost oriented Five Years' integrated double degree course with intake in one/two/three stream; and (4) Highest cost intensive Five Years' integrated course in One/Two/Three/ streams with Honours/Specialization, and with or without facility of 'dipos' or 'tripos'(Double or triple honours) facilities.

**2.6 Problems and Challenges:** The problem identified by the Committee in running various types of law courses are as follows:

- (a) Non-availability of qualified (LL.M. with NET qualified) faculty especially in semi-urban and district cities;
- (b) Austerity in the State resource to fund legal education, and non-availability of faculty for want of funds from the state government once a faculty member retires;
- (c) Non-availability of infrastructure, most Law Schools being using building facilities of other faculties/Institutions;
- (d) Inadequate library facilities;
- (e) Non-availability of opportunities to serve under internship;
- (f) Non-availability of legal practitioners to teach procedural subjects;
- (g) No funding/inadequate funding by UGC for legal education
- (h) Inadequate and improper faculty improvement program
- (i) Non-availability of UGC/State sponsored scale of pay available to faculty of Law Schools/colleges
- (j) Inadequate opportunity for engagement/employment at the end of the course.



It has been argued that if CDC can not address the above list of problems, mere designing the courses would not be beneficial in the long run. It is understandable that CDC has specific terms of reference which may not spread to all the problems that have been raised by members. However, CDC may have its suggestions especially where the suggestion is relevant to holistic teaching-learning program.

## **2.9 The following are the Four Major Programs run by Institutions at the LL.B. degree level:**

---

### **Program I : Unitary Model of 3 Years' LL.B. Course**

This program is suitable for running in a **Law School sponsored by a Rural University catering the need of trial court lawyers and subordinate judiciary**. Medium of instruction of some of these institutions is the state language and not English. Naturally the faculty has the added responsibility of preparing the study materials in the state language. Procedure of the justice delivery system in the subordinate courts is in the state language. So the associated skills are to be acquired in the state language. In such a case to facilitate the lawyers to take note of the rulings of the Supreme Court of India from the judgment delivered, they have to have a good general program of English language compulsory for the students. These courses on English could be counted in optional papers. A full time faculty in English would be essential in such a case.

**2 Semesters per year = total 6 semester**

**Time: 15 weeks per semester**

**Class hours per week: 24 class hours + 6 tutorial and moot courts**

**Total number of papers for the entire course = 30**

**Per semester number of papers = 5**

**Course-design**

Compulsory papers = 20 papers

Optional papers = 6 papers

Clinical papers = 4 papers (3 taught+ 1 for internship and moot courts)

---

## **Program II : Unitary model of 3 Years' LL.B. (Hons.) Course**

[This program is suitable for **urban Law Schools** having some good feeder undergraduate Educational Institutions having program in state language and/or English medium. Honors education in law encourages specialization in the professional disposition and would be growingly popular in Industrial and Educational cities with specialized professionals in General, Civil and Criminal Law, Commercial law, Taxation law, family law, consumer law and Human Right law & practices. Medium of instruction ought to be in English.]

**2 Semesters per year = total 6 semester**

**Time: 15 weeks per semester**

**Class hours per week: 30 class hours + 6 tutorial and moot courts**

**Total number of papers for whole course= 38**

**Per semester number of papers = 6 (in 1 semester there would be 7 papers)**

**Course-design**

Compulsory papers = 20 papers

Optional papers = 6 papers

Clinical papers = 4 papers (3 taught+ 1 for internship and moot courts)

Honours subjects = 8 papers

---

## **Program III: 5 Years' Integrated Double Degree Course leading to BA/BSc/BBA, LL.B.**

[This program is suitable for a **big educational institution in cities and metropolitan towns** with facilities of having several streams of undergraduate courses to integrate for facilitating double degree integrated law program. It may happen with an independent Law School with different streams of academic program properly tailored or a Law School in a campus of Science, Social Science, Commerce and Management Schools where the programs would match between the institutions facilitating double degree courses.]

**2 Semesters per year = total 10 semester**

**Time: 18 weeks per semester**

**Class hours per week: 24 class hours + 6 tutorial and moot courts**  
**Total number of papers for whole course = 44**  
**Per semester number of papers = 5 papers for 4 semester / 4 for 6 semesters**  
**Course-design:**

**Other subjects and papers in undergraduate level:**

English – 2 papers

Three subjects from discipline of Social  
Science/Science/Management/Commerce

With 4 papers each -  $3 \times 4 = 12$  papers

**Voluntary non – credit course:** an Indian/Foreign Language = 2 papers

**Law Courses:**

Compulsory papers = 20 papers

Optional papers = 6 papers

Clinical papers = 4 papers (1 paper non-taught)

---

**Program IV: 5 Years' Integrated Double Degree Course leading to BA/BSc/BBA, LL.B. (Hons)**

[This program is suitable for National Law Universities, University Departments and big autonomous Institutions to run facilitating the horizontal and vertical growth of the profession on specialization and intensive academic program and research.]

**2 Semesters per year = total 10 semester**

**Time: 18 weeks per semester**

**Class hours per week: 30 class hours + 6 tutorial and moot courts**

**Total number of papers for the whole course = 52 (with one honours)**

**Per semester number of papers = 5 papers in 8 semesters and 6 papers for 2 semesters**

**Course-design:**

**Other subjects and papers in undergraduate level:**

English – 2 papers

Three subjects from discipline of Social  
Science/Science/Management/Commerce

With 4 papers each -  $3 \times 4 = 12$  papers

**Voluntary non-credit course** = Indian/Foreign Language = 2 papers

**Law courses:**

Compulsory papers = 20 papers

Optional papers = 6 papers

Clinical papers = 4 papers (1 paper non-taught)

Each Honours subject = 8 papers

---

---

**2.10 Some of the General Standard Prescriptions:** The following are the structural requirements for each of the above programs.

**(a) General Standard for Building Construction Works**

General Class room size

(for of not more than 60 intake): 30 feet x 50 feet = 1500sft

Moot Court size: 30 feet x 50 feet = 1500sft

Special class room/Honours class room: 20 sft per student

Faculty room/work station: 100 sft per room/work station

Principal/Head /Dean with meeting facilities: 500 – 600 sft

Office : 300-500sft

Common room facility for students: 10 sft per user

(male female separately)

Assembly Hall: 10 sft per student + 40ft x30 ft stage

Toilet (for male and Female): 10 units per 100 student strength

**Laboratory** for each science departments with store and dark room facilities: 30 sft per student per work station.

And each Laboratory to be constructed with facilities as per standard prescription by UGC and AICTE as the case may be.

**(b) Construction for Library**

**(wall to wall stack)                      running wall 7 feet x 1.5 feet x 7 feet will accommodate**

**About 500 books**

Computer Lab:                      30 sft per desk top unit.

Reading room size                      10 sft per student

Librarian & library staff room:    200-300 sft

Toilet:                                      10 units per 200 user

**Indoor Games:**                      as required

**Halls of Residence for Male and Female Students:** 100 sft per inmates

Toilet facility (with facility of urinal, bath and lavatory): 1 unit for each 5 students

**Outdoor Games Facility:**    as required

**Minimum Land area in the Institution:** UGC prescribes land and building spaces for a University. A Multi-faculty Law University must have at least 50 to 100 acres of land. A multi-curriculum Law School must have at least 25 to 50 acres of land. A classical Law College with only three years, unitary program only, must have at least 10 to 20 acres of land. Land may be freehold or long term lease hold.

**2.11 Standard Infra-structure Facilities needed for each Program is Prescribed in the following tables (For Unitary program)**

---

**Table A: Unitary course  
LL.B. Three Years' Course**

---

**For Program 1**

## Summary of the scheme of Program I

### Program I : 3 Years' LL.B. Course

**2 Semesters per year = total 6 semester**

**Time: 15 weeks per semester**

**Class hours per week: 24 class hours + 6 tutorial and moot courts**

**Total number of papers for the entire course = 30**

**Per semester number of papers = 5**

#### **Course-design**

Compulsory papers = 20 papers

Optional papers = 6 papers

Clinical papers = 4 papers (3 taught+ 1 for internship and moot courts)

### **Infra-Structural requirements**

---

<b>Year allowed</b>	<b>Number of Papers</b>	<b>based on no. of Sections</b>
<b>Of recognition</b>	<b>total no. of papers</b> <b>20+4+6 = 30 – 1 non</b> <b>Taught course</b>	

---

### **FIRST YEAR OF AFFILIATION**

<b>(two semesters)</b> <b>papers per</b>	<b>5 per</b> <b>semester</b>	<b>No. of sections</b>		
		<b>1</b>	<b>2</b>	<b>3</b>
<b>Total students</b>		<b>60</b>	<b>120</b>	<b>180</b>
<b>Total classes per</b> <b>Per week ( as per Rule 20)</b>		<b>30</b>	<b>60</b>	<b>90</b>

**Number of  
Full time Law  
Faculty  
requirement**

<b>Principal/Head /Dean :</b>	<b>1</b>	<b>1</b>	<b>1</b>
<b>Faculty: (minimum required On the basis of maximum 15 periods per week Per person as per UGC rule)</b>	<b>1+ 4</b>	<b>1+ 5</b>	<b>1+ 8</b>
<b>Distribution of Faculty (subject specialization-wise)</b>			
<b>Public Law FT Faculty</b>	<b>1</b>	<b>2</b>	<b>3</b>
<b>Private Law –do</b>	<b>2</b>	<b>2</b>	<b>4</b>
<b>Procedural Law</b>	<b>1</b>	<b>1</b>	<b>1</b>
<b><u>Building facility required</u></b>			
<b>No. of General Class Room</b>	<b>1</b>	<b>2</b>	<b>3</b>
<b>Group class rooms</b>	<b>3</b>	<b>4</b>	<b>6</b>
<b>Moot court/seminar hall</b>	<b>1</b>	<b>1</b>	<b>1</b>
<b>Teachers Room/cubical</b>	<b>4</b>	<b>5</b>	<b>8</b>

<b>Principals Office</b>	<b>1</b>	<b>1</b>	<b>1</b>
<b>Common Room with toilets For boys and girls</b>	<b>2</b>	<b>2</b>	<b>2</b>
<b>Legal Aid Center</b>	<b>1</b>	<b>1</b>	<b>1</b>
<b><u>Library Facility</u></b>			
<b>Building space</b>			
<b>Books (investment)</b>	<b>Rs 5,00,000</b>	<b>Rs 750,000</b>	<b>Rs 750,000</b>
<b>Human Resource (Library staff)</b>	<b>1+1</b>	<b>2+1</b>	<b>2+2</b>
<b>Computer sets</b>	<b>6</b>	<b>10</b>	<b>15</b>
<b>Sports outdoor/indoor facility ) must be adequate</b>			
<b><u>Administrative staff</u> = (1) other class III staff, 1 peon, 1 guard 1 Library staff</b>			
<b>Total construction area (sft)</b>	<b>5000-6000</b>	<b>7500-8000</b>	<b>9000-10000</b>

**Estimated capital expenditure with  
Furnishing @ sft**



Budgeted Receipt on fees of Rs      p.a.  
 Budgeted Expenditure (estimated)

**SECOND YEAR OF AFFILIAION**

<b>Total no of students 5 papers</b>	<b>120</b>	<b>240</b>	<b>360</b>
<b>Total classes</b>	<b>60</b>	<b>120</b>	<b>180</b>
<b><u>FT Faculty (total)</u></b>	<b>1+ 5</b>	<b>1+ 10</b>	<b>1+ 12</b>
<b>Principal/Head/Dean</b>	<b>1</b>	<b>1</b>	<b>1</b>
<b>Distribution</b>			
<b>Public Law</b>	<b>2</b>	<b>3</b>	<b>5</b>
<b>Private Law</b>	<b>2</b>	<b>3</b>	<b>5</b>
<b>Procedural Law</b>	<b>1</b>	<b>2</b>	<b>2</b>

<u>Library investment</u>	Rs1, 50,000	Rs1, 50,000	Rs 2,00,000
Computer sets (additional) (if students are not required to have Lap top)	6	10	20
<u>Building facility</u>			
Class Rooms requirement (additional) (size as specified earlier)	1	2	3
Faculty rooms/cubicles (additional)	1	3	5
Small size class room for group/tutorial Exercise	1	2	3
Common Room facilities (additional) Other facilities as stated earlier		1	1
Administrative staff (additional)	1	1	2
<u>Total Building facility (additional)</u>			
Construction (additional)	3000 sft	5000 sft	9000 sft
Estimated capital Expenditure (Rs)			
Revenue Income in unit of Rs	p.a.		
Estimated Expenses			

**THIRD YEAR OF AFFILIATION AND THEREAFTER**

<b>Total number of students &gt;</b>	<b>180</b>	<b>360</b>	<b>540</b>
<b>Total Classes (per week)</b>	<b>90</b>	<b>180</b>	<b>270</b>
<b>No. of Papers</b>	<b>15</b>	<b>15 (X2)</b>	<b>15 (X3)</b>
<b>FT Faculty (total )</b>	<b>1+7</b>	<b>1+12</b>	<b>1+ 18</b>
<b><u>Distribution</u></b>			
<b>Public Law Faculty</b>	<b>3</b>	<b>5</b>	<b>7</b>
<b>Private Law Faculty</b>	<b>3</b>	<b>5</b>	<b>8</b>
<b>Procedural Law Faculty</b>	<b>1</b>	<b>2</b>	<b>3</b>
<b>Additional Adm Staff</b>	<b>1</b>	<b>2</b>	<b>2</b>
<b><u>Building facility</u></b> <b>(additional)</b>			
<b>Class rooms (additional)</b> <b>(size as earlier stated)</b>	<b>1</b>	<b>2</b>	<b>3</b>
<b>Other class room for group/tutorial (additional)</b>	<b>1</b>	<b>2</b>	<b>3</b>
<b>Moot Court Hall (size stated) (additional)</b>	<b>-</b>	<b>1</b>	<b>1</b>
<b>Common Room facility (additional)</b>		<b>1</b>	<b>1</b>
<b>Faculty room/cubicles (additional)</b>	<b>1</b>	<b>3</b>	<b>5</b>
<b>Assembly</b>	<b>1</b>	<b>1</b>	<b>1</b>

**Additional library space (10 sft for 1/3 student strength)**

<b>Construction area (additional)</b>	<b>2000 sft Assembly</b>	<b>3,500 sft +Assembly</b>	<b>5,000 sft +Assembly</b>
<b>Estimated capital expenditure</b>			
<b>Revenue Income in unit of Rs p.a.</b>			
<b>Revenue Expenses</b>			
<b>Total floor space needed Law School/college at the end Of the third year (in sft) Assembly</b>	<b>9000-10,500  5000sft</b>	<b>13,000-15000  10,000sft</b>	<b>18,000-20,000  15,000 sft</b>

**Explanation**

**Note: Public Law papers: Constitutional Laws, Criminal Laws, International Laws, Legal Theories, Equity and Trusts, Torts and Consumer protection**

**Private Law papers: Law of Contracts, Corporate Law, Business Laws, Financial Laws, Industrial Laws, Family Laws,**

**Procedural Law papers: Criminal Procedure, Civil Procedure, Evidence, Drafting and Pleading, clinical courses, Interpretation of statutes.**

**Total statements for infrastructure developed over the period of three years**

**Total statements-One section College /two section college / three section College  
(For Three years)**

<b>Building (floor space requirement) in Freehold/leasehold</b>	<b>9000 - 10,500 sft</b>	<b>13000 -15,000,sft</b>	<b>18,000 – 20,000sft</b>
<b>Assembly</b>	<b>5,000sft</b>	<b>10,000sft</b>	<b>15,000sft</b>
<b>Library(books) per year</b>	<b>Rs.1 50,000 per year</b>	<b>Rs1 75,000 per year</b>	<b>Rs 2,00,000 per year</b>
<b>Faculty strength + for additional options available</b>	<b>1+ 6+</b>	<b>1+ 12+</b>	<b>1+ 18+</b>
<b>Computer facility</b>	<b>15 to 18 sets</b>	<b>20 to 25 sets</b>	<b>30 – 35 sets</b>
<b>Administrative staff +Library</b>	<b>5-6</b>	<b>6-8</b>	<b>8-10</b>
<b>Capital investment/Revenue Expenses(in the third year)</b>			
<b>Revenue Income (in the third year)</b>			
<b>Student –teacher ratio</b>	<b>15 to 22 : 1</b>	<b>20 to 30:1</b>	<b>25- 30 : 1</b>

**Total land area for College = adequate to provide indoor and outdoor facilities, at least 5 acres**

**For a University not less than 50 acres, not more than 40 % under construction**

**TABLE II**

**For Unitary degree of LL.B.(Hons.)**

## **For Program II**

### **Extract of the scheme of the Program II** **Program II : 3 Years' LL.B. (Hons.) Course**

**2 Semesters per year = total 6 semester**

**Time: 15 weeks per semester**

**Class hours per week: 30 class hours + 6 tutorial and moot courts**

**Total number of papers for whole course= 38**

**Per semester number of papers = 6 (in 1 semester there would be 7 papers)**

#### **Course-design**

Compulsory papers = 20 papers

Optional papers = 6 papers

Clinical papers = 4 papers (3 taught+ 1 for internship and moot courts)

Honours subjects = 8 papers

### **Structural Requirement**

---

**1. Schedule of List I is applicable and additional requirements are as follows:**

**2. For each honours/ specialization introduced, the following additional infrastructure would be required in addition to the Pass course as provided in**

**Table I:**

#### **FIRST YEAR**

<b>First Year</b>	<b>One section</b>	<b>/</b>	<b>two section</b>	<b>/</b>	<b>three section</b>
<b>Class per week</b>	<b>36</b>		<b>72</b>		<b>108</b>
<b>Faculty(in addition to first program)</b>			<b>1 +</b>		<b>1+</b>
<b>Class room (for each special area)</b>	<b>1 +</b>		<b>2 +</b>		<b>3 +</b>
<b>Other infrastructure</b>	<b>wifi/internet</b>		<b>wifi/internet</b>		<b>wifi/internet</b>

<b>Library books</b> <b>(additional investment)</b>	<b>Rs500,000 +</b>	<b>Rs 600,000 +</b>	<b>Rs 750,000 +</b>
<b>Electronic library on line</b>	<b>one Indian</b> <b>One global</b> <b>Such as 'Lexis'</b> <b>Or West Law</b>	<b>one Indian</b> <b>one global</b> <b>such as 'Lexis'</b>	<b>one Indian</b> <b>one global</b> <b>such as 'Lexis'</b>

## **SECOND YEAR**

	<b>Class</b>		
	<b>1</b>	<b>2</b>	<b>3</b>
<b>room (additional)</b>	<b>1</b>	<b>2</b>	<b>3</b>
<b>Faculty (additional)</b>	<b>1 +</b>	<b>1 +</b>	<b>2 +</b>
<b>Other infrastructure (C set)</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>Library space (additional)</b>	<b>1000 sft</b>	<b>3000 sft</b>	<b>5000sft</b>
<b>Electronic library(addition)</b>	<b>one Foreign</b> <b>One Indian</b>	<b>one foreign</b> <b>one Indian</b>	<b>one foreign</b> <b>one Indian</b>
<b>Library books (additional)</b>	<b>Rs 500,000 +</b>	<b>Rs 600,000 +</b>	<b>Rs 750,000 +</b>

## **THIRD YEAR**

<b>Class room (additional)</b>	<b>-</b>	<b>-</b>	<b>2</b>
<b>Faculty (additional)</b>	<b>1 +</b>	<b>1 +</b>	<b>1+</b>
<b>Library space (additional)</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>Electronic library (additional)</b>	<b>-</b>	<b>-</b>	<b>one Indian</b>

Assembly (additional space)                    1                    1                    1

---

**Total infrastructure required and developed at a glance after Three years  
(Table I + II)**

<b>Building(total Built-up)</b>	<b>10,000-15000</b>	<b>15,000 – 20,000</b>	<b>20,000- 25,000sft</b>
<b>Assembly</b>	<b>5,000 sft</b>	<b>10,000 sft</b>	<b>15,000 sft</b>
<b>Faculty</b>	<b>7 – 8 +</b>	<b>13 – 15 +</b>	<b>20-24 +</b>
<b>Annual Library Investment</b>	<b>Rs 500,000</b>	<b>Rs 600,000</b>	<b>Rs 750,000</b>
<b>Computer strength</b>	<b>15 – 20</b>	<b>20 – 25</b>	<b>30 – 35</b>
<b>Administrative staff strength</b>	<b>5-6</b>	<b>6-8</b>	<b>8-10</b>



## CHPATER III

### Some Considerations for Integrated Course

**3.1 First Experiment on Integrated Course:** The Bar Council of India is now prescribing the rules for integrated double degree course for the first time. When the Bar Council of India experimented with the integrated Five Years Law Course in the National Law School, NLS was then in itself an experiment of BCI for improving the standard of legal education. The emphasis was on attaining seriousness in and commitment to legal studies and attracting students 'catching them young'. So, that was first level experiment during which the first degree level education was not a very serious and systematic choice. The engagement was legal education with a few dozes of social science courses not selected with serious studies and not considering the standard setting for the first degree. The only consideration was that professional legal studies require wide range of information package converging from economics, political science, history and sociology. The list was kept confined to these four subjects as the compulsory back-up courses for professional legal studies. Minds were not engaged in law's connection with philosophy, psychology, anthropology, or fine arts. Minds were not also engaged as to why was science education not required though investigational science on matters of fact education is essential element to arrive at justice. The focal point was to make some quality legal education possible.

**3.2 Second Experiment:** After 12 years another experiment was made to integrate other subjects and courses with the law courses at NLU, Jodhpur. But the Bar Council of India till then did not apply its mind on the comprehension of this integrated model. Meanwhile, Australia also started such integrated model taking the clue from the NLS. Double degree courses meantime became too popular in many countries including US.

**3.3 Two Models of Integration:** BCI now formally allows such integration of double degree courses. There can be two models of integration.

**(a) Un-weighted Integration :** Firstly there can be first degree courses (with total number of papers to be studied in three years) to be added with the three years LL.B. Degree courses and run the entire program as integrated one program to be covered in 10 semesters.

That would mean the following:

(i) Take the First Degree Course in a University supposing that courses are: English literature (2 papers), Indian /Foreign Language (2 papers), one major subject (6 papers) and two subsidiary subjects (3 papers each), all these comprising 16 papers to be covered over 3 years in six semesters, and

(ii) Take LL.B. courses, that is, 20 compulsory, 4 clinical and 6 optional courses comprising 30 papers in 3 years in six semesters.

Now, totally it comes to 46 (16+30) papers to be covered in 10 semesters (instead of 12 semesters of 6 years because both the courses are integrated and rolled in one), meaning thereby that there would be 5 papers to be covered in each semester for 6 semesters and 4 papers in 4 semesters. Universities are free to go for higher number of papers.

**(b) Weighted Integration:** In the second model, Law as ‘value education’ is considered as a major/honours subject in the undergraduate level for the first degree and it is to play as the link subject as major/honours at the first degree level with such number of other subjects in science, arts, social science or management education as subsidiary subjects dovetailed as required to experiment integration at various levels of efficiency and based upon the object that the graduating students would try to aim at.

3.4: Integrated education has therefore the several questions, such as:

**‘What do we Integrate?’**

The response is that integration of Law course (second degree) is integrated with the first degree course.

**Why is Integration necessary?**

There may be several responses, such as, for attainment of ‘catching them young’ for ‘higher commitment’ to take up legal profession. The response may also, attainment of ‘higher efficiency’ or ‘higher degree of specialization’. In the long run, integration brings higher skills and specialization.

**How is Integration to be made?**

Integration can be made in several processes, as for example, integration can be made keeping ‘law’ in the center of the entire program. That would mean, ‘law’

as a subject has to be center-focus both at the first and second degree level and other subjects would rally round understanding and interpreting a law better in a given situation. The other process of integration is that a subject or a cluster of subjects shall be in the center, and the knowledge of law is built up around.

### **What may be result of Integration?**

The first model is to develop generalist law degree program and the second model leads to specialized law program and also specialized legal practice.

### **What are the levels for allowing Integration?**

At two levels integration can be addressed. One in the low-end of clubbing of two degree level courses together. The other is the law course to be integrated with a Postgraduate degree level at the high-end. In India, before the BCI introduced the rule of 'one degree' at a time, many postgraduate students used to study law along with studying master degree course in any specific subject, either in the morning or in the evening hours. That type of integration was unplanned, not programmed, and completely voluntary. At present the integrated courses are programmed to attain better efficiency, higher specialization and also reduction of input time in the whole.

**3.5 The Present CDC Guideline:** The CDC deals with low-end integration of first degree and the law degree courses. A general survey shows that there is no standard uniformity in the first degree courses in the entire country though some basic structure is similar. As for example, first degree is of three years duration in general college education and for four years in technical education and five years in medical education. In US all undergraduate first degree programs are of four years duration. But Master degree in the same subject is for a year. English is a compulsory subject in general education at the undergraduate level. In Australia there is low-end integration for 5 to 6 1/2 years' duration depending upon the nature and duration of the first degree.

**3.6 Object of Integration:** In this integration level there can be general level of integration or a specialized level of integration as already suggested. Law as the instrument of social order, social integration and social engineering, requires proper understanding of plethora of informations from across different streams and subjects. Rule of law is ubiquitous. Therefore a lawyer is required to have a lot of informations from different streams and subjects. As such, the subsidiary

subjects may be large in number with one or two papers each. Alternatively, the subsidiary courses may be small in number so that the subject concerned can be studied intensively and all analytical legal and research skills may be built up around that base level education.

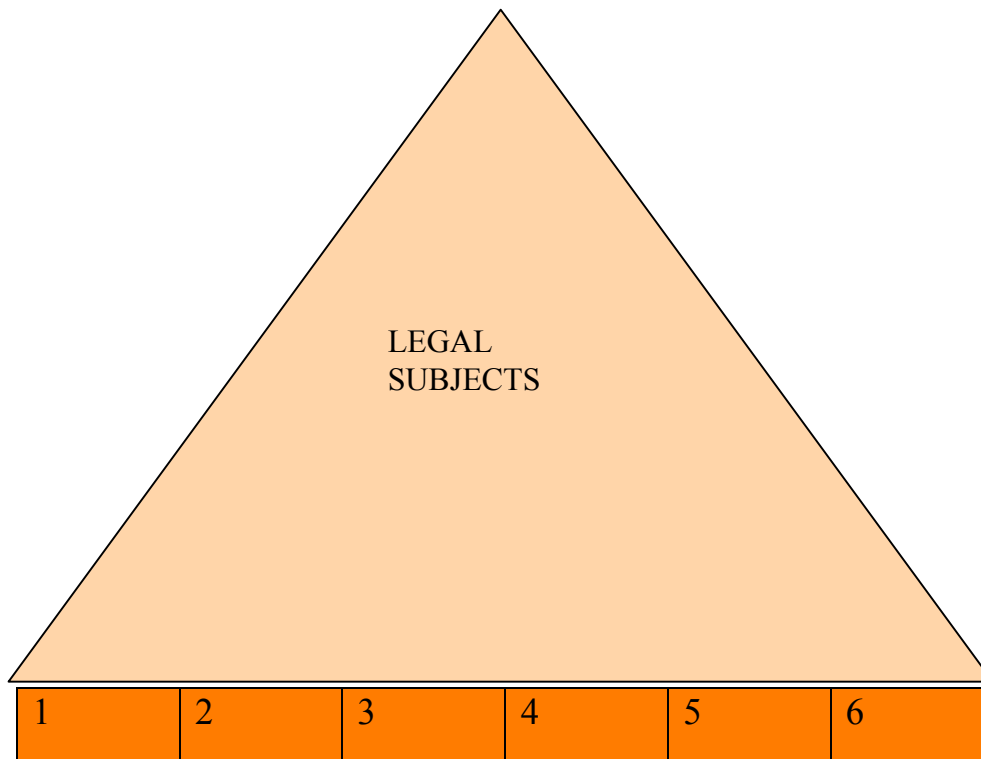
**3.7 First Degree to be of Good Standard and not Sham:** The general instruction of BCI through the Education Rules is that the first degree also should be taken seriously and must not be a sham program. The program has to be used gainfully.

**3.8 Various Models of Integration with Definitive Object of Integration:** It has been observed that there may be alternative objects for integration though this CDC guideline of Law is based on 'law education' as 'value education' to be the 'major/honours' subject at the first degree level. Subsidiary subjects lay focus on the 'matters of fact' education. A good combination of 'matters of fact' education increases the ability for interpretation of 'matters of law' to arrive at justice. So, wider focus on matters of fact education enlarges the ability of arriving at justice. As such, the following may be choices available for integration:

**(a) Wider the Range, Higher is the Knowledge-base and Wider would be Decision-making Power:** If CDC concludes that having 12 papers (in addition to English) in subsidiary subjects shall be adequate support of the first degree program to the entire course, the entire first degree program can comprise with 6 to 12 subsidiary subjects with 2 to 1 papers each. In the figure below it is shown that if 6 subsidiary subjects are offered in the integrated model, there would be 2 papers in each subsidiary subjects. It would mean that a student can take any six subjects from a list of subjects offered from arts, social science, science and technology, management science or medicine and pharmacology etc. Advantages of such integration of Legal education with six other subsidiary subjects are, (i) students may take any combination depending upon the ability and interest; (ii) highest number of subjects from any discipline would determine the qualifying degree; (iii) wider information pack on variety of subjects and discipline would almost double the information level, comprising about 200% increase from the standard attained after +2 stage; (iv) wider the 'breadth' of knowledge on basics and fundamentals of many subjects would lead higher general ability to decide on large number of issues. There are, however, some negative factors, such as, (i) higher the breadth, lesser is the depth on any issue; (ii) decisions requiring deeper knowledge on any issue can not be provided, (iii) large number of faculty would be in need though a part of their work-potential can never be used, (iv) large

facility for laboratory and clinical ability would attract high expenditure, (v) ability of higher studies in any subsidiary may not grow, etc. In short, for those who intend to go for general practice, a wider coverage in information system in all matters of fact is beneficial to them.

#

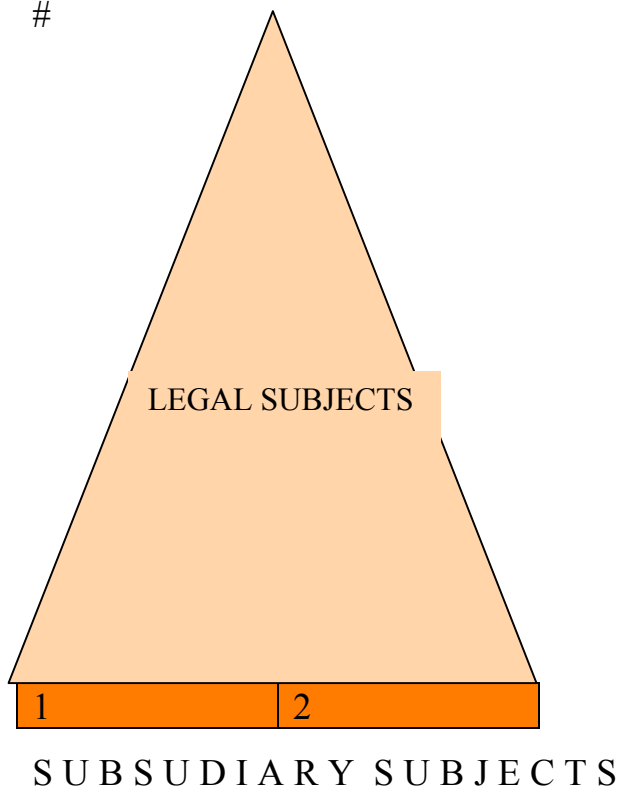


**S U B S I D I A R Y S U B J E C T S**

**(b) Deeper the knowledge in any Subject Higher is the Special Aptitude for Decision making:** The extreme alternative is to confine subsidiaries in two subjects so that keeping the number of papers unchanged, each subject can have 6 papers. Advantages are that (i) a deeper and specialized understanding is built up; (ii) higher studies in any of the subsidiary is possible; (iii) competitive edge

grows; (iv) specialized knowledge and lawyering is the result. There are some negatives, those being (i) too specialized; (ii) high investment in specialized areas of knowledge is necessary for wider field of combinations and integration. Naturally therefore, those who want to go for highly specialized legal practice, for them choosing the very definite knowledge-base brings more edge in the professional expertise.

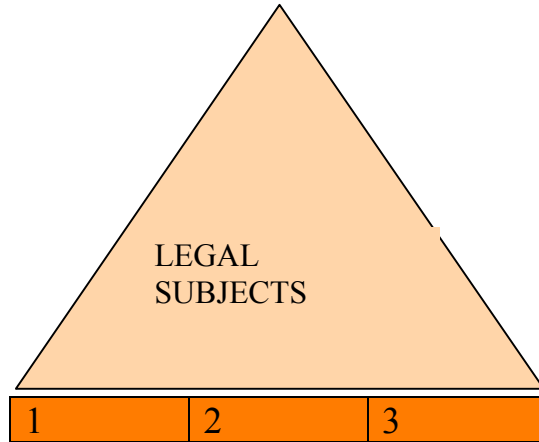
#



**(c) Golden mean:** In between the two extremes there is the golden mean of three subjects with 4 papers in each subsidiary subject or four subjects with 3 papers in each. The golden mean prepares golden mean of advantages of each extreme alternatives as well as minimizes the negatives. The CDC here recommends three subsidiary subjects with 4 papers in each subject. That makes the knowledge deeper and the spread also even. 4 subjects with 3 papers each may have added advantage of providing one subject from cross border area to widen the

knowledge base with a sacrifice in about 25% depth in a subject. The CDC's recommendation on the parameter of 3 subjects with four papers each, is provided below.

#



#

### SUBSIDIARY SUBJECTS

Three subsidiary subjects with 4 papers in each subject is good first degree base by all consideration. There can alternatively be 4 subsidiary subjects with 3 papers each. In many discipline the dimension of a subject may not warrant 4 papers to be allocated in the subject. As for example in Commerce or Management Science, there are more subjects with less papers. As such, it may be justified to have different model of integration in different streams.





## S U B S I D I A R Y S U B J E C T S

### **3.9 Proposed subsidiary subjects:**

**Social science:** Political Science, Sociology, Economics, History, Philosophy, Psychology, Mass Communication, Journalism, Anthropology,

**Science:** Physics, Chemistry, Life Science, Mathematics, Mining Science, Geology, Geography, Statistics, Bio-technology, Electronics & telecommunication, medicine, pharmacy

**Management Science:** Principles and Practice of Management, Accounts and Finance, Business Economics, International Business, Human Resource Management, Marketing management, office management

**Commerce:** Economics, International Trade, Transport, Banking & Insurance, Accounts and Audits, Taxation



**Language:** English is compulsory in each integrated course design.

**Foreign/Indian Language:** Any foreign/Indian language as a subsidiary or audit program.

**University is free to provide for any other options or combinations at the subsidiary level including fine arts, Engineering, Technology, medicine, etc. subject to the provisions of the Rules, especially in relation to duration of the integrated course.**

### TABLE III

#### Infrastructure requirement: For Five Year Double Degree Course

#### Extract of the Scheme requirement:

#### Program III: 5 years' Integrated Course Leading to BA/BSc/BBA, LL.B.

#### **Abstract:**

**2 Semesters per year = total 10 semester**

**Time: 18 weeks per semester**

**Class hours per week: 24 class hours + 6 tutorial and moot courts**

**Total number of papers for whole course = 44**

**Per semester number of papers = 5 papers for 4 semester / 4 for 6 semesters**

#### **Course-design:**

#### **Other subsidiary subjects and papers in first degree level:**

English – 2 papers

Three subjects from discipline of Social  
Science/Science/Management/Commerce

With 4 papers each -  $3 \times 4 = 12$  papers

**Voluntary non – credit course:** an Indian/Foreign Language = 2 papers (not programmed here, additional program scheme would be needed).

#### **Law Courses:**

Compulsory papers = 20 papers

Optional papers = 6 papers

Clinical papers = 4 papers (1 paper non-taught)

#### **Structural requirement**

---

### **FIRST YEAR**

#### **For One Stream**

#### **one section /one stream    two section/one stream    three section/one-stream**

Students strength	60	120	180
Total classes per week	30	60	90

Additional class per option-	6	12	18
General Class room required-	1	2	3
Special class room for Each additional option	1	2	3
Moot Court	1	1	1
Faculty requirement: Principal/Head/Dean	1	1	1
English	1	1	1
Social Science Faculty: For each option of Subsidiary subjects	1	1	1
<b>over three minimum subjects in social science/science/management etc:</b>			
Faculty requirement for three subject	3*	3*	3*
Faculty for Law	2	2*	2*
Faculty in English	1	1*	1*
Lab assistant/tutorial faculty	1	1	2
Total faculty (including Principal)	8+	8+	9+
Library books	100 books (title) in each Subject in social science With number of copies calculated at 1 copy for each 5 students		
Library Investment <b>(annual)</b>	Rs 500,000*	Rs 750,000*	Rs 750,000*

- **For more than one stream & section, multiply with number of streams and section.**

**Other Infrastructure facilities shall be as usual as mentioned in Program I, such as Construction facilities, library service, moot court, wifi connectivity, computer facility, games facility, halls of residence facility etc.**

**SECOND YEAR**

Students strength (in 2 years)-	120	240	360
General class room	2	4	6
Special class room For each additional option	1	2	3
Moot Court -	-	-	1
Assembly	1	1	1
Total class On minimum program	60	120	180
Faculty requirement: Additional in Social Sciences	-	2*	2*
Additional Law Faculty	1	2 *	3*
Total Faculty size	9+	12 +	14+
Library Investment	Rs 500,000+ *	Rs 750,000+*	Rs 750,000+*

**\* Multiply the figures with number of streams to get the target data.**

**Building and other requirements are to be calculated as per the General guideline provided in para 1.9 above.**

### THIRD YEAR

Students strength	180	360	540
Total number of classes	90	180	270
Additional class for each Option	18	18	18
General class Room	3	6	9
Additional Class room for Each option	1	1	1
Assembly			
Moot Court	-	-	-
<b>Faculty requirement:</b>			
Social Science	-	-	1
Law	1	2*	3*
Total Faculty	10+	14+	18+
Library Investment	Rs 500,000+*	Rs 750,000+*	Rs 750,000+*

**\*Multiply with number of streams excluding 1 post of Principal to determine the required faculty and also library investment.**

**Building and other requirements are to be calculated as per the General guideline provided in para 1.9 above.**

	<b><u>FOURTH YEAR</u></b>		
Student strength	240	480	720
Total classes per week	120	240	360
Additional class per option-	24	24	24
General Class Room	4	8	12
Additional class for each option-	1	1	1
Moot Court	-	-	1
<b>Faculty Requirement:</b>			
Law	2*	3*	4*
Total Faculty	12+	17+	22+
Library Investment	Rs 500,000+*	Rs 750,000+*	Rs 750,000+*

**\* Multiply with number of stream**

**Building and other requirements are to be calculated as per the General guideline provided in para 1.9 above.**

	<b><u>FIFTH YEAR</u></b>		
<u>Students strength</u>	300	600	900
Total classes per week	150	300	450
Additional class per option	5	10	15
General Class Room	5	10	15
Additional class for each option-	1	1	1

Moot Court	-	-	1
<b>Faculty Requirement:</b>			
Law (additional	4	6	9
Total Faculty	15+ (4+ 10)*	23+ (6+ 15)*	31+ (9+22)*
Library Investment	Rs 500,000+	Rs 800,000+	Rs 1,000,000+

**\* Multiply with number of streams**

**Building and other requirements are to be calculated as per the General guideline provided in para 1.9 above.**

### **Second Stream on Management/Commerce**

The second stream and any other stream would also require 4, 6, and 9 faculty in the stream at various stages as mentioned above. The Infrastructure requirement would also be similar. In Management there has to be a Seminar Hall/ Board Room in the second year.

### **Science Stream**

Similarly Science stream shall also require 4, 6 and 9 + faculty members at various stages. There shall be Laboratory requirement in each department in the first year. There shall be a laboratory Assistant in each Lab.

### **General Guideline for Sanction of Integrated Double Degree course**

Generally speaking, one stream may have only one section. In that case there can be three streams each with one section only. That would mean that each stream would require 4 -6 faculty and Law Faculty will require faculty for three sections, i.e., about 20-25 faculty including the Head. So Total faculty would comprise say 5 in Social Science and 2 in English; 5 to 6 in Management Science and 5 to 6 in Science stream. That would mean in total in all these streams together would be 17 to 20 and in Law there would be about 20 to 25 based on number of optional courses allowed to be offered for choice..

The infrastructure in Faculty Building, Library, Laboratory, and other facilities can now easily be calculated.

**TABLE IV**

---

**Structural requirement**

---

**2.11.3 List IV: Five Years' Integrated Honours course**

**Infrastructure requirement**

**Program sheet**

**Program IV: 5 years' integrated course Leading to BA/BSc/BBA, LL.B. (Hons)**

**2 Semesters per year = total 10 semester**

**Time: 18 weeks per semester**

**Class hours per week: 30 class hours + 6 tutorial and moot courts**

**Total number of papers for the whole course = 52 (with one honours)**

**Per semester number of papers = 5 papers in 8 semesters and 6 papers for 2 semesters**

**Course-design:**

**Other subjects and papers in undergraduate level:**

English – 2 papers

Three subjects from discipline of Social  
Science/Science/Management/Commerce

With 4 papers each -  $3 \times 4 = 12$  papers

**Voluntary non-credit course = Indian/Foreign Language = 2 papers**

**Law courses:**

Compulsory papers = 20 papers

Optional papers = 6 papers



Clinical papers = 4 papers (1 paper non-taught)  
Each Honours subject = 8 papers

General structural outline of Program III is applicable. In addition to the above the following other requirements shall also be taken care of:

**Additional Honours class room:** During the third year 1, in the second year another 1 and in the final year 1 more class room shall be required.

Additional Class for honours papers: In the third year there shall be 6 class (in VI semester), 12 (in VII and VIII semester) 12, in the fifth year (IX semester) and 6 class in the X semester. As such the cumulative effect shall be as follows:

Third Year: additional 6 class

Fourth Year: additional 18 class

Fifth year: additional 30 class.

As such **The additional Faculty** requirement for each Honours course would be as follows in the same area of specialization:

Third year = 1 additional Faculty in the subject area

Fourth Year = no additional Faculty in the subject area

Fifth Year = 1 more additional faculty shall be required in the honours area.

