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20

PAPER - V
INDIAN LEGAL AND CONSTITUTIONAL HISTORY
(Optional Paper)
(Paper Code : K-205)

This course is intended to introduce students to the Legal and Constitutional History of India (1600-1950). Emphasis will be laid on the following :

I. Legal History :

The Early Charters and the Administration of Justice by the East India Company, the Mayor's Courts; Judicial Reforms of Warren Hastings and the Advent of Adalat System; the Regulating Act and the Act of Settlement; Judicial Reforms of Cornwallis; the High Courts; Privy Council; the Supreme Court of India; the Law Commissions and Codification, Development of Criminal Law, Law of Contract and Law of Evidence in India; Personal Laws of Hindu and Mohammedans.

II. Constitutional History :

Position of Native States and the development of the Doctrine of Paramountcy, Development of Legislative Institutions, Indian Council Act 1861, Government of India Act 1909, Government of India Act 1935, The story of Framing of Indian Constitution.

BOOKS RECOMMENDED

- Jain, M.P., *Outlines of Indian Legal History*
Kulshreshtha, V.D., *Landmarks in Indian Legal and Constitutional History*
Pranpe, N.V., *Legal and Constitutional History of India*
Puri, S.K., *Legal and Constitutional History of India*
Ramajois, M., *Legal and Constitutional History of India, Volume-I,II*
Shilwant, S.S., *Turning Points in Indian Legal and Constitutional History*
Singh, M.P., *Outlines of Indian Legal and Constitutional History*

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17

21

PAPER - V
LAW OF TAXATION
(Optional Paper)

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12

17

PAPER – II
CONSTITUTIONAL LAW OF INDIA - II
(Structure And Working of The Indian Constitution)
(Paper Code : K-202)

The course shall comprise of the following

- (1) Union Parliament : Organization, Procedure regarding Enactment of Legislation, Parliamentary Privileges.
- (2) Union Executive : The President, his Powers and Position including Ordinance Making Power.
- (3) Prime Minister and the Cabinet. Is the Prime Minister Real Head?
- (4) Distribution of Legislative Powers between Union and the States. Territorial and Topical Distribution of Powers. Power of Parliament to Legislate on State Matters. Doctrine of Territorial Nexus. Doctrine of Pith and Substance, Doctrine of Colourable Legislation.
- (5) Emergency Provisions with Special References to Proclamation of Emergency and President's Rule.
- (6) Union Judiciary : Supreme Court of India. Composition and Jurisdiction
- (7) Amendment of the Constitution. Power and Procedure; Basic Structure of the Constitution.

BOOKS RECOMMENDED

Chander Pal, *Centre State Relations and Indian Cooperative Federalism.*
Chander Pal, *State Autonomy in Indian Federation: Emerging Trends*
Hidayatullah M., *Constitutional Law of India.*
Jain M.P., *Constitutional Law.*
Pandey J.N., *Constitutional Law of India.*
Seervai H.M., *Constitutional Law of India.*
Shukla V.N., *Constitutional Law of India.*
Tope T.R., *Constitutional Law of India.*

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16

PAPER - I
JURISPRUDENCE - II
(Legal Concepts)
(Paper Code : K-201)

The course shall comprise the following :

- (1) **Legal Person** : (a) Nature and Concept
(b) Theories of Legal Personality
- (2) **Legal Rights And Duties** : (a) Definition, Basis and Characteristics of Legal Rights and Duties
(b) Kinds of Legal Rights
(c) Relationship between Rights and Duties
- (3) **Possession and Ownership** : (a) Possession in Fact and Possession in Law,
(b) Relation between Possession and Ownership
- (4) **Liability** : (a) Theory of Remedial Liability
(b) Theory of Penal Liability
- (5) **Law and Morality** : (a) Relation between Law and Morals,
(b) Legal Enforcement of Morality
- (6) **Legislation**
- (7) **Precedent**
- (8) **State and Sovereignty**
- (9) **Law and Justice** : (a) Concept of Justice
(b) Theories of Justice
(c) Administration of Justice

BOOKS RECOMMENDED

Bodenheimer : *Jurisprudence*.
Dias, *Jurisprudence*.
Friedman, *Law in Changing Society*.
Llyoyd, *Introduction of Jurisprudence*.
Mahajan V.D., *Jurisprudence*.
Paton : *Jurisprudence*.
Salmond : *Jurisprudence*.

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19

PAPER - IV
CONTRACT - II
(Specific Contract And Law of Partnership)
(Paper Code : K-204)

The course shall comprise of the following :

1. Contract of Indemnity, Contract of Guarantee, Bailment and Pledge.
2. Contract of Agency.
3. Delimitation of Sale, Essentials of Contract of Sale and Agreement to Sale, Duties of Sellers and Buyers, Sale by Sample, Sale by Description, Conditions and Warranties, Rule of Caveat Emptor.
4. Transfer of Title, Passing of Property in Goods, Delivery of Goods - Rules regarding Delivery of Goods, Unpaid Seller and his Rights, Remedies for the Breach of Contract.
5. Network of Partnership, Difference between Partnership and a Company, Mutual relationship between Partners, Authority of Partners, Dissolution of Partnership, Minor as Partner.

BOOKS RECOMMENDED

Anson, *Law of Contract*.
Bangia R.K. (Dr.), *Indian Contract Act*.
Desai S.T., *The Indian Contract Act*.
Kapoor S.K., *Contract*.
Mitra A.C., (Dr.), *Principles and Digest of Indian Contract Act*.
Narayana P.S., *The Law of Partnership*.
Pollock and Mulla, *Indian Contract and Specific Relief Act*.
Singh Avtar (Dr.), *Introduction to Law of Partnership*.
Singh Avtar (Dr.), *Law of Contract*.

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18

**PAPER - III
FAMILY LAW - I
(Hindu Law)
(Paper Code : K-203)**

The course shall comprise of the following :

- (1) Sources of Hindu Law
- (2) Schools and Sub-Schools of Hindu Law
- (3) Marriage : Essentials of a Valid Marriage, Void and Voidable Marriage
- (4) Matrimonial Relief : Concept and Grounds of Various Matrimonial Reliefs viz.
 - Restitution of Conjugal Rights
 - Judicial Separation
 - Nullity of Marriage
 - Divorce
- (5) Legitimacy - Legal Status of Children Born of Void and Voidable Marriage.
- (6) Adoption
- (7) Hindu Minority and Guardianship Act, 1956
- (8) Law of Maintenance - Hindu Adoption and Maintenance Act, 1956.

BOOKS RECOMMENDED

Mulla, *Principles of Hindu Law*
Diwan Paras (Dr.), *Modern Hindu Law*
Mayne's, *Hindu Law and Usage*
Kesari U.P.D. (Dr.), *Modern Hindu Law*
Sharma B. K.- *Modern Hindu Law*

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