

## **BALLB II SEMESTER**

**NAME OF SUBJECT: LAW OF CONTRACT INCLUDING SPECIFIC RELIEF ACT & SALE OF GOODS ACT**

**PAPER CODE: Law- 203**

**MAXIMUM MARKS: 30+70=100**

**TIME ALLOWED: 3 HRS.**

**INTERNAL ASSESSMENT: 30 MARKS**

**TERM-END EXAMINATION: 70 MARKS**

**OBJECTIVE OF THE COURSE:** Man enters into a variety of contracts from dawn to dusk and this activity increases with the increasing trade, commerce and industry. Modern living would be impossible if law does not recognize this contract making power of man. Roscoe Pound made his famous observation-“Wealth, in a commercial age, is made up largely of Promises”. The conferment and protection by law of this contract making power of man regulate and define their relations in the best possible manner. However, the contours of contractual relations in pre- and post-independence era cannot necessarily be the same. In any society the contractual relations are governed by certain basic and general principles which are standardized in the form of the Indian Contract Act, 1872.

### **MODULE-I: Formation of Contract (SECS: 2-22)**

- a) **Meaning and Nature of Contract**
- b) **Offer/ Proposal**
  - i. **Definition.**
  - ii. **Communication.**
  - iii. **Revocation.**
  - iv. **General/ Specific offer.**
  - v. **Invitation to treat.**
- c) **Acceptance**
  - i. **Definition.**
  - ii. **Communication.**
  - iii. **Revocation.**
  - iv. **Tenders/ Auctions.**
- d) **Consideration**
  - i. **Definition.**
  - ii. **Essentials.**
  - iii. **Privity of Contract.**
- e) **Capacity to enter into a contract**
  - i. **Minor’s position in Mercantile Law.**
  - ii. **Nature/ effect of minor’s agreements.**

### **MODULE-II: Validity, Discharge and Performance of Contract**

- a) **Free consent.**
- b) **Coercion, undue influence, Misrepresentation, Fraud, Mistake.**

- c) **Unlawful consideration and object.**
- d) **Effect of void, voidable, valid, illegal, unlawful and uncertain agreements contract.**
- e) **Discharge of Contracts.**
- f) **Performance.**
- g) **Time and Place of Performance.**
- h) **Impossibility of Performance and Frustration.**
- i) **Breach- Anticipatory & Present.**

**MODULE-III: Legality of Objects (SECS: 23-30, 56.)**

- a) **Contingent Contract (SEC- 31-36).**
- b) **Quasi-Contracts (SECS: 68- 72, 168 & 169).**

**MODULE-IV: Corporate and Multi- National Agreements**

- a) **Production Sharing Contract.**
- b) **New strategies to enforce Contractual Obligations.**
- c) **Strategies and Constraints to enforce contractual obligations.**
- d) **Judicial Mandate- redressal forum, remedies.**

**MODULE-V:**

- a) **Specific Relief Act, 1932**
- b) **Sales of Goods Act.**

**SUGGESTED READINGS**

1. Law of Contract--- Avtar Singh.
2. Law of Contract and Specific Relief--- Mulla.
3. Principles of Mercantile Law--- R.K. Bangia.
4. Law of Contract and Specific Relief--- R.K. Bangia.
5. Law of Contract--- Anson.
6. Contracts--- Tata McGraw Hill.
7. Akil Ahmed--- Equity, Trust and Specific Relief.
8. Law of Contracts and Partnerships and Sale of Goods Act--- T.R. Desai.
9. Law of Contract--- Treitel.
10. Law of Contract--- Cheshire, Fifoot and Firmstone.