There shall be additional Library requirement for each honours course as follows:

Third year = additional Rs. 50,000

Fourth Year = additional Rs 100,000

Fifth Year = additional Rs 150,000

Honours students would require their own laptop.

**Building and other requirements are to be calculated as per the General guideline provided in para 1.9 above.**

---

## **Chapter IV**

### **INTEGRATION OF DOUBLE DEGREE:**

#### **TECHNIQUE AND STRATEGY**

#### **FOR TEACING/LEARNING**

### **GENERAL OBSERVATION ON CURRICULUM DESIGN & INTEGRATION AND TEACHING/LEARNING**

**4.1 Faculty Sovereignty:** It has to be remembered that course design is the prerogative of the faculty of the respective University. The curriculum design has a very important role to play in the national and international accreditation of an institution. So, effort has to be made that each paper in every subject must follow a dynamic track record for the design of the course and to develop study materials containing the latest development in the subject and research idea for the prospect for future growth in the course. A low-standard or old design does not attract the imagination of students. Now a day, any one can download the brief course design of the leading Universities of the World. So faculty of any institution has good source to design the course and preparing study materials. Besides, the curriculum designed by the CDC of the UGC is also a good source. The Faculty Sovereignty is not to be confined to designing the course but also to focus on determining the teaching-learning methods, preparing study materials through participatory system, effectively conducting the teaching-learning device, assessing and evaluating the performance of the students. In doing so a successful faculty remains objectively transparent and morally accountable.

**4.2 Learning Objectives:** In professional courses the students always remain focused on “professional need” and always raise questions on relevance to study

an issue which is remotely connected. Once a doubt is raised in mind of any one, the mind remains switched off for learning until the doubt is removed. So once the doubt arises, it is always necessary for the faculty to meaningfully interact and remove the doubt. Top-down model of “you have to learn because it is in the course” does not really help. To make doubts clear, the faculty shall have complete command on all types of explanations in knowledge integration. Integration becomes evident once the case-study method is adopted. As such, learning tools and strategies depend upon the objectives of learning. In curriculum planning therefore, determinations of learning objectives is very important and crucial.

Objectives must be not confused with object of learning. Object is the goal where as objectives are important means or steps to achieve the goal. In Quantitative Science, these may be suggested as independent variables and dependent variables. Suppose one learns law of contract in order to be an efficient transaction lawyer. That is, his goal to become a transaction lawyer. But why and how he has to become a transaction lawyer are the objectives of learning law of contract.

So a faculty member has to clearly explain the goal and objectives at the beginning of the course design and management of the course.

**4.3 High Standard for First Degree Program:** One of the very common arguments against integrated education is that students intending to join Bar are likely to ignore first degree courses. It has to be remembered by the students that legal education is not simply some learning of legal skills. Law has to be applied in real life (matters of fact) situation. Law in Books is the theoretical knowledge and law in practice is the practical knowledge. The difference is that law in books is fact neutral but when law in practiced it is applicable only in a fact situation of real life. That is why law is applied in social set-up and it can also change the social structure. Law does not only resolve dispute but is also successful to provide social justice.

Education in law is therefore not merely a theoretical exercise, it is also to be practised in the social backdrop. Rule of law is required to be a matter of culture and operate automatically in all human behaviour. A good legal system can thus be operative by functionaries who have profound knowledge about how fact operates. That requires good grounding of knowledge in literature, social sciences, natural sciences and technology, medical sciences and behavioral

sciences. A good and very sound first degree in any subject provides the first pillar to sound legal education for the purpose. One weakness of our legal system is that many of our lawyers and judges have comparatively inadequate and poor grounding in the first degree in social or physical or technical sciences or in languages. Since in one life one can not have knowledge in so diverse fields, that is why, law as a profession is always a collective or group profession. So, legal education has to be coupled with knowledge in human resource management, organization strategies and psychology.

**4.3 A Guideline only:** The Curriculum Design Committee (CDC) of BCI also intends to provide a guideline for the courses to be designed on the subjects and papers other than Law so that it becomes easier for the Faculty of the Universities to design their own courses.

**4.5 Various Options for Integration:** The Social Science part of the BA,LL.B course can take different shape and structure with Law as major. There can be 2 other subjects, say Political Science and Economics, each having 6 papers. There these two subjects will have deeper understanding. Alternatively there can be three other subsidiary subjects each having 4 papers that would allow fair coverage of the subject in important issues. There can be third alternative with four subjects each with 3 papers. In each of these the subsidiary subjects would have totally 12 papers. University is free to prescribe any structure. We suggest here three subjects instead of earlier suggestion of 4 subjects in the NLS experiment so far – Political Science, Economics, History and Sociology. The intention that time was to provide wider general knowledge in all the four areas. A University may retain the framework with 3 papers in each of these subjects. Any of the design may be alright. The CDC proposes 3 subsidiary subjects with 4 papers each.

**4.6 Other Options in Social Science Subjects:** University may allow any of the following or any other Arts, Fine Arts, Social Science, Philosophy to be taken as subsidiary papers, such as Political Science, Sociology, Education, Economics, Journalism, Mass media communication, Psychology, History etc. Each subject shall have four papers under this ‘3 subjects’ subsidiary scheme.

**4.7 Other Streams:** Similarly in other streams also there can be similar options offered with 3 subjects with four papers each under suitable combination of papers, such as in Management sciences the following may be the combination:

(a) Management Principles and Practice: Management Principles, Managerial Psychology, Operation & Management, Business strategy

(b) Quantitative Practice: Quantitative analysis, Business Mathematics, Business Statistics, Management Information system (MIS)

(c) Business Economics: Micro, Macro, Public Finance, Money and Banking, Business Economics

(d) Financial Management: Accounting Principles, Financial Accounting, Cost Accounting, Audit Practice

(e) Marketing Management: Principles of Marketing Management, Business Ethics, Advertisement and media management, Consumer behaviour

(f) Corporate planning and Project management: Project Finance, Project Management, Corporate structure, strategy planning

(g) Office Management: General Principles, Secretarial Practice, Clinical Psychology, Office layout and administration.

(g) International business: International Trade, Trade negotiations, Export and Import, International Finance

**Alternatively, Universities may allow all or any of the above papers as independent subject and allow students to take 12 papers from the list serving as *a-la-cart* or a *nenue-chart*.**

**In science also there may be various subjects both fundamental or of contemporary importance, such as and each with 4 papers:**

(a) Chemistry:

(b) Physics:

(c) Life Science

(d) Electronics and Telecommunication

- (e) Bio-technology
- (f) Forensic Science
- (g) Environmental Science & Ecology
- (h) Geography
- (i) Marine and Coastal Science
- (j) Geology and mining science
- (k) Space science

**Similarly in Commerce stream there can be:**

- (a) Economics
- (b) Business Organization
- (c) Accounts and Audit Practice
- (d) Office Management
- (e) Corporate Governance
- (f) International Trade Procedure and practice
- (g) Banking and Financial Institutions
- (h) Insurance
- (i) Marketing
- (j) Taxation
- (k) Transportation and Carriage
- (l) Tele-communication

The domain of understanding both physical and behavioral facts is very critical and complex. So a growing University always goes on creating facility for study and research in newly traded and creative fields of enquiry. Thus how subjects develop in natural and behavioral sciences. Similarly, one can visualize other companions of professional legal education, such as Technology, Engineering, Medicine, etc.

**4.8 Cross-border Subjects or Papers:** Knowledge has no barrier. All identified disciplines are not prisons. Students may be given various combinations of their choice and options with cross-border subject within the resource of the University. Various specialized Institutions can be developed based on the situational placement of an institution. Say for example, a State with coastline and ports may develop Coastal Ecology, Coastal Environment, Oceanography, Marine Law, etc. A state rich in Mines and minerals may develop courses with Mineralogy, Geology, Mining and Minerals, Environmental Ecology, Forrest studies, Indigenous Knowledge and Culture etc. So students may be allowed to take as many combinations of subjects from Arts, Science, Management, Commerce subjects as may be possible for the University within its resource.

#### **4.9 Outline of Course Design:**

Every subject/paper shall contain workable outline in course design on the following issues:

**4.9.1 Object of Study:** Every course of a subject outlined in a paper has to have an object or a few objects to be achieved. Attainment of such an object by all participants would mean a success of the study of the course. Object must not be confused with objectives. One example may make things slightly perceptible. As for example, Law of Contract may be studied with an aim in view of ‘application of law in transactions in a market economy’ or it may be to study the ‘fundamental principles of contract’. The first object would draw the students to the contemporary application of law to fact and the second study would take the students only to analytically look at various fundamental principles of law of contract as to how and why such principles grew.

It is better to have the object very definitive and indicative. It is definitive to rationality and indicative of various objectives. Determination of objectives would lead to identifying various leading issues properly structured and to

calibrate methodology of teaching-learning as well as understanding different fixed and dynamic variables in the subject of study.

**4.9.2 Bird's Eye View of the Contents of the Course:** Once the object and objectives are determined, one can determine the contour of the course either in module form or in issue or topics form. Such a contour analysis would allow the faculty concerned to assess how much time one needs to give in each such module/issue/topic. This time-line operation makes the students remain always focused.

**4.9.3 Time Available and Time-topic Allocation (TTA):** Generally speaking the semester program is for 15 weeks for Three years program and 18 weeks for five years program. Weekly inputs are also outlined by the BCI, 30 hours per week in Pass course and 36 hours per week for honours course. In both the cases 6 hours are devoted to moot courts and tutorials. By and large each course has about 6 hours class-work and one-hour tutorial or moot hour per week. So time allocated is easily calculable. Therefore time-topic planning can be worked out. Some papers may require higher time allocation and some may take less. The drawing-board details would keep the architectural need accordingly.

**4.9.4 Teaching-learning Methodology:** Suitable teaching-learning methods have to be adopted based upon the issue for study. Generally speaking, common law principles can be easily brought home by way of case study or by way of dialectic method of moots. Some times an economic principle can be better communicated by way of chalk-duster method. Field study may sometimes become very communicative to appreciate how a society develops any behavioral principle. Lecture is often popular, easy to administer, and least costly but may be, a bit less effective. There are two types of education that may be natural to two distinguished method of teaching-learning. Any 'matters of fact' education requires learning by doing and any 'matters of law and value' education is done through learning by study and adaptation to life situation. In integrated law education both are needed. Thus, laboratory study, field study, group exercise and lecture are various methods of teaching-learning in science and social sciences. In law courses, dialectic method of mooting and debating, case study, group exercise and lecture methods can be appropriately used. Self research is effective in any course. So a part of a course can be devoted through research and paper writing. The faculty concerned has to adapt always a suitable mix of method to make the best use of resources. In modern times PPP (power point presentation) is very effective when a wide range of issues are to be covered to



students who are of high standard. Teaching as the best learning process, is a psychologically proved method. As such, students may also be encouraged to participate in teaching practice, especially in some social science subjects, like History or Political Science.

**4.9.5 Detail Day-to-day planning:** Faculty concerned can then make day-to-day planning with indicated topic, method of teaching-learning, book references, case references and detail guidelines for daily exercises. A grand architecture of such study planning would make the teaching-learning very creative and interesting.

**4.9.6 Planning of Examination System:** In a learning process on any subject, there are informations to be passed on, to be applied with some basic principles, values and philosophies that are inserted. And then there are applications through major and minor propositions and deriving a conclusion. Naturally at all levels there is requirement of ‘tests’ to examine effectiveness of teaching-learning. This test has to be done at various stages as follows:

(a) Information level test is done through measurement test. Informations passed and retained by the participants is tested with multiple choice questions, short one line response to retrieve the information and many other tests like identifying the correct information from a bundle of information, filling up the blank etc. Measurement tests are always without books, and have to be a continuing process so that huge information passed through a long period of time are divided into suitable modules for periodic test. Measurement test is memory level test. As such, it is advisable that not more than 20% of the total test marks come from such test.

(b) Application tests are done through problem solution, application of appropriate law in a fact situation, detailing the process of application, building arguments for a client in a fact situation etc. These tests are predominantly with books on statutes. The periodicity here would be wide, may be in a semester twice such tests are required to be done. It is advisable that such tests carry not less than 40% of the total test marks in a paper.

(c) There must be Assessment of the decision making capacity and value addition in judging by a student. This test is by way of Judgment writing on a fact to be suitably analyzed with rational expression of the judgment. Here the test is at the end of the course. The test contains detail fact of an incident (may be 2 or 3) which would require analysis to add derivative value addition and then a decision has to be given. It shall not contain more than 20% of the entire course valuation marks.

(d) Constant research is one of the sure ways of learning. Research, paper-writing and presentation before the peer group has to form an important part in the over-all tests. This test is done through project assignment for research, paper writing and presentation. It can contain about 20% of the total marks.

It is advisable that evaluation is required to be internal but transparent. Several ethical standards are required to be followed such as, (i) one question is not to be set twice at least in a period of 10 years; (ii) model/indicative answer is provided in the Library after the examination; (iii) model/indicative answer can be challenged within 2/3 days before an expert body comprising 3 faculty members who would hear the challenge and then finalize the model/indicative answer; (iv) answer paper (or copies thereof) are given to the students for verification; (v) evaluation if contested would be disposed by a committee of experts of 3 faculty members; and (vi) faculty has to disclose any conflict of interest that he/she may have in evaluation of a paper.

**4.9.7 Bibliographical Reference:** The course design has to include bibliographical notes with relevant page references in books and also names of articles and case reference.

5. The following is the indicative course design as the contour of study in some of the subjects. Future volumes of the Report may contain some other subject and course design.

**SUBJECTS & PAPERS IN**

**INTEGRATED DOUBLE DEGREE COURSE**

---

**NB: Universities are free to redesign the courses as well as the course-outline  
According to their respective condition and availability of staff**

---

**LANGUAGE & LITERATURE**  
**ENGLISH**

## ENGLISH

### ENGLISH PAPER I: LAW AND LANGUAGE

**Object of study:** The relation of English Language and literature is integrally related to the history and development of Common Law System in the world, commonly known as Anglo-Saxon Legal System. The System is transplanted in India during the early British rule along with English language and literature in the European Education introduced in India. Naturally today, one of the strength of Indian Students is the natural strength in English language and literature.

Words are bricks and grammar is the mortar of law and justice system that is how the relation is expressed in simple term. Indian Legal system heavily imbedded in English language and literature naturally calls for strong grounding in language and literature, the first skill that an Indian lawyer has to earn. These couple of courses in English language and literature tries to scientifically relate the Language and Literature as the means and methods of effective communication, reading; writing; and speaking.

**Methodology of teaching-learning:** The effective method of teaching-learning and developing language skill is, loving to read literature. However, the English language has nuances in legal expression, often mentioned as Legal English, though there is nothing like Legal and Illegal English. That is only a pedagogical exercise. The best way to learn such English is to read more and more English literature especially literatures created by Judges and Jurists in the name of Autobiography or biography or in special lecture-series. Indian students like students from any other continents have a distinct style of expression. So it is better to have an English Laboratory to understand various style of oral communication. Listen, speak and write – are three straight ways of teaching-learning language. The analytical skill is developed with critical interpretations and explanation. So the best way to learn language is to work in tutorials and peer group participation.

**Evaluation system:** Reading, speaking and writing are the only ways of testing and evaluation. Class presentation on Book Review, Fact analysis and interpretation, writing reports, précis, letters and short stories – these are some of the creative ways of testing the growth on interest of the students. Once the interest grows, learning would come automatically.

<b>Section: 1</b>	<b><i>Theoretical Considerations</i></b>
<b>Section:</b>	<b>Introduction</b>
<b>Topic:</b>	Introduction to language and communication

**Reference Text:** Developing Communication skills by Krishna Mohan and Meera Banerji. 2002. Macmillan.  
**Approximate percentage of time to be devoted:** 3%  
**Teaching method:** Class activities and lectures

<b>Section: 2</b>	<b><i>Legal Writing skills</i></b>
-------------------	------------------------------------

**Topic/Chapter:** Avoiding repetitions, Ch-21; Avoiding legalese in writing, Ch-26; Passive voice minimalization, Ch-30; Removing unnecessary words, Ch-39; Use of parallel constructions, Ch-41; Fixing remote relative pronouns, Ch-51; Symbols and abbreviations, Ch-54; Sexist language, Ch-56; Dashes, Ch-57; Quotation marks, Ch-60; Spelling out numbers one to ten, Ch-69  
**Reference Text:** The Winning Brief: 100 Tips for Persuasive Briefing in Trial and Appellate Court (Hardcover) by Bryan A. Garner (2<sup>nd</sup> ed.)  
**Approximate percentage of time to be devoted:** 6%  
**Teaching method:** Class activities and exercises

<b>Section: 3</b>	<b><i>Legal writing and language</i></b>
-------------------	--

**Chapter/pages:** Fundamental principles of legal writing, p211-213; General guidelines relating to legal writing, p214-221; How to write a case comment, P 232-246; Legal maxims, p289-296; Legal terms, p371-393;  
**Reference Text:** Legal Language by Madabhushi Sridhar, 2<sup>nd</sup> Edition  
**Chapter/ Topic:** Ch1-Language and law-General study; Ch2-Problem of legal language in drafting; Ch3-Constitutional provisions relating to language.  
**Reference Text:** Dr. Anirudh Prasad. Outlines of legal language in India. 4<sup>th</sup> edition. Central law publications. Allahabad. 2007.  
**Approximate percentage of time to be devoted:** 10%  
**Teaching method:** Lectures, and written exercises, Classroom Quiz. Test 1

<b>Section: 4</b>	<b><i>Legal Linguistics</i></b>
-------------------	---------------------------------

<b>Topic:</b>	Semantics; Morphology ; Phonetics ; Forensic linguistics
<b>Reference Text:</b>	George Yule. 1997. The study of language. Cambridge; Akmajian, Demers, Farmer and Harmish. 2001. Linguistics: An introduction to language and communication. Prentice-Hall;
<b>Approximate percentage of time to be devoted:</b>	9%
<b>Teaching method:</b>	Lectures and discussion.

<b>Section: 5</b>	<b><i>Literary Readings and Social Skills</i></b>
-------------------	---

<b>Readings:</b>	The Benefit of Doubt, by Jack London; Ramesh v. Union of India, Equivalent citation: AIR1988 SC775, (1988) 90BOMLR116, JT1988(1)SC361, 1988(1) SCALE327, (1988) 1SCC668, [1988] 2SCR111, 1988 (2) UJ107(SC); “Before the Law”, by Franz Kafka; Effective mediator-Firdosh Karachiwala; Francis E.W. Harper the slave auction; Mediation key to swift justice, SUMAN K. SHRIVASTAVA; Peter Tiersma, The Nature of Legal Language; The Merchant of Venice. Shakespeare, Act 4, 15; An Autobiography or The Story of my Experiments with Truth by Mohandas K. Gandhi, translated by Mahadev Desai
<b>Topic:</b>	Etiquettes and Manners for law professionals;
<b>Reference Text:</b>	Correct Etiquette & Manners for all occasions by Seema Gupta
<b>Approximate percentage of time to be devoted:</b>	24%
<b>Teaching method:</b>	Role play, reading and discussion

<b>Section: 6</b>	<b><i>Grammar</i></b>
-------------------	-----------------------

<b>Topics:</b>	Sentence ; Subject and predicate; Phrase and clause; Case; Number; Person; Gender ; Tense; Aspect; Active-passive; Modals ; Prepositions; Infinitives ; Gerunds ; Adjectives; Degrees of comparison ; Articles
<b>Approximate percentage of time to be devoted:</b>	23%
<b>Teaching method:</b>	Lectures, classroom activities and exercises. Test 2

<b>Section: 7</b>	<b><i>Research Project</i></b>
-------------------	--------------------------------

<b>Topic:</b>	Research Project in Language and Linguistics
<b>Approximate percentage of time to be devoted:</b>	26%

**Teaching method:** Discussion and classroom presentation. Written project report has to be submitted, and a presentation has to be made by the student.

**Further Reading:**

1. A.S.Hornby, *Guide to Patterns and Usage in English*, OUP, Delhi, 1999.
2. Bansal, R.K. and J. B. Harrison. *Spoken English for India: A Manual of Speech and Phonetics*, Hyderabad: Orient Longman, 1983.
3. David Green, *Contemporary English Grammar Structures and Composition*, Macmillan, Chennai, 1999.
4. Forsyth, Sandy & Lesley Hutchison. *Practical Composition*. Edinburgh, Oliver & Boyd, 1981
5. Geoffrey Leech and Jan Svartvik, *A Communicative Grammar of English*, Longman, Delhi, 2001.
6. H.K.Mukherjee, *Legal Language, Legal writing and General English*, Law Point, Calcutta, 2004.
7. Herbert Brown, *A Selection of Legal Maxims*, Sweet and Maxwell, London, 1998.
8. Locker, Kitty O. *Business and Administrative Communication*, McGraw Hill Higher Education, 7<sup>th</sup> edition. 2006.
9. M.A. Yadugiri and Geeta Bhasker. *English for Law*. Foundation books. 2005
10. Maison, Margaret M. *Examine Your English*, Hyderabad: Orient Longman, 1980
11. N. Krishnaswamy, *Modern English*, Macmillan, Delhi, 2001.
12. Paul Rylance, *Legal Writing and Drafting*, Universal Law, New Delhi, 2000.
13. S. Pit Corder, *An Intermediate English Practice Book*, Orient Longman, Hyderabad, 1996.
14. S.C.Tripathi, *Legal Language, Legal Writing and General English*, Central Law Publications, New Delhi, 2005.
15. Thomson and Martinet, *A practical English Grammar*, OUP, Mumbai, 1970.
16. V.R.Narayanswami, *Strengthen Your Writing*, Orient Longman, Hyderabad, 2000.
17. *Winning Advocacy: Preparation, Questions, Argument*, Hugh Selby, Graeme Blank Oxford University Press Australia. 2<sup>nd</sup> Revised edition, ISBN: 9780195550955 Pages: 170, September 2004
18. Wren and Martin, *English Grammar and Composition*, S. Chand, Delhi, latest edition.
19. *Writer's Guide to Style and Usage*, Macmillan, Delhi, 2000.

## ENGLISH PAPER II: LEGAL PROFESSIONAL COMMUNICATION SKILLS

---

---

<b>Section: 1</b>	<b><i>Theoretical Considerations</i></b>
-------------------	--

<b>Topic:</b>	Introduction to communication: definition; importance of communication skills for a professional; verbal, nonverbal and paralinguistic communication; the communication model. ; Written v/s oral communication ; Brevity, clarity, simplicity, accuracy and appropriateness ; Barriers to communication and how to avoid them.; Characteristics of the Language of the law
<b>Reference Text:</b>	Developing Communication skills by Mohan and Banerji
<b>Approximate percentage of time to be devoted:</b>	8%
<b>Teaching method:</b>	Class activity; Brain storming, lectures

<b>Section: 2</b>	<b><i>Placement Related Skills:</i></b>
-------------------	---

<b>Topic:</b>	Group Discussion; How to face an interview ; Presentation techniques ; Resume; Writing for Employment-Designing Cover letters
<b>Reference Text:</b>	Developing Communication skills by Mohan and Banerji
<b>Approximate percentage of time to be devoted:</b>	12%
<b>Teaching method:</b>	Lectures, class activities, assignments, test 1

<b>Section: 3</b>	<b><i>Professional communication</i></b>
-------------------	--

<b>Topic:</b>	Nonverbal Communication.; Meetings: purpose, procedure, chairmanship, participation, physical arrangement ; Writing a professional letter, ; Hearing and Listening, ; The plain English movement, Peter Tiersma
<b>Reference Text:</b>	Developing Communication skills by Mohan and Banerji ; Legal language, legal writing general English. Dr. S.C. Tripathi. Central Law Publications. 2005. 3 <sup>rd</sup> ed.; Osborn and Osborn. Public Speaking 4 <sup>th</sup> ed. 2000. Houghton Mifflin Company, U.S.A. ;



Developing Communication skills by Mohan and Banerji; Peter Tiersma  
**Approximate percentage of time to be devoted:** 9%  
**Teaching method:** Lectures, writing practice, test

<b>Section: 4</b>	<b><i>Communication skills for advocacy</i></b>
-------------------	---

**Topic and Text:** The advocate as conductor: painting the picture; my physical presence; where do I look; masking my anxiety; what do I call people; opening statements; agendas; questioning my witnesses; helping the decision maker to understand, Winning advocacy by Hugh Selby and Graeme Blank p75-110

**Approximate percentage of time to be devoted:** 5%  
**Teaching method:** Lectures, class activities, assignments

<b>Section: 5</b>	<b><i>Literary Readings</i></b>
-------------------	---------------------------------

**Topic and the Reference Text:**

1. Language and the Law, John Gibbons. 1999. Annual review of applied linguistics. 19, 156-173. Cambridge University Press.
2. The Merchant of Venice (Act-IV, the court scene) – William Shakespeare
3. C.K. Kakodar v. State of Maha. (P. Jaganmohan Reddy. J.). Equivalent citation: AIR 1970SC1390, (1970) 72BOMLR917, 1970Cri LJ1273, (1969) 2SCC687, [1970] 2SCR80
4. Francis Bacon, Of Judicature
5. Legality of book-banning, A.M. Bhattacharjee
6. The Bajaj dispute and mediation by Sriram Panchu
7. Learning Legal Rules (A Student’s Guide to Legal Method and Reasoning) - James A. Holland, Julian S. Webb, Type: Non-Fiction, Genre: Crime & Law

**Approximate percentage of time to be devoted:** 16%  
**Teaching method:** Role play, reading and discussion

<b>Section: 6</b>	<b><i>Literary Readings 2: SELF-READING FOR THE STUDETNS</i></b>
-------------------	--

**Topic and reference** 1. Dr. Ambedkar: Life and Mission by Dhananjay Keer

<b>text:</b>	published by Popular Prakashan, Mumbai, India; The Legacy Of Dr. Ambedkar by D.C. Ahir published by B.R. Publishing Corporation, Delhi-110007, India. (ISBN 81-7018-603-X Code No. L00522)
	2. : An Autobiography of APJ Abdul Kalam by A.P.J Abdul Kalam, Arun Tiwari; Orient Longman, 1999.
	3. Legal Studies Paper No. 2009-11, March 2009, What is Language and Law?, And does anyone care?, Professor Peter M. Tiersma, 33
<b>Approximate percentage of time to be devoted:</b>	<b>10%</b>
<b>Teaching method:</b>	The students would be required to read assigned portions of the text, make brief presentations, and to discuss in the classroom. Test
<b>Section: 7</b>	Using the language
<b>Topics:</b>	Conversation practice; Pronunciation; Punctuation; Correct Usage and Common Errors; Vocabulary; Oral Presentations; Spelling rules; Idioms ;
<b>Approximate percentage of time to be devoted:</b>	<b>19%</b>
<b>Teaching method:</b>	Lectures, classroom activities, written exercises and quizzes
<b>Section: 8</b>	<b>Research Project</b>
<b>Topic:</b>	Research project in legal language and communication
<b>Approximate percentage of time to be devoted:</b>	<b>25%</b>
<b>Teaching method:</b>	Discussion and classroom presentation. Written project report has to be submitted, and a presentation has to be made by the student.

#### Further Reading:

1. Glanville Williams, *Learning the Law*, Universal Law, New Delhi, 2000. Chapter 14
2. John Gibbons. 1999. Annual Review of Applied Linguistics. 19, 156-173. Cambridge University Press.
3. Lewis, Hedwig. *Body Language: A Guide for Professionals*. New Delhi: Response Books (A division of Sage Publication), 2000
4. Mogha, *The Indian Conveyancer*, Eastern Law House, Calcutta, 2004 .
5. Murli Manohar, *Art of Conveyancing and Pleading*, Eastern Book Company, Lucknow, 2004.

6. S.P. Agarwal, *Pleadings*, LexisNexis, New Delhi, 2003.
  7. A.S. Hornby, *Guide to Patterns and Usage in English*, OUP, Delhi, 1999.
  8. David Green, *Contemporary English Grammar Structures and Composition*, Macmillan, Chennai, 1999.
  9. Geoffrey Leech and Jan Svartvik, *A Communicative Grammar of English*, Longman, Delhi, 2001.
  10. Thomson and Martinet, *A practical English Grammar*, OUP, Mumbai, 1970.
- Wren and Martin, *English*

**DRAFT**

**SUBJECTS & PAPERS IN**

**VARIOUS COURSES FOR INTEGRATED DOUBLE DEGREE COURSE:**

**FIRST DEGREE COURSES**

---

**NB: Universities are free to redesign the courses as well as the course-outline  
According to their respective condition and availability of staff**

---

**IN  
SOCIAL SCIENCES  
POLITICAL SCIENCE**

## **POLITICAL SCIENCE**

**Object of learning:** Political Science has a very close links with legal studies because legal instruments are formulated as a system expression directly emanating from the political superstructure. As for example, a democratic system of law making and implementation is quite different from a dictatorial process of expression of law and justice. History of Political Thought has a direct bearing with the process of Constitutionalism and development of Constitutional system in the Nineteenth and Twentieth Centuries. A strong grounding of knowledge in Political Science certainly helps better appreciation of jurisprudential development in any legal system.

**Teaching-learning methods:** There are two distinct process of teaching-learning through data sensitivity and fact analytical skill-development through case studies based on motivational lectures and the building up of thesis and counter-thesis through research, group discussion and presentation of papers.

The arrangement and spacing in scheduling courses in Semesters must be such that the paper on Political Theories is followed by Constitutional Law, Political Obligation is followed by Jurisprudence and Legal Philosophy, Public Administration is taken up with Administrative Law and International Relation is followed by Public International Law.

**Evaluation methods:** Evaluation system must closely follow the teaching-learning devices. Some of the in-house operations are research on project, take home, tutorials and presentations to the peer group. A question-answer formation of examination system serves a very marginal interest and such a test of information passing, processing and storing must have a place of not more than 20 – 25 percent of the entire process of evaluation.

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

**Module - I** **Introduction to Political Science** - Meaning, Nature & scope of Political Science – Methodology - Political Science and allied studies - Political Science & History - Political Science & Economics - Political Science & Sociology - Political Science & Geography - Political Science & Anthropology - Political Science & Jurisprudence - Political Science & Ethics.

**Module- II** **Approaches to Political Analysis** - Traditional approach - Modern approach - Post-modern approach - Behavioralism - Post-behavioralism - Systems approach - Structural functional analysis - Marxist approach.

**Module- III** **Origin of State** - Theories of origin of State - Divine Right theory - Patriarchal & Matriarchal theories - Social Contract theory - Evolutionary theory - Evolution of modern State and the Post-modern State.

**Module- IV** **Elements of State** - State and Nation - State and Sovereignty - Is sovereignty a waning concept? - Characteristics of Sovereignty - Classification of Sovereignty - Legal and Political - Austin's theory of sovereignty – sovereignty and Constitutional Law - sovereignty in International Law.

**Module - V** **Meaning, nature and scope of citizenship** - Global citizenship - Methods of acquiring and losing citizenship - Rights and duties of citizens - classification of rights - theories of rights - Human rights - Rights and duties..

**Module- VI** **Liberty, equality and justice** - Philosophical foundations - constitutional protection and limitations - Marxist view on freedom - Liberalism - Idealism - Individualism - Socialism - Facism - Imperialism -Marxism

**Module –VII** **Classical Political theory:** Political Theory of Classical Greece; Republicanism, Political Theory and Political Economy, Political Theory and Social Theory, Modernity and its critics, Marxian Thought,

**Module -VIII** **Contemporary Political Thought :** Critical Theory beyond Habermas, Liberal Pragmatist Political theory, Feminism and Canon of Political Thought, Pluralist Construct, Regionalization and its challenges, Interpretations in Contemporary Islamic thought

**Module - IX** **Evolution of government** - classification of government - Aristotle's classification - Modern classification - Merits and demerits of democracy, merits and demerits of Monarchy, Merits and demerits of Dictatorship - Role of Law in governance - Laissez-faire and Welfare governments.

**Module- X** **Forms of Government** - Parliamentary & Presidential - Unitary & Federal - SOP & Checks and balances - Unicameral & bicameral legislatures - Cabinet form of government - Role of Political Parties - Public opinion - Limits of governments - Revolution.

### **Books**

1. Amal Ray & Mohit Bhattacharya, Political Theory: Ideas & Institutions, The World Press Pvt. Ltd., Kolkata
2. A. Appadurai, The Substance of Politics, Oxford University Press, New Delhi, 2000.
3. O. P. Gauba, An Introduction to Political Theory, MacMillan, New Delhi, 2009.
4. A. C. Kapoor, Principles of Political Science, S. Chand & Co., New Delhi, 2008.

5. Ernest Barker, Principles of Social and Political Theory, Surjit Publications, New Delhi, 2005.
6. Sabine, George, History of Political Theory, Oxford IBH Publishers, New Delhi, 1973
- 7.L. S. Rathore and Haqqi, Political Theory and Organization, EBC, Lucknow, 1988 (reprint 2006)
- 8.R,E,Goodin (Editor) The Oxford Handbook of Political Thought, Oxford University Press, 2008

**Suggestive Project Issues** (each student is to choose one topic/issue to carry on research work and prepare and present a paper)

1. Suggestive restructure of democratic governance in India
2. The Party System in Democratic Governance; Nature and critical role
3. Poverty & Politics: a critical study of influence and interactive implications
4. Politics of Reservation
5. Affirmative Action and Reservation, a comparative analysis
6. Nature of Secularism in Constitutional Governance in India
7. Human Rights under Socialism
8. Political Concerns regarding growing power of local and regional parties
9. Argument for Presidential Form of Governance in India
10. Non-cooperation and Disobedience: The two elements of Gandhian Political Philosophy weakens the fabric of State and Sovereignty
11. Gandhian Model of Development
12. Panchayati Raj: a critical political philosophy of good governance
13. Policy for and against the Linguistic State
14. Liberalism, Indian experience
15. Voting pattern in Indian Elections
16. Locating the Sovereignty in the Indian Body polity
17. Westminster Model in Indian democracy
18. Pluralism in Indian Politics
19. Problem of Minority in Democracy
20. Need for good Governance, two essential criteria
21. Green Theory of State
22. Role of Media in Politics

- 23.Reorganization of States; the growing complex
- 24.Role of Religion in Indian Politics
- 25.Argument for Small States
- 26.Social Justice in a Body Polity
- 27.Multi- party system
- 28.Naxal Movement in India
- 29.Problem of Anarchy and terrorism in a modern State
- 30.Bicameralism: a burden on the people
- 31.Problem of Corruption in Democracy
- 32.Terrorism in Pakistan
- 33.Indo-China border issue: a growing cause of concern
- 34.Problem of soft-state
- 35.Communalism – an ugly rise in a modern state
- 36.Growth of Nation-State
- 37.Regionalization in International Politics
- 38.Transparency and Accountability: two essential issues of Governance
- 39.Review of Rawls’ Theory of Justice
- 40.Models of Constitution

### **Example of Day-to-Day Work-Schedule**

<b>Lecture No./</b>	<b>Principal Faculty</b>	<b>No of Lec./</b>	<b>Topic of study</b>	<b>References</b>
1-2	Dr.P. Gulatia (DPG)	2	Political Science – meaning Nature, Definition	Amal Roy & Bhattacharyya Page 1 - 6
3	Dr. Maheswari (DMI)	3	Politics & Power, Politics as a social, political and economic activity	Asirvatham & Kapoor ( 4 – 12) Roy & Bhatta. (5 – 20, 24)
6	DPG	4	Evolution of State – meaning nature, elements, Sovereignty state and government, Nation and State	Rathore &Haq. ( 11 – 15) Agarwal et all ( 7 – 28)



				Andrew Vincent ( 12- 18, 26-35)
10	DPG DMI	3	Notions of State, ancient medieval and Modern	Asirvatham & Mishra (15-40)  Lipson ( 21-35)
13	Dr. A,Roy  (DAR) DMI	4	Theories of origin of State – Divine theory Force, Social Contract, Patriarchal, Historical	Asirvatham & Mishra ( 35-65) Lipson ( 43 – 68)
17	DAR DPG	4	Meaning &Definition evolution, basic feature legal & political, Monistic dualistic,	Roy & Bhatta ( 89 – 114) Asirvatham & Mishra, (72- 89)
21	DPG	12	Positive Theories – Individualist, Organic, Anarchist, Marxist  Normative –Idealist, Juristic Welfare, Gandhian	Roy & Bhatta (112 – 212) Appadorai (56 – 115) Asirv. & Mis. (82 – 146)
33	DAR	10	Forms of Government- classifications, Constitutional, unitary, Federal, quasi-federal, Confederal, Presidential; Parliamentary, dictatorial	Appadorai (121- 201) Ray & Bhatta (234-298) Andrew (156-245)
43	DMI	8	Democracy – forms, merits demerits, classical & liberal notions, theories, Relevance, US and Indian Forms of Democracy,	David Held (chapter 5) Appadorai ( 20-265) Rathore & Haq.

51	DMI DAR	6	Some contemporary thoughts – Western, Indian, Nazism, Fascism, Socialism Islamic & Hindu concepts Gandhism	Rao (243-276) Ray & Bhatta (278-345)
57	DAR	5	Contemporary thoughts on Power – Montesque’s theoryMarxism, Maoism Welfare System, Rule of Law Neo-modernism	Rathore & Haq. (254-286, 291-301) Ray & Bhatta (341-375)
62	DMI	4	Separation of power – inter-relations between Executive, Legislature And Judiciary, Recent trends In power share, activism	Kapoor (157-198) Ray & Bhatta (349-73, 370-409) Agarwal(294-342)
66	DAR	4	Good Governance – Participation, Transparency, Accountability, Use of Technology in Governance	Ray & Bhatta ( 378-422) Rathore (298-326) Andrew (328- 354)
70	DAR	2	Minority & Democracy	Kappor (245-298) Bhusan (291- 317)
72-80	DMI	9	Revision	

## **Political Science II: State & Political Obligations**

**Module - I** Introduction to Political obligation - Meaning, nature and scope of Political Obligation - Evolution of the concept of political obligation - contemporary developments - Political obligation and right - Political obligation and Duty.

**Module - II** Theories of Political obligation - Voluntarism - Utilitarian theory - Deontological theory - Anarchist theory

**Module - III** Political obligation and consent - Nature and extent of consent - Political obligation and Social contract (Hobbes, Locke & Rousseau) - Types of Political obligation

**Module - IV** Philosophical foundations of Political obligation - T.H. Green on Political obligation - Moral or Ethical foundations of Political obligation - Ancient Indian ideas and Institutions on Political obligation

**Module - V** Dimensions of Political obligations in a modern State - Political obligation and family - Political obligation and identity - Membership and political obligation

**Module- VI** Legal and Political obligations - Nature and extent of the Authority in a State and Political Obligation - History and Theory of Justice - Joseph Raz

**Module- VII** Constitution of India and the nature of Political obligation under the Constitution - Upendra Baxi on Crisis in the Indian Legal system - Dilution of Political obligation - Impact of such dilution of Political obligation.

**Module – VIII** D.D. Raphael and T. H. Green on Political Obligation

**Module - IX** Political obligation and the right to dissent - legal and moral issues- legal and social issues - social and political issues - Right to disobey the law - D.H. Thoreau - Gandhian Principles - Edmund Burke.

**Module - X** Political Obligation and Revolution - Role of State in balancing political obligations - Role of international society in political obligation of a State

### **Books**

1. John Horton, Political Obligation, MacMillan, London, 1992.
2. Margaret Gilbert, A Theory of Political obligation ; Membership, Commitment and the Bonds of Society, Clarendon Press, Oxford, London, 2006
3. D.D. Raphael and T. H. Green on Political Obligation, 2008

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

- Module - I** Introduction to Industrial Relations - Evolution of State as a player in Industrial Relations - Industrial Relations in ancient, medieval and modern periods - relationship between International Relations and International Law.
- Module - II** Theories of International Relation - Moralism Theory - Merits and Demerits - Liberalism and International Relations - merits and demerits - Realist theory merits and demerits - Marxian theory merits and demerits - Neo-realist and neo-liberalist theories of modern World - Alternative approaches to Theories of International Law.
- Module - III** Feminist, Post-colonial, Post-modern theories - concept of Political power - Importance and relevance of political power of the state - concept of National power - Elements of national power - Limitations on national power
- Module - IV** Role of political power in International Relations - struggle for political power - consolidation of political power - war as a method of wielding power - (military, economic and cultural) imperialism in I.R. - Two World Wars and their impact.
- Module - V** Balance of Power in I.R. - Patterns of Balance of Power - Methods of Balance of Power - Divide and rule - compensations - Armament - Alliances - Importance and relevance of Balance of Power.
- Module - VI** Balance of Power and International morality - Balance of Power and World Public opinion - Balance of Power and International Law - Ideological differences and Balance of Power - Bipolar World - Cold War - end of Cold War
- Module - VII** Role of wars in international relations - Wars in International Law - Armament - developments in Warfare - Total War - Alliances & Counter alliances - Non-aligned movement - Disarmaments - Treaties - changing character of War - Conventions and the development of International Law through international relations – League of Nations and United Nations - SALT-I, II - Regional arrangements
- Module- VIII** Diplomacy - functions of diplomacy - future of diplomacy - types of diplomacy - Diplomacy and Terrorism - contemporary developments - U.N's role in international peace & security.
- Module - IX** Globalization and international relations - Theories of Globalization (Realists, Liberalists, Marxist and Constructivist), Role of Science and Development in International Relations and their impact on Globalization.

**Module - X** Contemporary issues of International Relations - Non-State actors - Terrorism - Environmental issues - Nuclear proliferation - Global trade and finance - Poverty and development - Human Security - Human rights - International Humanitarian Laws and interventions.

