

**NAME OF SUBJECT: LAW OF SPECIAL CONTRACT INCLUDING INDIAN PARTNERSHIP ACT & NEGOTIABLE INSTRUMENT ACT**

**PAPER CODE: LAW 301**

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

**TIME ALLOWED: 3 HRS.**

**INTERNAL ASSESSMENT: 30 MARKS**

**TERM-END EXAMINATION: 70 MARKS**

**OBJECTIVE:** This is a follow- up course on contract. When students are familiarized with the general principles of contract, special contracts are studied in the light of statutory provisions and decisional law. Some of growing sectors of economy such petroleum, mining, transportation and power etc. today require specialized legal professionals to handle growing contractual requirements, joint ventures etc. Special contracts justify special statutory provisions for some kinds of contracts.

**MODULE-I:** Indemnity & Guarantee / Bailment & Pledge.

- a) Meaning, Distinction between Indemnity and Guarantee.
- b) Indemnity in cases of MNC and new industrial transactions such as Power and Energy. (SECS: 124-125).
- c) Rights/ Duties of Indemnifier, Indemnified and Surety.
- d) Discharge of Surety.
- e) Kinds of Guarantee. (SECS: 126-147)
- f) Bailment (SECS: 148-171, 180) & Pledge (SECS: 172-179)
  - i. Meaning and Distinction.
  - ii. Rights and Duties of Bailor/ Bailee, Pawnor/ Pawnee.
  - iii. Lien.
  - iv. Termination of Bailment.

**MODULE-II:** Agency

- a) Definition of Agent and Principal.
- b) Essentials of Relationship of Agency.
- c) Creation of Agency: By agreement, Ratification and Law.
- d) Relation of Principal/ Agent, Subagent and Substituted Agent.
- e) Termination of Agency. (SECS: 182-210 & 226-238).

**MODULE-III:** Specifically enforceable Contracts

- a) Contracts which cannot be specifically enforced (SECS: 14).
- b) Discretion of the Court (SEC: 20).
- c) Rectification of Instruments (SEC: 26).
- d) Rescission of Contracts (SECS: 27-30).
- e) Cancellation of Instruments (SECS: 31-33).
- f) E- Contracts including Standard form of Contract.

**MODULE-IV:** The India Partnership Act, 1932.

- a) Nature and concept of Partnership firm and limited partnership.
- b) Relations of partners to one and another and outsiders.
  - i. Rights/ Duties of partners inter se.
  - ii. Partnership Property.
  - iii. Relations of Partners to Third parties: doctrine of holding out.
  - iv. Liability for holding out minor as a partner.
- c) Incoming and outgoing partners.
- d) Dissolution of firm: Modes and consequences.
- e) Registration of firms and effects on non-registration.

**MODULE-V:** Negotiable Instrument Act.

- a) Definitions.
- b) Types.
- c) Crossing of Cheques
- d) Dishonour of cheques and Penalties.

**SUGGESTED READING**

1. Indian Contract Act--- Pollock and Mulla
2. Indian Contract Act--- Avtar Singh.
3. Principles of Mercantile Law--- R.K. Bangia.
4. Law of Contracts and Partnerships and Sale of Goods Act--- T.R. Desai.
5. Equity, Trust and Specific Relief--- G.P. Singh.
6. Equity, Trust and Specific Relief--- Akil Ahmed.
7. Contract--- Tata McGraw.
8. Sales of Goods Act, 1930--- Avtar Singh.
9. Indian Partnership Act, 1930--- Avtar Singh.
10. Pollock and Mulla on Contracts and Specific Relief Act (1999)---R.K. Abhichandani (ed.).
11. Law of Contract (1999)--- Krishnan Nair.
12. The Negotiable Instrument Act--- Bhashyam and Adiga.
13. The Negotiable Instrument Act--- M.S. Parthasharthy (ed.), J.S. Kheragaamvala.
14. The Sales of Goods Act--- Saharay, H.K.
15. Anson's Law of Contract (1998)--- Beatson (ed.).