**ESSENTIAL CASE LAWS**

1. Balfour v. Balfour
2. Simpkins v. Pays
3. Carlill v. Carbolic Smokeball Co.
4. Pharmaceutical Society of Great Britan. V. Boots Cash Chemists Ltd.,
5. Harvey v. Facey
6. Lalman v. Gauri Dutt
7. Houawhols Fire Insurance Co., v. Grant

**NAME OF SUBJECT: ENGLISH AND LEGAL LANGUAGE-II**

**PAPER CODE: BAL 202**

**MAXIMUM MARKS: 30+70=100**

**TIME ALLOWED: 3 HRS.**

**INTERNAL ASSESSMENT: 30 MARKS**

**TERM-END EXAMINATION: 70 MARKS**

**OBJECTIVE:** Human beings transmit their expressions through language. Choice of right words at right time is the art of perfect communication. Command over language is an essential quality of lawyers. Efficiency of advocacy depends upon communication skills to a large extent. Lawyers are expected to be conversant with legal terminologies. Hence this course on legal language aims at equipping students with legal and linguistic skill for effective advocacy.

**MODULE-I: Legal Language-I**

- a) Introduction to Legal Language.
- b) Characteristics of Legal Language.
- c) History of Legal Language and Legal Language in India.
- d) English as a medium of Legal Language in India.

**MODULE-II: Legal Language-II**

- a) Legal Maxims.
- b) Foreign and Legal Words, their meaning and usages.
- c) Drafting of Moot Memorials.

**MODULE-III: Legal Counselling**

- a) Definition and its differentiation from general counseling.
- b) Different types of counseling.
- c) Approaches to Counselling.
- d) Training Skills- Simulated exercises.

**MODULE-IV: Grammar and Usages**

- a) Direct and Indirect Speech.
- b) Transformation of different types of sentences.
- c) Sentences- Simple, Compound and Complex.

**MODULE-V: Comprehension and Composition**

- a) Reading Comprehension of Legal Texts.
- b) Note Taking.
- c) Drafting of Minutes.
- d) Drafting of Reports and Projects.
- e) Drafting of Abstracts.

## **MODULE-VI: Translation**

- a) Translation from Hindi to English and vice versa.**
- b) Common Hindi and Urdu words used in courts.**

### **SUGGESTED READINGS**

1. Legal Language and Legal Writing--- P.K. Mishra.
2. Legal Language--- S.C. Tripathi.
3. Outlines of Legal Language in India--- Anirudha Prasad.
4. Legal Language, Writing and General English--- J.S. Singh.
5. Law and Language--- R.P. Bhatnagar and R. Bhargava. New Delhi, Macmiillan.
6. Grammar--- Wren and Martin.
7. Grammar--- Nesfield.
8. Client Interviewing and Counselling--- Jenny Chapman.
9. Organizational Behaviour--- Stephen P.Robbins.
10. Introduction to Psychology--- Morgan.

**NAME OF SUBJECT: SOCIOLOGY-II: PROMINENT THINKERS & THEORETICAL PERSPECTIVES**

**PAPER CODE: BAL 208  
MAXIMUM MARKS: 30+70=100  
TIME ALLOWED: 3 HRS.**

**INTERNAL ASSESSMENT: 30 MARKS  
TERM-END EXAMINATION: 70 MARKS**

**OBJECTIVE:** This paper aims at familiarizing the students with the contributions of founding fathers of sociology in terms of theoretical perspectives and methodologies used by them in understanding social phenomena in response to social and cultural upheavals in Europe after dark age especially after scientific revolution.

**MODULE-I: Auguste Comte**

- a) **Biographical sketch and main works.**
- b) **Comtean positivism.**
- c) **Law of Three Stages.**
- d) **Impact of Science on society and classification of sciences.**

**MODULE-II: Herbert Spencer**

- a) **Biographical sketch and main works.**
- b) **Theory of Evolution.**
- c) **Social Darwinism.**
- d) **Classification of Society- Military and Industrial Society.**

**MODULE-III: Emile Durkheim**

- a) **Biographical sketch and main works.**
- b) **Theory of Social Facts.**
- c) **Theory of Division of Labour and types of social solidarity.**
- d) **Theory of Suicide and its typology.**
- e) **Elementary Forms of Religious of Life.**

**MODULE-IV: Karl Marx**

- a) **Biographical sketch and main works.**
- b) **Historical Materialism.**
- c) **Theory of Social Change.**
- d) **Concept of Classless society.**