**Books**

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

## **Political Science IV : Public Policy and Public Administration**

- Module - I** Meaning, nature and scope of public policy - making of public policies - constitutional basis for
- Module - II** Meaning, nature and scope of Public Administration in a State - Public & Private administration - Evolution of Public Administration in developed and developing countries.
- Module - III** Theories of Organization - Scientific Management - Bureaucratic theory of organization - Classic theory of organization - Human Relations theory of organization.
- Module - IV** Principles of Organization - Hierarchy - Span of Control - Unity of Command - Centralised and decentralised administration.
- Module - V** Structure of Organization - I - Chief executive - functions of Chief Executive - Departments of fundamental units of administration - location of authority - Autonomy / independence and accountability of departments - Public enterprises/ Corporations as units of administration - Growth of public enterprises / Corporation in India - Autonomy and Accountability - Nature, scope and extent of ministerial control - Parliamentary Control, etc.
- Module- VI** Structure of Organization - II - Boards and Commissions - Constitutional bodies – Finance Commission - UPSC - EC - BC / SC / ST Commissions - Field administration - Decentralized administration - 73<sup>rd</sup> & 74<sup>th</sup> ed.
- Module - VII** Management issues / concepts - Participative Management - Planning – Planning Commission - NDC - Planning under 73<sup>rd</sup> & 74<sup>th</sup> Amendments - Coordination - delegation - Audit & Accountability - O & M
- Module - VIII** Developed legislation - Quasi judicial and administrative powers - Administrative Tribunals - contemporary developments - 323A & B - Control over public administration - Executive, legislative & judicial.
- Module- IX** Independent Regulatory Commissions - Growth of Regulatory Commissions in India - Impact of Globalization on Administration - TRAI, IDRA, ERA, SEBI, etc
- Module- X** Contemporary challenges of Public Administration – Right to Information – National Rural Employment Guarantee Act – Disaster Management Act – Protection of Human Rights Act - Statutory Commissions (Women’s Commission / National Commissions for the Protection of the Rights of the

Child / NHRC / SHRC) - Translating the recommendation of II ARC on good governance.

**Books**

1. Amreshwar Avasthi & Shriram Maheswari, Public Administration, New Delhi
2. Chaturvedi (Edited), Comparative Public Administration, I.I.P.A. New Delhi
3. Leonard D.White, Public Administration, Eurasia Publishing House, New Delhi
4. Bellone, Carl, J Organization Theory and the New Public Administration, Boston
5. Kriesberg, Martin (ed), Comparative Administrative Theory, Washington
6. Rhodes, R.A.W. Public Administration and Policy Analysis, Aldershort,

**DRAFT**

**SUBJECTS & PAPERS IN**

**INTEGRATED DOUBLE DEGREE COURSE**

---

**NB: Universities are free to redesign the courses as well as the course-outline  
According to their respective condition and availability of staff**

---

**SOCIAL SCIENCES // MANAGEMENT**  
**ECONOMICS**



## **ECONOMICS**

### **Object**

The knowledge of Economics is now extremely important for every body in the Legal Profession, more so in case of all transactional and Corporate lawyers. Therefore it is always advisable for the students of law to be thoroughly conversant with fundamental and intricate principles of economic system. Economics may therefore be offered to students of all streams. Sometimes it is worthwhile to offer various aspects of the Subject as Special courses as a part of honours/specialized branch or as an audit course or optional non-credit voluntary course.

**Teaching-learning methods:** Lectures including special lectures of experts may be a good process of learning when the course is on Economics of Development or International Trade. But in fundamentals are learned more in interactive sessions of small groups in tutorial methods. Project research, paper presentation - these are also good form of teaching-learning.

**Evaluation system:** Evaluation is better done through application- ability on problem-issues. Group discussion, dialogue and paper presentation can also be good forms of evaluation.

**Paper I and II are compulsory and any two from the rest**

### **ECONOMICS PAPER I : GENERAL PRINCIPLES OF ECONOMICS**

**Module 1 Introduction:** Definition and scope, basic assumptions, nature of economic laws, should economics be neutral between ends, various economic functions, types of economic studies- macro and micro, definition of some basic concepts – utility, goods, wealth, income, commodity, production, consumption, equilibrium, concerns for wealth and welfare.

**Module 2: Theory of production and cost** – Factors of production - land, labour, capital and organisation, production decisions, production function, Factor substitution, Law of variable proportion, economics of scale, different concepts of cost and the inter-relation, Land –

characteristics, Labour – definition and characteristics, theories relating to supply of labour, efficiency criteria, and relation of labour and productivity, capital – definition and complexity in defining, some concepts and distinctions, characteristics, functions, growth of capital – savings and investment, Organization – types and characters, state enterprises

**Model 3 Consumer behaviour:** Principle and concepts relating to utility, various approaches, theory of indifference curve, consumer's equilibrium - basic principle in Demand and Supply – Demand functions and demand curve, elasticity in demand curve, supply functions and elasticity, aggregative demand and supply - Principle of substitution, Law of Equimarginal returns, Consumer surplus

**Model 4 Market structures:** Economic features, types – demand and supply based, time based, structure based, Perfect competition, Imperfect competition, Monopoly, duopoly, oligopoly and monopsony, Monopoly and Combination- informal understanding, formal agreement to form cartel, trust, holding company; amalgamation and merger, Price determination

**Model 5 Factor pricing:** Marginal productivity theory of distribution - theories of rent – theories of determination of wages – theories of determination of interest – risks and uncertainties of production – theories on profit.

**Model 6 Distortions to market:** Various forms of monopolistic and unfair trade practices – anti trust and anti cartel legal systems and market regulatory systems to develop in various countries

**Model 7: Wealth and welfare** – meaning of welfare economics – social welfare and principles of justice – social welfare functions – social choice and social welfare – New Welfare Economics – concepts and features

**Model 8: New concepts of welfare economics:** Price regulation, bail out of industries, Public distribution system, administered and support price, MRP.

**Book reference**

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

## **ECONOMICS PAPER II: MACRO ECONOMICS, POLICIES AND PRACTICE**

Once Justice Marshall observed that a lawyer who does not know economics is a social evil. Even if one is inclined not to believe to that extent, economics that determines the fundamentals on which political system runs must be understood by people in the legal profession because law is the instrument in political functioning in a body polity. The recent times have witnessed a revolutionary change in the formulation of policies and laws in a system. The concepts from the discipline of Economics provide a strong foundation for working out any legal framework for the constituents of the society. An understanding of the themes of Economics can provide the individuals with a logical and consistent framework for comprehending the commonly used terms like inflation, budgetary deficit, etc. and analyses the impact of economic courses on our daily lives.

Institutions like banking mops up the savings of the people and then plough back the same to investment to increase productivity and employment. Macro Economics contain the issues that determines growth, gross domestic production, national income and distribution, flow of investment and the employment of resources including human resources in the country.

**Module 1: Introduction to Macro Economics** – relation between Macro and Micro, Relations between various concepts, savings and investment,

**Module 2: Business cycle** – short and long run, Inflation, deflation and stagflation- symptom and features, reasons, Hawtrey's monetary theory, Keynes view on trade cycle – multiplier and accelerator interaction model – control of trade cycle.

**Module 3 Output and employment:** Classical theory of employment are critical analysis – aggregate demand and supply functions - Theory of savings, investment and employment, critical analysis and post Keynesian theories, theories of employment – concept of full employment and factor of unemployment

**Module 3: National Income and social accounting :** concept and measurement, theory of growth – GDP, GNP, NNP – national budget, deficit finance – national income and international trade – environmental concern – green accounting concept – methods of NI accounting system

**Module 4: Rate of Interest:** Neo-classical and Keynesian theory of interest

**Model 5: Economic growth:** Investment functions and role of investment in growth, growth models – instability equilibrium – economic growth and technical progress

**Model 6:** International Trade – various theories, comparative cost, balance of payment – export and import – trade barriers – predatory pricing, and countervailing duties

### **Recommended books**

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

## **OTHER PAPERS**

### **THEORIES OF DEVELOPMENT & INDIAN ECONOMICS**

India is a fast developing economy. The major economic ailments which engulfed our country in the pre-independence era, have gradually and steadily paved way for rapid economic activities. We have witnessed an entirely new era as regards the structural changes and the new openings in the primary, secondary and tertiary sectors. During this phase of transition, our economy had to go through crucial shortages and constraints that were the outcome of our unutilized and underutilized human resources. Besides the major problems in our economy that is, the explosive growth rate of population, inflationary price tendencies, the ever increasing unemployment, deficits in balance of payments, declining value of rupee etc. etc. have alarmingly hindered the growth of the economy to a large extent.

Ever since the onset of the globalization era, despite the enormous benefits brought by it, alarming signs of issues inhibiting the growth process of the developing world have been observed. Growth on the global lines has not only widened the income disparities worldwide, but has also impoverished the already disadvantaged nations and has benefited more the previously disadvantaged ones. This course has been introduced with an aim to enlarge the vision of the students of law regarding the changes in the international arena, more especially in the post liberalized and post globalized times. It also provides an insight into examining the problems of economic growth and development in the less developed countries and analyzing the causes of growth in such parts of the world. It is an attempt to enable the students of the law course to understand the conditions conducive to economic growth and also its deterrents. This would not only facilitate their knowledge of the contemporary issues of development but would also help in a better understanding of the economic implications of the alternative development strategies and policies. An effective planning and an appropriate policy framework required for the development and growth of an economy can be worked out only after a comprehensive knowledge of the conditions and limitations of the developing system.

**Model 1: Economic Development and Growth:** concept of development, human right dimension in economic growth, economic development and economic growth, features and indicators of economic development – vicious cycle of poverty and determination of BPL – classical model of economic growth – models – indicators of development and growth

**Model 2: Capital formation** – significance of capital formation – capital formation during pre and post independence period - hypothesis of capital formation – and theory of economic growth

**Model 3: Strategies of economic growth** – balanced vis- a- vis unbalanced growth – features and distinctions – theory of Big Push, critical appraisal – critical minimum effort thesis – ‘shocks’

and 'stimulus' – population growth and per capita income – techniques, meaning. Choice and types- sustainable development, requirements and strategies.

**Model 4: Problem of Agrarian economy in India** – land, labour, capital and organization – subdivision and fragmentation, land distribution and land use planning - unorganized labour and implementation of special schemes of employment – paucity of agricultural capital and issues on corporatization of agriculture – issues of agricultural marketing and commodity market

**Model 5: Problem of Industrial economy in India** – land, labour, capital and organization – controversy on acquisition of land for industry – critical issues of industrial labour and labour legislation – domestic capital and foreign capital, various issues – limited liability and bankruptcy issues

**Model 6: Black money and corruption** – two sides of same coin – domestic and international movements –

**Model 7: Poverty and PDS** – various schemes and functional impacts – determination of BPL under World Bank standard – Various issues on PDS – Food security

**Model 8: Unemployment, under-employment and features** – remedial measures

**Model 9: Planning in India:** Planning Commission and various plans and success and failures – Eleventh plan and resource generation – Revenue Commission – various types of taxation in India – cannons of taxation – success and failure

**Model 10:** Special Economic Zones – various considerations and issues

### **Reference Books**

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

- (7) Sury, M.M., (Ed.), **Economic Planning In India**, Indian Tax Publishers, New Delhi 2006.
- (8) Todaro, Michael P. and Stephen C. Smith, **Economic Development**, Pearson Education, London, 2006.
- (9) Dhingra, I.C., **Indian Economy**, Sultan Chand Educational Publishers, New Delhi, 2006.
- (10) Taneja M.L., and R.M. Myer, **Economics of Development and Planning**, Shoban Lal Nagin Chand and Company Educational Publishers, Jalandhar, 2000.
- (11) Lekhi R.K. and Joginder Singh, **Agricultural Economics: An Indian Perspective**, Kalyani Publishers, Ludhiana, 2006.
- (12) Misra, S.K. and V.K. Puri, **Indian Economy: Its Development Experience**, Himalaya Publishing House, Mumbai, 2007.
- (13) Dhar, P.K., **Indian Economy and Its Growing Dimensions**, Kalyani Publishers, Ludhiana, 2008.
- (14) Ghosh, B.N., (Ed.), **Contemporary Issues in Development Economics**, Routledge Publishers, New Delhi, 2001.
- (15) Ray, Debraj, **Development Economics**, Princeton University Press, New Jersey, 1998.



## MANAGERIAL ECONOMICS

**Model 1: Business and Environment:** Objectives of Business, Social Responsibilities, Corporate Image, Business Environment, internal and external, Business Ethics

**Model 2: Operation of scale and Business Decision:** Operation of scale and related Policy issues, Production and Distribution Policies and Functions of a Firm, Cost and Price policies of a Firm, Economics of growth – horizontal and vertical growth, External and Internal economy in scale operation, Localization of Industries, growth under Market Economy and Controlled Economy

**Module 3: Demand & Production Theory:** Demand Curves, Utility Surfaces, and Indifference Curve, Demand Relationship, Production and Cost, General Equilibrium, Input-Output analysis, The Firm and its objectives, Market structure, Pricing and Output

**Model 4: Combination, Merger and Acquisition:** Business Combinations- types, forms and the economic concerns, Competition and Combination, Spin offs and Strategic alliance, Various forms of combinations and M &A and Public Policy, Concerns for Regulatory System,

**Model 5: Rationalization and Automation:** Rationalization in Business Firm, Industry's concern for technological invention and innovation, technology transfer, Government Policy

**Model 6: Economic Downturn and responsibility of a Firm:** Business Cycle and economic results, Management policy in various stages of Business Cycle, Long term and short term policy in various stages of business cycle

**Model 7: Government and Business:** Government's responsibility in Market Economy, Money and Capital market Regulatory System and Economic issues, Control and Regulation of Prices, Policy to regulate Monopoly and Unfair Trade Practices, Role of Government in Economic downturn

**Model 8: Money Market Management and Industrial concern:** Industrial concern of growth of short term capital instrument, market concerns of CPs, Industrial concern about working capital, General Equilibrium and Theory of Money,

**Model 9: Fiscal Management and Industrial concern:** Economic of taxation, Canons of taxation, Business interest in domestic and inter-country transactions, tax-management in e-commerce.

**Model 10: Infrastructure Development and PPP:** Economics of Public Private Partnership, Why is PPP economically a good alternative in Infrastructure Building,

**Model 11: Economics of International Trade Relation:** Economic concerns in International Trade, Trade in Service Facilities, Trade related Investments, Trade Related Intellectual

Property Relations, Global integration of economy, Inter-country relation in Sovereign Bankruptcy relation.

**References:**

Jones, Managerial Economics,

Cooter & Ulen: Law and Economics, Scott, Glenview, Illinois

Grey & Elliott, Economic Issues and Policies, Houghton Mifflin, Boston

Baumol, Economic Theory and Operations Research, Prentice-Hall, New Delhi

Clarkson, The Theory of Consumer Demand, Prentice-Hall, Delhi

Cohen and Cyert, The Theory of Firm, Prentice-Hall, New Delhi

## **MONEY, BANKING & PUBLIC FINANCE**

**Module 1: Theory of money** – features of monetary policy – money supply and various equations of money supply – theory of Central Banking and various functions of Central Banking to regulate money supply – money supply and value of money – difference between money and virtual money- high powered money – various monetary instruments – credit and credit instruments – money and capital market – devaluation and depreciation of money –

**Module 2 Value of Money and Inflation:** Quantity theory, Index number, Cash transaction and cash balance approach – monetary standards – inflation, deflation, reflation and stagflation – causes, types and remedies, Keynesian approach – trade off between inflation and unemployment

**Model 3: Commercial Banking** – various types of banking institutions – banking functions and credit supply – various types of banker-customer relations – standards and accountability on disclosure norms- position during pre and post nationalization – banking crisis and mitigation

**Model 4: Central Banking** – functions of the central bank – models of central banking – quantitative and qualitative credit control mechanism – monetary policy, objects and limitations – role of RBI

**Model 5: Principles of taxation**, direct and indirect – types and methods – economics of taxation – cannons of taxation – tax incentives and double taxation relief.

**Model 6: Nature and scope of Public finance** - various types – change of character of public finance- public and private finance - through international financial instruments and the issues involved

**Model 7: Role of Public Sector and Private sector** – different ways of financing the public sector units –

**Model 8: Issues on Sovereign Debt Restructuring during the three decades** – various methods in resolving the issues with appropriate Mechanism – debt restructuring

**Model 9: Disinvestment** – strategies and issues, various models followed in different countries

**Model 10: Present Economic downturn**, its distinguishing features and difference from business cycle – reasons for the economic downturn – crisis issues and steps of resolutions taken by developed and developing countries

### **Recommended readings**

- (1) Bhatia, H.L., **Public Finance**, Vikas Publishing House, New Delhi, 2006.
- (2) Lekhi, R.K., **Public Finance**, Kalyani Publishers, Ludhiana, 2006..
- (3) Musgrave Richard, **Public Finance in Theory and Practice**, Tata McGraw Hill Publishers, New Delhi, Fifth Edition, 2004.
- (4) Samuelson, Paul, **Economics**, Tata McGraw Hill Publishing Company Limited, New Delhi, 2007.
- (5) Dalton, Hugh, **Principles of Public Finance**, Routledge Publishers, London, 2008.
- (6) Sundram, K.P.M., **Money Banking and International Trade**, Sultan Chand and Sons Educational Publishers, New Delhi Thirty Ninth Edition 2004, Reprint, 2005.
- (7) Vaish, M.C., **Money Banking and International Trade**, New Age International Private Limited Publishers, New Delhi, Eighth Updated Edition, 1997
- (8) LeRoy, Miller Roger and VanHoose David D., **Modern Money and Banking**, McGraw Hill Book Company Limited, Singapore, 1993.
- (9) Paul R.R., **Money Banking and International Trade**, Kalyani Publishers, Ludhiana, Sixth Revised Edition, 2006.

**(Other Options: course design to be provided later)**

**ECONOMICS OF INTERNATIONAL TRADE**

**WELFARE ECONOMICS**

**LAW AND ECONOMICS**

**THEORY OF JUSTICE**

**DRAFT**

**SUBJECTS & PAPERS IN**

**INTEGRATED DOUBLE DEGREE COURSE**

---

**NB: Universities are free to redesign the courses as well as the course-outline  
According to their respective condition and availability of staff**

---

**SOCIAL SCIENCES**  
**SOCIOLOGY**

## **SOCIOLOGY**

**Object:** Sociology originated as an intellectual response to the crisis confronting the mid-nineteenth century European society. Its development over a century and a half since then has been influenced by a variety of socioeconomic and political conditions where it has been taught and practiced. It is now established a multi-paradigmatic academic discipline, with its body of theoretical knowledge enriched and its methodological techniques and procedures systematized. Nevertheless some of its original concerns have persisted and some of its classical theoretical and methodological landmarks are relevant even now. This paper is intended to familiarize the students with the social, political, economic and intellectual contexts in which sociology emerged as a distinctive discipline. Its objective is to help students gain an understanding of some of the classical contributions in sociology and their continuing relevance to its contemporary concerns.

Understanding the subject is essential for a legal scholar with a view to appreciate properly the social tensions and the reason for a fact to be ordained in a given social system.

**Methods of teaching-learning:** The importance of sociology lies in its dealing with empirical studies, facts happening around in a social set up and understanding how is fact happening in that way. Law being a social science can be studied in the sociological way. This sociological way is through consistent interaction with the social institutions, socially dominant factors and social structural set up. Special lectures by eminent experts are ways of part of the studies especially in determining the models of study. Group discussion is also a good process of teaching-learning.

**Evaluation:** Sociology develops into a statistical science and hence the evaluation system can be effective in collection, collation, classification, comprehension and analyzing the data. Naturally tutorial method and continuous tests of information level are necessary. Evaluation and assessment can better be done with test of application ability and formulation of value judgment in terminal tests like mid term and End-term tests. Writing research papers may also be an important level test.

## **SOCIOLOGY PAPER-I : ESSENTIALS OF SOCIOLOGY**

**Model I: The emergence of sociology** - Transition from social philosophy to sociology—the intellectual context; Enlightenment-The Social, economic and political forces: The French and Industrial Revolutions.

**Model 2: Nature and Scope of Sociology:** a) Relevance of sociology (b) Nature, Society and culture(c) Relationship with other social sciences; social anthropology, history, psychology-study of groups – Institutionalization – relation between groups – structure of social system

**Model 3: Social Anthropology:** What is social anthropology, How does it develop, social differentiation, differences between societies, scope

**Model 4: Culture and socialization-** Sociological concepts and perspectives;(a)Individual, groups, socialization (b)structure, function and process (c) Culture, Institutions and roles (d) Order, Conflict and contradiction, change(e)Difference and inequality

**Model 5: Role of religion in sociology-** Religious belief and rituals – religious groupings – religion in social structure

**Model 6: Kinship groups and systems -** Marriage and Family – forms of marriage – unisexual and bisexual marriage – Divorce – consanguineal kin groups and clans – dynamics in kinship

**Model 7: Social stratification** – nature of social classes , family as the unit of class, class endogamy, raking and occupation – indicators - functions and dysfunction of social stratification.

### **Essential readings:**

Aron.Raaymond.19567(1982 reprint). Main currents in sociological thought (2 volumes).Harmondworth. Middlesex:Penguin Books

Barnes,H.E.1959. Introduction to the history of sociology, Chicago: The University of Chicago Press.

Coser, Lewis A 1979. Masters of sociological thought. New York: Harcourt Brace Jovanovich.

Cotterell.Roger,1992. Oxford University Press, New Delhi

Fletcher, Ronald. 1994. The making of sociology ( 2 volumes) Jaipur:Rawat

Freeman, Michael 2006. Law and Sociology. Oxford University Press, New Delhi

Lucy Mair, 1997 An Introduction to social anthropology, Oxford University Press, New Delhi (chapter 1 & 2)

Marrison, Ken 1995. Marx Durkheim. Weber: Formation fo modern social though. London: Sage.

Ritzer. George 1996. Sociological theory, New Delhi: Tata McGraw Hill Singh, Yogendra. 1986. Indian sociology; conditioning and emerging trends, New Delhi: vistaar.

Zeitlin, Irving 1998(Indian edition); Rethinking sociology: A critique of contemporary theory; Jaipur:Rawat



Bottomore, T.B.1986 Introduction to Sociology(Revised edition), London: Alien and Unwin.

Firth, R 1056 Human Types:London:Thokas Nelson and Sons Ltd

Giddens, A 1997 Sociology Cambridge: Polity Press

Radeliffe Brown A.R.1976 Structure and function in primitive society.  
London:Routledge and Kegan Paul

Merton, R.K.1968, Social theory and social structure Glencoe, III  
Free Pre3ss and New Delhi:American Publishing Co(Pvt) Ltd..

Henslin M.James, 1996 Essential of Sociology: A down to Earth Approach, Allyn and Bacon,  
Massachussetts.

## **SOCIOLOGY PAPER II: THEORETICAL PERSPECTIVE OF SOCIOLOGY**

**Auguste Comte's theory of scientific communism** – early development of sociology through observation, experiment and comparison, - evolution of early society – society on division of labour – impact of science on the society

**Emil Durkheim's theory of functionality** – social structure and individual actions – social structure and social relations, dialectical process in which individual actions becomes institutionalized – process of agenda setting – altruism – collective conscience

**Max Weberian theory of positivism and hermeneutic interactions** – emphasis on 'rational action' - Schutz critique on interpretation of Weber – theoretical framework conflict motive and meaningfulness,

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

**Convergence thesis of industrialization and industrial society:** secular, urban, mobile and democratic structure of industrial society – 'end of ideology theory' to 'development theory' – model of western society for rapid economic growth – problems on convergence thesis

**Postmodernism** – principles and perspectives, social, economic and political, postmodernism and postmodernity- form and text

**Critical theory:** negative but conventional judgment, concerning manners, literature or critical product – ecclesiastical practice and dogma – Hegelian critique of ideological modern critical scholars

**Social deviation and social change** – causes of conformity, anomie and social deviation, deviation and delinquency, function and dysfunction of ideology, influence of ideology on human behaviour, social change and relativity- differential association

**Social dominance theory:** psychology of dominance – circulation of oppression – oppression and cooperation

### **Essential readings**

1. Moya and Hames-García (2001) *Reclaiming Identity, Realist Theory and the Predicament of Postmodernism*, Orient Longman, Hyderabad
2. Sidanius and Pratto (2001) *Social Dominance*, Cambridge University Press, UK

## **SOCIOLOGY PAPER III: SOCIETY IN INDIA**

It is presumed that the student has some familiarity with Indian society by virtue of the fact that he is a member of it and that he has observed and experienced some facets of it. However, this familiarity is likely to be superficial, selective and rather fragmentary. The course is aimed at rectifying these limitations by presenting a comprehensive, integrated and empirically-based profile of Indian society. The continuity between the present and the past is an evident feature of Indian society. Though this continuity is reflected in the structure of the course, the focus is on the contemporary Indian society. It is hoped that the sociological perspective on Indian society presented in this course will also enable students to gain a better understanding of their own situation and region.

**1. The textual and the field view of Indian society;** the significance of the field view; the interface between the present and the past.

**2. The structure and composition of Indian society:** villages, towns, cities; rural-urban linkages, tribes, weaker section, Dalits, women and minorities, population profile and related issues.

**3. Cultural and ethnic diversity:** historically-embedded diversities in respect of language case, religious belief and practices and cultural patterns. Basic institutions of Indian society: caste, kinship, family, marriage, religion; caste and class; changing dimensions.

**4. Convergence and integration;** the sharing of material traits, cultural space, language and regional ethos; the evolution of composite cultural legacy; change and transformation in Indian society; nation-building and national identity;

**5. Dimension of Social Change** – urbanization and family change – subalterns, Dalits and social transformation – sanskritization –

**6. Rural society:** concepts, agrarian social structure, social stratification – changing rural society – agrarian unrest - **Peasant Movements;** Movements of pre-independence and post independence period. Environmental Movements, Students movements, Dalit Movement and Women's Movement

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

**Essential readings:**

Bose, N.K.1967, Culture and Society in India. Bombay : Asia Publishing House.

Bose,N./K.1975: Structure of Hindu Society. New Delhi.

Dube.S.C.1990 : Society in India (New Delhi: National Book Trust)

Dube.S.C.1995 : Indian Village (London : Routledge)

Dube.S.C.1958 : India's Changing Villages (London: Routledge and Kegan Paul)

Indra Deva, 2005: Sociology of Law (New Delhi: Oxford University Press)

Karve, Irawate, 1961 : Hindu Society : An Interpretation (Poona : Deccan College)

Lannoy,Richard, 1971 : The Speaking Tree : A Study of Indian Society and Culture (Delhi : Oxford University Press)

Mandelbhaum, D.G., 1970 : Society in India (Bombay:Popular Prakasham)

Srinivas, M.N., 1980 : India : Social Structure (New Delhi : Hindustan Publishing Corporation)

Srinivas,M.N., 1963 Social Change in Modern India (California, Berkeley : University of California Press)

Singh, Yoogendra, 1973: Modernization of Indian Tradition (Delhi : Thomson Press)

Shah. Ghanshyam. 2004 : Social Movements in India(Sage: New Delhi)

Uberoi, Patricia, 1993 : Family, Kinship and Marriage in India (New Delhi : Oxford University Press)

## **PAPER IV: SOCIAL RESEARCH METHODS**

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

**Unit 1. Philosophy of social research:** epistemological and ontological consideration. The scientific method, logic in social science, objectivity and subjectivity in social research

**Unit 2. Research Designs :** Experimental design, Cross sectional design, Longitudinal design, Case study design, Comparative design. Criteria in social research : Reliability, Validity, Research questions.

**Unit 3 The nature of quantitative research:** the main steps in quantitative research, the main preoccupations of quantitative research, the critique of quantitative research.  
Sampling : types of probability sampling, the qualities of probability sample,  
Types of non-probability sampling  
Techniques of Data Collection : Survey, questionnaire, schedule and structured interview, structured observation, content analysis, primary and secondary sources of data.

**Unit 4. The nature of qualitative research:** the main steps in qualitative research, reliability and validity in qualitative research, the critique of qualitative research, some contracts between quantitative and qualitative research combining the quantitative and qualitative research, feminism and qualitative research.

**Unit 5. Computer in social research:** SPSS for beginner computer assisted qualitative data analysis, E-research : using the internet as object and method of data collection

**Unit 6, Writing up social research:** writing qualitative and quantitative research post modernism and its implication for writing ethnography ethics and politics in social research, doing a research project.

Essential Readings:

Beteille A and T.N.Madan 1975 Encounter and Experience Personal Accounts of Fieldwork, New Delhi: Vikas Publishing House.

Bryman Alan 1988 Quality and Quantity in Social Research, London: Unwin Hyman

Bryman Alan 1988 Social Research Methods, New York : Oxford University Press

Garrett Henry 1981 Statistics in Psychology and Education David McKay Indian Publication – Mrs.A.F.Sheikh for Vakils, Bombay Tenth Reprint.

Jayaram. N. 1989 Sociology Methods and Theory, Madras : MacMillian

Kothari C.R.1989 Research Methodlogy : Methods and Techniques, Bangalore, Wiley Eastern

Punch, Keith 1996. Introduction to Social Research, London: Sage.

Shipman Martin 1988. The Limitations of Social Research, London: Sage

Srinivas, M.N. and A.M.Shah 1979 Fieldworker and The Field, Delhi : Oxford

Young.P.V. 1988 Scientific Social Surveys and Research New Delhi : Prentice Hall

**SUBJECTS & PAPERS IN**

**INTEGRATED DOUBLE DEGREE COURSE**

---

**NB: Universities are free to redesign the courses as well as the course-outline  
According to their respective condition and availability of staff**

---

**SOCIAL SCIENCES**  
**HISTORY**

## **HISTORY**

**Object:** It is widely believed and perhaps rightly so that today's problems and solutions thereto lies hidden in History. Understanding history of the state, social institutions, people and the culture inherently makes one understand as to how to critically appreciate a fact-situation. Thus a lawyer is required to understand the history of political establishment, social institutions and thus evaluate the legal and judicial structure and process.

**Teaching-learning process:** Studying history has various angles. As such, lectures of social historians enable a person to appreciate various angles of history and build up perspectives. There is no alternative to self studies and research.

**Evaluation system:** Research and presentation, delivering lectures, having group discussions and role playing and quality of criticality are some of the appreciation and evaluation methods. One should scrupulously avoid memorization tests as far as possible.

### **HISTORY PAPER I: INDIAN HISTORY**

**Module 1: i) Introduction** – History, its meaning, purpose and methodology, historiography  
ii) Re-writing of history – the controversy

#### **Module 2: Ancient India**

(i) Theory of Kingship, Nature of State and Administrative apparatus: Vedic Polity, Mauryan Polity and Gupta Polity.

(ii) Nature of **society** and economy in the Vedic time and the changes that took place in 6<sup>th</sup> century B.C., in the Mauryan period and the Gupta period: Vanashram Dharma, Position of Women, Guilds, Feudalism.

(iii) The concept of Justice and Judicial systems in ancient India,

(a) Concept of Dharma and sources of Dharma – Veda, tradition and good custom,

(b) Dharma Sutras, Dharma Shastras ( Manu Smriti, Yajnavalkya, Narada and other Smritis), Commentaries and Digests,

(c) The Scope and method of interpretation of Law in Ancient India and conflict between texts:

(1) Dharma and custom

(2) Dharma and Royal Ordinances

(3) Judicial System - Types of courts, Procedures

#### **Module 3: Pre Mughal period of Medieval India**

(i) Theory of Kingship, nature of State and administrative apparatus in medieval India



(ii)The nature of society, economy and agrarian structure in the medieval period; Bhakti and Sufi Movement

**Module 4: Pre and Post Mughal Period**

(a)Legal systems and Institutions Sources of Islamic law, Salient feature of Islamic criminal law

(b)Judicial Organisation: King, Chief Qazi, Judicial officers and Punishments

(c)Law with regard to non-Muslims - Changes introduced by Akbar

**Module 5: Age of Muslim dominance** – consolidation of kingdom to cover Indian sub-continent – dynasty – religious confabulations – economic history of Mughal period – administration of justice

**Module 6: Decline of Muslim rule and rise of British Empire:**

**Module 7: Early British Rule and social reform movement:**

**Module 8: Freedom movement:**

RECOMMENDED READING:

1. E.H.Carr, What is History?
- 2, Arthur Marwick, Nature of History.
3. Romila Thapar, Past and Prejudice.
4. Romila Thapar, Early India.
5. R.S. Sharma, Aspects of Political ideas and Institutions in Ancient India.
6. R.S. Sharma, Sudras in Ancient India
7. R.S. Sharma,Material culture and Social formation.
8. Robert Lingat, The Classical Law of India.
9. J.D.M. Derrett, Religion law and state in India.
10. Satish Chandra, Medieval India Vol. I & Vol. II.

## HISTORY II: Legal History of Modern India

History II deals with the changes that took place in the colonial times in the Indian society and the economy in general, the legal system in particular. It seeks to answer some basic questions. How did contemporary India emerge? What were the processes and events that shaped it? Why and how did the present legal system evolve? What were the various ideas and elements that went into the making of British policies? What were the changes that took place in the courts and laws in the colonial times and how they impacted the Indians and their old systems? How did Indian Nationalism emerge & what were the forms it took? What was the genesis of some of the problems like communalism? What were the concerns of the framers of the constitution and the major debates? Finally how the concept of Indian secularism emerged during the national movement and was adopted post independence.

**Module 1: India under Mughal rule since Akbar** – economic history, history of legal and judicial system, administration in war and peace

**Module 2 : Colonialism, its nature and various stages in India**

- a. Impact on Indian economy- agriculture, industry and trade.
- b. Land revenue policy & the emergence of the idea of land as a commodity.

**Module 3 : Early Changes in legal and Judicial system**

- Early settlements in Surat, Madras, Bombay, Calcutta
- Introduction of authoritative and uniform judicial pattern between 1726 – 1773
- Establishment of Supreme Court in Calcutta and cases of *Nand Kumar*, *Patna case*, *Cossijurah*, and *Kamaludin*
- Establishment of Adalat system and reforms
- Judicial Plans of Warren Hastings, Lord Cornwallis and Lord William Bentinck.
- Charter Act of 1833 & 1853 and Codification of laws.
- The great debate on the introduction of English law in India – The Whigs, The Paternalists and The Utilitarians.
- Development of personal laws and their administration by the British.
- Development of criminal law.
- Establishment of High Courts under the Indian High Courts Act, 1861.
- Federal court and Privy Council- an appraisal
- Development of the Legal profession.

**Module 4:** Social awakening and law reforms

- Socio Religious reform movement in the 19<sup>th</sup> Century, Struggle against caste and the efforts made for the emancipation of women .

- Progressive social reforms - The Abolition of Sati Act, 1828, Abolition of slavery Act, 1833, Caste Disability Removal Act, 1850, Infanticide act,

#### **Module 5: Rise and Growth of the Indian National Movement**

- a) The revolt of 1857 and its impact
- b) Causes of the rise of Indian Nationalism & Social basis of Indian National Movement.
- c) Indian National Congress- its genesis, aims and objectives; Moderates and extremists.
- d) Partition of Bengal and Swadeshi movement.
- e) The rise of Revolutionary Terrorism
- f) The 1<sup>st</sup> world war and its effect on India.
- g) Emergence of Mahatma Gandhi.
- h) Non Co-operation and Khilafat movement 1919-1922
- i) Growth of Communalism
- j) Civil Disobedience Movement 1930-1934
- k) Socialist ideas: Role of Nehru and Bose
- l) Quit India movement
- m) The Simla conference
- n) The Cabinet Mission
- o) Lord Mountbatten's plan
- p) Partition of India
- q) The Independence act, 1947

#### **Module 6- .Constitutional development**

- ii. Indian Councils Act, 1861
- iii. Indian councils Act, 1892
- iv. Government of India Act, 1909
- v. Government of India Act, 1919
- vi. Government of India Act, 1935

#### **Module 7: Independent India**

#### **Module 8: Birth of Constitution of India:**

The Constituent assembly, framing of the constitution & the issues of federal polity vs centralism, Fundamental Rights & Directive principles, National vs Official Language, secularism reservation, uniform civil code and the Hindu law reform.

4. Accession of the princely states, reorganisation of the states and growth of regionalism.

#### **RECOMMENDED READING:**

1. M.P. Jain, Outline of Indian Legal History
2. Abdul Hamid, Constitutional and Legal History of India.
3. A.B. Keith, Constitutional and Legal History of India.
4. Rama Jois, Legal and Constitutional History of India, Vol. II.
5. H.V. Sreenivasamurthy, History for Law students, Vol. II
6. Radhika Singha , A Despotism of Law, Crime and Justice in early Colonial India.
7. J. Duncan M. Derrett, Religion, Law and the state in India.
8. Marc Galanter, Law and the Society in Modern India.
9. Upendra Baxi, Towards a Sociology of Law.
10. Indra Deva ed. Sociology of Law.
11. Flavia Agnes, Law and Gender inequality.
12. A.R. Desai, Social background of Indian Nationalism.
13. Bipan Chandra, India's Struggle for Independence.
14. Bipan Chandra, Nationalism and Colonialism.
15. Bipan Chandra, Communalism in Modern India.
16. Granville Austin, The Indian Constitution, Cornerstone of a Nation

## **HISTORY**

### **Paper III: History of Modern World**

**Module 1: Introduction** – Europe the states of rising power - rise of power of Parliament in Britain- development of early science and industrialization – rising dominance of people-centric philosophy of political power – sense of being European

**Module 2: Renaissance and Reformation** in Europe during 1450 to 1670

**Module 3:** From Magna Carta to Bill of Rights, history of domination of British Parliament

**Module 4:** Early history of Industrialization in Europe

**Module 5:** History of French Revolution – fall of monarchy and rise of dictatorship – Napoleonic Empire

**Module 6:** The Continent in turmoil (1770 to 1815) – the enlightenment – the transformation,

**Module 7:** The American War of Independence to civil war

**Module 8:** The era of revolutions in Europe – liberalism, western economic expansion – national revolutions – democracy and socialism

**Module 9:** History of Soviet Revolution and aftermath

**Module 10:** History of World Wars

### **Readings**

Norman Davies (1996), *Europe, a history*, Oxford University Press, New York  
-chapter VII to XI

Euan Cameron (Edt) (2004), *Early Modern Europe*, Oxford University Press, New York

David Thomson (1990), *Europe since Napoleon*, Penguin Books London

## HISTORY

### **PAPER IV: HISTORY OF INTERNATIONAL BODIES**

**Module 1:** History of World Wars – various political dimensions, economic consequences History of League of Nations and its success and failure; development of United Nations after the Second World War. Various structural system of UNO, UN Charter – historical and political reasons - evolutions

**Module 2: Early history** of International Labour Organization in Europe, Forces leading to Philadelphia declaration – historical reasons for the structural growth of tripartite arrangements – various bodies and its connecting link with the UN Bodies

**Module 3:** Post War history of growth and development of various Financial Institutions as a part of UN movement, Bretton Wood Agreements – IMF & IBRD – Lead to World Bank – various other bodies like UNDP - Historical background of various trade and tariff negotiations leading to grand design of WTO

**Module 4:** History of Human Right movement - early history in England, Various non-governmental and governmental efforts in Pre-War period in Europe – Development of UDHR – UN's role in developing international human right legal system – development of ECOSOC – Two covenants – Various regional bodies – UN report on HR

**Module 5:** History of International Humanitarian and Refugee Laws – Non-governmental initiative through Red Cross Movement – History of Geneva Conventions – Reorganization of International Red Cross Movement – History of Hague Conventions – Non-governmental initiatives – history of use of nuclear power and inter-governmental and non-governmental initiatives of various treaties

UNHCR – history and development – various forces in interaction.

**Module 6:** History of ICJ as an independent organ of UN, sixty years of ICJ – various other non-governmental initiative to strengthen ICJ in course of its history and development

History of War Tribunals, Tribunals for enforcement of HR law – Movements leading to establishment of International Criminal Courts

**Module 7:** UN Initiative on Global Environmental management – history of the initiatives – UNEP – Various non-governmental initiatives in environment management and standard fixation in industrial hazards – history of standard setting, accountability and transparency initiatives.

## **Readings**

**SUBJECTS & PAPERS IN**

**INTEGRATED DOUBLE DEGREE COURSE**

---

**NB: Universities are free to redesign the courses as well as the course-outline  
According to their respective condition and availability of staff**

---

**SOCIAL SCIENCES // SCIENCE  
PSYCHOLOGY**



## **PSYCHOLOGY**

### **PAPER I : Basics of Psychology**

**Model I: Introduction to Psychology:** Definition and goals of psychology; approaches: biological, psychodynamic, behaviorist, cognitive, humanistic and evolutionary; cross-cultural perspective; methods: experiment, observation, interview, questionnaire and case study.

**Model II: Human evolution;** genes and behavior; hormones and glands; the nervous system; the neuron, the central nervous system and the peripheral nervous system; the cerebral hemispheres; monitoring neural activity; biofeedback.

**Model III: Nature of consciousness;** change in consciousness: day dreaming, sleep and dreaming; extended states of consciousness: hypnosis, meditation, and hallucinations, psychoactive drugs.

**Model IV: Visual, auditory and other senses:** structure and functions; attentional processes: selective and sustained attention; mechanisms: resource allocation and automaticity; perceptual organization; determinants of perception; form, space and depth perception.

**Model V: Classical and operant conditioning;** basic processes: extinction, spontaneous recovery, generalization and discrimination; transfer of training; reinforcement schedules; verbal learning; cognition in learning; motivational and cognitive influences on learning; observational learning.

**Model VI: Encoding, storage and retrieval processes;** sensory, short-term and long-term memories; mnemonics; constructive memory; forgetting: decay, interference, retrieval failure, motivated forgetting and amnesia; state-dependent forgetting.

**Model VII: Indicators of motivation;** biogenic and sociogenic motives; intrinsic-extrinsic framework; conflict and frustration; the need hierarchy model; techniques of assessment of

motivation; emotions: development, expression and control; theories of emotion; culture and emotions; psychological correlates; polygraphic technique.

**Model VIII: Psychometric theories and cognitive science approach;** genetic and environmental influences; intelligence tests; interpretation of test scores; cross cultural issues in testing

**Model IX: Personality:** trait and type approaches; biological and socio-cultural determinants; techniques of assessment; psychometric and projective.

**Model X: Thinking process;** concepts, categories and prototypes; schemas and scripts; imagery and cognitive maps; inductive and deductive reasoning; problem solving approaches; solution strategies and mental sets

**Suggested readings:**

R.A. Baron, 1995, Psychology: the essential science, New York: Allyn and Bacon.

P.O. Zinibardo & a.l.Weber, 1997, Psychology, New York: Harper Collins College Publishers.

L.A.Lefton, 1985, Psychology, Boston: Allyn and Baron.

## **PSYCHOLOGY PAPER II**

### **PSYCHOLOGICAL RESEARCH AND STATISTICS**

#### **Module 1: The nature of quantitative research:**

The main steps in quantitative research, the main preoccupations of quantitative research, the critique of quantitative research

Sampling: types of probability sampling, the qualities of probability sample, types of non-probability sampling.

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

#### **Module II: The nature of qualitative research:**

The main steps in qualitative research, reliability and validity in qualitative research, the critique of qualitative research, some contrasts between quantitative and qualitative research, combining the quantitative and qualitative research, feminism and qualitative research.

Participant observation as method of data collection, interview in qualitative research, focus groups.

#### **Module III: Nature of psychological data and psychological measurement:**

Levels of measurement; categorical and continuous variables; applications of statistics in Psychology

#### **Module IV: Frequency Distribution:**

Drawing of frequency distribution, bivariate frequency distribution, graphical representation of grouped data.

**Module V: Measurement of Central Tendency:**

Purpose and types of measures; characteristics of mean, median and mode; computation of mean, median and mode

**Module VI: Measures of variability:**

Concept of variability; range and semi inter quartile range; standard deviation and variance; coefficient of variation.

**Module VII: Normal Distribution:**

Concept of probability; laws of probability, characteristics of normal probability curve, deviation from NPC, skewness and kurtosis: normalization of skewed distributions, applications of NPC; binomial distributions.

**Module VIII: Correlation**

The concept of correlation linear and non-linear correlation; pearson's product moment correlation, spearman's rank order correlation; familiarity with other correlation methods, biserial and point biserial  $r$ , tetrachoric  $r$ , and lambda; prediction using correlation.

**Module IX: Computer in social research:**

SPSS for beginner, computer assisted qualitative data analysis, e-research: using the internet as object and method of data collection.

**Suggested readings:**

K.D.Broota, 1992, Experimental design in behavioral research, New Delhi, Wiley Eastern.

E.W.Minium, B.M.King and G.Bear, 1993, Statistical reasoning in psychology and education, New York, John Wiley

S.Siegel, 1994, Non parametric statistics, New York, McGraw Hill

Alan Bryman, 1988, Social research methods, New York, Oxford University Press

## **PSYCHOLOGY PAPER III**

### **SOCIAL PSYCHOLOGY AND ORGANISATIONAL BEHAVIOR**

#### **Module I: Introduction**

Nature, goal and scope of social psychology; social psychology and other social sciences; methods of social psychology: experimental and non-experimental methods, correlational approach and cross-cultural research.

#### **Module II: Social Perception and Cognition**

Perceiving ourselves: self-concept, self-esteem, self-presentation and self-expression-  
Perceiving others: forming impressions; role of non-verbal cues, group stereotypes, and cultural traits; models of information integration; primacy and recency effects; attribution of causality: theories and biases.

#### **Module III: Attitudes**

Nature and function of attitudes; attitude and behavior: theories of reasoned and planned behavior; formation, change and measurement of attitudes.

#### **Module IV: Prejudice and discrimination**

Nature and components of prejudice; acquisition of prejudice; reduction of prejudice

#### **Module V: Groups and leadership**

Group structure and function; task performance: social facilitation; social loafing; de-individuation; conformity; obedience and social modeling; group cohesiveness, norms and decision making; leadership: definition and functions; trait; situational, interactional and contingency approaches to leadership; leadership effectiveness; the charismatic leadership.

#### **Module VI: Communication**

Communication models; verbal and non-verbal communication; language and social interaction; barriers in communication; interpersonal attraction and its determinants

#### **Module VII: Historical context of Organizational Behavior**

Contributions of Taylor, Weber, Fayoll definitions of OB; challenges, scope and opportunities for OB

#### **Module VIII: Perspectives for understanding OB**

Open systems approach, human relations perspective, socio-technical approach; developing an OB model responsive to Indian realities

### **Module IX: Person in the Organisation**

Biographical characteristics, personality: definitions and measurement, concept of skill, self-awareness; major personality attributes affecting OB; matching personality and job; personality and culture

### **Module X: Leadership & Stress Management**

Quality, development, motivational skills, target fixation, skill training, goal achievement, reporting and accountability, stress management

#### **Suggested readings:**

J.E.Alcock, D.W.Carment, S.W.Sadava, J.E.Collins & J.M.Green, 1997, A textbook of Social Psychology. Scarborough, Ontario:Prentice Hall/ Allyn and Bacon.

Baron & Byrne, 1998, Social Psychology, New Delhi, Prentice Hall.

R.S.Feldman, 1985, Social Psychology: theories, research and application, New York, McGraw Hill.

O. David Myers, 1994, Exploring Social Psychology, New York, McGraw hill

O.R.Semin& K.Fiedler (eds.), 1996, Applied Social Psychology, London, Sage.

S.P.Hobbins, 2000, Organizational Behavior: concepts, controversies and applications, VII edition, New Delhi, Prentice Hall of India.

J.Pfeffer, 1994, Competitive advantage through people: unleashing the power of work force. Boston: Harvard Business School Press.

M.D.Dunnette & L.M.Hough, 1992, Handbook of industrial and organizational psychology (2<sup>nd</sup> edition) Palo alto: consulting psychology press.

L.L.Cummings & B.M.Staw, 1999, Research in organizational behavior, Greenwich, CT:JAI Press.

## **PSYCHOLOGY**

### **PAPER IV**

#### **PSYCHOPATHOLOGY**

**Module 1: Introduction to psychopathology:** the concept of normality and abnormality.

**Module II: Signs and symptoms of mental illness:** delusions, hallucinations, obsessions, compulsions, etc.

**Module III: Psychological models of psychopathology:** psychodynamic, behavioral, cognitive behavioral and existential.

**Module IV: Psychological assessment of psychopathology:** diagnostic tests, rating scales, history taking interviews, orientation to projective tests.

**Module V: Anxiety and Mood disorders:** panic disorder and agoraphobia, specific phobias, social phobia, obsessive compulsive disorder, generalized anxiety disorder,  
Mood disorders: manic episode, depressive episode, bipolar affective disorder, dysthymia.

**Module VI: Schizophrenia:** delusional disorder, brief psychotic disorder.

**Module VII: Disorders due to psychoactive substance use:** alcohol and drug dependence.

**Module VIII: Personality disorders:** paranoid, schizoid, dissociative, impulsive, borderline, anxious avoidance, dependant personality.

**Module IX: Stress disorders:** stress due to normal calamities like earthquake, storm, etc. and life events.

## **Module X: Forensic science and psychology**

### **Suggested readings:**

A.Larnni, Introduction to psychopathology, A.H. Sage Buss, NY  
N.Y. John Wiley, Psychopathology

**Other alternative papers that may be offered are as follows:**

**EDUCATIONAL PSYCHOLOGY**

**CLINICAL PSYCHOLOGY**

**CIMINAL PSYCHOLOGY**

**PARA PSYCHOLOGY**

**INDUSTRIAL PSYCHOLOGY**



**SUBJECTS & PAPERS IN**

**INTEGRATED DOUBLE DEGREE COURSE**

---

**NB: Universities are free to redesign the courses as well as the course-outline  
According to their respective condition and availability of staff**

---

**PHYSICAL & LIFE SCIENCES**  
**PHYSICS**

**Importance of study of Science in Legal Education:** Science and Technology plays a very significant role in designing the legal system in a modern society. Technology brings society closer; integrates market system; develops wider, effective and quick communication; puts higher efficiency in productivity; makes investment flow more equitable and rational; and develops a hope for good, equitable and transparent governance. A knowledge society is in the process of development with better prospects for future generations to come. Law is becoming close to critical understanding of science and technology – science and technology creates new jurisprudence of rights and obligations. It is therefore extremely important for the profession to have a strong scientific temper. Study of B.Sc. level courses provide fundamental knowledge of science and technology which would help lawyers to better appreciate evidences (say, forensic science), developing finer jurisprudence in right and obligation analysis (say, intellectual property), examining the industrial regulatory process in industries (such as, pollutant chemicals or), better evaluation of global environment (say, national and international law relating to regulate global warming, or debris in space) and also appreciating technology driven regulatory phenomenon through laws on electronic communication, technology transfer transactions and cross-border laws and regulations.

## PHYSICS

1. **Objective:**
2. **Methodology of teaching-learning:**
3. **Laboratory Exercises:**
4. **Examination and Assessment:**

### PHYSICS PAPER I : MODERN PHYSICS

**Unit 1: The Nucleus :** Introduction, nuclear mass, nuclear size, angular momentum of the nucleus, constituents of the nucleus, neutron as building block, binding energy, stable nuclei, decay of unstable nuclei, alpha-decay, beta-decay, gamma-decay, nuclear reactions, nuclear models

**Unit 2: Nuclear Energy :** Introduction, nuclear fission, spontaneous fission and potential barrier, emission of neutrons in fission, self-sustaining chain reaction: nuclear reactor, neutron balance in reactor, uncontrolled chain reaction-bomb, nuclear fusion, controlled fusion, fusion in stars

Biological, effects of nuclear and electromagnetic radiation, maximum permissible radiation levels for safety, precaution against radiation hazards

**Unit 3: Physics of Solids :** Crystalline and amorphous solids, space-lattice and primitive cell, the seven crystal systems, symmetry elements in crystals, quasicrystals, some important crystal structures, Miller indices, spacing of a set of crystal planes, reciprocal lattice, crystal structure determination using x-ray diffraction, Brillouin zones

**Unit 4: Conductors, Semiconductors, and Superconductors** The classical theory of conductivity, the quantum mechanical free-electron model, the band structure, semiconductors, intrinsic and extrinsic semiconductors, engineering applications of semiconductors- present and future, superconductivity

**Unit 5: Laser Basics and Applications :** Introduction, Einstein's quantum theory of radiation, essential elements of a laser, simplified description of laser operation, characteristics of laser light, laser types and parameters

Lasers and interaction, lasers and information

**Unit 6 Atomic Molecular and Optical Physics:** Density matrix (DM), irreducible components of DM, spherical tensor products, tensor product matrix elements, orientation and alignment; Molecular photoelectron spectroscopy (PES) based upon group theory, circular and linear dichroisms in PES, state selection and orientation of molecules, double photoionization; Auger electron spectroscopy of atoms and molecules; Ion traps, cooling and trapping of neutral atoms and molecules

**Unit 7: Holography and Fiber Optics :** Introduction, conventional versus holographic photography, hologram of a point source, hologram of an extended object, hologram properties, white-light holograms, other applications of holography, Optics of propagation, attenuation, distortion, sources and detectors, applications

### **Experiments**

Faraday Effect with He-Ne Laser

Acousto-optical effect

Electro-optic effect

Experiments based on G.M.Counter – characteristics, effect of external electronic

Quenching, analysis of pulse shapes, dead time determination

Doping Profile

Barrier Potential,

Debye photograph

### **List of Books:**

**B.V.N.Rao, Physics I to VI, Sapna, Bangalore**

**P.V.Naik, Principles of Physics**

**Gilbert Rowell & Sydney Herbert, Physics**

**Jenkins & Whit, Optics**

**A Ghatak, Optics**

**Spiegel, Vector Analysis**

**C.M.M.Shastry & Others, B.Sc Physics, S Chand**

## PHYSICS PAPER II: ELECTRONICS AND SEMICONDUCTORS

**Objective of the course:** Electronics has now become an independent subject in bringing the world closer in telecommunication and through electronic industry in hard and software. A closer understanding of the fundamentals is what makes legal regime more protective to creation in industries.

**Teaching-learning methods:** It is always necessary to appreciate nuances of understanding electronics like any other science subjects is to learn by doing through laboratory system as well as by mathematical simulations. Maintenance of Laboratory Note Book is essential for understanding the system of learning.

**Evaluation:** Not more than 25% tests for evaluation the purpose of evaluation can be through continuous assessment in possession, classification, storage and retrieval of information; 10% through Laboratory Note Book on experiments, 20% through laboratory exercises and 20% on paper writing on industrial application and 25% on terminal test of holistic understanding.

### Course outline

**Module – I Electronic components:** active and passive, resistors, type of resistors, colour coding, capacitors, types of capacitors, inductors, type of inductors, transformers, types of transformers. RC integrators and differentiators

**Module – II Semiconductor devices (diodes):** energy bands in solids, insulators, conductors, and semiconductors, semiconductor materials, intrinsic and extrinsic semiconductors, drift and diffusion current, mobility and conductivity, continuity equation, Fermi levels, P-N junction, biasing, V-I characteristics, static and dynamic resistances, diode as switch, zener diode

**MODULE – III DC Power Supply:** diode as a rectifier, half wave and full wave rectifier, ripple factor, efficiency of rectifiers, filters, types of filters, voltage regulation, clipping and clamping.

**MODULE – IV Transistors:** bipolar junction transistors, structure and working, CE, CB, CC configurations and their characteristics, current gains for various modes and their relations, comparison of various modes. Unipolar transistors: field effect transistors (JFET and MOSFET), working and characteristics. Application of transistors.

**MODULE V: Small Signal Transistor Amplifiers:** transistor biasing and stabilization, DC load line, Q-Point, different biasing techniques, common emitter amplifier, gain, frequency response curve and band width of amplifier, cascading of amplifiers.

**MODULE – VI :Power amplifiers:** need for power amplifiers, class – A, Class – B, and Class – C operating modes of power amplifiers, push-pull amplifiers.  
Distortion in amplifiers

**MODULE – VII Oscillators:** feed back concepts barkhausen criteria, types of oscillators, R-C phase shift oscillator, collpits oscillator, Hartley oscillator, nyquist criteria.

**MODULE – VIII Digital electronics:** binary addition and subtractions, half adder, full adder, half and full subtractor, multiplexer and de-multiplexer, flip-flops, registers, counters.

**MODULE – IX Integration Technology – I:** Introduction to SSI, MSI, LSI, VLSI, ULSI techniques, crystal growth, wafer preparation (slicing and polishing), vacuum pumps, chemical vapour deposition, epitaxy, lithography, photolithography, etching, diffusion, oxidation.

**MODULE – X Integration technology – II:** Fabrication of different passive components, fabrication of P-N junction diode, transistor (nnp, pnp), FET, designing steps of different integrated circuits.

LIST OF EXPERIMENTS:

1. To study differentiator circuit
2. To study integrator circuit

3. To study ripple factor of a half wave rectifier
4. to find ripple factor of a full wave centre tap rectifier
5. to find ripple factor of a full wave bridge type rectifier
6. to study induction filter
7. to study capacity filter
8. to study L – Section Filter
9. to study pie-section filter
10. to study characteristics of field effect transistor
11. to study frequency response of single stage and double stage voltage amplifier
12. to study pnp and npn bipolar transistor characteristics in CB, CE, and CC mode
13. to study characteristics of metal oxide field effect transistor
14. to study audio power amplifier
15. to study V-I characteristics of a p-n junction diode to study V-I characteristics and voltage regulation by zener diode.

### **Reference Books**

- Grob: Basic electronics, McGrawHill, 1985
- B.V.N.Rao – Physics, Part 1 to Part VI, Sapna, Bangalore, 2009
- NNBhargava, DCKulshrestha and SCGupta: Basic electronics and linear circuits (technical teacher’s training Institute, Chandigarh), Tata Mc Graw Hill, 2002.
- Millman and Halkias: Integrated Electronics, TMH, 2000.
- S.M.Sze: VLSI Technology, Mc Graw Hill, 2001.
- A.P.Malvino and Donald P. Leach: Digital principles and application, Tata Mc Graw Hill, New Delhi, 1993.
- Agarwal and Arora: Essentials of Electronics, Kedar Nath and Ram Nath, Merut, 1999.
- M.S.Tyagi: Introduction to Semiconductor Devices, John Wiley & Sons, 2002.
- S.M.Sze: Semiconductor Devices: Physics and technology, Wiley publishers, 2001.
- J.D.Ryder: Electronic fundamentals and applications: integrated and discrete systems, Prentice Hall of India, 5<sup>th</sup> edition, 2003.W.D.Stanley: Electronic devices: circuits and applications, Prentice Hall, 2001.

## PHYSICS PAPER III: ELECTROMAGNETICS

**Unit 1: Vector Fields :** Scalar and vector fields, gradient of a scalar field, divergence of vector field and their physical significance curl of vector field, line integral of vector field, surface integral and flux of a vector field. Gauss law, its integral and differential form, statement and explanation of Gauss theorem and Stokes theorem

**Unit 2: Electrostatics :** Potential and field of an arbitrary charge distribution, concept of multi-poles, potential and field due to a dipole and quadrupole, electrostatic energy of a uniformly charged sphere, classical radius of an electron.

**Unit 3: Electric field in matter :** Atomic and molecular dipoles, polarizability permanent dipole moment, dielectrics, polarization vector, capacity of parallel plate condenser with partially or completely filled dielectrics, electric displacement and Gauss Law in general form, electrostatics energy of a charge distribution in dielectrics, Lorentz local field and Clausius-Mossotti equation, Debye equation

**Unit 4: Electrostatics Fields :** Conductors in an electric field, boundary condition for potential, boundary conditions for electrostatics field at electric surface, uniqueness theorem, methods of images and its application for system of point charge near a grounded conducting plane. Poisson's and Laplace equation in cartesian, cylindrical and spherical polar co-ordinates.

**Unit 5: Magnetics :** Biot-Savart law, Ampere circuital law in integral and differential forms, divergence of B field, force on a current carrying wire and torque on a current carrying loop in magnetic field.

Magnetic field in matter: magnetization vector, uniform magnetization and surface current, non-uniform magnetization, B, M, H, vectors and their inter-relations, Bohr magneton, orbital magnetic moment and angular momentum electron spin and magnetic moment, magnetic susceptibility.

**Unit 6: E M Induction:** Faraday's laws of E M induction, its integral and differential form; Lenz's law; Self and mutual inductance, measurement of self inductance by Rayleigh method; energy stored in magnetic field

Transient Response: Charge and discharge of condenser through resistance, determination of high resistance by leakage, growth and decay of current in LR circuit: A C circuits, use of j operator in alternating current circuits, LCR circuit in series and in parallel (A.C), phase diagram, resonance and Q factor, sharpness of resonance.

**Unit 7: Electromagnetic Waves :** Maxwell's equation and its physical significance, plane waves in dielectric, the electro magnetic wave equation in a dielectric, Poynting vector, energy density and intensity of an electromagnetic wave, radiation pressure, wave equation in a conducting medium



**Unit 8: Reflection and Refraction of Electromagnetic wave :** Boundary condition: Reflection and transmission, reflection at an interface of two dielectrics, reflection by a conducting medium, reflectivity of a dielectric film

**Unit 9: Transmission Lines, Antenna and Propagation of Radio Waves :** Propagation constant, characteristics impedance , reflection on a line not terminated in characteristic impedance, reflection coefficient of open and short circuit lines, SWR, impedance properties of  $\lambda/4$  and  $\lambda/2$  lines, stub matching

Dipole, quarter wave and half wave antenna and their radiation patterns, effect of ground, grounded antenna and antenna arrays, parabolic antenna

Ground wave, sky wave and space wave propagation, structure of ionosphere, refraction and reflection of sky wave by ionosphere, refractive index, critical frequency, MUF, skip distance and fading

**Unit 10: Modulation and De-modulation :** Need of a carrier frequency, AM, FM, PM, PCM, side bands, power consideration, simple circuit for modulation, SSB transmission, FM by reactance variation using transistor, Armstrong PM system, block diagram of AM and FM transistors

Demodulation, of AM signals, square law demodulation, linear envelope detector, AGC, demodulation of FM signals, amplitude limiter, Foster-Seelcy frequency discriminator, radio detector

**Unit 11: Radio Receiver :** Characteristics and their measurements, tuned radio frequency receiver, frequency translation, superheterodyne receiver block diagrams, typical transistor receiver circuit-explanation of various stages

**Unit 12: Television Transmission and Reception :** Broadcast channels, picture scanning, frequency band and resolution, camera tubes, block diagrams of transmitter and explanation of each block; colour transmission

Scanning sequence and interlacing, synchronization and blanking, block diagrams of colour and monochrome receivers and explanation of each block, video tape recording and reproduction

### **Experiments:**

Kater's Pendulum

Lee's Method,

Maxwell's Needle,

Thermocouple

Resonance

Velocity of e.m. Waves

Laser Diffraction

Self and mutual inductance

Measurement of magnetic fields

**List of Books**

As stipulated in Paper II

S.A.Ahmed, Electricity, Magnetism and Electronics

B.B.Laud, Electromagnetics

## PHYSICS PAPER IV: MECHANICS

**Unit 1: Frames of Reference:** Inertial frames, Galilean transformations; Non-inertial frames, fictitious forces, displacement, velocity and acceleration in rotating co-ordinate systems and their transformations, Coriolis force, Foucault's pendulum, motion of moving bodies relative to earth, effect of earth rotational motion on wind and oceanic currents

**Unit 2: Conservation of Momentum and Motion in Central force:** Centre of mass momentum of an extended body, Newton's law for an extended object; Collision of particles in laboratory and Centre of Mass frames, relation between angles of scattering in laboratory and CM frames, kinetic energy for elastic and inelastic collision.  
Motion of Systems with variable mass, rocket motion, two stage rocket motion  
Central force and planar motion, spherically symmetric central force, Trajectories of bodies under central inverse square law force with example of planetary motion, inter planetary flights and Hohmann transfer orbits, exploitation of gravitational force of planetary bodies to increase energy in space flights (Boomerang effect).

**Unit 3: Special Theory of Relativity:** Invariance of "c" (velocity of light in vacuum) Michelson-Morley experiment, Lorentz transformations, addition of velocities, Time dilation and length contraction.  
Conservation of momentum in collision at relativistic speed and variation of mass with velocity, relativistic energy, mass-energy relation, transformation equations for momentum, energy and for rate of change of momentum

**Unit 4: Oscillations:** Qualitative idea of oscillations in an arbitrary potential motion, general differential equations for the harmonic motion, explanation of Helmholtz resonator in terms of shm, oscillation of a mass connected to spring, oscillation of two mass connected by a spring, reduced mass  
Coupled oscillations, normal modes and co-ordinates of two linear coupled oscillators: general analytic method for finding normal frequencies and solution to coupled differential equation of motion.  
Damped harmonic motion, example of a galvanometer with small damping  
Forced oscillations and resonances, resonance width and quality factor, LCR circuits and phase relations

**Unit 5: Waves:** General differential equation of one dimensional wave motion and its solution, plane progressive harmonic wave; Differential calculus method for speed of transverse waves on a uniform string and for longitudinal waves in a fluid, energy density and energy transmission in waves; Superposition of waves, group and phase velocities, non-linear superposition and consequences.  
Fourier series, Fourier analysis of square and sawtooth waves

**Unit 6: Rigid Body Dynamics:** Angular momentum of a rigid body, calculation of moment of inertia, equation of motion for a rotation of a rigid body, rotation of a body with constant

angular momentum with application of torque, general motion of a rigid body under no external torque; Gyroscopic motion with example of precessing top; gyroscope in navigation, atoms and nuclei as gyroscopes nutation, precession of equinoxes.

**Unit 7: General Formalism of Quantum Mechanics :** Linear space vector, linear operator, eigenfunctions and eigenvalues, Hermitian operator, postulates of quantum mechanics, simultaneous measurability of observables, general uncertainty relation, Dirac's notation

**Unit 8: Application of Schrodinger :** Schrodinger equation for free particles, Schrodinger equation for particle moving in potential field, time independent and time dependent Schrodinger equation, stationary states, orthogonality of wave functions, probability current density, Ehrenfest theorem ; simple solution of Schrodinger equation (restricted one dimensional case) for particle in one dimensional infinite well, particle in one dimensional finite well (one or both sides of well may be non-rigid), calculation of reflection and transmission coefficient for potential step and potential barrier.

**Unit 9: Atomic Spectroscopy :** Orbital angular momentum, electron spin and Sten Gerlach experiment, total angular momentum, spin orbit interaction, vector model of atom and quantum numbers associated with atom, L-S coupling and j-j coupling, statement of Hund's rule and Lande interval rule (without derivation), fine structure of spectral lines, spectral terms up to two valence electron system, Pauli's exclusion principle

**Unit 10: Atom in Magnetic field :** Magnetic moment of atom, contribution from orbital and spin angular momentum, gyro-magnetic ratio, interaction energy of atom in magnetic field, splitting of energy level, using good quantum numbers in normal Zeeman effect anomalous Zeeman effect and Paschen-Back effect, selection rules for dipole transitions.

**Unit 11 Molecular spectroscopy :** Qualitative features of molecular spectra, rigid rotator, rotational and vibration energy levels of diatomic molecules, rotational-vibration

### Experiments

e/m helical method

Photoelectric effect

Hartley Oscillator

Navigative feedback

Electronic V and A

Integrators,

Multivibrator

Flip-flop

Digital Circuits

**List of Books**

As suggested in Paper II

Ghosh, Mechanics,

Berkley Physics Course, Vol 1, Mechanics, Tata McGraw Hill

J.C.Upadhyay, Mechanics, Ram Prasad & Sons

**SUBJECTS & PAPERS IN**

**INTEGRATED DOUBLE DEGREE COURSE**

---

**NB: Universities are free to redesign the courses as well as the course-outline  
According to their respective condition and availability of staff**

---

**PHYSICAL & LIFE SCIENCES**  
**CHEMISTRY**

## CHEMISTRY

**Importance:** The knowledge of Chemistry is very critical in modern days in all aspects of administration of justice, be it criminal or civil. As for example, facts in crime is becoming more and more complex and complicated requiring understanding of chemistry and using the chemical analysis and forensic science in administration of criminal justice. In understanding technology innovation and invention especially in industrial chemistry, pharmacy, biotechnology and polymer industry understanding of Chemistry to arrange for the rational application of arguments has become essential to determine rights and obligation between parties.

**Objective for study of Chemistry for a legal Professional:** There can be several objectives such as: (a) arriving at truth in criminal administration of justice with the help of forensic evidences, (b) to appreciate issues related to environment, (c) to attain qualifications to become patent agents and IPR lawyers, and (d) to develop regulative and protective structure in view of growing complex of industry chemistry..

### **4 Papers are as follows:**

- (a) Organic Chemistry
- (b) Inorganic Chemistry
- (c) Industrial Chemistry
- (d) Forensic Chemistry

### **PAPER I: ORGANIC CHEMISTRY**

**Objective:** Fundamentals of Organic Chemistry is ess

**Module 1: Stereochemistry (10 hours):** Elements of symmetry, Molecular Chirality, Enantiomers, Stereogenic center, Optical activity, Properties of enantiomers, Chiral and achiral molecules with two stereogenic centers, Diastereomers, threo and erythro diastereomers,

Meso compounds, Racemisation and resolution, relative and absolute configuration, Sequence rules, Systems of nomenclature (D,L,R and S), Optical isomerism due to restricted rotation - diphenyl systems.

**Module 2: Reactive Intermediaries (5 hours):** carbenes, nitrenes, yields, Structure-activity relationship, Selected name reactions – Aldol Condensation, Perkin Reaction, Wittig reaction, Aldol-Ester Reaction, Birch Reduction; Geometric isomerism – determination of configuration of geometric isomers, E and Z systems of nomenclature, Geometric isomerism in oximes and alicyclic compound – Confirmations of mono and disubstituted cyclohexanes

**Module 3: Pericyclic Reactions (6 hours):** Theory and applications, Heterocyclic Compounds – Chemistry of furan, pyrrole, pyridine, indole, quinoline, isoquinoline, imidazole, pyrimidine and purine – chemistry of mono and disaccharides

**Module 4: Amines (6 hours):** Nomenclature and classification; Basic nature; Preparation of alkyl and aryl amines – Reduction of nitro compounds, Nitriles, Reductive amination of carbonyl compounds, Gabriel-phthalimide synthesis and Hofmann bromamide reaction, Reactions of amines as nucleophiles, diazotisation; distinguishing reaction between 1, 2 and 3 degree amines, Synthetic application of diazonium salt

**Module 5: Principles of Organic Synthesis (8 hours):** Methods of Carbon – Carbon bond formation, use of organometallic reagents, Ring forming Reactions, Baldwin's Rule, Umpolung and functional group manipulations, protecting groups, asymmetric synthesis- chemical and Enzymatic Approaches  
Novel Oxidizing and Reducing Agents, Phase Transfer, Transition Metal and Enzyme catalysis, Chiral Reagents and Catalysis

**Module 6 Natural Products (12):** Carbohydrates – Introduction, Classification, Ring structure of glucose in detail, Interconversion of glucose and fructose – Mechanism of mutarotation;



structure of galatose, Mannose and fructose; Glycosidic bond – Disaccharides, structure of maltose, Lactose, sucrose

Z terpenoids: Occurrence, Classification and isoprene rule; Elucidation of structure and synthesis of citral and  $\alpha$ -terphenol; Structure of menthol, Camphor, Limonene and Beta-carotene and their uses

Alkaloids: Classification, General characteristics; Structure elucidation and synthesis of nicotine; Uses of Quinine, Morphine, Strychnine, Cocaine, Atropine, Reserpine and nicotine

**Module 7 Spectroscopy (12):** Application of UV, FT-IR Mass and NMR Spectroscopy in organic, inorganic and biological systems, Exercises on structure elucidation by joint application.

Atomic spectroscopy; Molecular spectroscopy (rotational, vibrational and electronic)

### **Experiments**

Qualitative tests for Identification of Organic Compounds, Separation and Purification Techniques in Organic Chemistry, Recrystallization, Distillation, Extraction

Perkin Reaction of Salicyldehyde, Cannizaro Reaction of Furfural, Synthesis of O – Iodobenzoic acid, Benzilic acid and m – Nitrobenzoic acid

Kinetics of salt effect and ionic strength; determination of activation of energy in the bromide-bromate clock reaction and acid hydrolysis of ethyl acetate

### **List of Books**

L.Indira & G.R.Chatwal, College Chemistry vol V, Himalaya, Mumbai

## CHEMISTRY PAPER II : INORGANIC & BIOCHEMISTRY CHEMISTRY

**Module 1: Structure and Bonding (15 hours):** Lattice energy, metallic bond, HSAB theory, General trends in s- and p- block elements; Selected topics on Metal borides, boron hydrides and nitrides, borates, boron case compounds; preparations, properties, structures, structures and uses of extra pure silicon, silicates and silanes; phosphagenes, sulfur-nitrogen and sulfur-phosphorus compounds, polyhalogens

**Module 2: General chemistry of transition metals ( 10 hours):** Spectral and thermodynamic behaviour of transition metal compounds; use of transition metal compounds in catalysis – hydrogenation, carbonylation, hydraformylation, Ziegler Natta polymerization, Alkene metathesis;

**Module 3: Inorganic Materials for Advanced Technology ( 6 hours):** Recent trends in ionic conductor, synthetic metal, liquid crystal, superconductor, glass and nanocrystallites, Thin film deposition

**Module 4: Bioinorganic Chemistry (10 hours):** Essential and trace elements in biological processes, Metalloporphyrins with special reference to haemoglobin and myoglobin  
Bioinorganic chemistry of iron, zinc, cobalt, copper and molybdenum

**Module 5: Biochemistry 1 : Structures and Functions of Biological Molecules (10 hours):** Amino acids and proteins, enzymes, vitamins and coenzymes; carbohydrates and lipids, nucleic acids and their components. Principles of bioenergetics and special reference carbohydrate metabolism

**Module 6: Biochemistry II (15 hours):** Metabolism and biosynthesis of fatty acids, proteins, nucleotides, and related molecules, Information Pathways – genes and chromosomes,

Regulation of gene expressions, Recombinant DNA technology – cloning and PCR, their application

### **Experiments**

Qualitative analysis of inorganic salts containing not more than four ions (spot test included)

Quantitative analysis: copper (volumetric and gravimetric), nickel (gravimetric), iron (ignition method) magnesium (gravimetric), aluminium (volumetric)

Estimation of sodium and potassium in soil samples, turbidimetric titration

Isolation, purification and characterization of proteins and nucleic acids, SDS-PAGE and agarose gel electrophoresis, estimation of proteins, nucleic acids, cholesterol and sugar, enzyme inhibition studies, microbial growth and antibacterial assay

### **List of Books:**

L.Indira & M.R.Padma, College Chemistry- VI, Himalaya, Mumbai

## **CHIMISTRY PAPER III: INDUSTRIAL CHEMISTRY**

**Unit 1. Industrial Gases (15 hours):** Carbon dioxide, carbon monoxide, sulphur dioxide, hydrogen, oxygen, nitrogen, rare gases of the atmosphere, coal gas, water gas, producer gas manufacture, liquidified petroleum gases, petrochemicals and downstream products related to rubber and polymer, explosives and rocket fuels,

Manufacture of cement, glasses, carbon block, abrasives, fertilizers, pulp and paper

**Unit 2: Introduction to Polymer Chemistry (15 hours):** Introductory concepts, definition, common system chemistry and classification of polymers, resins, rubber, plastics,

Characterization – molecular weight studies and molecular weight distribution

Mechanistic aspects – addition, ionic, emulsion, suspension, aqueous, coordination,

condensation polymerization, Relevant aspects of physical properties of polymer systems,

rheological properties, Unit options – calendaring, extrusion and molding, fabrication

processes, degradation and stabilization of polymer systems.

**Unit 3: Agrochemicals (10 hours):** Plant Growth Regulators – Steroidal and nonsteroidal; synthesis and biological properties of hormones like IAA, Gibberellins, Brassinolides, Role of micronutrients; Food ripening agents

Pesticides – classification, mechanism of action and synthesis; Analysis of pesticide residues and toxicological effects;

Pheromones – acyclic, cyclic, chiral and achiral insect sex-attractants, their synthesis and mechanism of action.

**Unit 4: Paints, Varnishes and Dyes (10 hours) :** definition, classification, binding agents, lacquers; Chemicals for paints and varnishes, physical and chemical properties; Paint binder and extender pigment; Analytical and test methods of paints and varnishes; Paints and Varnishes Industry in India

Dyes – definition and classification, color and constitution, theory of dyeing, Synthesis and properties of selected dyes, Methods of dyeing

**Unit 5: Alcohols and Thiols (6 hours):** Alcohols – general methods of preparation, physical properties, chemical properties; Polyhydric Alcohol, General methods of preparation of Glycols, properties and uses; Glycerol – properties and preparation, uses; Thioalcohols or Thiols- preparation and properties, uses.

**Unit 6: Phenols (4 hours):** Acidic nature of Phenols, Chemical properties.

**Unit 7: Ceramics (6 hours):** Classification and materials of ceramics, crystal structures and properties; Elementary ceramic phase diagrams, Ceramic powder preparation from naturally occurring raw materials. Synthesis of ceramic powder, fabrication of ceramic bodies from powder – pressing, casting, vapor- phase techniques, sintering, finishing, machining; Ceramic coatings

### **Experiments**

Preparation of some selected polymers and their characterization

Ceramic powder preparation from naturally occurring raw materials

fabrication of ceramic bodies from powder – pressing, casting, vapor- phase techniques, sintering, finishing, machining; Ceramic coatings

Preparation of alcohols and Thiols

Preparations of paints and varnishes

Analyzing selected agro chemicals and impacts

### **List of Books**

L.Indira & G.R.Chatwal, College Chemistry –III, Himalaya, Mumbai.

## **CHEMISTRY PAPER IV: FORENSIC CHEMISTRY**

### Introduction

Forensic chemistry deals with chemistry of crime. It is an essential part of the scientific investigation of crime.

### Objective

To impart knowledge about the chemical aspects of crime detection

### **Module 1: Finger print identification**

History, use of visualization reagents in the examination of fingerprints; use of precipitation reactions to reveal fingerprints

### **Module 2: Material Characterization**

Characterization of glass, paints, soils, inks, metals, fuels, arson

### **Module 3: Forensic analysis of textile fibers**

Principles of fiber transfer and fiber retention, comparison and analysis of fibers and hair, significance and evidential value of fibers

### **Module 4: Explosives**

types of explosives and explosions, role of activation energy in explosives, chemistry of explosives, analysis of explosion residues.

### **Module 5: DNA Fingerprinting**

Nucleic acids, DNA, structure of DNA, importance of DNA, technique of comparison of DNA

### **Module 6: Chemical testing of body fluids**

What is blood? Chemical nature of blood, visualization of blood stains, types of blood, semen, urine.

## **Module 7: Toxicology**

Introduction, classification, volatile and dialyzable poisons, poisonous elements, non-volatile organic poisons, analytical toxicology.

Recommended books:

1. Forensic Science by H.J.Walls, Universal Law Publishing Co. Pvt. Ltd.
2. Lawyers guide to forensic medicine by B. Knight, Lawman (India) Pvt. Ltd.
3. Frontiers of Forensic edited by P.Chandrashekharan, forensic science society of India.
4. Modi's textbook of medical jurisprudence and toxicology edited by B.V.Subramanyam, Butterworths India.

**SUBJECTS & PAPERS IN**

**INTEGRATED DOUBLE DEGREE COURSE**

---

**NB: Universities are free to redesign the courses as well as the course-outline  
According to their respective condition and availability of staff**

---

**PHYSICAL & LIFE SCIENCES**  
**LIFE SCIENCE**



## **LIFE SCIENCE**

IF Physics has been the subject in eighteenth century, Chemistry is the subject of nineteenth century, electronic and telecommunication in the twentieth century, then Life Science is the most challenging branch of education and research in this twenty-first century. The research in this area has opened the new vista of knowledge in life and life-support system. Naturally the fundamental knowledge of this science has become imperative to the legal professionals to develop new jurisprudence so as to take up the new challenges in human history. **So the objective of study of the life science would be to impart knowledge of life science to legal professionals that would involve various legal, ethical and social issues.**

In that regard the objectives of the study of life science for the legal professionals shall be:

- (a) to understand physiological processes involved in the modulation of living systems;
- (b) to expose the students to the realm of genetic engineering and bio technology;
- (c) to understand and evaluate the stem cell biology and new reproductive technology, including cloning;
- (d) to learn skills for recording and documenting research and claiming protection of creative right;
- (e) to raise social, environmental and ethical issues in life life science research creativity.

To attain the above objects the papers are suggested as follows:

1. Life Process, Ecology, and Biodiversity
2. Cell biology, genetics and immuno-technology
3. Physiology and new productive technology
4. Bio-technology and Genetic Engineering

### **LIFE SCIENCE PAPER I**

#### **Life Processes, Ecology and Biodiversity**

**Module I : Origin of life** – an introduction to life on earth – origin of life , impact of photosynthesis, role of water in the origin of life. The life of the cell-atoms and molecules, energy flow in the life of the cell, cell architecture. Harvesting energy from the food, evolution of life on earth – geological time scale, relationship among organisms, human phylogeny, asexual reproduction – bacteria, fungi, plants. Artificial propagation of plants.

**Module – II: Microscopic anatomy** – organization from cell to tissue, animal and plant tissues.

**Module – III: Ecology and Environment:** Ecology – the scope of ecology, the ecosystem, ecological adaptations, energy flow within the ecosystem, biogeochemical cycles and limiting factor concepts.

**Module IV: Ecosystem development and evolution** – major ecosystems of the world, environment – components of environment, tradition of healthy environment- Land, soil erosion, soil pollution, soil conservation

**Module V: Forests** – Components of forests, role of forests, deforestation and afforestation

**Module V: Energy** – Conventional and non-conventional resources of energy, tapping of solar energy

**Module VI Greenhouse effect and reasons:** Depletion of ozone layer and global warming (greenhouse effect)

**Module VII: Biodiversity:** definition and levels of diversity, population growth and biodiversity, forest cover and deforestation, habitat distribution and biodiversity conservation, reintroduction of endangered species, hotspot biodiversity

**Module VIII: National parks, wildlife sanctuaries** and measures to protect wild life, gene pool and application of newer technology in the conservation of species

## **LIFE SCIENCE PAPER II: Cell biology, Genetics and Immunotechnology**

### **Cell Biology:**

#### **Module I Cytology and cell physiology**

Historical perspective of cell theory, organization of cytoplasm and cytoplasmic inclusions, use of light and electron microscope, tissue culture, tissue fixation and staining, ion channels

**Module II ;** Mendelian inheritance, physical basis of inheritance, gene interaction, multiple alleles, linkage, chromosomal mapping, sex determination, special types of chromosomes, cell cycle and cell division. Chromosomal aberrations and gene mutation - Molecular basis of genetic disorder, application of molecular genetic techniques

**Module III:** Principle of microbiology, diversity of microbial world, classification and characteristic features of viruses, bacteria, algae, fungi. Different culture techniques, isolation and preservation methods

**Module IV:** the origin of immunotechnology, antigen processing, synthesis of antibody and secretion, antigen-antibody reaction, autoimmunity, graft versus host reaction, microbial assay of antibiotics.

**Module V:** Hybridoma technology – production and application of monoclonal antibodies for diagnosis and therapy

**Module VI:** Production of virus vaccines, specific vaccines, DNA vaccine

## **LIFE SCIENCE III: PHYSIOLOGY AND NEW REPRODUCTIVE TECHNOLOGY**

- Part 1: Physiology
- Part 2: Endocrinology
- Part 3: Reproduction
- Part 4: New Reproductive Technology
- Part 5: Organ Transplantation

### **Module 1: Physiology**

Module 1.1 Basic principles of physiology, evolution of physiological processes in the living system.

Module 1.2 Heart structure and function of heart, blood and its composition, blood circulation.

Module 1.3 Nervous system –parts of the nervous system, the peripheral nervous system, reflex actions and reflex arcs, the automatic nervous system, the central nervous system, neurotransmitters

Module 1.4 Control systems in Biology, control of blood glucose levels, temperature regulations – the influence of temperature on the growth and the function of body organs

Module 1.5 Excretion and osmoregulation

The significance of excretion and osmoregulation, nitrogenous excretion and osmoregulation in representative animals – the effect of environment on osmoregulation. Formation of urea in humans – the human kidney position, structure and functions – nephron, ultrafiltration – selective reabsorption. Control of blood sodium level, control of blood pH, kidney disease and its treatment, dialysis with kidney machine, haemo dialysis, peritoneal dialysis, kidney transplantation, physiological consideration of tissue regeneration

Module 1.6 digestive system, histology, physiology of digestion of carbohydrates, proteins, fats, role of vitamins and minerals, deficiency disorders, hormonal control of digestion, nervous control of digestion.

Books recommended

Textbook of medical physiology, A.C.Guyton, W.B.Saunders, Philadelphia, 1981

Textbook of biochemistry & human physiology, G.P.Talwar, prentice hall of India, New Delhi, 1990.

### **Module 2: ENDOCRINOLOGY**

Module 2.1: the basic mechanism of hormone action – anatomical consideration, hormone synthesis, distribution, half-life, and feed-back mechanism, classification of hormones.

Module 2.2. Techniques of endocrinology, bioassays, radioimmunoassay, radioreceptors assays.

Module 2.3: Hormone receptors – mechanism of action of protein hormones, second messenger hormone, mechanism of action of steroid hormones – cytoplasmic receptors, nuclear receptors and gene expression.