- e) **Crude Communism.**

#### **MODULE-V: Max Weber**

- a) **Biographical sketch and main works.**
- b) **Theory of Ideal Types**
- c) **Sociology of Religion- “The Protestant Ethic and the Spirit of Capitalism”.**
- d) **Theory of Bureaucracy.**
- e) **Types of Social Action and Authority.**

#### **MODULE-VI: Major Theoretical Perspectives**

- a) **Structural- Functional Theory.**
- b) **Conflict Theory/ Marxism.**
- c) **Interactionism.**
- d) **Ethnomethodology.**
- e) **Post-modernism.**

#### **MODULE-VII: Convergence Thesis of Industrialization and Industrial Society**

- a) **Industrial Society.**
- b) **“End of Ideology theory” to “Development theory”.**
- c) **Western model for rapid economic growth.**
- d) **Problem on convergence thesis.**

#### **SUGGESTED READINGS**

1. Lewis A. Coser--- “Masters of Sociological Thought”.
2. Raymond Aron--- Main Currents in Sociological Thought.
3. Michael Haralambos--- Sociology- Themes and Perspectives.
4. T.B. Bottomore--- Sociology- A Guide to Problem and Literature.
5. Anthony Giddens--- Capitalism.
6. Ideology and Development of Sociological Theory--- Zetline, Irving, M.
7. Sociological Theory: Its Nature and Growth--- Timacheff, Nicholas S. and Theodorson, George A.
8. Modern Sociology: Introductory Readings--- Worsley Peter (ed.). Penguin Books.
9. Social Theory and Social Structure--- R.K. Merton. Amerind Publishing. ND.

**NAME OF SUBJECT: POLITICAL SCIENCE-II: STATE AND POLITICAL OBLIGATIONS**

**PAPER CODE: BAL 209  
MAXIMUM MARKS: 30+70=100  
TIME ALLOWED: 3 HRS.**

**INTERNAL ASSESSMENT: 30 MARKS  
TERM-END EXAMINATION: 70 MARKS**

**MODULE-I: Introduction to Political Obligation**

- a) **Meaning, Nature and Scope of Political Obligation.**
- b) **Evolution of the concept of Political Obligation.**
- c) **Contemporary developments.**
- d) **Political Obligation and Right.**
- e) **Political Obligation and Duty.**

**MODULE-II : Theories of Political Obligation**

- a) **Voluntarism.**
- b) **Utilitarian theory.**
- c) **Deontological theory.**
- d) **Anarchist theory.**
- e) **Modern Theories of Political Obligation**

**MODULE -III : Political Obligation and Consent**

- a) **Nature and extent of consent.**
- b) **Political Obligation and Social Contract (Hobbes, Locke & Rousseau).**
- c) **Type of Political Obligation(Political and Legal)**

**MODULE - IV: Philosophical Foundations of Political Obligation.**

- a) **T.H. Green on Political Obligation.**
- b) **Moral or Ethical foundations of Political Obligation.**
- c) **Ancient Indian ideas and Institutions on Political Obligation.**

**MODULE - V: Dimensions of Political Obligations in a Modern State.**

- a) **Political Obligation and family.**
- b) **Political Obligation and identity.**

- c) **Membership and Political Obligation.**

**MODULE- VI: Legal and Political Obligations.**

- a) **Nature and extent of the Authority in a State and Political Obligation.**
- b) **History and Theory of Justice.**
- c) **Joseph Raz.**

**MODULE- VII : Constitution of India and the nature of Political Obligation under the Constitution**

- a) **Upendra Baxi on Crisis in the Indian Legal system.**
- b) **Dilution of Political Obligation.**
- c) **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**

- a) **Legal and moral issues.**
- b) **Legal and Social issues.**
- c) **Social and Political issues.**
- d) **Right to disobey the law.**
- e) **D.H. Thoreau.**
- f) **Gandhian Principles.**
- g) **Edmund Burke.**

**MODULE-X : Political Obligation and Revolution**

- a) **Role of State in balancing Political Obligation.**
- b) **Role of International Society in political Obligation of a State.**

**RECOMMENDED READINGS**

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



**NAME OF SUBJECT: ECONOMICS-II: MACROECONOMICS**

**PAPER CODE: BAL 211**

**MAXIMUM MARKS: 30+70=100**

**TIME ALLOWED: 3 HRS.**

**INTERNAL ASSESSMENT: 30 MARKS**

**TERM-END EXAMINATION: 70 MARKS**

**OBJECTIVE:** This course on Economics aims at providing broad based understanding of basic concepts of Economics and delineating relationship between Economics and Law.