Module 2.4: Hypothalamus – role of hypothalamus in hormone regulation, releasing hormones – isolation, structure and physiological functions.

Module 2.5: Pituitary – structure and functions of anterior and posterior pituitary, hormones of pituitary and their physiological effects.

Module 2.6: Pancreas – structure and endocrine functions of pancreas, insulin secretion, glucose metabolism, diabetes.

Module 2.7: Adrenal – structure of adrenal – cortical hormones of adrenal, physiological roles of adrenal hormones.

Module 2.8: Testes and ovary – development of the sex organs – hormonal control in the development of sex organs.

Module 2.9: Thyroid – structure of thyroid gland, synthesis of thyroid hormones, role of iodine in thyroid hormone formation, goiter.

#### Books recommended

Animal physiology, David Kandnall, Warren Burgens and Kathleen French, WH Freeman, New York, 2001.

Textbook of medical physiology, AC Guyton, W.B.Saunders, Philadelphia, 1981, 6<sup>th</sup> edition.

Textbook of biochemistry & human physiology, G.P.Talwar, Prentice hall of India, New Delhi, 1990

### **Module 3: Reproduction**

Module 3.1 Development of reproductive system, anatomical and hormonal consideration.

Module 3.2 Spermatogenesis – sperm transport, semen

Module 3.3 Oogenesis – role of steroid hormones in the development of graffian follicle, corpus luteum, menarche, menstruation and menopause

Module 3.4 Fertilization, development of the embryo, placenta

Module 3.5 Male and female infertility, causes and management, abortion and law in India.

Module 3.6 Development of contraceptive technology, male and female contraception

Books recommended

Reproductive physiology, Satish K. Gupta, Narosa publishing house, New Delhi, 1999

Animal physiology, David Kandnall, Warren Burgens, Kathleen French, W.H.Freeman, New York, 2001.

#### **Module 4: New reproductive technology**

Module 4.1 third party reproduction, in-vitro fertilization, artificial insemination, gamete transfer, surrogate mother

Module 4.2 evolution of sex mechanism in the animal system, sex determination in embryo, newer technology in the sex determination of the embryo, law and sex determination in India

Module 4.3 cloning: somatic cell nuclear transfer in egg, stimulation of egg, division, differentiation and implantation

Module 4.4. Stem cells: totipotent and pluripotent cells, embryonic and adult stem cells, isolation, characterization, maintenance and transformation of stem cells

Books recommended

Cambridge guide to infertility management & assisted reproduction, Godwin I. Meniru, 2001

#### **Module 5: ORGAN TRANSPLANTATION**

Module 5.1 Methods in organ transplantation

Module 5.2 Limitations and ethical considerations

Books recommended:

Cambridge guide to infertility management & assisted reproduction, Godwin I. Meniru, 2001

Animal physiology, David Kandnall, Warren Burgens, Kathleen French, W.H.Freeman, New York, 2001.

## **LIFE SCIENCE PAPER IV**

### **Biotechnology and genetic engineering**

**Module I:** basic concepts of biotechnology, origin and definitions. Historical perspective, scope and importance, introduction of genomics, proteomics, nanobiotechnology and bioinformatics

**Module II:** Recombinant DNA Technology

Introduction to recombinant DNA technology, comparison of transcription in prokaryotes and eukaryotes, enzymes used in recombinant DNA technology, design and cloning of vector, identification and characterization of insert DNA fragment

**Module III:** Gene expression

Gene cloning – concepts and basic steps, cloning vectors – plasmid cloning

**Module IV:** Genetic engineering

Gene cloning – concepts and basic steps, cloning vectors, plasmid cloning vector, model vectors for eukaryotes, gene library – construction of DNA library  
Polymerase chain reaction – methodology and implication  
Gene therapy – animal models and therapeutic developments

**Module V:** Transgenic animal models for health and disease

**Module VI:** Transgenic plants – principle of production, transgenic in crop improvement

**SUBJECTS & PAPERS IN**

**INTEGRATED DOUBLE DEGREE COURSE**

---

**NB: Universities are free to redesign the courses as well as the course-outline  
According to their respective condition and availability of staff**

---

**MANAGEMENT SCIENCES: ESSENTIAL PAPERS  
MANAGEMENT PRINCIPLES & PRACTICE (MPP)  
ECONOMICS**



## MANAGEMENT SCIENCES

The system in Management course in any University is to contain **individual subjects as a paper, instead of subjects to be classified and distributed into papers as subsidiary subject. So Universities can allow students of BBA to choose any 12 papers from the entire list.**

However any University may also design Management Science courses in some basic Subjects containing four papers as has been designed in BA or BSc courses. In order to keep the design in the same line we have suggested the pattern as follows in subsidiary subjects and four papers containing in each subsidiary subjects. In this design, subjects are such that the First Subject of Management Principle and Practice may contain its four papers on Fundamental Principles; Organization and Behavioral Psychology; Business Strategy; and Management Information System (MIS) which may be compulsory. Similarly, Economics also has to be compulsory. So there can be one other subject, which can be optional like, Finance, Marketing, Personnel, Operational Research & Quantitative analysis, and each of which will have four papers. We have followed here this model of suggesting Principle of Management and Economics each with four papers to be compulsory and a student can have one more subject from Financial Management, Personnel Management, Marketing Management, Office Management & Secretarial Practice, Operational research and Quantitative technique each having four papers. Similarly if Honours is also to be allowed required number of courses can be offered from the entire list.

**Alternatively, all the papers may be offered in the *a-la-cart* and students may opt for any 12 papers from the menue.**

The proposed papers in each subject shall be as follows:

### **Basic subjects**

**(a) Management Principles and Practice:** (1) Management Principles, (2) Organizational and Behavioral Psychology, (3) Business strategy, (4) Management Information system (MIS)

**(b) Business Economics:** (1) Micro; (2) Macro; (3) Managerial Economics; (4) Money, Banking and Industrial Finance

### **Any one of the following subjects**

**(c) Quantitative Practice:** Business Mathematics, Business Statistics, Quantitative Analysis,

**(d) Financial Management:** (1) Financial Accounting, (2) Cost Accounting, (3) Management Accounting, (4) Audit Practice

**(e) Marketing Management:** (1) Principles of Marketing Management, (2) Business Ethics, (3) Advertisement and media management, (4) Consumer behavior

**(f) Corporate planning and Project management:** (1)Entrepreneurship, (2)Project Finance, (3)Business Organization structure planning, (4)Project Management

**(g) Office Management:** (1)General Principles, (2)Secretarial Practice, (3)Clinical Psychology,(4) Office layout and administration.

**(h) International business:** (1)International Trade, (2)Trade negotiations, (3)Export and Import, (4)International Finance

## **MANAGEMENT PRINCIPLES & PRACTICE**

**Importance of the course:** Legal practice in the corporate system becomes easier in case the Management system in the company requiring service can be properly understood. An advocate who is unable to read a Corporate Balance Sheet and properly interpret it can not be a corporate lawyer. As such, it is now essential for a Company lawyer to scan through the corporate management and governance.

**Object of study:** Adequate understanding of the Corporate Management and Governance system for evaluation of legal issues faced by the Company in question.

**Methodology of teaching-learning:** Case-study method is ideal for appreciating the principles of management science. Sometimes a group discussion on any legal issue with the General Councils of Corporate world would be very beneficial to the students.

**Evaluation system:** Analytical appreciation can be evaluated by project paper writing. Problem –solution can be adjudicated through continuous assessment.

### **MPP PAPER I: MANAGEMENT PRINCIPLES**

**Module 1: Introduction to Business Management** – What is Business – defining the concept of management and administration – quality management versus quantity management – management and productivity – management and leadership

**Module 2 : Management Functions:** Management functions – planning, Organization, human resources – leadership – motivation and training – communication – technology selection – management process in a dynamic business environment

**Module 3: Theories of management** – Classical management thought - Taylor’s scientific management - 12 principles of scientific management by Henry Fayol, Scientific management by objectives of Peter Drucker – Management by performance – Neo-classical theory of management, Hawthorne experiment – modern management theories (i) operation research (ii) system approach (iii) contingency approach

**Module 4: Total Quality Management (TQM):** Three aspects of TQM, problem solving tools – TQM Environment – Japanese Operating Management Ethos – Value based Holism – Quality management

**Module 5: Planning Process:** Policy and procedure, best practices, effective delegation and control, Project formulation, analysis and management, Mission and objective determination – standard setting – planning process – major steps in managerial planning – vision statements and a few case studies, Tyota, Ashok Leyland, Maruthi.

**Module 6: Social Responsibility:** responsibility and responsiveness, socially sensitive management – corporate social policy – business ethics – social responsibility and profitability – Barley-Means debate – forces motivating social responsibility – business and consumers

**Module 7; Decision making process:** Importance of decision making process – types of decisions – tactical, strategic and administrative, uncertainty and decision making – tools to enhance creativity – OR and its role in decision making – prediction and predetermination, decision criteria and risk undertaking

**Module 8: Organization and Organization process:** Organization a structure and Process, Organization and Development (OD) – techniques, approach, importance – structural design – creativity and innovation in OD, organization process – levels of management – delegation, performance and accountability – delegation and decentralization – participatory form managerial performance and accountability – motivation – forms of internal organization

**Module 9: Leadership:** criteria, motivation- guidance-supervision and control – effective communication and coordination, principles of leading and qualities of leadership – leadership skills

**Module 10: Conflict management and management controls:** causes of conflict resolution – organizational conflict management control process – queuing model – communication and coordination

### **Readings**

1. Samuel C.Certo, Modern Management, Functions and System, Allyn and Bacon, London
2. Koontz & O'Doneal, Principles of Management
3. L.A.Allan, Management and Organization
4. P.Drucker, The Practice of Management, Allied Publishers, New Delhi
5. S.Chakraborty, Foundation of Management work
6. S.Chakraborty, Human Values of Management
7. S.A. Sherlekar, Management, Himalaya Publishing House

8. \_Thaker,Burton, Srivastava, International Management, Tata McMagraw-Hill
9. Bartol & Martin, Management, McGraw-Hill, London

## PRINCIPLES OF MANAGEMENT I

### Lecture schedule

<b>Lecture</b>	<b>TOPIC/THEME</b>
1	Management – definition, who is a manager- definition
2	Why management, the goal of all managers
3	Is management a science or arts ?
4	The need for theory and technicalities of management, contingency or situation management
5	Managerial skills and scope of management of managerial roles
6	Management process-How manages can promote quality – the management challenges
7	Management as a profession, Professional Management vs. family Management
8	Why the slowness in Development of Management thought
9	Early contributions of Taylor and Scientific Management
10	Fredrick Taylor and scientific Management
11	Fayol : Father of Modern operations management theory
12	The emergence of behavioral sciences.
13	Chester Bernard and Systems Theory
14	Criticisms and misunderstandings of the classicists
15	The emergence of modern management thought
16	Review and class test
17	Class study
18	-do-
19	-do-
20	Introduced observations : planning and organizing
21	Staffing, Directing, and controlling
22	Coordination: Meaning, nature, Needs and Types Principles, techniques and significance
23	Concept of principles: concept of management principles, derivation, nature and need
24	What is decision? Why should decision-making? The decision making process
25	Factors affecting the decision making process- factors in decision situation
26	Factors in decision environment
27	Factors in decision maker – rationality in decision making (models of decision making behavi
28	Individual vs. group decision making- improving group decision making
29	Creativity and decision making
30	Case Study
31	-do-
32	Class test
33	Definition and features of planning- persuasiveness of planning Steps in planning
34	Types of plans: Purposes or missions, objectives, strategies, policies,

35	Types of plans: procedures, rules, programs, and budgets
36	Corporate planning, strategies and operational planning
37	Time dimension of planning
38	Limitations of planning and making it effective
39	Objectives : Hierarchy and role, multiplicity
40	Objectives Setting: Guidelines for and areas of objective setting
41	Management by objectives: Concept, features and process
42	Management by objectives: advantages and disadvantages.
43	Policy and strategy : Meaning and characteristics. Policy, strategy and tactics :comparison
44	Formulations of strategies and policies, Implementation of strategies and policies
45	Case Study
46	-do-
47	Class test
48	Why study organization process of organization
49	Basic- structure- differentiation and integration in designing – role of and features of good structure
50	Departmentation – bases and choice for the base
51	Span of management and its determination – wide or narrow span
52	Authority and responsibility – concept and sources of authority- concept of responsibility
53	Delegation of authority – steps in and principles of delegation
54	Blocks to effective delegation- measures for effective delegation
55	Centralization and decentralization – meaning and factors determine degree of decentralization making it effective
56	Line and Staff relationship – meaning and concept – functional authority
57	Line and Staff Conflict -
58	Overcoming Line and Staff Conflict
59	Pattern of Organization Design – Bureaucratic Structure
60	Adaptive Structure – Functional Structure –Divisional Structure
61	Case study
62	Case study
63	Class Test
64	Project Structure – matrix Structure – Free form Organization
65	Direction – Meaning – Importance – and principles
66	Direction and Human Factor- managerial Models
67	Motivation and Behavior – Theories – need Hierarchy- Motivation-Hygiene Theory
68	McClelland Needs Theory – Theory X and Y
69	Theory Z immaturity and Maturity Theory
70	Porter and Lawler Model – Carrot an Stick Approach-Job Environment Codifying approach
72	Incentives and Morale
73	Leadership- meaning – nature and Functions
74	Leadership and Management- Formal/Information Leader & Importance
75	Leadership Theories – Trait approach – Behavioral Situational Approaches
76	Leadership Styles- Autocratic – Participate- free Reign- Leadership as Continuum
77	Likert’s management System – Employee & Production – Orientation- Managerial Grid

78	Case study
79	Case study
80	Case study
81	Fielder's contingency Model – Path Goal Theory-Successful Vs Effective Leadership
82	Communication – Meaning- Process and Functions
83	Communication – Symbols – Network
84	Direction of Communication – Flow-forms of communication – Order
85	Measuring effectiveness of communications - barriers
86	Overcoming barriers-making communication effective
87	Controlling – Definition- Functions – Steps in Controlling
88	Essentials of effective control
89	Behavior and Implications of control-controlling and managing by perception
90	Control area and problems in control process
91	Control Techniques Break Even Analysis
92	Responsibility- Accountability-human Resources Accounting
93	Management Audit- Social Audit- Management Information Systems
94	Case Study Analysis
95	Case study

## **MPP PAPER II: ORGANISATIONAL BEHAVIOR & BEHAVIORIAL PSYCHOLOGY**

### **Module I: Introduction**

Nature, goal and scope of social psychology; social psychology and other social sciences; methods of social psychology: experimental and non-experimental methods, correlational approach and cross-cultural research.

### **Module II: Social Perception and Cognition**

Perceiving ourselves: self-concept, self-esteem, self-presentation and self-expression-  
Perceiving others: forming impressions; role of non-verbal cues, group stereotypes, and cultural traits; models of information integration; primacy and recency effects; attribution of causality: theories and biases.

### **Module III: Attitudes**

Nature and function of attitudes; attitude and behavior: theories of reasoned and planned behavior; formation, change and measurement of attitudes.

### **Module IV: Prejudice and discrimination**

Nature and components of prejudice; acquisition of prejudice; reduction of prejudice

### **Module V: Groups and leadership**

Group structure and function; task performance: social facilitation; social loafing; de-individuation; conformity; obedience and social modeling; group cohesiveness, norms and decision making; leadership: definition and functions; trait; situational, interactional and contingency approaches to leadership; leadership effectiveness; the charismatic leadership.



**Module VI: Communication**

Communication models; verbal and non-verbal communication; language and social interaction; barriers in communication; interpersonal attraction and its determinants

**Module VII: Historical context of Organizational Behavior**

Contributions of Taylor, Weber, Fayoll definitions of OB; challenges, scope and opportunities for OB

**Module VIII: Perspectives for understanding OB**

Open systems approach, human relations perspective, socio-technical approach; developing an OB model responsive to Indian realities

**Module IX: Person in the Organisation**

Biographical characteristics, personality: definitions and measurement, concept of skill, self-awareness; major personality attributes affecting OB; matching personality and job; personality and culture

**Module X: Leadership & Stress Management**

Quality, development, motivational skills, target fixation, skill training, goal achievement, reporting and accountability, stress management

**Suggested readings:**

J.E.Alcock, D.W.Carment, S.W.Sadava, J.E.Collins & J.M.Green, 1997, A textbook of Social Psychology. Scarborough, Ontario:Prentice Hall/ Allyn and Bacon.

Baron & Byrne, 1998, Social Phychology, New Delhi, Prentice Hall.

R.S.Feldman, 1985, Social Psychology: theories, research and application, New York, McGraw Hill.

O. David Myers, 1994, Exploring Social Psychology, New York, McGraw hill  
O.R.Semin& K.Fiedler (eds.), 1996, Applied Social Psychology, London, Sage.  
S.P.Hobbins, 2000, Organizational Behavior: concepts, controversies and applications, VII  
edition, New Delhi, Prentice Hall of India.  
J.Pfeffer, 1994, Competitive advantage through people: unleashing the power of work force.  
Boston: Harvard Business School Press.  
M.D.Dunnette & L.M.Hough, 1992, Handbook of industrial and organizational psychology  
(2<sup>nd</sup> edition) Palo alto: consulting psychology press.  
L.L.Cummings & B.M.Staw, 1999, Research in organizational behavior, Greenwich, CT:JAI  
Press.

### **MPP PAPER III: BUSINESS STRATEGY**

**[Would be specified in the next Volume of the Report]**

## **PAPER IV: MANAGEMENT INFORMATION SYSTEM (MIS)**

**Module 1: Origin of system Analysis:** Original application of systems Analysis in the United States, the information system, development leading to the computer,

**Module 2: Basic concepts of System:** system integration-horizontal and vertical integration, challenge for systems design

**Module 3: Logical basis of systems:** systems methodology, types, elements of systems, the conditions and the impact upon systems elements,

**Module 4: The system approach:** system check-list, requirements analysis,

**Module 5: Performing the systems study:** problems & integration, defining boundary, priority and effort, flowcharts staffing and system study,

**Module 6: Alternatives in system designs:** benchmarking, mechanization in system design, computer as processor and its side effect

**Module 7; Automatic data Processing in Business study:** Characteristics, Computer processing, feasibility, applying statistical-mathematical techniques

**Module 8: Constructing the system costs:** Defining savings and cost advantage, time cost and presentation, Net benefit analysis

**Module 9: Problems of Automated Book Acquisition,** evaluating the performance of an on-going automated system

### **Some Case studies**

#### **Using systems (a) to evaluate the financial data of a prospective acquisition**

#### **(b)Home Products Electronics Corporation- some case study**

#### **Problems of automated Book Acquisition**

#### **Bibliography**

1. Beckett, management Dynamics, the New Synthesis, McGraw-Hill Book Co.
2. Standord L. Optner, Systems Analysis for Business Management, Prentice Hall of India

3. Guy Black, The Application of system analysis to Government Operations, Praeger

4. Walter (ed), Modern Systems Research for the Behaviour Scientists: A source book Aldine Publishing

5. Hopeman, Systems Analysis and Operation Management, Charles E Merrill Publishing  
Malcolm & Rowe, Management Control System, John Wiley & Sons

6. Richard F. Neuschel, Management by System, McGraw Hill. James D. Gallagher and Douglas

7. Greenberger, Management and the Computer of the Future, MIT Press.

## OPTIONAL COURSE ON

### FINANCIAL MANAGEMENT

#### FMPAPER I: ACCOUNTING PRINCIPLE & PRACTICE

**Model 1: Accounting principles:** General principles of accounting, Cash basis and accrual basis accounting system, basic features, Single entry system of book keeping and double entry system of accounting, primary books of accounts Recording business Transactions and secondary books, Day books, conventional accounting system versus US system of accounting, accounting standards – general introduction- system of keeping books

**Model 2: Recording business transactions:** Classification of accounts, Transactions and nature of transactions, recording of transactions in single and double entry system, recording in Books of accounts- Primary and Secondary Books of Accounts, Trial balance, Final Accounts

**Model 3: Cash and Bill transactions:** Pass Book and Cash Book entries – differences and adjustments- Bank Reconciliation Statements; Recording of Bills of Exchange transactions

**Model 4: Measuring Business Income:** Accounting cycle, income measurement, adjustments, Preparation of Financial statements, finding business income in single entry system of incomplete accounts and double entry system, completing the accounting cycle, closing entries, Income measurement for merchandising company, Final Accounts – trading, profit & loss, Balance Sheet, Depreciation, Reserve and Provisions, Rectification of errors

**Model 5: Accounting standards:** Various Indian Accounting Standards, commonly known as IAS and Composition of National Committee for Accounting Standards

**Model 6: Income determination in Non-Profit organization:** Receipts and Payments Account, Income and Expenditure Account

**Model 7: Accounting of Partnership Firm:** General Principles, Accounting Records, Goodwill, Admission and retirement of Partners, Amalgamation of Firms, Settlement of accounts, Insolvency operation, Realization of Assets and payment of liabilities through piecemeal distribution

**Model 8: Corporate Accounts:** General Introduction, Statutory and Conventional books of accounts, Computation of Final Accounts, responsibility of transparency and accountability in disclosure norms, Annual Report and certification, Depreciation and adjustment, Best Practice for provisioning, Corporate governance  
Shareholders' equity- accounting for share capital, Earning per share, Treasury stock, bonus shares, stock options

**Model 9: Consignment, Joint Venture and Branch Accounts:** Books of Consignee and Consignor; valuation unsold stock, periodical returns and reports conversion consignment accounts into Branch accounts

Records of JV, Different Methods of record keeping,  
Branch Accounting

**Model 10: Mechanized System of Accounting:** Electronic data base, packages for computation and presentation of accounts, Punch card system, Recording and Verification

**List of Books**

Shukla & Grewal – Advanced Accounts, Chand & Company

R.Narayanaswamy – Financial Accounting, Prentice-Hall of India

H.Chakraborty – Advanced Accountancy, Nababharat

R.L.Gupta – Advanced Accountancy, Shultan and Chand

W.Pickles – Accountancy, ELBS

## **FM PAPER II: ADVANCED FINANCIAL ACCOUNTING**

**Module 1: Project Finance:** Essential conditions, Evaluation of project cost, Capitalization – debt-equity considerations; Credit rating – features and methods; Minimum subscriptions; Valuation of shares – face value, market value, Fair value and intrinsic value, standard prescription of valuation of SEBI, RBI and erstwhile CCI, Draft of Project Finance Report, Evaluation of working capital and various consideration of short, medium and long term credit facilities

**Module 2: Holding- Subsidiary Companies:** Disclosure requirements, Presentation of Annual Accounts, Certification process, Consolidation of Accounts

**Module 3: M & A and Take-over:** Asset valuation, Goodwill Valuation, Purchase Consideration, Accounting records, Various Accounting Due Diligence, Regulatory financial requirements of take over

**Module 4: Accounting records of Restructuring of Companies:** Reduction of Capital, Restructuring Assets and Capital, Restructuring Schemes, Increase of Capital, Conversion of Partnership into a Joint Stock Company;

**Module 5: Liquidation Accounts:** Winding up and liquidation procedure; Preparation of Statement of Affairs, Liquidator's Final State of Accounts

**Module 6: Accounts of Banking Companies:** Books of Accounts, Legal provisions of accounting record, Final Accounts, Prudential norms of provisioning; Basel Requirements of accounting standards and maintenance of various standard requirements; Hire Purchase and Installment accounts, Lease Finance accounts and various records

**Module 7: Insurance Accounts:** Statutory and Regulatory accounting norms, Computation of Insurance claims; accounting, Entries in the Books of Accounts, various forms of insurance and claim statement, Subrogation and reinsurance; commutation, Workmen Compensation Insurance

**Module 8: Global Accounting Standards:** Comparison between GAAP and IAS,

### **Book References:**

Shukla & Grewal – Advanced Accounts, Chand & Company  
R.Narayanaswamy – Financial Accounting, Prentice-Hall of India  
H.Chakraborty – Advanced Accountancy, Nababharat  
R.L.Gupta – Advanced Accountancy, Shultan and Chand  
W.Pickles – Accountancy, ELBS

## **PAPER III: COST ACCOUNTING**

**Module 1: Cost accounting, concepts, classification and system;** The concept of “Cost” in Cost Accounting, classification- Natural classification, product based classification; Cost and Accounting period, Fixed and Variable cost, Cost for planning and control; Designing the Cost system; Cost Accumulation Methods- Historical or standard form cost accumulation; Types of cost accounting - Job cost, Process cost, departmental cost etc; Differentiation between Financial accounting, Cost accounting and Management accounting

**Module 2: Preparation of Cost Sheet and various components:** Prime Cost, Works Cost, Cost of Production, Cost of Sale; Direct expense and indirect expenses- classification and treatment; Various types of overhead costing- Factory overhead, administrative overhead and Selling overhead

**Module 3: Material Costing and Inventory cost control:** Various methods of material costing- LIFO, FIFO, ACM, WACM etc. Trends in Pricing Inventories and Determination of Cost; Physical Inventories, costing of material wastage – natural and unnatural; denudation and obsolescence, dusting, leakage etc; Inventory control – its importance, Organizing for Material control, Planning of Material requirement and Inventory management, Requisition procedures, Controlling materials in process

**Module 4: Labor Cost Accounting and control mechanism:** Elements of labor cost; Overtime and Bonus payment, Vacation and leave pay and allowances, incentive payments, cost on social security; Basis of labor cost, Accounting of labor cost, Time Keeping, Payroll, effect of incentive payments

**Module 5: Overhead Cost:** (a) Factory overhead – standardized predetermined rate and variation study; Use of predetermined factory overhead rate, Actual, Accumulation of factory overhead FA control system; responsibility accounting; Concept of departmentalization, Idle capacity, fixed and variable overhead rating, Depreciation accounting  
(b) Administrative overhead – components; treatment of interest on capital  
(c) selling and distribution overhead – component, calculation of fixed rate and variance analysis- treatment of bad and doubtful debt

**Module 6: Process Costing:** Process costing vs Job costing, characteristics and Procedures, Costing by Departments, Procedure for material, labor and overhead costs, The cost of production report, Increase of Unit cost due to change of materials, Works in progress, Process to Process costing, Costing of the Joint Products and by-products – joint and separable cost, difficulties of costing by-products, methods of allocating joint cost

**Module 7: Job Order Costs, Departmentalization, Disposition of variance:** Costing of departmental overhead rates, individual machine hour rate, composite machine hour rate, distribution of overheads, Overhead variances, Chart of Job order accounting practice



adjustment of inventories, Accounting of idle time, Advantages and weaknesses of Job Order accounting

**Module 8: Standard Costs:** Setting of standards and analyzing variances – basic standard Current standards, Effects of types of standard costs, Performance level assumptions, purpose of standard cost standard cost accounting procedures of materials; labor, and overhead; Methods; Marginal costing and Direct and variable costing

**Module 9: Cost Analysis and reports:** Analysis and Control of Distribution costs, Gross Profit analysis, Break-even analysis, Cost-Profit Volume analysis; Differential and Comparative cost analysis, Capital expenditure Planning and Control, Pricing policies.

**Module 10: Mechanized Cost Accounting:** System analysis, automatic data processing

**Module 11: Corporate Law on Cost Accounting and Cost audit:** Relevant provisions of the Companies Act and the Order relating to cost accounting and cost audit.

### **List of books**

Black & Champion: Accounting in Business Decisions, Prentice Inc  
R.W.Dobson: An Introduction to Cost Accounting, Gee & Co  
Blocker & Weltmer: Cost Accounting, McGraw-Hill,  
Walter W.Big: Cost Accounting, Macdonald & Evans  
Matz, Curry & Frank Cost Accounting (Indian Edn), Taraporevala Sons & Co  
Schiff & Benninger: Cost Accounting, Ronald Press  
Batty: Management Accountancy, Macdonald & Evans  
Byers & Holmes: Principles of Cost Accountancy, Cassell & Company  
Barry: Standard Costing, Macdonald & Evans  
Owler & Brown: Weldon's Cost Accounting and Costing Methods, Macdonald & Evans  
Bhabatosh Banerjee, Cost Accounting, World Press

## **PAPER IV: MANAGEMENT ACCOUNTING**

**Model 1: Nature, Scope and Objectives of Financial Management:** Scope of Financial Management, Functions of Finance, Objectives, Rationale, Techniques, Practical application of Compounding and Present Value Techniques – relations between Financial and Cost Accounting with Management Accounting

**Module 2: Tools of Analysis:** Statement of Changes in Financial Position, Fund Flow and Cash Flow Statements, Ratio Analysis – types of ratio,

**Module 3: Long term Investment Decision:** Capital Budgeting – General Principles; Methods of Appraisal, Analysis of Risk and Uncertainty, Various elements and consideration of risk management; Investment in assets and required returns, Indian Practices

**Module 4: Financing Decisions:** Financing decisions- Operating and Financial Leverage – Capital Structure Theories – Net Income Approach; Net Operating Income Approach – Modigliani-Miller Approach – Designing Capital Structure – EBIT/EPS Analysis, Coverage Ratio, Liquidity Aspect- Debt capacity

**Model 5: Dividend Policy Decisions:** Relevance and Irrelevance of Dividends Various Models of relevancy test, Determinant factors of Dividend Policy- Dividend payout ratio, Stability of Dividends, Various legal, contractual and management constraints and Restrictions, Capital market considerations, Inflation

**Model 6: Current Assets Management:** Working Capital Management – an overview, concepts and definitions of working capital, Liquidity considerations, Determining Financial Mix; Working Capital Management – components; Financing and Control of working capital; Management of cash flow; Receivable management; Inventory management

**Model 7: Intermediate-term Financing:** Unsecured short term financing, secured loans and term financing; lease financing

**Model 8: Mergers and Acquisitions:** Considerations and Reasons for Combinations, Different forms of mergers and acquisitions – business compulsions and compulsions for restructure – various management concerns for M&A financial decisions- various valuation procedures of shares

### **List of Books**

Banerjee, Financial Policy and Management Accounting, World Press  
Brown & Howard, Principles and Practice of management Accountancy  
Khan & Jain, Financial Management, Tata McGraw-Hill,  
Brealey & Myers, Principles of Corporate Finance, McGraw-Hill International  
Van Horne, Financial Management and Policy, Prentice-Hall India  
Batty, Management Accountancy, ELBS & Macdonald & Evans

## OPTIONAL COURSE

## ON MARKETING MANAGEMENT

### MM PAPER I

**Module 1: Role of marketing in today's organization:** Core concepts- need, wants and demand, products, value and satisfaction, transactions and exchange, markets, market functionaries; Market management, Corporate response towards market place – production concept, product, selling concepts, marketing concept, societal marketing concept; Marketing Management – Profit, non-profit and international sector

**Module 2: Marketing Environment:** Mapping of Company's marketing environment, marketing system; Actors in Company's Microenvironment – Company, suppliers, marketing intermediaries, customers, Competitors, Public at large; Forces in the Company's Macro environment – demographic, physical, economic and technological, political & Legal, socio-cultural environment

**Module 3: Consumer market and Buying behaviour:** Major factors influencing consumer behaviour- personal, social, psychological and cultural factors; Buying decision process – Buying roles, types of buying behaviour, researching in buying decision making process, stages of buying decision process

**Module 4: Organizational Markets and Buying Behaviour:** Industrial market- players, decision making and impact, Industrial buying process, major influences on industrial buyers; Resellers Market – players, process, major influencing factors, buying of the resellers; Government Market- player, process, decision making process, participants, major influencing factors, procedure of buying

**Module 5: Marketing Strategies:** Marketing planning process, New Product Development process, marketing strategies in different stages, Strategies for functionaries, strategies in challenging situation of inflation, recession, supply or production restriction, strategies in global market

**Module 6: Planning marketing tactics:** Product, Brand, Franchising, Packaging and service decisions, Marketing channel decisions, Pricing decisions

**Module 7: Retail and wholesale marketing:** Nature and importance, types, wholesale and marketing decisions, future of retail and wholesale trade, physical distribution, ordering

process, warehousing and storing, inventory control, transportation, organizational responsibility, sales management and personal selling decisions

**Module 8: Advertising and Sales promotion:** Advertising decisions, media determination, effectiveness, budget, advertising objects. Publicity, sales promotional activities

**Module 9: Implementing and controlling the marketing effort:** Marketing Organization, marketing control and marketing implementation., Valuating marketing performance.

### **References**

Philip Kotler, Marketing Management, Prentice-Hall of India, New Delhi

Green & Tull, Research for Marketing Decisions, Prentice-Hall of India, New Delhi

Green & Wind, Multiattribute Decisions in Marketing: A measurement approach, Dryden Press,

Boyd & Davis, Marketing Management Casebook, Homewood, III

George Stigler, Theory of Price, Macmillan, New York.

Robinson, Faris, & Wind, Industrial Buying and Creative Marketing, Allyn & Bacon, Boston

Howard & Jagadish N.Sheth, The Theory of Buyer Behavior, John Wiley, New York

## OPTIONAL COURSE ON PERSONNEL MANAGEMENT

### PM PAPER I : HUMAN RESOURCE DEVELOPMENT & MANAGEMENT

**Module 1: Human Resource Planning:** Job evaluation and requirement, Planning Human Resource generation, Concerns for HR planning, Staffing as a function of Management, Distinctive features of HR as asset of the Concern

**Module 2: Requirement of HR Management:** Direction, Leadership, Communication, Motivation and Delegation and Accountability

**Module 3: Recruitment & Training:** Scientific task and rate-setting, Selection procedures, Standardization and target fixing, Specialization, Training and deployment, Mental Revolution and group formation

**Module 4: Personnel Selection and Development:** Employee selection, contract engagement, Vocational Guidance or Counseling, Promotion and Transfer Policy, Merit Rating, Incentive and penalty- carrot & stick policy, motivation and auto regulation

**Module 5: Professionalism & Work Ethics:** Challenges of professionalism – confidentiality and innovation protection, Time Management, Work Ethics and Firm Culture, Functions of Personnel Department, Record Keeping

**Module 6: Remuneration and Incentives and Problems:** System of Wage/remuneration payment, Incentive plans, Employees' Stock Options, Profit sharing, Social security, resignation, job hunting, poaching,

**Module 7: Creativity and Intellectual Property:** Firm's policy on Invention and Innovation with IPR Protection and motivation, Technology Transfer and its challenges in Human Resource management, NDA, Assignment, sharing of IPR,

**Module 8: Productivity:** Concept and measurement, Factors affecting Productivity, Morale, Incentive and welfare measures

**Module 9: BPO and HR Challenge:** Reasons for BPO, Human Resource concerns, product modulation and quality control,

**Module 10: Industrial Psychology & Dispute Resolution:** Nature and scope, application and effective scope, Fatigue and cure, Impact modern fast life, closure, Dispute resolution mechanism

## References

Bhusan, Business Organization and Management, S. Chand & Co, New Delhi  
Davis, Keith, Human Relations at Work  
Gellerman, S.W, Motivation and Productivity  
Koonz & O'Donnell, Principles of Management  
Wilsmore, A.W, Managing Modern Man  
Pigors & Myers, Personnel Administration  
Subramaniam, K.N. Labour Management Relations in India  
Giri, V.V., Labour Problems in Indian Industry  
Institute of Personnel Management, Personnel Management in India  
Government of India, Report of the National Commission on Labour  
Harell, T.S., Industrial Psychology  
Tiffin and McCormik, Industrial Psychology  
Mallik, P.N., Industrial Laws Vol 1 & 2, EBS

## OPTIONAL COURSE ON QUANTITATIVE TECHNIQUES

### **PAPER I: BUSINESS MATHEMATICS**

**Module 1: Basic Concepts and Methods:** Introduction on Application of mathematics in Business; Fundamentals of Mathematics – numbers and sets; Theories of Sets- Elements, Methods of describing a Set, Venn Diagram, Mapping and Functions; Sequences, Series- Convergence and Divergence of Series and Revision of Elementary Algebra- Boolean Algebra

**Module 2: Differential Calculus:** Differentiation, Derivative of a Function of one Variable, derivative of a Power Function, Sum Rule, Two Functions, of Logarithmic functions,

**Module 3: Developments and Applications:** Integration, Working in more than two dimensions; Matrices; Probability and Chances; Indices and Surds - Indices, Positive Indices, Negative Index, Zero and Unity Index, Power raised to a Power, Fractional Index, Operation on Surds

**Module 4: The Mathematics of Finance:** Compounding interest; Annuity; Discounting and Present Values; Banker's Gain; The evaluation of Capital Investment Projects

**Module 5: Mathematics And Decision Making:** Uncertainty and business decisions; Information, probability and decision; Inventory Control; Queuing Theory; Equations – Linear, Quadratic, Cubic and Higher Orders; Linear Programming

**Module 6: Logarithms:** Introduction, Laws of operations, Change of Base, Exercises (I), Characteristic & mantissa, Operations with Logarithms, Antilog; Depreciation – Present value and annuity value, Log Tables

**Module 7: Permutations and Combinations:** Introduction, Fundamental Rules of Counting; Permutations, Kramp's Factorial Notation, Permutation of n Different things; Circular Permutations, Permutation of things Not all Different; Restricted Permutation, Combinations, Complementary Theorems, Combination of things not all very different, Position of terms,

**Module 8: Progression and Forecasting:** Mathematical induction; Arithmetic and Geometric Progressions, Regression and Correlation; Forecasting

### **List of Books**

1. Stafford, Business Mathematics, ELBS & Macdonald and Evans
2. Sancheti & Kapoor, Business Mathematics, Sultan Chand
3. Narang: Linear Programming and Decision Making, Sultan Chand

4. Ghosh & Maity, Higher Algebra, Central
5. Agnew, Calculus, McGraw-Hill
6. Finkbeiner, Introduction To Matrices and Linear Transformations, Taraporevala
7. Kreyszig, Business Mathematics, John Wiley & Sons
8. P.L.Ganguli, Commercial Mathematics, World Press
9. Das & Mukherjee, Integral Calculus and Differential Equations, U.N.Dhur & Sons
10. Arora, Geometry, Flow Charts and Statistics, Sultan Chand



## **PAPER II: BUSINESS STATISTICS**

**Module 1: Introduction:** Numerical data, importance, Uses in Behavioral studies, Statistics in Science, Key Technology, Collection and presentation of data: methods of collection; Tabulation; Mechanical Tabulation, Statistical Quality Control

**Module 2: Frequency distribution:** Frequency; Simple series and Frequency distribution; FD of discrete and continuous variable, Cumulative distribution, Diagrammatic representation of FD, Histogram, Frequency Polygon, Ogive, FD Curve

**Module 3: Sample & Sampling:** Sampling theory – types of sampling – random, purposive, stratified and Systematic; Multistage sampling; Sampling distribution, size of sampling; Sampling distribution

**Module 4: Measurement of Central tendency:** Average or measurement of central tendency, Mean, median and Mode AM, GM and HM; Relation between Mean, Median and Mode, Partition Values – Quartiles, deciles, percentiles; Calculation of Partition value

**Module 5 : Measurement of Dispersion:** Meaning, Range, Mean Deviation, Standard deviation; Quartile deviation, Comparison and measurement, Standard properties of SD; Relative measures of dispersion

**Module 6 : Correlation and Regression:** Concepts, Bivariate data, Bivariate FD, Scatter Diagram, Correlation, Covariance; Correlation coefficient; Variance of the sum of two series, Regression; linear regression; Regression Curve; Rank correlation Multiple and Partial Correlation

**Module 7: Moments, Skewness & Kurtosis:** Moments, Relation between central and non-central moments; Beta Coefficients and Gamma Coefficients, Standardized variable; Moments of frequency distribution, Skewness, Kurtosis

**Module 8: Graphical presentation of data and interpretation:** Graphs and Charts,

**Module 9: Interpolation:** Introduction, Finite differences; Differences of a polynomial functions Newton's Forward and backward Interpolation formula; Lagrange's Interpolation formula; Inverse interpolation

**Module 10: Index Number:** Meaning, Problem of construction; Methods of Construction; Quantity Index Number, Tests, Chain base method, Cost of living Index, Sensex

### **List of Books**

1. Thukral, Business Statistics, Taxamann
2. Das, Statistical Methods, Volume I and II, M.Das & Co

3. Goon, Gupta and Dasgupta, Basic Statistics, World Press
4. Sancheti & Kapoor, Statistics, Theory, Methods & Applications, Sultan Chand
5. Gupta, Statistical Methods, Sultan Chand
6. Gupta & Gupta, Business Statistics, Sultan Chand

**SUBJECTS & PAPERS IN**

**INTEGRATED DOUBLE DEGREE COURSE & UNITARY  
LL.B.COURSE**

---

**NB: Universities are free to redesign the courses as well as the course-outline  
According to their respective condition and availability of staff**

---

**LAW PAPERS**

## **An introduction to** **LEGAL METHOD & LEGAL THEORIES**

**Object:** Encouraging enquiring and learning legal principles and developing the legal skills of research to find law, marshal facts as a lawyer ought to do, prepare arguments for and against, develop written and oral communication skills and enjoy the art of decision making.

**Methods of teaching-learning:** Initial learning begins with Socratic method to be followed by dialectic process of learning and critiquing; gradually to develop in case studies, research and finally to go for art of lecture and convincing the listeners.

**Evaluation process:** Information level test of short and multiple choice questions-answers as a continuous process, research to find law and defend, case studies to find ratios, and judging from the litigated issues, and deeper philosophic understanding and value application in mid and end semester test.

**Bird's eye view of the course:**

### **Part I: On Legal Method**

**Module 1: Concepts:** What the Law is and its inter-relation with and cross-fertilization of principles in Ethics, Religion and Morality; What is the legal method and its purpose, how the same purpose can be served by any other method that may be outside the parameter of legal method, What are the advantages of Legal method versus non-legal method,

**Module 2: Sources:** What are the sources of Law – Is law discoverable phenomena to be discovered from custom & usage, natural law and law of nature, human reaction and behaviour in different fact situation for a particular purpose,  
Is law an inventible idea emanating from reasoning, application of precedent, or a legislative discourse,  
Finding the ratio and obiter

**Module 3: System:** Is law a system, systematizable, What are the requirements of law to be a system instead an ad hoc reaction to incidents – heuristic, epistemological, hermeneutical, and teleological, How are legal reasoning structured in deductive and inductive framework in problem solution, material and methods of learning law

**Module 4: Location of a system:** Locating legal systems in the global map and character of each of such systems, such as, Ecclesiastical system, common law system (Anglo-Saxon), continental (Romano-Germanic) system, Constitutional system and hybrid legal system

**Module 5: Indian Legal System:** Historical development of the present legal system, structure of the judicial system, court system vis-à-vis other adjudicative system, character of the Indian

Legal system, weakness and failure, strength of the system, Constitutional mandate of the justice delivery system

**Module 6:** Essential methodology of legal research, research design, why empiricism, data character and variables, role of library in a legal research, data interpretation both quantitative and qualitative

## **Part II: Elements of legal theories**

**Module 7: Building blocks of theoretical framework:** structural framework of positive and normative character, analytic and synthetic framework, character of legal propositions

**Module 8: Positive legal theoretical framework** and essential character of positive theories on law and features of positive structure

**Module 9: Normative theoretical framework** and essential character of law as a normative phenomena, democratic, social welfare model of normative structure of law

**Module 10: Law as an instrument of social engineering:** instrument for the change of social structure,

Part II would rely more on individual research and presentation of papers.

## **Reference Books**

1. Farrar & Dugdale, Introduction to Legal Method, Sweet & Maxwell
2. Glanville Williams, Learning the Law,
3. Antony Allott The Limits of Law, Butterworths
4. Freedman, Law in the changing Society
5. Freeman, Lloyd's Introduction to Jurisprudence, chapter 1, Sweet and Maxwell
6. Baxi, Crisis of Indian Legal System, Vikas
7. Allen, Law in the Making,
8. Lloyd, Idea of Law, Butterworth
9. Singh, Anarchy to Utopia, ILI
10. Hart, The Concept of Law; Law, Liberty and Morality
11. Dworkin, Taking rights seriously
13. Pound, Introduction to Philosophy of Law, Harvard

## **LAW OF TORT**

### **OBJECT OF THE COURSE**

Independent of criminal or contract law, Tort law provides individuals and groups with redress for injury to every dimension of life from physical injury, to property damage, to personal insult. Over past decades no area of law within the civil justice system has experienced greater ferment than the law of Tort and this has resulted in vital changes the thinking of the tortuous liability.

The object of the course is to familiarize the students with the nature and extent of liability of the private enterprises, multinationals and the government authorities for the wrongs committed against the individual and their property, and to develop sound knowledge, skills and disposition amongst students of B.A.LL.B, B.B.A.LL.B and B.Sc.LL.B on some of the contemporary issues of Specific Torts, Cyber Tort, Family Tort, and Economic Tort, Product Liability etc.

### **COURSE SUMMARY**

#### **TOPICS AND READINGS**

#### **Module 1:- Definition and Nature of the Law of Tort**

Definition, nature and history of the law of torts. “Law of Tort” or “Law of Torts.” Difference between Tort & Crime, Tort & Contract. Basis of the tortuous liability; Basic legal maxims for Determination of liability; viz

*Ubi jus Ibi remedium, Injuria Sine Damnum and Damnum Sine Injuria.*

**[Cases:** *Ashby v. White* (1703)2 LR 938;*Rudal Shah v. State of Bihar*, AIR 1983 SC 1086  
*Saheli v. Commissioner of Police, Delhi* AIR 1990 SC 513;*Gloucester Grammer School case*  
(14190 V.B. Hill 11.;*Mayor of Bradford Corporation v. Pickles* (1895) AC 587;*Bhim Singh v. State of Jammu & Kashmir* AIR 1986 SC 494;*Usha Ben v. Bhagya Laxmi Chitra Mandir*, AIR 1978 Guj.]

#### **Module 2: - Liability for the Wrong Committed by Other Person**

##### **A. Principle of Vicarious Liability and its basis.**

- Master and Servants,
- Principle and Agent
- Partners of a firm
- State’s Liability: Doctrine of Sovereign Immunity in reference to the Crown Proceedings Act 1947, Federal Torts Claims Act 1946 and Article 300 of the Indian Constitution.

##### **B. Joint Tort Feasors, joint and several liabilities in payment of damages.**

**[Cases:** Lucknow Development Authority v M.K. Gupta AIR 1994 1 SC 243; State of Rajasthan v. Vidyawati Devi AIR 1962 SC 933; Donoghue v. Stevenson, 1932, AC 562; Kasturi Lal v. State of U.P. AIR 1965 SC 1039; Nicholes v. Marshland (1876) 2 Ex.D. 1; Smith v. London and South Western Railway Co. (1870) LR 6; Peninsular and Steam Navigation Co. Secretary of State for India (1861) 5 Bom. H.C.R. App. 2; Loyd v. Grame Smith & Co. (1912) AC 716]

### **Module 3:- Negligence, Contributory Negligence and Nuisance**

Negligence as a tort and its various dimensions in the present world viz. Professional Negligence, psychiatric damage; economic loss; Foresight of harm as test of the existence of negligence, Proximate Cause and Intervening cause, concurring negligence of the third person Contributory Negligence, Last Opportunity Rule, Res Ipsa Loquitur Injury Caused by Plaintiff's negligence, Injury Caused by Defendant's negligence, Concurring Contributory negligence, Representation in Contributory Negligence and Imputed Negligence. History of Nuisance, Nuisance and interference with real rights, Remedy for Nuisance, Nuisance in conduct of Business, Public Nuisance.

**[Cases:** Jay Laxmi Salt Works (P) Ltd. V. State of Gujarat 1994(4) SCC 1; Dr. Laxman V. Dr. Trimbak AIR 1969 SC 128; Davis v. Redcliffe, (1990) 2 AER 536; F V. Birkshire Health Authority (1989) 2 All ER 545 (HL); Maynard V. Midlands Health Authority (1985) 1 All ER 635 (HL); Achutrao Haribhau Khodwa V. State of Maharashtra AIR 1996 SC 2377 ; M.P. State Road Transport Corp. v. Basanti bai (1971) MPLJ 706 (DB); Indian Air Lines v. Madhuri Chaudhri AIR 1964 Cal. 252; Glasgow Corporation v. Muir (1943) AC 448; Municipal Corporation of Delhi v. Subhagwati AIR 1966 SC 1750; Ratlam Municipality v. Vardhichand (1980) 4 SCC 162]

### **Module 4: - General Defenses for the Tortious Liability**

- *Volenti non fit injuria*
- *Vis Major (Act of God)*
- Inevitable Accident
- Necessity
- Statutory Authority, Judicial and Quasi Judicial, Parental and Quasi- Parental Authorities.
- Act of Third Parties
- Plaintiff's Default
- Mistake

*[Cases; Hall v. Brookland Auto Racing Club ; Smith v. Backer (1981) AC 325; Stanley v. Powell (1891)11 Q.B. 86; Heynes v. Harwood (1935) 1 KB 146]*

## **Module 5:- Torts Against Human Being and Property**

Assault, Battery, Emotional Distress, Malicious Prosecution and abuse of legal proceedings, Conspiracy, False Imprisonment

Defamation: Freedom of Speech and Expression and liability for Defamation in the civil and criminal law, different branches of Defamation: Libel, Slander and hybrid types of the Defamation; Defamation in Blogs & Cyberage; Privilege, fair Comment and Criticism, malice and right of privacy.

Trespass to land, trespass to goods, conversion, Passing off, Injury to trademark, patent & copyrights.

*[Cases: Leta Fay Ford V. Revlon, Inc. Supreme Court of Arizona (153 Ariz. 38, 734 P.2d 580) 1987; Noor Mohd. v, Mohd Jiauddin AIR 1992 MP 244; Hayward v. Thompson (1981)3All E R 450; M.C. Verhese v. T.J. Poonam, AIR 1970 SC1876; T.S. Bhatt v. A. K. Bhatt AIR 1978 Ker 111; Girija Prasad Sharma v. Uma Shankar Pathak AIR 1973 MP 79; Quinn v. Leathem,( 1901)AC 495; Municipal Board of Kanauj v. Mohanlal AIR 1951 All 867 State v. Gangadhar AIR 1967 Raj 199; Rajalingam v. Lingaiah (1964) 1ALT 391; Sobha Ram v. Tika Ram(1936) ILR 58 All 903]*

## **Module 6: - Liabilities based on fault:**

### **No fault Liability, Strict Liability and Absolute Liability**

The central idea in tort law is that liability is based not so much on acting badly or *wrongfully*, but on committing a *wrong*. At the same time, a victim's claim to recover for harm to her depends on the wrong the injurer has committed being a wrong *to her*. It is not enough that the injurer has committed a wrong and that she (the victim) has suffered as a consequence. The defendant's liability to the victim and the victim's claim against the defendant depend on the defendants having breached a duty of care to the victim.

Principle of Strict Liability as laid down by Justice Blackburn in the famous case of *Reyland's Fletcher* and the exceptions thereof. The application of this doctrine in the India and the changes occurred after the *M.C. Mehta's* case (The Principle of Absolute Liability).

*[Cases: Reyland v. Fletcher (1868) L.R. 3 H.L. 30; M.C. Mehta v. Union of India (1987)1 SCC395]*

## **Module 7: - Remoteness of Damage**



Various principles for fixing the liability and to ascertain the damages for the wrong committed viz “But for Test”, “Directness Test” (*In Re Polemise Case*) and the “Doctrine of Reasonable foresight” (*The Wagon Mound Case*).

**[Cases:** *In Re Polemise Case* (1921)3 KB 560 CA; *Wagaon Mound Case* (1961)AC 388  
*Leisbosch Dredger v. Edison*, (1933) AC 449 HL.]

## **Module 8: Emerging areas of Tort: Cyber Tort**

Emerging Trends in the law of tort for example, wrongs relating to Domestic Rights, viz marital rights, parental rights, domestic violence, seduction of female child etc  
Rights in Cyberspace, Cybertrespass, Cyberstalking, Spamming, Invasion of Privacy in Cyberspace, Cyberlibel, Cybersquatting, .Product liability in a hi-tech environment Jurisdiction in Cybertort

***Communication Decency Act 1996 USA***  
***Electronic Communication and Privacy Act 1986 USA***  
***USAPA 2001(United States Patriot Act)***  
***Information Technology Act 2000 (India)***  
***Nano-technology and Liability Issues***

**[Cases:** *Barrett v. Fonorow*, 799 N.E.2d 916 (Ill. App. 2003).*Barrett v. Rosnethal*, 112 Cal. App. 4th 749 (2003).*Bill Mc Laren, Jr. V. Microsoft Corporation*, *Courtof Appeals of Texas, Dallas* (1999) WL 339015.; *CompuServe Inc. v. Cyber Promotions, Inc.*, 962 F.Supp 1015 (SD Ohio 1997).*Doe v. AOL, Inc.*, 783 So. 2d 1010 (Fl 2001).*EBAY, Inc., Plaintiff, V. BIDDER’S EDGE, Inc., Defendant. United States District Court for the Northern District of California . 100 F.Supp. 2d 1058(2000).* *Hotmail Corp. v. Van\$ Money Pie Inc.*, WL 388389 (1998).*Kremen v. Cohen*, 337 F.3d 1024 (9th Cir 2003).*School of Visual Arts v. Kuprewicz*, 771 N.Y.S.2d 804 (2003).*United States of America V. Hambrick U.S District Court, W.D. Virginia 55F. Supp. 2d 504, (1999)*]

## **Module 9: Statutory Tort**

1. Motor Vehicles Act,1988
  - a. Chapter-X Liability without Fault (Ss.140-144)
  - b. Chapter-XI Insurance of Motor Vehicles (Ss.145-164)
  - c. Chapter- XII Claims Tribunal (Ss. 165-173)

## **Module 10 Product Liability and Protection of Consumers' Interest:**

Product Liability – theories of causation, defectiveness and proximate reason, tortious misrepresentation and negligence, The Consumers' Protection Act and its applications.

### **Readings:**

Wienfield and Zolowicz, Torts, 17<sup>th</sup> Edi., Sweet & Maxwell 2006  
*Salmond, J W, Salmond's Law of Torts (8th edition, Sweet & Maxwell, London, 1934)*  
*Fleming, J G, The Law of Torts (9th edition, LBC Information Services, Sydney, 1998)*  
*Ratan Lal and Dhiraj Lal on Law of Torts,*  
*A Lakshminath M Sridhar, Ramaswamy Iyer's, The Law of Torts, Lexis Nexis, Tenth Edi 2007*  
*Tony Weir, An Introduction to Tort Law, 2<sup>nd</sup> Edi Oxford University Press 2006.*  
*John Murphy, Street on Torts ,Eleventh Edi Oxford University Press 2006.*  
*Tabrez Ahmad "Cyberlaw, E-Commerce & M-Commerce". APH Pub.Corp. NewDelhi 2003.*  
*Lee B. Burgunder, Legal Aspects of Managing Technology 2<sup>nd</sup> Edition West 2001.*  
*Ramaswamy Iyer Law of Tort*  
*Bangia's Law of Torts*  
*Madden & Owen, On Product Liability, West Grou*

### **Examples of Suggested Term Paper preparation & Presentation**

1. Product Liability
2. Polluter Pays
3. Medical Negligence
4. Hospital Waste Management
5. MV Accident Compensation calculation
6. Industrial Negligence
7. Public nuisance
8. Medical termination of Pregnancy
9. Constitutional Tort
10. Class Action
11. Deficiency of professional Service
12. Common Employment
13. Public Utilities

14. Remoteness
15. Sound Pollution
16. Industrial effluence
17. Privacy of the public men
18. Process liability
19. Third Party Liability
20. Domestic violence
21. Doctrine of Heavy Purse
22. Neighbours' liability
23. Ganga Pollution
24. Present Position of people suffering in Bhupal Tragedy
25. Coastal Pollution
26. Vicarious Liability in Contract for Service and Contract of service
27. Air accident Compensation
28. Popularity of Tort cases in India
29. Time study for MVA cases
30. Mental element in Defamation

## **LAW OF CONTRACT - I**

**Object:** Law of contract being the pillar of the legal structure of a society, the fundamental goal of study is to critically evaluate principles underlying the legal postulates and propositions.

**Methods of teaching-learning:** Case-study method shall be the main method of learning to be followed. Dialectic method of mooted and argumentation plays a very convincing procedure of learning. The information sharing and flow of information among the teacher and taught has to work as bonding of the entire course. Case comment and book review can also be a method of research writing in this paper.

### **Bird's eye view of the course**

**Module 1: Introduction:** Historical development of law Contract in England – writ of covenant, debt, and obligation - agreement under seal, penal bonds, origin of assumpsit's, misfeasance, malfeasance and nonfeasance, development of consideration as the functional basis of transaction, Consensus-ad-idem, free consent versus fair consent, freedom of contract

**Module 2: Formation of Contract:** Offer and acceptance- basic requirement of a promise and a set of promises, intention to treat (intention, information and invitation) to be distinguished from offer – various mercantile and trade practices in offer and acceptances – price list, menu chart, tender, quotation, auction, conditionality to be distinguished from the offer – Caveat emptor principle vis-à-vis Caveat venditor, Communication of offer, acceptance and revocation to be completed – postal communication rules – distinction between British law and Indian Law- social agreement – various rules of offer and acceptance

**Module 3: Agreement and Contract:** Conditions to be fulfilled for agreement to be a contract, void, voidable and valid agreements – legal consequences – standard form contract and electronic contract

**Module 4: Competence to enter into contract:** unsoundness of mind, minority, incapacity of person of law, insolvency etc.

**Module 5: Vitiating factors in an agreement for avoiding agreement:** (a) Coercion- definition- essential elements- duress and coercion- various illustrations of coercion- doctrine of economic duress- effect of coercion, extrajurisdiction, burden of proof,  
(b) Undue Influence- Definition- essential elements- between which parties can it exist? Who is to prove it? Illustrations of undue influence- independent advice pardanashin women- effect of undue influence,

(c) Misrepresentation – definition - misrepresentation of law and of fact- their effects and illustration,

(d) **Fraud** – Definition - essential elements - suggestio falsi-suppressio veri - when does silence amount to fraud? Active- concealment of truth - importance of intention.

**Module 6 Agreement ab initio void (1): (1)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 free consent?

**(2)Legality of objects:**Void agreements - lawful and unlawful considerations, and objects - Unlawful considerations and objects: Forbidden by law, Defeating the provision of any law, Fraudulent, Injurious to person or property, Immoral agreements, Agreements against public policy

(3) Other **Void Agreements:** **(a)**Agreements without consideration when valid **(b)**Agreements in restraint of marriage-its exceptions **(c)**Agreements in restraint of trade- its exceptions- sale of goodwill, restrictions, under the partnership Act, trade combinations, exclusive dealing agreements, Restraints on employees under agreements of service.

**(d)**Uncertain agreements, **(e)**wagering agreement –Its exception, gambling, market game rule.

**Module 7: Nature of Agreement:** (a) conditional and Contingent contract, Classification of terms and entire contracts Contingent condition, Promissory conditions features, when contingent contracts become void. (b)**Quasi Contract:** Meaning & nature, Theory of Unjust Enrichment- Theory of “implied-in-fact” Contract- claim for necessities supplied to incapable person (section 68), - reimbursement of person paying money due by another (section 69), obligation of person enjoying benefit of non gratuitous act (section 70), responsibility of finder of goods (section 71), Liability of person to whom money is paid, or thing is delivered by mistake or under coercion (section 72).(c) **Government as a Contracting Party:**formation and constitutional provision vis-a-vis government contracts (U/A-299 of Constitution of Indian ) – government power to contract, procedural requirements-kinds of government contracts- their usual clauses- performance of such contracts- settlement of disputes and remedies.

**Module 8: Discharge by performance:** Rules of performance including joint promisor, joint promisee, time and place of performance, condition precedent and condition subsequent – part performance

**Module 9: Discharge by new agreement:** novation, alteration and recession

**Module 10: Supervening and Subsequent impossibility:** doctrine of frustration, conditions, force majeure clause in an Agreement – part performance before the impossibility – status quo position, what means- specific grounds of frustration

**Module 11: Termination by breach:** Actual and anticipatory breach, constructive breach, law of limitation and breach, Remedies in case of breach Meaning, kinds of breach, remedies for breach; remedies generally, sections 73, 74, 75, damages; measure of damages, remoteness of damages, special power of Indian judiciary to award fair and just damages and not liquidated damages

**Module 12: Specific performance:** Equitable remedy through Injunction- temporary and permanent, Specific performance of contract -Contract that can be specifically enforced Persons against whom specific enforcement can be ordered

### **Book references**

1. Cheshire & Fifoot, *Cases on the Law of Contract*, 7th Ed., London: Butterworths, 1977.
2. Sir G. H. Treitel, *The Law of Contract*, 12<sup>th</sup> Ed., London: Sweet & Maxwell, 2007.
3. Anson, *Law of Contract*, 28<sup>th</sup> Ed., Oxford University Press, 2002.
4. Cheshire & Fifoot, *Law of Contract*, Oxford University Press, 15<sup>th</sup> Ed., 2007.
5. Chitty, *Contracts*, Vol. 1, 29<sup>th</sup> Ed., Sweet & Maxwell, 2004.
6. V.K. Rao, *Contract I - Cases and Materials*, Butterworths, 2004.

7. M. Krishnan Nair, *Law of Contracts*, 1998.
8. Dutt on Contract, H.K. Saharay, Universal, 2000..
9. Sujan M.A, *Frustration of Contract* 2<sup>nd</sup> Ed. UPC 2001.
10. Mulla, *Indian Contract Act and Specific Relief Acts*, Lexis Nexis 13<sup>th</sup> Ed. 2006.
11. Avtar Singh, *Law of Contract*, Eastern, Lucknow. Eighth Edition.
12. Smith & Thomas, *A Case Book on Contract* 11<sup>th</sup> Edition

## **List of Cases**

It would be good if the Faculty concerned prepare a Case Book as the Study Material because the Law Of Contract was evolved from the Common law principles. Early British cases would show on what rationale the common law was designed. Indian case law would then explain how the Indian Statute was designed and how Indian courts interpret the law in deciding cases. Ideally a Case Book may contain about 25 to 30 case laws from the following:

**[CASE STUDY:** *Carlill v. Carbolic Smoke Ball Company*, (1830) 1.Q.B 265.; *Harris v. Nickerson*, (1875) LR SQB, 286.; *Powell v. Lee*, (1908) 99 LT 284.; *Entores v. Miles Far East Corporation*, (1955) 2 All ER 493; *Bank of India Ltd v. Swarubar*, AIR 2003 SC 858.; *Hervey v. Facie*, (1893) AC 552. *Lalman Shukla v. Gauri Dutta*, II ALJ 489; *Felth House v. Bindley* (1862) 11, CB (NS) 86; *Mohri Bibee v. Dharmodass Ghosh*, (1903) 30 IA 114. *Derry v. Peek*, (1889) 14 AC 337.; *Mithoo Lal Nayak v. LIC of India*, AIR 1962 SC 814; *Subhas Chandra Das Mushib v. Ganga Prasad Das Mushib and others* AIR 1967 SC 878; *Central Inland Water Transport Corporation v. B.K Ganguly*, AIR 1986 SC 157; *.Kalyanpur Lime Works Ltd. v. State of Bihar and another* AIR 1954 SC 165; *Gujarat Bottling Co. Ltd. v. Coca Cola Co.* (1995) 5 SCC 545 ; *National Insurance co Ltd v. S. G Nayak & co* AIR 1997 SC 2049. *Satyabrata Ghose v. Mugneeram Bangur* AIR 1954 SC 44; *State of Bihar v. Majeed* AIR 1954 SC 786. *Bashir Ahmad and others v. Govt. of AP* AIR 1970 SC 1089; *Mugniram Bangur & Co.(P) Ltd. v. Gurbachan Singh* AIR 1965 SC 1523; *Taylor v. cadwell* (1863) 3 B&S 826. *Krell v. Henry* (1903 ) 2 KB 740. *Hadley v. Baxendale* (1854)9 Exch 341. *Dunlop Pueumatic Tyre Co v. New Garage & Motor Co Ltd* (1915) A.C 79.; ( 1914-15) All ER 739; *Oil and Natural Gas Corp. Ltd. SAW Pipes Ltd.* AIR 2003 SC 2629

**Illustration of Day- to-day Lecture Schedule:**

<b>CLASSES No and Date</b>	<b>TOPIC</b>	<b>CASES/REFERENCES</b>
1 Faculties	Student-teacher Introduction – Feedback- <b>Mechanics of Contract</b> – Introduction	
2	Mechanics of Contract (Cont.) – Offer/proposal – Illustrations	Dutt on Contract – Avtar Singh, Law of Contracts – Anson’s Law of Contract
3	Offer (Cont.) – General Offer – Specific offer	Carill v. Carbolic Smoke Ball Co. - Harbhajan lal v. Har Charan lal.
4	Invitation to offer	MacPherson v. M.N. Appanna Pharmaceutical Society of Great Britain v. Boots Harvey v. Facey Wilkie v. London Passenger
5	-----do-----	
6	Ambiguity in terms of offer - Offer to be communicated - Counter offer	Smith v. Hughes Dwarkadas & Co. v. Daluram Bushwall Properties Ltd.v.Vortex Properties Ltd Tim v. Hoffman
7	Offer (Cont.)	
8	Offer in electronic contract	
9	Acceptance – Introduction - Communication of - Acceptance	Carlil (supra) Lalman Shukla v. Gauri Dutt Household Fire Insurance Co.v Grant Bhgwan Das v. M/s Giridharilal
10	Acceptance (Cont.)	
11	Acceptance must be Unconditional and absolute	Jawarlal Burman v. UOI M/S Suraj Basen v. FCI
12	Proposal and acceptance in Three forms – Types of Agreement – Unilateral and Bilateral Implied – Written - Oral	R. v. Clarke Powell v. Lee
13	-----do-----	
14	Capacity – Age – Soundness of mind – Purdanashin woman	Mohribibi v. Dharmadoss Ghosh Smith & Thomas, A Case book on Contract, p.635.



15	----do---	
16	Consideration – Why Consideration ? – Illustrations	Section 2 (d), Indian Contract Act, 1872 Avtar Singh, Law of Contracts, Pp. 80-125 Dutt on Contract, Pp 51-80 Anson’s Law of Contract, Pp.88- 107
17	No Consideration, No Contract - Exceptions	Absullakhan v. Purshotam
18	Adequacy of Consideration -Consideration to be real - - Forbearance as Consideration	Bainbridge v. Firmstone Chappel & Co. v. Nestle Co. Whire v. Bullet
19	Past consideration – Promissory Estopples	UOI v. M/s. chaman Lal Ramdas v. Kishan Dev D7C Builders v. Rees.
20	Privity of Contract – Consideration and Privity – Contract and Tort	Anson’s Law of Contract Pp. 407- 446 Tweddle v. Atkinson Dunlop Pneumatic v. Selfridge Nawab Khawaja Md. V.N. Husaini Begum Kdernath Bhattacharjee v. Gorie Md.
21	---do---	
22	Viruses of Contract – Free Consent – Undue influence Coercion – Fraud – Misrepresentation – Mistake	Chikkam Ammiraju c. Chikkama. S Shubash Chnadra v. Ganga Prasad Raghunath Prasad sahu v. Sarju Derry v. Peak Davis v. London Prudence Mithoolal v. LIC Ingram & Others v. Little Lewis v. Averay
23	----do----	
24	----do----	
25	----do----	
26	----do----	
27	----do----	
28	----do----	Anson’s Law of Contract, Pp. 270
29	Free Consent – Undue Influence Coercion – Fraud -Misrepresentation - Mistake	Anson’s law of Contract,Pp. 270 – 327 Dutt on Contract, Pp. 164-229 Avtar Singh, Law of Contract Pp. 148-216 Chikkam Ammiraju v. Chikkama. S

		Shubash Chandra v. Ganga Prasad Raghunath Prasad Sahy v. sarju Derry v. Peak Davis v. London Prudence Mithoolal v. LIC Ingram & Others v. Little Lewis v. Averay
30	-----do-----	-----do-----
31	Viruses Continued	-----do-----
32	Viruses Continued	-----do-----
33	Viruses Continued	-----do-----
34	Legality of Agreement – Forbidden by law	Avtar Singh, Law of Contract, Pp. 217-288 Dutt on Contract, p.229. Kateshwar Mittal Kamth v. K Rangappa Baliga & Co. AIR 1959 SC 781 Kishan Lal v. Bhanwerlal AIR 1959  Raj . 81
35	Defeating any provision of Law	Nemi Nath Appayya v. Jamboorao AIR 1966 Mysore 154
36	Legality of Agreement Cont. ----Immoral	D Magarathnamba v. Kunuku Ramaya AIR 1968 SC 253
37	<b>Void Agreements</b> Unlawful considerations – Agreement without consideration	Dutt on Contract, Pp. 275-326 Avtar Singh, Law of Contract, Pp.242-275 Central Inland Water Transport Corp. v. B.N. Ganguly AIR 1986 SC 1571
38	Agreements in restraint of Marriage – in restraint of trade	Esso Petroluem Co. Ltd. V. Harper Garage
39	Agreements in restraint of Legal proceedings	
40	Wager	
41	<b>Contingent Contracts</b> – Definition – Enforcement On event happening – on an Event not happening	Dutt on Contract, Pp. 327- 337. Rojasara Ramjibhai v. Jani Narottan Das AIR 1986 SC 1912

42	When contingent contracts are void – impossible contingency	
43	Govt. Contracts Constitutional Framework – Personal Liability in Government Contracts	
44	Govt. Contracts – Nature of contractia; re;atopms- Diverse types of Government contracts	
45	Govt. Contracts (Cont.)	
47	Discharge by Performance – What is performance? Time and place of performance	
48	Who must perform? – Reciprocal promises -	
49	Doctrine of frustration	
50	Assignment	
51	Appropriation	
52	Discharge by Agreement	Anson’s Law of Contract, pp 490-503 Bombay Dyeing and Mfg.Co.v State of BomBAY air 1958 SC 328
53	.....do.....	
54	Discharge by Breach	Anson’s Law of Contract, pp. 535-551 Avtar Singh, Law of Contract, pp 364-436 Dutt on Contract, P.353 Vipinbhai R. Parekh v. GM, Western Railway, Bom.AIR 1984 Guj. 41
55	Discharge By Breach	
56	.....do.....	

57	Remedies for Breach of	Dutt on Contract, p.545-623

58	.....do.....	.....do.....
59	.....do.....	.....do.....
60	Holiday	
61	Remedies for Breach of Contracts	Victoria Laundry (Windsor) Lt. V. Newman Industries Ltd (1949) 1 All ER 997 (Green Book)
62	Remedies for Breach of Contracts	Jarvis v. Swans Tours Ltd (1953) 3 ALL ER 92 (Green Book)
63	Remedies under Specific Relief Act	
64	Cont....	
65	Cont....	
66	Cont....	
67	Cont....	
68	Quasi Contracts	Avtar Singh, law of Contract, Pp. 437-460 Govindram Gordhandas Sekaria Another v. State of Gondal by His Highness Maharaja of Gondal AIR (37) 1950 Privy Council 99 (Green Book)
69	----- do-----	
70	Trans border Contracts	
71	Trans border Contracts	
72	Why contract Law? Economic Analysis of Contract	
73	----- do-----	
74	Political Analysis of Contract	
75	Social Analysis of Contract	

### Project Work

Project topic of an individual student is generally finalized by mutual discussion between the teacher and the taught for the purpose of carrying research and self-learning and writing and presenting a paper. Research and writing paper is a very highly productive and accredited method of learning. Deadline for the submission of projects topics is as per the general instructions. However, the 1<sup>st</sup> batch and 2<sup>nd</sup> batch of students will be notified after the commencement of the semester. *I mark will be deducted as penalty for late submission from*

*the last date of submission for a period of seven days and thereafter projects will not be evaluated for evaluation.*

Following is the provisional list of project topics:

1. Formation of an Electronics Contract
2. Enforcement of Contract and Public Policy
3. 'Communication' in Contract law
4. Conditionalities of Contract
5. Prospective non –performance of contract
6. Interface of Contract law and Consumer Protection law
7. Liquidated damages in Contract law
8. Estoppels & Contract law
9. Evolution of Quasi-contracts and Indian Instances
10. Consensus ad idem and Standard from contracts
11. Public law remedy in Government Contracts
12. Assignment & Delegation in Contract law – A Comparative Study
13. Equitable remedy under Indian Contract Act
14. Doctrine of Frustration – A Comparative Study
15. Rule of Hadley v. Baxendale under Indian Contract Act
16. *Restitutio in integrum*
17. Role of Contract in a Socialist State
18. Position of a minor in contract law
19. Contracts by Correspondence
20. Economic analysis of contract law
21. Lease financing transactions and the Indian Contract Act
22. The doctrine of contract sovereign in Indian law
23. Privities of Contract and Tort of negligence
24. Adequacy of consideration
25. Reality of consideration
26. *Ignoratio juris non excusit* under Indian Contract Act
27. *Force Majuro* clause as a contractual term
28. Doctrine of Unjust enrichment
29. Normative basis of contract law
30. Doctrine of Accord and Satisfaction
31. Government Contract under GATT
32. Case Study on Article 299 of the Indian Constitution
33. Sections 65 & 70 of Indian Contract vis-à-vis Government Contracts
34. Forces of standardization
35. Economic melt down in Contractual obligation
36. Models of Templates in Agreements
37. Cost benefit analysis of contractual relation
38. Financial Fraud
39. Condition Precedent and Condition Subsequent
40. Termination as a condition of Agreement

The above are some of the instances for topics of research and self-learning.

## **LAW OF CONTRACT – II**

**Object of study:** Understanding of various types of specific contract and earning the skill of drafting of such contracts.

**Special Skills needed to develop:** Skills that would be needed to develop in this course are (a) ability for critical analysis and contractual conditionality, (b) drafting of special agreements of the character and (c) understanding negotiating technique.

**Learning methods:** Case studies with anatomical precision, presentation of papers on group exercise, specialists' lecture, drafting and documentation

**Course Outline:**

**Module 1(6): Creation of Security interest on movables:** Bailment, Pledge, Hypothecation, Lease in lease finance, General and Particular Lien, Assignment – conditionalities, character of the Agreement, Interpretations, other component of drafting, rights and obligations of the parties

**Module 2 (6): Indemnity & Guarantee:** definitions, distinctions, nature of the agreement, Bank guarantee – national and international importance, conditionalities, Contract of attrition, Indemnity and Insurance Contract – liability of Surety and Surties, rights and obligations of the parties

**Module 3(6): Law of Agency:** General principles, Merchantile Agency System, Rights and obligations of the Agent and the Principal, undisclosed principal, conditionalities, Agency Contract – features and conditionalities, application of principle of ultra vires

**Module 4 (8): Public and Government Contract:** Infra-structure Contract – Types and stages, procedures, special contractual features, Constitutional and statutory framework, Liability of the Government, Public Private Partnership – Electricity Production and Distribution Agreements

**Module 5(8): Cyber Contract:** General principles applicable on cyber contract, various typical issues in cyber contract – jurisdiction, taxation, and application of law – evidential principles – certification process – offences in cyber relation, authorities – role of various linking process in Cyber contract – UNCITRAL Model Law in comparison with Indian Law

**Module 6(8): Sale of Goods:** Various types of sale, Agreement to Sale, Instalment Sale and Hire Purchase Agreements – Various conditions of these transactions, Forms of Agreements – Warranties and Conditions, Condition Precedent and Condition Subsequent, Documentation of Sale and the associated Laws – Termination and Force Majure, Performances – Payments, Unpaid seller's rights, Lien and stoppage in transit

**Module 7 (8): Carriage and Transport Contract:** Law of Carriage – inland and foreign, multi-modal transport contract, Nature of Transport contract, documentation in transport agreement, Railway, roadways, airways and coastal / waterways transport contract and conditionalities, International Carriage contract, Bill of lading & Charter Party, Rights and obligations of the Carriers/Transport

**Module 8 (6): Merchantile Contract:** Warehouse Agreement, Bonded Warehouse – character, rights and obligations, Wholesale and Retail Trade Agreements ,Maintenance Agreement, Facilities Agreements – Supply chain agreement, Outsource Agreement, sole selling and sole buying Agency agreements

**Module 9 (6): Partnership Agreement:** Definitions and Interpretations, characteristics, Limited Liability Partnerships, Rights and Obligations of partners, Implied authorities, types of partners and interrelation, relation with third parties, minority admitted to the benefit of partnership, retirement, dissolution and settlement of accounts

**Module 10 (6): Negotiable Instruments:** Definition, Nature and Types, characteristics, rights and obligation of parties, rules of honour and dishonour on presentment, endorsement, basic fundamental principles of binding obligations, accommodation, notices, criminal liability on non-payment of cheque for want of fraud

### Reference Books

1. Chitty, *Contracts*, Vol. 11, 29<sup>th</sup> Ed., Sweet & Maxwell, 2004.
2. V.K. Rao, *Contract II - Cases and Materials*, Butterworths, 2004.
3. M. Krishnan Nair, *Law of Contracts*, 1998.
4. Dutt on Contract, H.K. Saharay, Universal, 2000.
5. Mulla, *Indian Contract Act and Specific Relief Acts*, Lexis Nexis 13<sup>th</sup> Ed. 2006.
6. Avtar Singh, *Law of Partnership*
7. Piyush Joshi, *Law relating to Infrastructure Projects*, Butterworths
8. Agarwal, *Government Contracts, Law and Procedures*, Eastern Book Corporation
9. Fried, *The Law of Agency*, Butterworth
10. Iyer *Sale of Goods and Partnership Acts*, Asia Law House
11. Reynolds & Davenport, *Bowstead on Agency*, Sweet & Maxwell
12. Mulla, *Negotiable Instrument Act*, Tripathy

### Case Law (by way of illustration)

1. **Amritlal Goverdhan Lal v. State Bank of Travancore AIR 1968 SC 1432**
2. **Morvi Mercantile Bank v. Union of India AIR 1965 SC 1954**
3. **Vasireddi Seetha ramaiah v. Srirama Motor Finance Corporation 1977 AP 164**
4. **Wheels India Ltd., Mount Road v Khem Chand Raj Kumar 1970 MLJ 648**



5. **Maganbhai v Union of India AIR 1969 SC 785****Madhav Rao v. Union of India AIR 1971 SC 530**
6. **Delhi Science Forum & Others v. Union of India JT 1996 (2) SC 295**
7. **Canara Bank v Canara Sales Corporation & Others AIR 1987 SC 1603**
8. **Indian Airlines Corporation v Madhuri Choudhury AIR 1965 Cal 252**
9. **Gatewhite Ltd & Another v. Iberia Lineas de Espana SA (1989) 1 All E.R. 944**

**CONSTITUTIONAL LAW**

**CL PAPER I**

**Object:** To understand the political, social and economic value structure of the Constitution of India and the protection of human rights of individuals and balancing with the positive responsibility of the state to establish a economy of growth, social justice and political aspiration of all sections of the Indian Society through constitutional governance.

**Methods of teaching-learning:** Dialectic system of learning would provide better appreciation of the constitutional governance in India through class room debate and moot court exercise after the basic issues are identified by lecture and discussion. Research of issue based conflict of interest through court cases may be an added advantage.

**Evaluation methods:** Level of Informations may be measured through short and multiple choice questions on continuous basis, application of constitutional principles may be tested through application test and research may be the basis of issue based appreciation of analysis and value based decisions.

### **Structure of the course design**

**Module 1: Introduction:** Concepts of Constitution, Constitutional Law and Constitutionalism, Is constitutional law a positive law or a positive morality – history of constitutional law – Forms and character of various models of constitution – written and unwritten – secondary rules of governance vis-à-vis Constitution – unitary vis-à-vis federal – rigid vis-à-vis flexible – Parliamentary vis-à-vis Presidential

**Module 2: History of Constitution of India:** Formation of Constituent Assembly, drafting of the Constitution of India and various interaction of forces, adoption of the Constitution of India and promulgation – 1946 through 1950.

**Module 3: Preamble:** Basic structure of the Constitution of India – is that in Preamble – various political framework of the Constitution of India – various interpretation of Sovereign democratic – republic – can preamble be amended – 42<sup>nd</sup> amendment, would it fall in basic structure – secular, various meaning and the constitutional interpretation in India – socialist, various forms and Indian interpretation

Functional concepts like Justice, social, economic and political – issues arising, Liberty, Equality of status and opportunity and Fraternity balancing dignity of the individual with the security of the country

[ *Keshavananda Bharati v. State of Kerala*, AIR 1973 SC 1461; *Excel Wear v. Union of India* AIR 1979 SC 25; *Bhim Singhji v. Union of India*, AIR 1981 SC 234; *State of Kerala v. N.M.Thomas* AIR 1976 SC 490 *Waman Rao v. Union of India* AIR 1981 SC 271; *Minerva Mills Ltd. V. Union of India* AIR 1980 SC 1789, *Dharwad Employees v. State of Karnataka*, AIR 1990 SC 883

**Module 4: Citizenship:** Citizenship at the commencement of the constitution – rights under migration due to partition – voluntary acquisition of citizenship – two basic character of citizenship rule, *jus soli*, and *jus sanguini* – acquisition and termination of citizenship.