**MODULE-I: Overview of Macroeconomics.**

- a) **Interdependence of micro and macro economics.**
- b) **Development of macro economics (Schools of Thought)**
  - i. **Classical.**
  - ii. **Keynesian.**
  - iii. **Post-Keynesian.**
- c) **Goals of macroeconomic policy.**
- d) **Basic concepts**
  - i. **Stocks and Flows.**
  - ii. **National Product and Domestic Product.**
  - iii. **Aggregate Consumption.**
  - iv. **Circular Flow of Income.**
- e) **Alternative measures of National Output; Real and Nominal GNP.**
- f) **The Principle of Effective Demand; Aggregate Demand and Aggregate Supply.**

**MODULE-II: Theory of Money and Banking**

- a) **Functions for money, Classification, Supply and Demand for money.**
- b) **Effects of money on output and prices.**
- c) **Inflation and deflation.**
- d) **Monetary policy.**
- e) **Money markets and Capital markets.**
- f) **Commercial Banking**
  - i. **Functions.**
  - ii. **Organization.**
  - iii. **Operations.**
- g) **Central Banking- functions and credit control.**
- h) **Non-Banking Financial Institutions- Meaning, Role and Distinction between Banks and NBFIs.**

**MODULE-III: Principles of Public Finance**

- a) **Tax systems- Meaning and Classification.**
- b) **Public Finance vs. Private Finance.**
- c) **Fiscal Policy- Concept, Objectives and Instruments.**
- d) **Central Budget.**
- e) **Burden of Deficits and Debts.**

**MODULE-IV: Poverty, Business Cycles and Unemployment.**

- a) **Concept, Causes and Policy measures of Poverty.**
- b) **Features of business cycles.**
- c) **Economic interpretations of unemployment.**

**MODULE-V: Special Economic Zones- various consideration and issues.**

**SUGGESTED READINGS**

1. Macroeconomics--- D.N. Dwivedi. Tata Mc Grow Hill 2005.
2. Macroeconomic Analysis--- E. Shapiro. Tata Mc Grow Hill 2003.
3. Money, Banking, International Trade and Public Finance--- M.L. Seth.
4. Macroeconomic Theory--- M.L. Jhingan.
5. Public Finance--- H.L. Bhatia.
6. Modern Economic Theory--- K.K. Dewett.
7. Contemporary Issues in Development Economics---B.N. Ghosh (ed.). Routledge Publishers, New Delhi.

**NAME OF SUBJECT: HISTORY-II: BRITISH RULE & RISE OF INDIAN NATIONALISM**

**PAPER CODE: BAL 210  
MAXIMUM MARKS: 30+70=100  
TIME ALLOWED: 3 HRS.**

**INTERNAL ASSESSMENT: 30 MARKS  
TERM-END EXAMINATION: 70 MARKS**

**OBJECTIVE:** This paper continues the search of Indian History during modern times. This is a continuation of History paper in the previous semester and aims at studying development of India through time.

**MODULE-I: Decline of Mughal Rule and Rise of British Empire.**

**MODULE-II: Social and Religious Reforms in 19<sup>th</sup> Century.**

**MODULE-III: Rise of Nationalism.**

**MODULE-IV: Gandhian Era.**

**MODULE-V: History of Independent India upto 2000.**

**a. Planning in India.**

**RECOMMENDED READINGS**

1. India's Struggle for Independence--- Bipin Chandra.
2. Nationalism and Colonialism--- Bipin Chandra.
3. Social Background of Indian Nationalism--- A.R. Desai.
4. India after Independence--- Bipin Chandra.