[ *State of Maharashtra v. Prabhakar*, AIR 1966 SC 424; *Sunil Batra v. Delhi Administration*, AIR 1978 SC 1675; *Prithi Pal v. Union of India*, AIR 1982 SC 1413; *Government of Andhra Pradesh v. Syed Md. AIR 1962 SC 1778* *Anwar v. State of Jammu and Kashmir*, AIR 1971 SC 337 *State of Uttar Pradesh v. Rehimatullah* AIR 1971 SC 1382]

**Module 5: Fundamental Right:** Concept of fundamental rights against the state, concept of State, Fundamental Right vis-à-vis Human Rights, interpretation of ‘Laws inconsistent’

[ *Lena Khan v. Union of India*, AIR 1987 SC 1515, *Bank of India v. O.P.Swarankar*, AIR 2003 SC 858; *Golak Nath v. State of Punjab*, AIR 1967SC 1643, *Ramana v. International Airport Authority* AIR 1979 SC 1628, *Som Prakash v. Union of India*, AIR 1981 SC 212]

**Module 6: Right to Equality (Article 14 ):** General principles of the negative nature of the right – equality before the law – equal protection of law - arbitrary action and discretion- Executive action

[ *State of West Bengal v. Anwar Ali* AIR 1951 SC 75, *Meenakshi Mills v. Viswanath* AIR 1955 SC13, *Shri Sita Ram Sugar CoLtd v. Union of India*,AIR 1990SC 1277 *Naga People’s Movements of Human Rights v. Union of India* AIR 1998 SC 431, *BALCO Employees’Union v. Union of India* AIR 2002 SC 350 *John Vallamattom v. Union of India* AIR 2003 SC 2003, *St Stephen’s College v. University of Delhi* AIR 1992SC1630, *Indian Express Newspapers v. Union of India*, AIR 1986 SC 515]

**Module 7: Reservation (Article 15 & 16):** General principle of reservation vis-à-vis affirmative action in US – Pull and push process of reservation – reservation vis-à-vis principle of equality and state special responsibility create of substantial basis of negative application of principle of equality – general principle of non-discrimination - special provision for women and children – state special responsibility for advancement of socially and educationally backward community or scheduled caste and scheduled tribes

[*State of Uttar Pradesh v. Balaram*, AIR 1972 SC 1375, *Ajay Kumar v. State of Bihar* (1994) 4 SCC 401, *state of Sikkim v. Surendra Prasad Sharma* AIR 1994 SC 2342, *Mohan Bir Singh Chawla v. Punjab University* AIR 1997 SC 788, *Prabhakar v. State of Andhra Pradesh* AIR 1986 SC 210, *Shiv Charan v. State of Mysore* AIR 1965 SC 280, *Balaji v. State of Mysore* AIR 1963 SC 649, }

**Module 8: Protection of civil rights:** freedom of speech and expression – assembly without arms, to form association and unions, freedom of movement, reside at any part of the country and freedom of practice any profession or to carry any occupation, trade or business – reasonable restriction – reasonableness in restriction on bandh, aid patients, slaughter of bulls, business with government – criteria of validity of restriction –

[ *Communist Party of India (M) v. Bharat kumar* AIR 1998 SC 184, *Sagir Ahmed v. State of Utter Pradesh* AIR 1954 Sc 728, *Ram Jaways v. State of Punjab* SIR 1955 SC 549 *T.M.A. Pai Foundation v. State of Karnataka* AIR 2003 SC 355, *State of MP, v. Nand Lal* AIR 1987 SC

*251 Express Newspapers v. Union of India AIR 1986 SC 872 Dinesh Trivedi v. Union of India (1997) 4SCC 306, Khare v. State of Delhi AIR 1950 SC 211, State of Maharashtra v. Rajendra J.Gandhi AIR 1997 SC 3986}*

**Module 9: Protection to offenders:** (a) not to be punished except for violation of a law in force, - no retrospective application, (b) penalty not greater than as prescribed by law on the date of causation (c) no double jeopardy (d) not to be self incriminated , (e) protection against arrest and detention (Article 22)

[ *State of Rajasthan v. Hat Singh AIR 2003 SC 791 Mr. X v. Hospital Z AIR 1999 SC 495 R.K.Dalmia v. Delhi Administration AIR 1962 SC 1821, Gopalan v. State of Madras, AIR 1950 SC 27, ]*

**Module 10: Protection of Life and liberty:** Procedure established by law and due process – distinguished, Fair procedure, handcuffing, right to housing, right to property, legal aid, natural justice, duty to bring to trial, right to health, right to food, right to environment, preventive detention, right against torture, right to die

[ *Francis Coralie Mullin v. Administration of Delhi AIR 1981 SC 746, M.C.Mehta v. Union of India AIR 1987 SC 1086, Bandhua Mukti Morcha v. Union of India AIR 1984 SC 802, Indian Council for Enviro-legal Action v. Union of India AIR 1996 SC 1446, Vellore Citizens Welfare Forum v. Union of India AIR 1996 SC 2715 State of Punjab v. Mahinder Singh Chawla AIR 1997 SC 1225, Paschim Bangal Khet Mazdoor Society v. State of West Bengal, AIR 1996 SC 2426 Air India Statutory Corporation v. United Labour Union AIR 1997 SC 645, Maneka Gandhi v. Union Of India AIR 1978 SC 597, Olga Tellis v. Bombay Municipal Corporation, AIR 1986 SC 186, People's Union of Civil Liberty v. Union of India AIR 1997 SC 568, Sher Singh v. State of Punjab AIR 1983 SC 465, Hussainara v. Home Secretary, State of Bihar AIR 1979 SC 1819]*

**Module 11: Right to education:** Free education upto 14 years of age- Freedom of Education Act

[ *J.P.Unnikrishnan v. State of Andhra Pradesh AIR 1993 SC 2178*

**Module 12: Right against exploitation:** prohibition against child labour, bonded labour, traffic of human being, beggar,

[ *M.C.Mehta v. State of Tamil Nadu, AIR 1997 SC 699, Gaurav Jain v. Union of India AIR 1990 SC 1412, ]*

**Module 13: Right to Freedom of Religion, and minority interest:** Secularism in Indian constitution- restriction that can be imposed- freedom to manage religious affairs – profess, practice and propagate – controversy on conversion – protection of minority culture and educational right – minorities right to establish and administer educational Institution- regulatory requirements – need for standard setting and enforcement

[ *Acharya Jagadiswarananda v. Commissioner of Police, Calcutta AIR 1984 SC 51*, *Divyadarshan v. State of Andhra Pradesh AIR 1970 SC 181*, *Dalbir v. State of Punjab AIR 1962 SC 1106*, *Frank Antony Association v. Union of India AIR 1987 SC 311*, *Arya Samaj Education Trust v Director of Education AIR 1976 Del 207*, *Bihar State Madrasa Board v. Madarsa Hanafia AIR 1990 SC 695*, *St Stephen's College v. University of Delhi AIR 1992 SC 1630*

**Module 14: Right of Constitutional remedies:** Nature and need for distinctive constitutional remedies distinguished from legal remedies – types of remedies – habeas corpus, mandamus, prohibition, quo warranto, and certiorari – nature and procedure of these writs – right to move to the Supreme Court is a fundamental right in itself – basic features – laches or unreasonable delay in instituting writ petition – limits of writ jurisdiction – natural justice – public interest litigation –

[ *Haji Esmail v. Competent Officer, AIR 1967 SC 1244*, *FCI Workers v. Food Corporation of India AIR 1990 SC 2178*, *Ratlam Municipality v. Vardichan, AIR 1980 SC 1622*, *M.C.Mehta v. Union of India AIR 1987 SC 1086*, and *AIR 1999 SC 2583*, *Pramod v. Medical Council, (1991) 2 SCC 179*,]

**Module 15 : Directive Principles of state policy:** Non-binding character of the policies – social and welfare perspectives – positive aspects of DPSP – certain principles such as adequate livelihood, use of material resources to subserve the common good, economic system not to produce common detriment, equal pay for equal work, health and strength of workers not to be abused, opportunities to be given to children to develop, equal justice and free legal aid, - Cohesion of fundamental right and directive principles –

**Module 16: Debate on Uniform Civil Code:**

[ *Ahmedabad Women Action Group v. Union of India AIR 1997 SC 3614*

**Module 17: Promotion of International Peace and security:** Dualism as practiced in India- National Court to harmoniously interpret – Power to implement treaties to the Union -

[*Civil Right Committee v. Union of India AIR 1983 Kant 85*, *In Re. Berubari AIR 1960 SC 845* *Vishakha v. State of Rajasthan, AIR 1997 SC 3011*]

**Module 18: Local self government as a directive principle :** Constitutional amendments and the present constitutional position of three tier governance

**Module 19 : Other Principles:** Fundamental principle is of social welfare, like, humane condition of work and maternity relief – workers participation in management - living wages, childhood care, promotion of economic and educational interest of scheduled caste and scheduled tribes

## **Module 20: Fundamental duties of the citizens**

### **Reference Books**

P.M.Bakshi, Constitution of India, Universal  
M.P.Jain Indian Constitutional Law, Wadhwa  
Granville Austin The Constitution of India, Oxford  
Basu Constitutional Law of India, Prentice Hall of India  
Kashyap Perspectives of the Constitution Shypra  
J.N.Pandey, Constitution of India Central Law Agency,  
Seervi Constitutional Law of India N.M.Tripathy

## **CONSTITUTIONAL LAW-II**

NB: It may be noted that Subjects like Constitutional Law can be studied plainly based on the provisions in terms of interpretations of the Court. It may be also

studies based on a different objective. The detail planning here is provided with **alternative objectives**, **first on Provisions and interpreted by the Judiciary** and **secondly** on the basis of treating the provisions critically to analyze the provisions on certain plain well **accepted criteria of Good Governance**.

**Module: 1: Nature of Federalism in India (18):** Essential character of Indian Federalism, Indian Federalism distinguished from US Federalism, Is Federalism a basic structure – Is center-State relation within the Constitutional framework is the basic structure, Framework of Centre – State Relation within the contour of Articles 245 & 246 – Separation of power and Doctrine of Pith and Substance, power of delegation, Center – State Council [*Keshavananda Bharati v State of Kerala, AIR 1973 SC 1461; Indira Gandhi Nehru v. Raj Narain AIR 1975 SC 2299; State of Bihar v. Bal Mukund Sah AIR 2000 SC 1296; Valsamma Paul v. Cochin University*]

**Module 2: The President of India and the character of the Republic (6):** Presidential vis-à-vis Parliamentary form of governance – manner in which executive power is to be vested and exercised, Election of President and Vice President, term of office, qualification and eligibility, Impeachment, Oath of office, Power of the President to be exercised, power to grant pardon, Conduct of Business of the Government of India, Office of Vice President – election procedure, power and functions  
[*Rao v. Indira AIR 1971 SC 1002; Ram Jawaya v. State of Punjab, AIR 1955 SC 549; State of Punjab v. Joginder Singh AIR 1990 SC 1396; Keher Singh v. Union of India AIR 1989 SC 653, Garg v Union of India AIR 1981 SC 2138, T.Venkata Reddy v State of Andhra Pradesh AIR 1985 SC 551*]

**Module 3: Union Cabinet (4):** Constitutional provision on formation of Council of Ministers – advisory function, Collective responsibility – Confidentiality of Cabinet Decisions – Other provisions – Duties of PM  
[ *Samsher v. State of Punjab AIR 1974 SC 2192; S.P.Gupta v. Union of India AIR 1982 SC 149; K.M.Sharma v. Devi Lal AIR 1990 SC 528; State of Karnataka v. Union of India AIR 1978 SC 68*]

**Module 4: The Parliament(4):** Bicameral Character and constitution, Composition of the House of States and House of the People, Duration, Qualification and disqualification of members, Office of Profit, sessions, Right of President to address, Special address, Officers of the Parliament and their duties, vacation including removal of , Conduct of Business, principle debarring holders of Power, Privileges and Immunities of Parliament and its Members office of profit, Salaries and allowances of members, Special procedure on Money Bill and Financial matters  
[*Rao v Indira, AIR 1971 SC 1002, Indira v Rajnarayan AIR 1975 SC 2299 Pashupati v Nem AIR 1984 SC 399, Dilip v State of MP AIR 1976 SC 133, Bhagwati v. Rajeev AIR 1986 SC 1534, Union v. Gopal AIR 1978 SC 694, Kiran v Sanjiva, AIR 1970 SC 1573,*]

**Module 5: Union Judiciary(3):** Nature of Indian Judicial System with its distinctive feature, Supreme Court of India, its various powers, Judicial Appointment,, Special Leave appeals, Officers of SCI

[ *In Re Presidential Reference*, AIR 1999 SC 1, *S.P.Gupta v Union* AIR 1982 AIR SC 149, *Pedda Narayana v UP* AIR 1975 SC 1252, *Rajan v State of Bihar* AIR 1991 SC 1377, *Mahesh v State of Delhi* AIR 1991 SC 1108, *Balakrishna v Matha* (1991)2 SCC 203, *J.Ranga Swamy v AP* AIR 1990 SC 535

**Module 6 : State Executive(3):** Governor of a state, Qualification, Appointment, term, Executive & legislative power and function; Council of Ministers

*State of Punjab v Joginder* AIR 1990 SC 1396, *Satpal v State of Hariyana* AIR 2000 SC 1702, *Bharat Coal v State of Bihar* (1990) 4 SCC 557, *Pratap Singh Rane v Government of Goa* AIR 1999 Bom 53 *Rai Sahib Ram Jawaya Kapurv State of Punjab* (1955) 2 SCR 225, *A Sanjeeva naidu v State of Madras* AIR 1979SC 1102

**Module 7: State Legislature(2):** Constitution under Unicameral and Bicameral Legislative system, qualification of members, sessions, Officers of Legislature, power and function, Conduct of business, disqualification, Special Procedure on Money Bill & Financial matters,

[ *Sushil Kumar v Rakesh Kumar* AIR 2004 SC 230, *S>R>Bomma v Union* AIR 1994 SC 1918, *Election Commission v Subramaniam Swamy* AIR 1996 SC 810 *Purushotham v State of Kerala*, AIR 1962 SC 694, *Bharat Seva Asharam v State of Gujarat* AIR 1987 SC 494, *State of Bihar v Kameswar Singh* AIR 1952 SC 252

**Module 8: High Courts & Subordinate Courts (2):** Judicial system in the States, Appointment and conditions of office, Various Powers, Establishment of Common High Court, Constitution of Bench, Transfer of a judge,

[*Ashish Handa v Chief Justice, P & H High Court*, AIR 1996 SC 1308, *K Asoka Reddy v Government of India* AIR 1994 SC 1207, *Sodhi v Union of India* (1991) 2 SCC 382, *A.K.Roy v Union of India* AIR 1982 SC 710, *Kanu Sanyal v District Magistrate* AIR 1973 SC 2684, *S.P.Gupta v Union of India* AIR 1982 Sc 149, *Fertilizer Corporation v Union of India* AIR 1981 SC 344]

**Module 9: Macro Economic Management under the Constitution of India(10):** Fiscal responsibility, Taxation planning and management, financial accountability, state actor in business, trade and industry, State as a party in a Contract, revenue distribution, Borrowing (Article 263 – 300)

[*CIT v.Shelly Products* AIR 2003 SC 2532; *New India Industries v Union* AIR 1990 Bom 239, *Secretary, Govt. of Madras v Sriramulu* AIR 1996 SC676, *Goodyear India v.State of Haryana*, AIR 1990 SC781, *Union v. State of Punjab* AIR 1990 P&H 183, *Associated Cement v C.S.T.* AIR 1991 SC 1122]

**Model 10: Emergency power (4):** Proclamation, effect, grounds, failure of constitutional breakdown



*[State of Rajasthan v Union AIR 1977 SC 1361, A.N.Ray v Union of India AIR 1982 SC 710, S.R.Bomma V Union of India AIR 1994 SC 1918 ]*

**Module 11: Amendment (2):** Comparison constitutional position from US, France and Indian position, When can some provision not amendable – basic structure philosophy and the strength and weakness of the argument.

*[Indira Gandhi v Raj Narayan AIR 1975 SC 2299, Keshavananda Bharati v State of Kerala, AIR 1973 SC 1461, Sampath Kumar v Union AIR 1987 SC 386, Waman Rao v Union AIR 1981 SC 271, Bhim Singh v Union AIR 1981 SC 234]*

**Model 12: Local Self Government(4):** Structures and bodies, power and functions, composition,

*[B. Krishnaiah v State Election Commission, A.P. AIR 1996 SC 1595]*

**Model 13: Constitutional Institutions (6):** Election Commission, Finance Commission, Comptroller and Auditor General, Attorney General of India, Public Service Commission, National Commission for SC and ST, Inter-state River Dispute Resolution Tribunals, Central and State Service Tribunals,

*[ K.Vasudavan Nair v. Union AIR 1990 SC 2295, T.N.Cauvery Sangam v. Union AIR 1990 SC 1316, Comptroller & Auditor General of India v. Mohan AIR 1991 SC 2788, Om Prakash v. State of UP AIR 1991 SC 425, Ram E.Sharma v. State of Bihar AIR 1990 SC 1368, Jai Sankar Prasad v. State of Bihar AIR 1993 SC 1906, Sampath Kumar v Union AIR 1987 SC 386, KMI v Pandurang AIR 1993 SC 392, Dhanoa v. Union AIR 1991 SC 1745]*

### **Alternate Design**

**Objective:** To critically evaluate the Constitutional provisions based on principles of Good Governance with a parameter of (a) strength of democracy in people’s participation, (b) republicanism in Parliamentary vis-à-vis Presidential form of governance, (c) Division of power and check & balance, (d) strength of autonomy in Constitutional Institutions, (e) transparency and (f) efficiency vis- a- vis corruptibility in governance through the process of politicization of administration.

**Warning:** This pattern of arrangement of critical study requires higher competence of all inputs including plurality in the faculty. Therefore the input requirement is of high order. In a Law School such type of study is difficult unless there is post-graduate study and research potential. Plain reading of fundamentals of the subject is always better and simple. Evaluation system also is very critical. In this model the evaluation and testing is through repeated case presentation and paper writing and presentation. This is not possible in any conventional Law School.

### **Course planning**

The entire course can then be divided into Three Parts and following Modules:

## **Part A: Forms of Governance**

### **Module 1:**

Strength of Democracy: Quality of Human Right especially in right to food, shelter, education and housing to be revised through four case laws over 4 sessions. System of exercising the right to vote in electing representatives in different stages of governance; Neutralization of election management machinery, Management of Election Commission, how can the system constitutionally deal with election matters, multi-party, bipartite and party-less democracy, direct and indirect democratic process (10).

[The strength is to be evaluated through various issues raised through court cases. Strength can also be evaluated empirically]

### **Module 2:**

Forms of Government: Presidential vis-à-vis Parliamentary form, Three stages of government and power sharing with a critical review – strength and weaknesses of government at each stages to account for proportional power allocated for appropriated function (6)

[The issues raised for centralization and decentralization of power. Does constitutional provision centralize or decentralize power? Can one locate the virus of centralization of power and is there any provision of auditing such power use? Does the constitutional provision create facility for non-transparent exercise of power? With issues raised in courts can these provisions be located?]

**Module 3:** Division of power: Between Center, State and Local bodies; Between Legislature, Executive and Judiciary; Principles that developed in division of power and check and balances; Sharing of powers; Judicial review (10)

[What issues were raised to be debated on these issues of division of power and how effectively the same is resolved to strengthen the fabric of governance]

### **Module 4:**

Transparency in Governance: Constitutional provisions for transparency and accountability – Standard of audit practice of government functions – accountability in determining the public policy and forms of parliamentary / legislative review – Considerations for formulating public policy, debates on standard transparency principles - role of civil society (5)

[Budget, Money Bill, Finance Bill, Comptroller & Auditor General's audit system and placement of the report in the Parliament and the responsibility of the Government – all these constitutional rules are required to be tested on the touch stone of transparency.]

**Module 5:**

Autonomy of the Constitutional Institution like Election Commission, Public Service Commission, SC/ST Commission, Comptroller and Auditor General and the judicial trends in interpretation of constitutional principles for ensuring autonomy (5).

[Cases on Constitutional institutions be reviewed]

**PART II: Quality of Power sharing in Indian Federalism**

**Module 6:**

Indian Federalism how different from US, Canada and UK federalism – essential character of federalism and basic issues – constituent assembly debate on determination of federal character – Considerations for determination of power distribution, special features of Indian Federalism (5).

**Module 7:** Center – state relation – executive power distribution, legislative power distribution, judicial consideration on evaluation of power share, financial resource allocation ; Inter – state relation; Dispute resolutions; various dispute resolution bodies and procedures (8)

**Module 8:**

Functional analysis of the Federation, executive, legislature and judiciary, Local self government – nature, character and strength (10)

**Module 9:**

Head of State and Head of Government- functional inter-relation at each levels of governance (2)

**PART III: Quality of management of the state on issues of public interest:  
Financial Management & Management of Constitutional arrangement**

**Module 10:**

Fiscal management and discipline at various level of governance – Monetary system management through monetized and non-monetized debt – government debt and debt management – accounting system – Parliamentary /Legislative control on the financial management functions of the executive (6)

**Module 11:**

International Agreements and Constitutional governance (2), amending power, issue of establishing another constituent assembly for replacement of the Constitution of India (3)

**Module 12:**

Power of the State for contract, conducting and regulating business trade and commerce, functioning as a welfare state (3)

**Module 13:**

Tribunalized Justice – review power (2)

**ADMINISTRATIVE LAW**

**Aims of study:** Administrative Law specifically addresses in delivering two fundamental aspects of good governance, viz., (a) rule based administration replacing discretion based arbitrary administration and (b) delivery of administrative justice, justice to be delivered at the

door step. Administrative justice is critical in a welfare state where litigative justice can not reach.

**Methodology of study:** Since there is no Code on Administrative Procedure, it is difficult to study on principle based administrative practice. It is therefore better to study through issue-based administrative decisions. If it can be understood through discussion by a group of administrators debating on a fact situation the students may develop a Best Practice Code on the basis of each issue. This type of study would require preparation of study materials to be specially designed for the purpose. There are good Text Books based on principles. So case method, lecture method may be easily organized.

**Evaluation System:** Problems from life situation may be asked to solved, Prepare a BPC on a specific type of administrative action and paper writing should be main course of continuous assessment schedule.

### **Course-design**

**Module I: Evolution and Scope of Administrative Law:** Nature, Scope and Development of Administrative Law, Rule of law and Administrative Law, Separation of powers and its relevance, Relationship between Constitutional law and Administrative Law, Administrative Law vis-à-vis privatization, Classification of functions of Administration

**Module 2: Legislative Functions of Administration:** Necessity and Constitutionality, Forms and requirements, Comparative position – U.K., USA & India, Control- i. Legislative ii. Judicial, Sub-delegation

**Module 3: Judicial Functions of Administration:** Need for devolution of adjudicatory authority on administration, Administrative Tribunals– Constitution, powers, procedures, rules of evidence, Principles of Natural Justice - Rule against bias, *Audi Alteram Partem*, Essentials of hearing process, Cross examination, Legal representation - right to counsel, Pre and post - decisional hearing, Reasoned decisions, Exceptions to Principle of Natural Justice, Effect of failure - Rules of evidence – no evidence, some evidence and substantial evidence, Institutional Decisions

**Module 4: Administrative Discretion and Judicial Control of Administrative Action:** Need for conferring discretion on administrative authorities and its relationship with rule of law, Rule of law and administrative discretion, Constitutional imperatives and exercise of discretion, Grounds of judicial review - i. Abuse of discretion, ii. Failure to exercise discretion, Doctrine of legitimate expectations, Doctrine of Proportionality, Public Accountability

**Module 5: Judicial Control of Administrative Action:** Introduction, Court as the final authority to determine the legality of administrative action, Exhaustion of Administrative remedies, Locus standi, Laches, Res judicata, Judicial review and its extent

**Module 5: Methods of judicial review:** Statutory appeals, Writs – Habeas Corpus, Mandamus, Certiorari, Prohibition and Quo warranto,, Declaratory judgements and injunctions, Civil Suits for Compensation

**Module 6: Personal Liability:**

**Module 7: Ombudsman:** Concept and need, Lokpal and Lokayukta

## References

M.P.Jain & S.N.Jain, Principles of Administrative Law

I.P.Massey, Administrative Law

Wade, Administrative Law

C.K.Takwani, Lectures on Administrative Law

S.P.Sathe, Administrative Law

## Case Law:

Ram Jawaya v. State of Punjab (AIR 1955 SC 549)

Asif Hameed v. State of J & K (AIR 1989 SC 1899)

A.N. Parasoraman v. State of Tamil Nadu AIR 1990 SC 40, (Administrative discretion)

State of Punjab v. V.K. Khanna, AIR 2001 SC 343 (Mala fide exercise of power)

State of Bombay v. K.P. Krishnan AIR 1960 SC 1322 (irrelevant considerations)

Shrilekha Vidyarthi v. State of U.P. (AIR 1991 SC 537) (Reasonableness)

Delhi Laws Act case, AIR 1951 SC 332

Lachmi Narain v. Union of India AIR 1976 SC 714 (Modification)

A.V. Educational Society v. Govt. of A.P. Educational Department (AIR 2002 A.P. 348)  
(Judicial Control of delegated Legislation)

M/s Atlar Cycle Industry Ltd. v. State of Haryana (Legislative Control)

Govind Lal Chagga Lal Patel v. The Agriculture Produce Market Committee (AIR 1976 SC 236) (Procedural Control)

Kiran Gupta v. State of U.P. (AIR 2000 SC 3299) (Delegated Legislation)

Indian National Congress (1) v. Institute of Social Welfare (AIR 2002 SC 2158)  
(Classification of Administrative Action)

A.K. Kraipak v. Union of India (AIR 1950 SC 150)

Hira Nath v. Rajendra Medical College (AIR 1973 SC 1260)

Maneka Gandhi v. Union of India (AIR 1978 SC 597)

S.N.Mukherjee v. Union of India (AIR 1990 SC1986)

Kumaon Mandal Vikas Nigam Ltd. v. Girja Shankar Pant (AIR 2001 SC 24) (Natural Justice, Test of Bias)

State of U.P. v. Johrimal (AIR 2004 SC 3800) (Judicial Review) Johri Mal

Sayed Yakoob v. Radha Krishan (AIR 1974 SC 477) (Writ Jurisdiction)

Shri Anadi Mukta Sadguru Trust v. V.R. Rudani (AIR 1989 SC 1607) (Mondemus)

R.K. Singh v. Union of India (AIR 2001 Delhi 12) (Mandemm)

Kanhaiya Lal Sethia v. Union of India (AIR 1998 SC 365) (Judicial review cannot be on policy matters)

## **Object of the Course**

Crime and Punishment has been the one of the most important task of rule of law of the State. This course is designed with a prime object to familiarize students with the principles of criminal liability and other concepts of substantive criminal law

## **Learning Objectives of the Course**

The learning -objectives of the course would be as follows:

- ❖ To examine the historical evolution of criminal law maxims, doctrines, and principles.
- ❖ To introduce you briefly the historical background to the codification of Indian law and its implication on the criminal justice administration.
- ❖ To analyze the sentencing policy of the penal law of the land.
- ❖ To know the elements of crimes against person, property, order, and state.
- ❖ To articulate the differences between Indian Law on one hand which is codified and non-codified British law?
- ❖ To comprehend key cases, legal terms, clauses, and chronologies in criminal law.
- ❖ To analyze both early and contemporary judicial thinking and legal reasoning.
- ❖ To articulate informed opinion over important, controversial issues in criminal law.
- ❖ To recognize which issues are critical to the decision in a case.
- ❖ To recognize important considerations dealing with the rights of criminal defendants.

## **Course Outline**

### **PART ONE**

**General Principles of Penal Law have been divided in the following 8 modules:-**

**Module I.** Historical Development of Penal Law in India

- (i) Early Hindu law
- (ii) Muslim Law

Historical background to Indian Penal Law: Why penal code? First law commission and the role of Lord Macaulay. Benthamite ideas and their influence. Napoleonic code and its influence. Advantages and disadvantages of codification. Characteristics of the Indian Penal code. Need for revision as seen by Macaulay. Interpretation of codified penal law.

**References:** Read *Criminal Law Forum* (Patric Fitzgerald, Codes and Codification: interpretation, Structure and Arrangement of Codes And Martin L.Friedland's Codification in the Common Wealth: Earlier Efforts); *Rankin: Background to Indian Law* (Chapter IX,



Codification or development, p.135); Cowell: Court and Legislative Authorities (lecture VIII, p.127); Stephen: History of English Law Vol. III (Last chapter on Indian Penal Code); W.H. Morley: Administration of Justice in British India; Setelvad: Common Law in India (Chapter III, Criminal Law, p. 124-176); J.D. Mayne: Indian Penal Code (Ed. II 1901,p.242-249); Dharkar: Lord Macaulay legislative minutes (p. 59, 66, 137,140,214,239); Tapas Kumar Banerjee: Background to Indian Criminal Law.

Crime – Nature and definition social & legal context –

Crime and sin  
Criminal law and morality  
Law & Ethics  
Crime and Offence

Why do we criminalize an act or omission? Beccarria and Bentham. Hart H.L.A and modern views. Outline of the Aims and Functions of the Criminal law.

**Read;** Text Book of Criminal Law: Glanville Williams (Universal Law Publishing Co.; p. 3-36). J W Cecil Turner: Kenny's Outlines of Criminal Law (Universal Law Publishing Co. Ltd.; p. 1-5).

## **Module II.** Essentials of offences

- A. Human being
- B. Guilty intention
- C. Prohibited act
- D. Harm/ Punishment

Stages of an offence

- A. Intention
- E. Preparation
- F. Attempt
- G. Commission of offence

**Read;** Text Book on Criminal Law: Michael J. Allen (chapter 2 & 3-p. 17- 80); Book of Criminal Law: Glanville Williams (Universal Law Publishing Co.; p. 70-84). Criminal Law: Smith and Hogan (Oxford University Press; p. 42-123). Mike Molan: Cases and Materials on Criminal Law (Routledge Cavendish; p. 54-132). General Principles of Criminal Law: Jerome Hall (The Bobbs-Merrin Comp. New York, p. 70-93).

## **Module III.** A. Principles of Penal Law

NILLA POENA SINE LEGE

## NLILLUM CRIMEN SINE LEGE

Retroactivity of criminal law, Narrow construction of criminal law, rule against judicial creation of offences and vagueness of criminal statutes.

**Read** Two rules of Legality in Criminal Law: Peter K. Weston (Journal of Law and Philosophy Vol. 26 May 2007 University of Michigan, p.229-305). General Principles of Criminal Law: Jerome Hall (The Bobbs-Merrin Comp. New York, p. 27-64).

### B. MENS REA AND Actus Reus

Meaning origin & development Means rea & Intention, Motive Knowledge, intention recklessness and Negligence

### C. Mens rea and Criminal liability

General Principles of liability

Principles of mela in se, mela prohibita

Joint liability

Vicarious liability

Strict liability

Absolute liability

Means rea and

(1) Socio-welfare offences

(2) Socio-Economic offences

**References:** Read Criminal Law Cases and Materials: K D Gaur (Butterworths; p. 207-229).

The Indian Penal Code: Ratanlal & Dhirajlal (Wadhwa & Company Nagpur; p. 32-56).

**We will discuss** *State of Maharastra vs Mayor Hans George AIR 1965 SC 722, Srinivasmal Barolia vs. Emperor AIR 1947 PC, Nathulal vs State of M.P. AIR 1966 SC 43, Commissioner of Income Tax, Patiala vs. Patram Das AIR 1982 P & H 1, DPP vs Colloins (2006) AER 602 (HL).*

*Barendra Kumar Ghosh v. Emperor, (1924) 52 IA 40, Cal. (PC), Mehboob Shah v. Emperor, (1945), 47 Com LR 941(PC), Mukund Murari Pal v. Emperor, Nitya sen v. State of West Bengal, 1978 Cr LJ 481, Vasudevan v. State of Kerala, (1994) 2 Cr LJ 1522, J.M. Desai v. State of Maharastra, AIR 1960 SC 889, Srikantia v. State of Bombay, K.C. Mathew v. State of Travancore, Allauddin v. State, Kabil Cazee v. State; Abdul Waheed Khan v. State of Andhra Pradesh (2002)7SCC 175; Idrish Bhai Daud Bhai v. State of Gujrat (2005)3 SCC 277; Vijayanti v. State of Maharastra (2005)13 SCC*

### Module IV. Inchoate offences

H. Abetment

I. Conspiracy

J. Attempt

**Read** Principles of Criminal Law: Andrew Ashworth (Clarendon Law Series, chapter 11, p. 442 -468); Text Book on Criminal Law: Michael J. Allen (chapter 8-p. 228- 271); Text Book of Criminal Law: Glanville Williams (Universal Law Publishing Co.; p. 402-445). Criminal Law: Smith and Hogan (Oxford University Press; p. 379-464). Criminal Law: Clarkson and Keating (Thomson: Sweet & Maxwell; p. 471-538).

**Module V.** A. Jurisdiction of Indian Penal Code  
(Sec 1 to Sec 5) Chapter I

**Read;** Text Book of Criminal Law: Glanville Williams (Universal Law Publishing Co.; p. 164-170). Indian Penal Code: R.A. Nelson's (Butterworth's; Volume I; p.1-70). The Indian Penal Code: Ratanlal & Dhirajlal (Wadhwa & Company Nagpur; p. 2-10).

B. General explanations of the Indian Penal Code Chapter II

**Module VI.** Crime and punishment/ Chapter-III  
Necessity and objectives of punishment  
Different theories of punishment  
Modern theory of punishment

**Read;** Text Book of Criminal Law: Glanville Williams (Universal Law Publishing Co.; p. 36-41). Criminal Law: Smith and Hogan (Oxford University Press; p. 3-9). Criminal Law: Clarkson and Keating (Thomson: Sweet & Maxwell; p. 26-70).

**Module VII.** General Exceptions to Crimes under Indian Penal code –  
General importance and purpose of basis these exception  
K. Absence of Mens rea  
L. For the ends of justice

A. Absence of Means rea

1. Mistake of fact, not mistake of law
2. Accident
3. To cause lesser harm, to save greater harm & compulsion
4. Infancy , doly incapex & doly capex principle
5. Act in good faith and for the benefit of victim
6. Acts done under compulsion

**Cases for reference & Study.** *R. v. Prince* (1875)LR 2 CCR 154; *R v. Tolson* (1889) 23 QBD 168, *Sherras v. De Rutzen* [1895] Q B 918, *R v. Williams* (1987)3 All ER 411, *Hobbs v. Winchester Corporation*, *Warner v. Metropolitan Police Commissinor*, *State of Maharastra v. M. H. George* AIR 1965 SC 722, *Nathumal v. State of M.P.*, *Jogeswar v. Emperor* , *R. v. Clark*

(1972)1 All ER 219, Bhupendra Singh A Chaudasma v. State of Gujrat AIR 1997 SC 3790, Southwark London Borougn Council v. Williams (11971)2 All ER 175, R. v. Duddley and Stephen (1884)14 QBD 273, Dhaniya Daji v. State, (1868) 5 BHC (Cr C) 59, Bishwambhar v. Roomal , Makhulshah (1886) 1 Weir 470, Mussamut Aimana, (1864)1 WR (Cr) 43, Ulla Mahapatra,(1950) Cut 293, Krishna Bhagwan v. State of Bihar AIR 1989 Pat. 217, M'Naughton's Case (1843)4 St. Tr. (NS) 847, Laxman Dagdu, Ashiruddin v. Emperor, 50 Cr.LJ 225 Cal., Niman Sha v. M. P., 1996 Cr LJ 3395 MP, Director of Public Prosecutions v. Beard (1920)AC 479, Basdev v. State of Pepsu, 1956 Cr LJ 919, AIR 1956 SC 488, R. v. Lipman, (1969) 3 All ER, R. v. Kingston, (1994) 3 All ER 353 HL, Baboolan Hijrah, (1866)5 WR, Poonai Fattemah,(1869)12 W.R., Williams, (1923) 1 KB 340, Munney Khan v. State, AIR 1971 SC 1491, Biran Singh, AIR 1975 SC 87,

#### B. For the ends of justice

1. Judicial acts
2. Acts done under consent
3. Trivial offences

#### **Module VIII. . Right of Private Defence**

- a. Right of private defence of body
- b. Right of private defence of property

**Cases for reference & Study:** Jaidev v. State of Punjab, AIR 1963 SC 612, Yogendra Morarji, AIR 1980 SC 660, Mathre v. State of Kerala, 1993 Cr LJ 213 Ker.; Rizwan v. State of Chhattisgarh (2003)2 SCC 661; Sucha Singh v. State of Punjab (2003)7 SCC 693

**References: Read Criminal Law: Clarkson and Keating** (Thomson: Sweet & Maxwell; p. 265 onwards). Criminal Law: Smith and Hogan (Oxford University Press; p. 321-378). J W Cecil Turner: Kenny's Outlines of Criminal Law (Universal Law Publishing Co. Ltd.; p. 57-98).

PART TWO  
SPECIFIC OFFENCES

**Module I. Offences affecting to Human body (Sec 299-377)**

(A) Offences against Human Life (ss 299 – 318 )

- I. Culpable Homicide (SS 299, 301 & 304)
- II. Murder ss300-303
- III. Causing death by negligence (ss 304A)
- IV. Abetment of suicide (ss 305-306)
- V. Attempt to commit the above three offences (ss 307 -309)
- VI. Being a Thug (ss 310-311)
- VII. Causing miscarriage, exposure by children (ss 307-309)

Referred Cases:

- R v Govinda IBL Bom 342
- R Punaiya v State
- Versa Singh v. Sate of Punjab AIR 1958 Sc 465  
(Injury Sufficient to cause death.)
- Chhote Singh Vs. State of Rajasthan (Injury Sufficient to cause death)
- KM Nanavati Vs. State of Maharastra, AIR 1962 SC 605
- Honsa Singh Vs. State of Punjab AIR 1977 SC 1801
- Jagnohan Singh vs State of U.P. AIR 1973 SC 947
- Bachan Singh vs Sate of Punjab AIR 1980 Sc 898
- Machhi Singh Vs State of Punjab AIR 1983 SC 957
- Nathu Ram Godse vs The Crorum AIR 1983 Easi Punjab 321
- Kehar Singh Vs. Delhi Administration AIR 1988 SC 1883
- Laxman Naik Vs State of Orissa AIR 1995 Sc 1387
- State CBI/SIT Vs Nalini and Others (1999) 105 Cr., LS 3124

**Exception 1.** Muther vs State of Tamil Nadu (2007) September 547

Act of Sodomoy on Som Exc 1 to 300

**Exception 2.** Lachmi Koeri Vs. State of Bihar, AIR 1960 Pat. 62

**Exception. 3** Dukhi Singh vs State AIR 1955 All 379

**Exception 4.** Amrithalinga Nadu Vs. State of Tamil Nadu AIR 1976 SC 1133

- Naveen Chandra Vs State of Uttarnchal AIR 2007 SC 363
- Pappu Vs. State of Madhya Pradesh AIR 2006 SC 2659 Ajit Pasv

**Exception 5.**

- Dasrath Paswan vs State of Bihar AIR 1958 Pat 190

**S-301**

- Ballan vs State of Uttar Pradesh AIR Rig 55 All 626

**S-303**

- Mithhu Vs State of Punjab AIR 1983 SC 473, US – Locktt Vohir 43845596 (1977) - 466. (Constitutionality of Death Sentence).

**S-304A**

Homicide by negligence 304A

- Juggan Khan v. State of M.P. AIR 1965 SC 831

Doctor negligently injected poisons liquid

- Jacob Mathew Vs State of Punjab (2005) 6 Sec1 – 454

(B) Offences against the Human body (319-377)

- I. Hurt (Simple and grievous) (Sec 329-338)
- II. Wrongful Restraint and wrongful confinement (ss 339 - 348)
- III. Criminal force & assault (ss 349-358)
- IV. Kidnapping, Abduction, Slavery & forced labours (ss 359-374)
- V. Unnatural offence (ss 377)

Homosexuality

LAW COMMISSION REPORT

**Referred Cases:**

- S. Vardarajan Vs State of Madras AIR 1965 SC 942
- Thakorilal D Vadgana Vs State of Gujurat AIR 1973 SC 2313
- R VA (1978) 3 ALLER 161 – 511

**S-364 A**

- Abdul Karim Vs. Sate of Karnataka AIR 2001 SC 116

**Module II. Offences against women (SS 304B, 354, 509, 375-376ABCD, 363-373)**

This chapter is divided into the following heads

(A) Crimes under Indian Penal Code, 1960

(I) Dowry death (S. 304B)

**Referred Cases:**

- Shanti Vs Sate of Haryana AIR 1991 SC 1226
- State (Delhi Administration) Vs Laxman Kenar
- Indian Federation of Women Lawer vs Shakumila
- Brij Lal Vs Prem Chand AIR 1986 SC 250
- State of Pujab Vs. Prem Chand AIR 1989 SC
- Sekhar Tiwari Vs. State of U.P. AIR 1989 SC 733

**S-306**

- Sanjay Vs State of Maharstra AIR 2007 SC 1368
- State of Punjab v Iqbal Singh AIR 1991 SC 1532

## S-309

- Muruti Sripati Dubal Vs State of Maharashtra 1987 LJ 743
- P Rathinan Vs Union of India AIR 1994 SC 1844
- Gian Kaur V.s State of Punjab AIR 1996 SC 946  
(Constitutionality of Euthanasia and Mercy killing to be discussed).

- (II) Cruelty against Women by Husband or relatives 498A
- (III) Outraging modesty of a woman (S. 354)

- Rupan Deo Bajaj v. Kanwar Pal Singh Gill (1995) 6 Sec 194, AIR 1996 Sc 309
- Ram Das v. State W.B. AIR 1954 SC 711

- (IV) Insulting the privacy of a woman (S. 509)
- (V) Rape (S. 375 – 376 ABCD Law commissions report 172)

### Referred Cases:

- Tukaram v. State of Maharashtra AIR 1979 SC 185 Mathere case
- Dillip Singh v. State of Bihar (2005) 1 SCC 88  
(Submission and Consent).
- Queen v. Flattery (1877) 2 ABD 410  
(Consent under Misconception no defense).
- Tulshidas Kandolkar v. State Goa (2003) 8 CC 590  
(Girl of undeveloped mental faculties can not be said legally consented).
- State of Maharashtra v. Prakash AIR 1992 SC 1275
- Sidheswar Ganguly v. State of West Bengal (Consent below 16)
- Bharwada Bhogimbhai Hirjibhai v. State of Gujarat AIR 1983 Sc 753  
(Corroboration not necessary as essential ingredient)
- Bodhisattava Gaulam v. Subhra Chakroborty AIR 1996 SC 922  
(Compensation during pendency of case)
- Delhi Domestic Working Women Forum v. Union of India AIR 1996 SC 922  
(Broad parameters for assaulting rape victim by SC)
- Priya Patel v. State of OGP AIR 2006 SC 2639
- Brother John Anthony v. State of Tamil Nadu (1992) CrLJ 1352  
(Temple Monk Guilty of Sodomy on 13 yr Boy)
- State of Karnataka v. Gauri Shankar Swammy T.O.I 3 February 2004  
(Homosexual legality).

### (B) Crime under special laws

- (I) Commission of Sati (Prevention) Act, 1987
- (II) Dowry prohibition act, 1961
- (III) The immoral Traffic (Prevention) Act, 1956
- (IV) The Indecent Representation of women (Prohibition) Act, 1986
- (V) The child marriage restrain (Amendment) Act, 1979

(VI) Prevention of women from domestic violence Act, 2005

### Module III. Offences against marriage (SS 493-498)

- (I) Mock Marriage (SS 493 & 496)
- (II) Bigamy (SS 493 & 496)

Obligation on the part of Prosecution and Defence (Burden of proof)  
Personal matrimonial law  
Effect of conversion to another Religion  
Abutment of bigamous marriage

#### S- 493

- Raghunath Pandey Vs State AIR 1957 on 198

#### S-494

- Urmila Vs State 1994 CrI 2910 (Sc.)
- Sarla Mudgal Vs Union of India 1995 CrIj 2926 (Sc) Conversion of Religion
- Lily Thomas v. Union of India, AIR 2000 SC

#### S-496

- K.C. Chakraborty Vs Emperor AIR 1937 Cal 214  
(Cheating establishing when the accused wrongly represented himself to be of higher cast or sub cast- Cal HC)

- (III) Adultery (Sec 497)

Obligation on Prosecution and defence  
Scope of the section  
English law on the point  
Constitution validity by the law of adultery  
Difference between adultery and Rape  
Malimath Committee Report  
Criminal Elopement (Sec 498)

### Module IV. A. Offences against reputation and Criminal Intimidation, Insult and Annoyance(SS 499 - 502, 503-509)

- Mukund Matand Chitnis v. Madhuni Mukund Chitnis AIR 1972 SC 1804
- Harvhan Singh v. State of Punjab AIR 1966 SC 97
- Sahib Singh v. State of Uttar Pradesh AIR 1965 SC 145

- I. Criminal Intimidation (SS 506-507)
- II. Insult (SS 504-509)
- III. Statements Conducive to public mischief (S 506)
- IV. Divine displeasure (S 508)



- V. Misconduct in public by drunken person (Sec 510)
- VI. Difference between criminal intimidation and extortion
- VII. Difference between insult and defamation
- VIII. Difference between assault and criminal intimidation

### Module V. Offences against property (SS 378-462)

These offences can be put-into the following three categories

#### A. Offences dealing with deprivation of property SS 378-424

- (I) Theft (S. 378) along with its aggravated forms (SS 380-382)
- (II) Extortion (SS 383-389)
- (III) Robbery (SS 390, 392-394 & 401)
- (IV) Dacoity (SS 391, 395-400) & 402)
- (V) Criminal Misappropriation of Property (SS 403-404)
- (VI) Criminal Breach of Trust (SS 405-409)
- (VII) Receiving stolen property (SS 410-411)
- (VIII) Cheating (SS 415 -420)
- (IX) Fraudulent deeds and Disposition of property (SS 421-424)

#### **Referred Cases:**

- Behari Lal Vs State 1985 CrLJ 1507 (Del)
- Putton Vs State AIR 1992 SC 1032
- P.B. Aind Vs State of Maharastra 1995 CrLJ 1694
- State Vs Gopalan 1997 CrLJ NOC 279 (Icer)
- Om Prakash Vs State AIR 1983 SC 431
- (Looted property not recovered)
- Phool Kumar Vs Delhi Administration 1975 Sec (Cr) 336

#### B. Offences Dealing with Damage to property (SS 425-440)

Mischief (Sec 425)

Aggravated forms of mischief (SS 427-440)

### Module VI. Offences relating to violation of rights to property and Document, Property & Currency

#### A. Violation of Rights to Property in order to commit other offences (SS 441-462)

- (I) Criminal Trespass (Section 441, 447)

- (II) House Trespass (Section 442, 448-452)
- (III) Lurking House Trespass ((Section 443-444, 453)
- (IV) House breaking (Section 445-462) including aggravated forms of housing braking
- B. Offences relating to Documents and Property Marks (section 463-489E)
  - (i) Forgery (section 463, 465)
  - (ii) Marking a False document (section 464)
  - (iii) Forged document (section 470)
  - (iv) Falsification of accounts (section 477 A)
  - (v) Other offences relating to documents (section 472-477)

## **Module VII. Offences affecting the public Health, Safety, Convenience, Decency and Morals (Sec 268-294A)**

This chapter can be divided in the following three parts –

- A. Offences affecting the public health (Section 268-278)
- B. Offences affecting Public Safety and convenience
- C. Offences affecting decency and Morals. (Section 292-294 A)

### **A. Offences affecting the Public Health (Section 268-278)**

- (i) Public Nuisance (S.268)
- (ii) Acts likely to spread infection (section 269-271)
- (iii) Pollution of food or drink (section 272-273)
- (iv) Adullualia of drugs (section 274-276)
- (v) Fouling water and relating atmosphere (section 277-278)

### **B. Offences affecting the public safety and Convenience (Section 277-278)**

- (i) Rash Driving or riding on a public way. (Section 279)
- (ii) Rash or negligent navigation. (Section 280)
- (iii) Exposing false light, mark or being mislead navigator
- (iv) Conveying any person for hire by water in an unsafe and overloaded waste Vessel (Section 282)
- (v) Causing danger or obstruction to any person in public way. (Section 283)
- (vi) Negligent conduct with respect to poisonous substance.(Section 284)
- (vii) Negligent conduct with respect to fire, combustible substances. (section 285-289)
- (viii) Continuance of Nuisance. (Section 291)

### **C. Public Decency and Morals (ss 292-294A)**

- A. Prevention of obscenely (ss 292-294)
- B. Keeping Lottery Office (S 294A)
- C. Cases related to spreading of infectious diseases

**Referred Cases:**

- R Vs Hicklin (1868) LR 37B 360 Cockburn CJ
- Ranjeet D. Udeshi Vs State AIR 1965 SC 88
- Chandrakant Kalyandas Kakodkar Vs State AIR 1970 Sc 1390
- Samarosh Base Vs. Amal Miha AIR 1986 SC 967
- Prajapati Magazine Case
- Promila Kapoor vs . Yas Pal Bhasin 1989 CrLJ 1241 Del.
- Ra j Kapoor Vs. Laxman AIR 1980 SC 605
- G.P. Lamba Vs. Tarun Mehra 1988 CrLJ 610 (P & T)
- Uttam Singh Vs. Delhi Administration AIR 1974 SC 1230  
(Play Card Case)

**Module VIII. Offences against State, Public Peace and Tranquillity & Religion (SS 121-130, SS 141-160, 295-298).**

The chapter can be divided into two parts –

**A. Offences against State**

This will cover the following headings –

- (i) Waging war (SS 121-123, 125-127)
- (ii) Assaulting high officer (S 124)
- (iii) Sedition (S 124 A)
- (iv) Suffering escape of, or harbouring a state prisoner or prisoner of war (SS 128-130)

**B. Offences against Public Peace and Tranquillity (SS 141-160)**

This chapter is divided into following five main heads.

- (i) Unlawful assembly (SS 141-145, 149-151, 157-158)
- (ii) Rioting (SS 146-148, 152-153)
- (iii) Promoting enmity between classes (S 153A)
- (iv) Knowingly carrying arms in any possession or taking part in any mass drill or mass training with arms (S 153AA)
- (v) Affray (SS 159-160)

**C. Offences Relating to Religion (SS 295-298)**

**Constitution and Religious Freedom (Art 25-28)**

- (i) Injuring or Defiling place or Worship with intent to insult the religion of any class (S. 295)
- (ii) Deliberate and Malicious acts intended to outrage religious feeling of any class or insulting its religion or religious belief (Sec 295A)
- (iii) Disturbing religious Assembly (Sec 296)

- (iv) Trespassing on Burial place etc(Sec 297)
- (v) Uttering Words etc with deliberate intent to wound the religious feelings of any person (Sec 498)

**IX. Offences Relating to Public Servants, their Authority, False Evidence and Public Justice.**

**Reference Books**

- ✓ Williams Glanville- The Text Book of Criminal Law
- ✓ Jerom Hall – Studies in Jurisprudence and Criminal Theory
- ✓ Jw Cecil Turner (edt.) – Kenny’s Outlines of Criminal Law
- ✓ Jw Cecil Turner - Russel on Crime
- ✓ Smith and Hogan – Criminal Law
- ✓ A.P. Simester & G.R. Sullivan – Criminal Law Theory and Doctrine
- ✓ R. C. Nigam – Principles of Criminal Law
- ✓ Prof. K.N. Chandranshekhhar Pillai – Essay’s on Indian Penal Code
- ✓ R. C. Srivastava – Law Relating to Crima Punishment
- ✓ Andrew Ashworth – Principles of Criminal Law
- ✓ P.S. Pillai – Criminal Law
- ✓ Prof K.D Gaur - Criminal Law Cases and Material
- ✓ Dr. Hari Singh Gaur – Penal Law of India (4 volumes)
- ✓ R. A Nelson – Indian Penal Code
- ✓ Prof. K.N. Chandranshekhhar Pillai – Essay’s on Indian Penal Code
- ✓ Ratan Lal and Dhiraj Lal – Indian Penal Code
- ✓ Prof. Raghavan – Indian Penal Code

Day Wise Schedule

Lectu- Re No.	Topic	Reference
---------------------	-------	-----------

1-5	Introduction to Crimes and Punishment Historical background Criminalization – what and why	Andrew Ashworth, Criminalisation : Principles of Criminal Law; Prov. V. Balasubramaniam, Guilty Mind: Essays on Indian Penal Code; V.B. Bakhale, Is Mens Rea an exceptional ingredient of Criminal Liability in India
6-26	Culpable homicide Culpable homicide Not amounting to Murder Exceptions to Murder Dowry deaths Negligent homicide	(1) Queen v. Dudley & Stephens [1884] 14 QBD 273; (2) Reg. v. Govinda; (3) Inder Singh v. Emperor, AIR 1929 Lah. 157; (4) Emperor v. Ratna, AIR 1932 Oudh 18966; (5) Gurcharan Singh (AIR 1973 SC 486); (6) D. P. P. v. Woolmington, [1935] All E R 1(7) Atulji Nagaji (AIR 1980 SC 1166) (8) Emperor v. Dhiraja, AL R 1940 All. 486 (9) Gyarsibai v. State, AIR 1953 MB 61 (10) R v. Ward, [1956]1 All E R 565 (11) Pran Krishna Chakravarty (AIR 1935 Cal. 580) (12) Virsa Singh v. Smith, [1960] 3 All E R 161 (HL)(14)K.M. Nanavati v. State of Maharashtra, AIR 1962 SC 605 (15) Cherubin Gregory v. State of Bihar, AIR 1964 SC 20 (16) Public Prosecutor v. Semalal Pannadi & others (AIR 1960 Mad.240) (17) Juggankhan v. State of Mandhya Pradesh, AIR 1965 SC 631 (18) Anda v. Rajasthan, AIR 1966 SC 148 (19) Rajwant Singh v. State of
	With relevant General exceptions	Kerala, AIR 1966 SC 1874 (20) Harajinder Singh v. Delhi Administration, AIR 1968 SC 867 (21) Patil Hari Maghi v. State of Gujarat (AIR 1983 SC 488) (22) Ganpat Mahadeo More v. State of Maharashtra 1992 (3) Crimes 633 (23) Laxman v. Maharashtra, AIR 1968 SC 1390 (24) Hyan v. D.P.P., [1974] 2 All E R 41 (25) D. Pandey & Others v. State of Bihar (AIR 1998 SC 40) (22) Kurien v. State of Kerala, (1975) KLT 748 (26) Randhir Singh Dhire v. State of Punjab, (1981) 4 SCC 484 (27) State of U.P.v. Ramasagar Yadav, AIR 1985 SC 416 (28) Jayaprakash v. State, Delhi Administration, (1991) 2 SCC 32 (29)

		Parasuraman v. Tamil Nadu, 1992 Cri.L.J. 3939 (30) S.Kaur v. State of Bihar (AIR 1982 SC 1228); (31) Salmon (1880) 6 QBD 79; (32) ILR 1940 Mad. 428; (33) Haidar Ali Kalubhai (AIR 1976 SC 1012); (34) Kans Raj (AIR 2000 SC 2324; (35) Sant Raj (1998) 8 SCC 605.
27-37	Sexual Offences Rape Unnatural Offences Outraging the Modesty of woman Sexual offences at Working place Child Sexual place	(1) Rao Narain Singh SheojiSingh and others v. The State, AIR 1958 Punj. 123 (2) D.P.P. v. Morgan, [1976] AC 182 HL (3) Pratap Misra and others v. State of Orrissa, AIR 1977 SC 1307 = 1977 Cri.L.J. 817 (4) Tukaram and another v. State of Maharashtra, (1979) 2 SCC 143 (5) Vijayan Pillai v. State of Keral, 1989 Cri. L. J. NOC 202 (Ker) (6) Premchand and another v. State of Haryana, 1989 Cri.L.J. 1246 = AIR 1989 SC 937 (7) State of Maharashtra v. Chandraprakash Kewalchand Jain, AIR 1990 SC 658 (8) Rabinarayan Das v. State, 1992 Cri.L.J. 269 (Ori) (9) State of Maharashtra v. Prakash and another, 1993 Supp. (1) SCC 653 (10) State of Karnataka v. Suresh Babu Puk Raj Porral, AIR 1994 SC 966 (11) Raju v. State of Karnataka, 1994 Cri.L.J. 248 (12) Kamel Singh v. State of M.P., (1995) 5 SCC 518 I (13) Jagannivasan v. State of Kerala, 1995 Cri.L.J. 3229 (SC) (14) State of Punjab v. Gurmit Singh and Others, 1996 Cri.L.J.1728(SC) (15) Shyam Sunder “.The State, 1997 Cri.L.J.35 I (16) State of A.P.v.Gangula Satya Mtirthy, 1997 Cri.L.J.774 (SC) (17) Arasappa v.State by Vijayanagar P.S., Bangalore, 1997 Cri.L.J.1456 (Kar)  <u>Child Sexual Offences:</u> 1) Sathish Mehra v.Delhi Administrtion and another, (1996) 9 SCC 766 (2) Smt.Sudesh Jhaku v.K.C.J.and others, 1998 Cr.L.J.2428 Del

		<p><u>Outraging Modesty and Sexual Harassment:-</u></p> <p>(1) Rupan Deol Bajaj and another v.Kanwarpal Singh Grill and another, AND B.R.Bajaj v.State of Punjab, 1996 Cri.L.J.381 (SC)</p> <p>2)Vishaka and others v.State of Rajasthan and Others, AIR 1997 SC</p>
38-50	<p>Offences against Property</p> <p>Theft</p> <p>Extortion</p> <p>Robbery and Dacoity</p> <p>Criminal breach of Trust</p> <p>Cheating</p> <p>Mischief</p> <p>Criminal Trespass</p> <p>Forgery</p> <p>Counterfeiting</p> <p>Counterfeiting government stamps</p>	<p><u>CHEATING:</u></p> <p>1.Ram Prakash Singh v.State of Bihar (1998) 1 SCC 173</p> <p>2. Nageshwar Prasad Singh v.Narayan Singh(1998) 5 SCC 694(Illustration in Class)</p> <p>3. Dr.Sharma’s nursing home v.Delhi Administration And others-1999 SCC (Cri)91 (February)</p> <p>4.Abdul Fazal Siddiqui V.Fetehchand Hirawat(1996) 6 (SCC 32=1996 (SCC (Cri) 1112</p> <p>5.RamaswamyNadar v.State of Madras, AIR 1958 SC 56</p> <p>6 Kanumukkala Krishnamurthy v.State of A.P.AIR 1965 SC 333</p> <p>7.The Superintendent and Rememberancer of Legal Affairs, W.B.v.S.K.Roy, AIR 1974 SC 794</p> <p>8.V.V.L.N.Chary v.N.A.Martin and others</p> <p>9.The State of Kerala v.A.Pareed Pillai</p> <p><u>CRIMINAL BREACH OF TRUST:-</u></p> <p>1.Jiwal Dass v.State of Haryana AND Another 1999 SCC (Cri)288.(april)</p> <p>2.Rashmi Kumar V.Mahesh Kumar Bhada(1997) 2 SCC 397 -1997 SCC (Cri) 415.3 Pratibha Rani v.Suraj Kumar (1985) 2 SCC 370=1985 SCC (Cri)180</p> <p>4.CBI v.Duncans Agro Industries Ltd. (1996) 6 SCC 591-1996 SCC (Cri) 1045=AIR 1996 SC 2452=1996 Cri.L.J.3501=(1996) 87 Comp Cas 849</p> <p><u>FORGERY:-</u></p>

		<p>1, State of U.O.v.Ranjit Singh 1999 SCC(Cri) 293 (April)</p> <p>2.Jibrial Diwal V.State of Maharashtra (1997) 6 SCC 499=1997 SCC (Cri) 944=AIR 1997 SC 3424 = 1997 Cri.L.J.4070 (SC)</p> <p>3. Indian Bank v.Satyam Fibres (India) Pvt.Ltd.(1996) 5 SCC 550 = Air 1996 SC 2592</p> <p><u>THEFT EXTORTION AND ROBBER:-</u></p> <p>1. KA Mathai v.Kora Bibi Kutty (1996) 7 SCC 212= 1996 SCC (Cri) 281</p> <p>2.Gurusharan Singh v.State of Punjab (1996)</p> <p>3)SCC 190 =1996 SCC (Cri) 1202. 3.Ajit Singh v.State of Haryana (1996) 3 SCC 335=1996 SCC (Cri) 481 4.K.N.Mehra v.State of Rajasthan AIR 1957 SC 369</p> <p>5. Pyare Lal Bhargava V.State of Rajasthan, AIR 1963 SC 1994 6.Ramratan V.State of Bihar, AIR 1965 SC 926.7</p> <p>Budhan Singh v.State, AIR 1960 Pat.518</p> <p><u>MISCHIEF</u></p> <p>1. Athi Ayyar(AIR) 1921 Mad. 322; (2) Matilal (1901)24 All,155</p> <p><u>CRIMINAL TRESSPASS</u></p> <p><u>(1) Ram Sarrup(1914) 36 All.474; (1970)Cri.L.J.1199) )Pate).</u></p>
51- 56	Offences against Marriage	<p>(1) Gopallal (AIR 1979 SC 713)</p> <p>(2) 2) Lili Thomas (AIR 2000 SC 1650)</p> <p>(3) 3)N.Avullah(AIR 1923 Mad.171)</p> <p>(4) Janaki amma (1955) TC 137</p> <p>(5) AIR 1955 SC 1531</p>
57 - 59	Offences by or relating to Public servants	<p>1. MOhd.Haji Raja v.State of Bihar And Anther (head note B) (1998) 5 SCC 91</p> <p>2. 2) Common Cause, Registered Society (Petrol Pump's</p>



		<p>matter)v./;Union of India (1996) 6 scc 530</p> <p>3. J.Jayalalitha v.Union of India, 1999 Cri.L.2859 (4) P.V.Narasimha Rao - 1998 Supreme Court</p>
60- 72	<p>Offences against Public Tranquility</p> <p>Unlawful assembly</p> <p>Being member of unlawful assembly rioting</p> <p>Promoting enmity between different groups of religion, race, etc</p> <p>Liability of person whose benefit is committed.</p>	<p>1.AIR 1974 Sc 1564;</p> <p>2.Dalip Singh (AIR 1953 SC 364)</p> <p>3.AIR 1987 SC 826</p> <p>4.AIR 1856 SC 513</p> <p>5.AIR 1956 SC 181</p> <p>6.AIR 1965 SC 202</p> <p>7.1970 Cr.L.J.1316 (Mad&gt;)</p> <p>8.Mariadsam(AIR 1980 SC 573)</p> <p>9.1979Cr.L.J.175(Karn..)</p>

## **Criminal Procedure Code, Probation of Offenders Act and Juvenile Justice (Care and Protection of Children)Act.**

**Objectives:**

Procedural Law providing for a fair procedure is significant for a just society. The course is aimed at driving home the students how the pre-trial, trial and the subsequent process are geared up to make the administration of criminal justice effective. The course will acquaint the student with organization of the functionaries under the Code, their power and functions at various stages and the procedure according to which these powers and functions are to be exercised. The students will also undertake the study of two cognate Acts as a part of this course viz.; Juvenile Justice Act and Probation of Offenders Act. In addition, the course teacher shall endeavor to familiarize the students with the case paper like FIR, Police statement, charge sheet, etc.

## **Course contents:**

### **UNIT - I**

#### **Introductory**

Concept and types of criminal justice system, Meaning of procedure: The functionaries under the Code; their duties, functions and powers; First Information Report, complaint; Arrest; Types of trial, Powers of criminal courts. An overview of criminal justice process.

### **Unit- II Provision for Investigation**

Arrest, Search and Seizure

Processes to Compel Appearance

Information to Police

Power to Investigate

Preventive action by the police

### **Unit – III**

#### **Process to Compel Appearance and Production of things (Lectures - 12)**

- a. Summons for Appearance
- b. Warrant of arrest
- c. Proclamation and attachment
- d. Other rules regarding processes
- e. Summons procedure
- f. Search Warrants
- g. General provisions as to search and seizure
- h. Miscellaneous

### **Unit-IV**

#### **Proceedings before Magistrate (Lectures- 10)**

- a. Conditions requisite for initiation of proceedings
- b. Complaints to Magistrates
- c. Commencement of proceedings before Magistrates
- d. Provisions as to enquiry and Trial
- e. Security Proceedings

#### **Unit-V Trials and Execution Proceedings**

- a. Trial before a court of session
- b. Trial of warrant cases by magistrates
- c. Trial of summons cases by Magistrates
- d. Summary Trials
- e. Provision as to Bail
- f. Submission of death sentences for confirmation
- g. Execution, suspension, remission and commutation of sentences

#### **Unit-VI Review Procedures**

- a. Appeals
- b. Reference and Revisions

#### **Unit- VII Miscellaneous**

- a. Maintenance of wives, children and parents
- b. Transfer of criminal cases
- c. Irregular proceedings
- d. Limitations for taking cognizance
- e. Compounding of Offences and Plea-bargaining
- f. Security for peace and good behavior
- g. Transfer of cases
- h. Maintenance of Public order and Tranquility
- i.

#### **Unit- VIII Probation of Offenders Act, 1958**

- a. Concept of Probation system-Origin and Development in India
- b. Admonition under the P.O. Act (5.3)
- c. Release of offenders on Probation (5.4)
- d. Release of young offenders (5.6)
- e. Removal of Disqualification in attached to probation (5.12)
- f. Appeal & Revision (s.11)
- g. Removal of disqualification attached to conviction (s.12)

## **Unit IX Maintenance of Public order and Tranquility**

### **XJuvenile Justice(Care and Protection of Children) Act,2000**

- a. Power, composition ,functions and procedure to be followed by the Juvenile Justice Board. (ss. 4-14)
- b. Order that may or may not be passed regarding or against juvenile (sc. 15-16)
- c. Offences against Children (Sc. 21-28)
- d. Institutions under J. J. Act
  - Observation Home (5.8)
  - Special Home (5.9)
  - Children Home (5.34)
  - Shelter Home (5.37)
- e. Child Welfare Committee – its power, functions and procedures; persons entitled to produce a child in need of care and protection (ss. 29-33)
- e. Rehabilitation and Social Rehabilitation of 'child in need of Care and Protection' (ss. 40-44)

### **Text Books:**

1. Rattan Lal & Dhirajlal- Code of Criminal Procedure
2. R.V. Kelkar - Code of Criminal Procedure
3. Chandrasekharan Pillai, Kelkar Lecturer on Criminal Procedure, 1998 Eastern Book Co.
4. Woodroffe, Commentaries on Criminal .Procedure Code, 2000 Universal
5. Sarkar on Criminal Procedure Code
- 6.N.K. Chakrabarti- Probation System in the Administration of Criminal Justice
7. Ved Kumari- Juvenile Justice System

## **FAMILY LAW I**

**Objective:** To evaluate the strength of family system in India and the extent of legal support provided to the same and also to examine when and how and to what extent a Uniform Civil Code to regulate a religious part of family life, if any, may emerge!

**Method of study:** Clinical and tutorial form of learning is the best method. In the absence or partial application, case study and research for self learning may be truly effective. Paper writing and presentation may be gainfully employed to maximize the teaching-learning devise. There are a lot of scope of innovation and new interpretation.

**Evaluation system:** Continuous assessment and tutorial work are best way of assessment. Paper writing and Presentation can be gainfully employed. Final assessment part may be done through case analysis and application of law.

### **Course design:**

**Module 1: Sources of Law:** Statute, Custom & Usage, Religious Text and Interpretations, Procedural system, precedents, uncodified general law among various religious groups of people in India – Constitutional issues (5)

**Module 2: Law on Marriage:** (a) Marriage As an institution – defined in various religious forms and types, can marriage be a religious part of civil life – (b) Various forms and requirements of a valid marriage on a comparative analysis – (c) Issues on a religious marriage form and law under Special Marriage Act – (d) Unisex marriage and question on living together – why want legal validity with what claims – (e) Void, voidable and valid marriage in different religious texts and Statutes – (f) Procedures of marriages and completion of marriage, consummation of marriage – (g) Inter-community and inter-religious marriage, forms and texts – (h) Consideration, consent, dowry-demand, (i) Ceremonies- Hindu, Muslim, Christian, Parsi, community” marriage Law is compared to find commonness and diversification in the marriage system, Matrimonial Home – issues to monogamy and poligamy (12)

**Module 3: Law on Divorce & Maintenance:** Restitution of conjugal right & Judicial separation, various grounds, nullity of marriage with grounds and procedure to obtain nullity, Divorce – grounds, by mutual consent – restriction on petition – remarriage – Court’s jurisdiction and procedure for the issue raised on marriage and divorce – in camera proceedings – Decree and implementation – Hindu, Christian, Muslim, Parshi, Communities and under special marriage Maintenance during pendency of the suit, maintenance after the dissolution of marriage and conditions, maintenance under Criminal Procedure Code – permanent alimony –Maintenance under Adoption and Maintenance Act(10)

**Module 4: Law on Legitimacy of children and Adoption:** Legitimacy of issues in void and voidable marriage and the rights of such children, issues relating to custody of the children – requisite of valid adoption – conditions for giving in, taking of and of person adopted – procedure and conditionality – when adoption is complete – effect of adoption – Inter-country adoption – adoption in different religious groups (8)

**Module 5: Law on Minority and Guardianship:** Guardian under the Guardian and Wards Act, who can be appointed, procedure of application – who can apply – what are powers – what matters court would consider for appointment of a guardian – cessation of authority – general and special liability of a guardian – natural guardian and his/her power (8)

**Module 6: Family Courts:** Structure of Family court, procedure to be adopted, jurisdiction,

**FAMILY LAW II**

**Object of study:** Succession is one every important way of transfer of property, of course after the life of the owner of the property. The study shall not only examine the law as it is and is interpreted by Courts in fact situation, it also shall aim at understanding the differences in the law of succession, both testamentary and intestate, amongst various religious groups.

**Methodology of teaching-learning:** Case study and presentation shall be dominant method. But research and paper-writing is also important. There shall be comparative studies in all presentations and lectures. Shares amongst the simultaneous inheritors shall always be evaluated through class-room exercises. Discussion and issue-based round table shall be emphasized instead of issue-based lecture.

**Evaluation:** Continuous class-room exercises on division of properties amongst the inheritors would comprise a significant part of the test, say about 25%; Case study and presentation in the class would also comprise 15 to 20 %, Issue based research and presentation would claim about 20% and the balance shall be in end of trimester test.

### **Course content and time line**

**Module 1: Joint Hindu Family (10 hrs):** Institution of Joint Family and Joint Family Property and Business; Coparcenaries; Dyabhaga & Mitakshara succession; HUF – as a Tax entity and Features of JF Business; Karta – power & function, Karta’s right of alienation of property; Pious Obligation; Principle of Consanguinity and Primogeniture, Principle of Survivorship and Succession

**Module II: Intestate Succession (20-25 hrs):** General Principles of Succession under Hindu Law, Islamic Law, Christian Law, Parsi Law; Statutory conditions of disinheritance and disentitlement; Doweling house; Partition

**Module 3: Women’s Property (4 hrs):** Stridhan – concepts and characteristics; Sources, principle of succession, Comparative analysis of right to property of women under different Religious and Statutory Law

**Module 4: Testamentary Succession (15 Hrs):** Power of testamentary succession under various religious and statutory Law under Hindu, Islamic, Christian and Parsi Law; Competence of the testator, limitation to testamentation, Abetment of legacy; Will and Administration of will – Probate, Codicil, execution of privileged and unprivileged Will, attestation, alteration and revival of Will

**Module 5: Right of Pre-emption ( 4 hrs):** Pre-emption, meaning, nature, constitutionality, classification; who can claim the right, formalities and legal effect; legal devices of evading right of pre-emption,; when is the right lost

**Module 5: Gift under Islamic Law( 5 hrs):** Hiba – nature and characteristics Kinds of Hiba, conditional and Future Gift, Types of Hiba; death-bed gift, Revocation

**Module 6: Wakf (5 hrs):** Meaning, character, formalities for creation, Administration, Power of Mutawali; Muslim Religious Institutions and Offices

**Module 7: Hindu Religious Endowment (6 hrs):** Traditional religious principles of creation, administration and offices; Statutory methods of creation of Trust; Powers and functions of the Trustees

**List of some important cases**

These cases can be critically studied and law applied through conflicting interest:

Sitabai v. Ram Chandra, AIR 1970 SC 343  
State Bank of India v. Ghamandi Ram AIR 1969 SC 343  
T.V.Subbamma v. T Ratamma AIR 1987 SC 1775  
Faquir Chand v. Harnam Kaur AIR 1967 SC 724  
Satrughan v. Sabjpuri AIR 1967 SC 72  
G.Krishna Prasad v V.Vankayya AIR 1977 SC 361  
D.S.Agalwe v. P.M.Agalwe AIR 1988 SC 845  
Muninaujappa v. R. Manual AIR 2001 SC 1754  
Bhagat Ram v. Teja Singh AIR 2002 SC 1  
Arti Bhargava v. Kavi Kumar Bhargava AIR 2001 Del 301  
Beni Bai v. Raghubir Prasad AIR 1999 SC 1147  
V.V.Subba Rao v. C.S.R.Kamal AIR !((& SC 3082  
Raghubir Singh v. Gulab Singh AIR 1998 SC 2401

**List of Books**

Mulla, Hindu Law Vol I and II, Butterworth  
Mayne, Hindu Law and Usage, Bharat  
Diwan, Modern Hindu Law, Universal  
Tyabji, Muslim Law, Tripathy  
Mulla, Principles of Mohammedan Law, Tripathy  
Amer Ali, Mohammedan Law, Vol I & II , EBS  
Tahir Mahmmod, Family Law Reform in Muslim World, Tripathy  
Tahir Mahmmod, Islamic Law in Modern India, Tripathy  
Derrett Hindu Law Past and Present, Universal  
Derrett, Introduction to Modern Hindu Law Universal  
Ghosh, The Law of Endowment, S.C.Sarkar  
Row, Sanjiva, The Indian Succession Act, Law Book Co  
Basu, Indian Succession Act, Eastern  
Gaur, Hindu Code Vol I & II, Law Publisher  
Diwan, Law of Intestate and Testamentary Succession, Wadhwa  
Mukherjee, Hindu Law of Religious & Charitable Trust, Eastern

**PROPERTY LAW**



**Object:** Right to property has always been considered a very important jurisprudential right to attain economic freedom though State's right of eminent domain has been accepted in the common law countries. Right to transfer of property is also as important if not more, as right to property. Quality of property right is tested by way of manner and with élan how the right can be fully or in parts be transferred. It is this factor that shall be kept in mind while examining the various arising out of transfer of property.

**Methods of teaching-learning:** Case studies and case analysis is one of the sure method of discovering law in books to support the law in action. Similarly problem oriented studies and enquiry is ideal for generating interest among the student community. Creating security Interest on property is a complex transaction and as such it would always be better to raise specific issues and cases for analysis. Lecture method makes the learning system slow and monotonous, one has to keep that in mind.

**Assessment rules:** In view of the teaching-learning system it is good to set the evaluation system as well. Case-studies and presentation; problem research and analysis, drafting documents, sending students to property registration office to learn the procedure and interrogative questions on that procedure would be a good form of assessment. Terminal Test should also have more reliance on problem-solution.

### **Course-design and time-line assessment**

**Module I: Concept of Property (6 hrs):** Concept of Property, Ownership and Possession, Meaning of Property under the Transfer of Property Act, Kinds of Property – *Jura in re propria* – *Jura in re aliena* - Movable, Immovable, Intangible; Theories of Property – Economic and social theories – doctrine of *Eminent Domain* ; Right to property under the Constitution of India

**Module II : General Principles of Transfer of Property(20 hrs):** What is transferable, Competency to transfer property; Various conditions relating to transfer; Rule against perpetuity; Conditional and Contingent Transfer; Right of Election; Apportionment; Transfer by non-owners and Co-owners; Transfer under *lis pendens*; Fraudulent Transfer; Principle of Part Performance

**Module III: Specific Mode of Absolute Transfer of Property (10 hrs):** Sale- definition, Agreement to Sale – Rights and Liabilities of the Buyer and the seller; Marshalling by subsequent purchaser; Discharge of encumbrances; Exchange – definition and mode; Exchange *vis-a-vis* Sale, Rights and liabilities of the parties; Gift – definition and mode of transfer, suspension and revocation, Onerous gift, universal donee; Transfer of Actionable Claims

**Module IV: Specific & Limited Transfer by way of creating Security Interest(15+3+5+3 hrs):** (a) Mortgage – meaning and purpose, Types – Simple, English, By Conditional Sale, Usufructuary, Equitable by way of deposit of title Deed, and anomalous mortgage; Rights and obligations of the mortgagor and mortgagee; Foreclosure, Deemed Foreclosure, Power of Sale, Priority right determination; Marshalling and Contribution, Redemption; Subrogation

(b) Charge – Fixed and Floating charge; rights and obligations of the parties, Charge created on corporate properties;

(c) Lease – definition, mode of making lease; Rights and liabilities of the parties; Determination of lease and lease terms; Waiver, forfeiture

(d) Lien – possessory right, when applicable, ceasing of right of lien, types of lien

**Module V: Documentation for Transfer of Property & Stamp Duty (10 hrs):** Sale Deed, Mortgage Deed, Lease Deed, Deed of Charge and Transfer Deed of Actionable Claim, Agreement to Sale

**Module VI: Registration of Transfer Documents (6 hrs):** Registration – meaning and procedure – Types of Registration and legal consequence – provisions of Registration Act – procedure of registration

**Module VII: Easement & Prescription (10 hrs):** Nature, creation, Extinction, Riparian Rights, Licenses, use-right by prescription

#### **List of cases:**

Dorab Cawasji Warden v. Coomi Sorab Warden, AIR 1990 SC 867  
Laxamma v State of Karnataka AIR 1983 Kant 237  
Gautam Paul v Debi Rani Raul (2000) 8 SCC 330 207  
Arjun Lal Gupta v Mriganka Mohan Sur AIR 1975 SC  
Sunil D Chedda v Suresh Babsilal Seth & others AIR 1992 SC 1200  
Kedernath Lal & another v Sheonarain & others AIR 1970 SC 1717  
AMA Sultan & Others v Seydu Zohra Beevi AIR 1990 Ker 186  
Bhaskar Waman Joshi v Narayan Rambilas Agarwal AIR 1960 SC 301  
Tamboli Ramanlal Motilal v Ghanmchi Chamanlal Keshavlal AIR 1992 SC 1236  
Nana Tukuram v Sonabai AIR 1982 Bom 437  
Harihar Prasad Singh v Deonarain Prasad AIR 1956 SC 305  
Dattatraya Mote v Anand Datar (1974) 2 SCC 799  
Dipak Banerjee v Smt Lilabati Chakraborty AIR 1987 SC 2055  
Jattu Ram v Hakam Singh AIR 1994 SC 1653  
Union of India v Sri Sarada Mills Ltd (1972) 2 SCC 877  
Bal Niketan Nursing School v Kesari Prasad AIR 1987 SC 1970

#### **List of Books**

Mulla, Transfer of Property Act  
Divekar, Law of Property Transactions  
Ghosh, Law of Mortgage

Gour's Transfer of Property Act  
Lahiri, Transfer of Property Act  
Narayana, Easement & Licenses  
R.S.Bhalla, The Institution of Property: Legally, Historically and Philosophically Regarded  
Sanjivi Row, Commentaries on Easements and Licenses  
Sanjiva Row, Registration Act, Law Publisheres

**Assignment/Research Project & Paper writing** (by way of example)

1. Imperfection in the title on a property
2. Part Performance
3. Transfer of a property by a non-owner
4. Right to property; what it means and includes
5. *Les pendens*
6. Equitable Mortgage
7. Easement Right
8. Prescription
9. Creation of Security Interest and right to priority
10. Encumbrance Certificate
11. Conveyance
12. Mortgage by way of conditional Sale
13. Usufructuary Mortgage
14. Assignment
15. Power of Attorney
16. Right of possession and right of ownership, jurisprudential debate
17. Title Deed
18. Live and License
19. Property run with the covenant
20. Fraudulent Transfer
21. Floating Charge
22. Charge on a corporate property
23. Transfer by Ostensible Owner
24. Doctrine of Subrogation
25. Doctrine of Acceleration
26. *Spes Successionis*
27. Records of Registration
28. Marshalling
29. Subrogation
30. Right of Election

**Daily wok Schedule**

<b>Lecture No/ Date</b>	<b>Faculty</b>	<b>Issues to study</b>	<b>Study material</b>	<b>Case laws</b>
No 1 to 6 Dates:	BCI	Property Juris- prudence, rights, Theories – eminent domain, rights under Constitution	Salmond - Jurisprudence Dias - Jurisprudence R.S.Bhalla – Property etc Shukla - Constitution of India	
No 7 - 12 Dates:	NLM	Properties- types, Definitions, Transferability, Competence, mode of transfer	Mulla – Transfer of Property Act	<i>Shantabai</i> 1959 SCR 265 <i>A.M. v Haji Abdul</i> AIR 1971 SC 1201
No 13  Date:	BCI	What may be Transferred	Mulla, 65 -73,78, 90-93	<i>Pyre Mohon</i> AIR 1982 Raj 43  <i>Ashoka Marketing Ltd</i> (1990) 4SCC 406
No 14 Date	BCI	Operation of Transfer Oral Transfer Authorized person (S 38)	Mulla, 97- 103,109	<i>Bharat Nidhi</i> AIR 1969 SC313
No 15 – 20 Dates	NLM	Conditions of Transfer restraining alienation  Repugnant to interest Created; on insolvency, For unborn child, rule Against perpetuity, on Failure of prior interest,  Accumulation, for public Benefit	Act – Section 10-24 Mulla – 110-170	<i>Loknath</i> AIR1986Gau52 <i>U. Insurance v</i> <i>Raghavendrareddy</i> AIR 1989 AP33 <i>Rajesh Kanti Roy v</i> <i>Santi Devi</i> (1957)SCR 77, AIR 1957 SC255  <i>Cheena Reddy v</i>

Vested & Contingent  
Interest

*Pajau*  
AIR 1954 Hyd 185

No 21-22 Dates	SRY	Conditional Transfer	Act – Ss 25-34 Mulla -171-188	<i>Devendra Prasad</i> (1936) 63 IA 26 AIR 1936 PC 24
No 23  Date	SRY	Right of Election	Ss 35 Mulla- 188-197	<i>Mst. Dhanapati v Devi Prasad</i> (1970) 3 SCC 779
No 24 Date	SRY	Apportionment	Ss 36-37 Mulla- 198-203	<i>E.D.Sasoon &amp; Co v.ITC</i> AIR 1954 SC470
No 25 Date	BCI	Transfer: Circumstances, restrictions	Ss 38-40 Mulla- 204-224	<i>Vennarkkal</i> (1990) 3 SCC 291
No 26-30  Date	BCI	Transfer by: (a) Ostensible owner (b) person having authority To revoke former transfer (c) unauthorized person subsequently having interest (d) Co-owner (e) Joint Transfer (f) with distinct interest and having the consideration (g) Common property (h) Priority of right	Ss 41-49 Mulla – 225-268	<i>Vid Kumari v Union</i> AIR1989NOC 136 (P&H) <i>Raj Naraiian</i> AIR 1984 Delhi 155 <i>Banwarilal</i> AIR1973 SC 814  <i>Ramdayal</i> AIR 1973 MP 222 <i>Kuldip Singh</i> AIR 1991 P&H 291
No 31-33 Date	NLM	<i>Bona fide</i> holder on defective title (a) rent received (b) Improvement on the property –	Ss 50-51 Mulla – 268-280	<i>Lala Beni Ram v Kundanlal</i> (1899) 21 All 496

No 34 -38 Date -	NLM	Transfer of property (a) Pending suit  (b) Fraudulent (c) Part Performance	Ss 52-53A Mulla- 351 -462	<i>Sunil v Suresh</i> AIR 1992 SC 1200 <i>Devraj v Gyan Chand</i> (1981) 2 SCC 675 <i>Union v. Rajeswari</i> AIR 1986 SC 1748 <i>Sardar v Devi Sahai</i> (1982) 1 SCC 237
No 39 – 42	BKC	Sale, Sale Deed, Agreement to Sale, Rights & Obligations Discharge of Encumbrance, Marshalling	Ss 54 – 57 Mulla- 465-565	<i>Rajammal v Roman</i> AIR 1985 Mad 222 <i>Imperial Bank</i> (1931) 58 IA 323 <i>Satyaprakash v</i> <i>Ramkrishan</i> AIR 1991 All 343 <i>Sashi Bhusan v</i> <i>Raichand</i> AIR Cal 1950 <i>Brahm Prakash v</i> <i>Manbir Singh</i> [1964]2 SCR 324
No 43- 56	BKC	Mortgage – Definition, types, Nature and character Each type, Rights and duties, Priority determination Among number of Security interest, Marshalling & Contribution Redemption & Subrogation  Documents	Ss 58 – 98 Mulla- 567-966	<i>Kaushalya v Bawa Pritam</i> AIR 1960SC1030 <i>Natesa v Pakkiriswamy</i> AIR 1997 Mas 105 <i>Motilal v Ghanchi</i> AIR 1992 SC 1236 <i>Karachiwala v Nanji</i> [1959]1 All E.R. 137 (PC) <i>Sona Devi v Nagina</i> AIR 1997 Pat 67 <i>Soli Pestonji v Gangadhar</i>  [1969]3 SCR 33

No 57 – 58	NLM	Charge versus Mortgage, Types, Rights and duties	Ss 100-104 Mulla -967-999	<i>Mukheya v Radha</i> AIR 1949 All 539 <i>Dattatraya v Anand</i> [1974] 2 SCC 799 <i>HMT v Nedungadi</i> AIR 1995 Kant 185 <i>K.Muthuswami v N.Paloniappa</i> AIR 1998 SC 3118
------------	-----	--	------------------------------	--

---

No 59 – 62	BKC	Lease – definition And difference other Security interest on Property, How made -duration, rights and duties, determination, waiver & forfeiture	Ss 105-117 Mulla- 1000-1282	<i>Rye v Rye</i> [1962]AC 496, [1962]1 All ER 146 <i>Vkalpakam v Muthurama</i> AIR 1995 Ker 99 <i>Hind Rubber v Tayebhai</i> AIR 1996 Bom 389 <i>Puran Singh v Sundari</i> [1991] 2 SCC 180 <i>Sultana Begum v Premchand</i> AIR 1997 SC 1006 <i>Md Salim v Md Ali</i> AIR 1987 SC 2173
------------	-----	--	--------------------------------	---

---

No 63	BKC	Exchange – defined Distinguished from Sale Features, rights and Obligations	Ss 118-121 Mulla- 1283-1289	<i>CIT v Motors</i> AIR 1968 SC 200
-------	-----	---	--------------------------------	--

---

No 64-65	BKC	Gifts – definition, Character and types, Rights and obligations Gift and Trust, gift & Actionable claim	Ss 122 – 129 Mulla 1290 -1326	<i>Sanjukta Roy v Bimalendu</i> AIR 1997 Ori 131 <i>Subhas Chandra v Ganga Prasad</i> AIR 1967 SC 878 <i>Saimunissa v S.K.</i>
----------	-----	---	----------------------------------	--

---

No 66	BKC	Actionable Claims - define, transfer of securities, rights and obligations, transfer of debts, negotiable excepted, why	Ss 130 -137 Mulla – 1327-1359 <i>Joseph v Kedernath</i> AIR 1959 Cal 328 <i>Indu v Harayana</i> AIR 1999 SC 296 <i>Mulji v C.Mohan</i> AIR 1997 Pat 153 <i>Bharat v Takhatmal</i> AIR 1969 SC 313
No 67-68	BKC	Easement Right	Presentation of paper
No 69 – 73	NLM	Registration of documents And Stamp duty- Priority determination Books of Entry	Presentation of Paper
No 74-75	NLM	Right of Prescription – Nature of the right, estoppels, When the right arise and Extinguished	Presentation of Paper

---