**NAME OF SUBJECT: FAMILY LAW-I**

**PAPER CODE: LAW 302**

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

**TIME ALLOWED: 3 HRS.**

**INTERNAL ASSESSMENT: 30 MARKS**

**TERM-END EXAMINATION: 70 MARKS**

**OBJECTIVE:** Main objective of this course is to provide adequate sociological perspectives to expound concepts relating to family in their social settings. It also highlights some of the current problems arising out of foundational inequalities in different family concepts. Another objective is to view family law not merely as a separate system of personal laws based upon religions but as the one system cutting across the religious lines and eventually enabling us to fulfill the constitutional directive of uniform civil code at jurisprudentially at the academic study by identifying the core concepts in marriage laws of all communities to evolve a Uniform Civil Code devoid of political nest. Women and children have special family relations and hence in family law administration students are expected to develop insight so that they could protect constitutional rights of women and children. Conversion is another problematic area. It affects the family and whether it is compatible with the concept of secularism and to what extent such problem would stand resolved with the enactment of a Uniform Civil Code etc. are some of the issues that need proper examination.

### **UNIT I: GENERAL**

Nature, who is Hindu & Sources of Hindu Law

Hindu Marriage Act, 1955: (Sec.5-23)

### **UNIT II**

Maintenance under Hindu Marriage Act (Sec.24 & 25)

Maintenance under Hindu Adoption and Maintenance Act, 1956 (Sec.18, 19 &

20) Adoption:Essential & Effect (Sec.6 to 12 of HA&MA, 1956)

Kinds and Powers of guardian under Hindu Minority & Guardianship Act, 1956 (Sec.6-13)

### **ACTS**

1. Hindu Marriage Act, 1955

2. Hindu Adoption and Maintenance Act, 1956

3. Hindu Minority and Guardianship Act, 1956

Joint Hindu Family: Origin, Nature of Joint Family and Coparcener, Characteristic features of Coparcener, Distinction between Coparcener and Joint Family, Classification of Property:

Joint Family Property and Separate Property, Karta: Position, Powers and Liabilities, Debts

### **UNIT-III**

Partition: Definition, Persons entitled to demand Partition, Reopening and Reunion

Hindu Succession Act, 1956: Features, Devolution of interest in Coparcener Property (Sec.6), List of heirs in Class-I & II of the Schedule, Hindu Women's Right to Property

### **UNIT IV**

Special Marriage Act

#### **SUGGESTED READINGS**

1. J.D.M. Derrett- Hindu Law 1. Mulla, D.N. Hindu Law.
2. Paras Diwan, Modern Hindu Law.
3. Mulla D. N. Hindu Law
4. Dr. B. K. Sharma, Hindu Law

**NAME OF SUBJECT: SOCIOLOGY-III: INDIAN SOCIETY**

**PAPER CODE: BAL 303**

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

**TIME ALLOWED: 3 HRS.**

**INTERNAL ASSESSMENT: 30 MARKS**

**TERM-END EXAMINATION: 70 MARKS**

**OBJECTIVE:**

**MODULE-I:** It is presumed that the student has some familiarity with the 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. This course aims 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.

**MODULE-I:**

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

**MODULE-II:**

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

**MODULE-III:**

Cultural and ethnic diversity: historically- embedded diversities in respect of language, caste, religious beliefs and practices and cultural patterns.

**MODULE-IV:**

Basic institutions of Indian society: caste, kinship, family, marriage, religion; caste and class; changing dimensions.

## **MODULE-V:**

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.

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

- a) **Indological / Textual.**
- b) **Structural- Functionalism.**
- c) **Marxism.**
- d) **Synthesis of Textual and Field views.**
- e) **Civilizational View.**
- f) **Subaltern Perspective.**

### **RECOMMENDE READINGS**

1. **Culture and Society in India--- N.K. Bose. Asia Publishing House, Bombay.**
2. **Structure of Hindu Society--- N.K. Bose. 1975. New Delhi.**
3. **Society in India--- S.C. Dube (National Book Trust, New Delhi).**
4. **Indian Village--- S.C. Dube. Routledge. London.**
5. **India's Changing Villages--- S.C. Dube. Routledge and Kegan Paul. London.**
6. **Hindu Society: An Interpretation--- Iravati Karve. Deccan College. Poona.**
7. **The Speaking Tree: A Study of Indian Society and Culture. Oxford University Press. Delhi.**
8. **Society in India--- D.G. Mandelbaum. Popular Prakashan. Bombay.**
9. **Social Structure--- M.N. Srinivas. Hindustan Publishing Corporation. New Delhi.**
10. **Social Change in Modern India--- M.N. Srinivas. 1963. University of California Press. California Berkley.**
11. **Modernization of Indian Tradition---Yogendra Singh. 1973. Thomson Press.**
12. **Family, Kinship and Marriage in India--- Patricia Uberoi. Oxford University Press.**
13. **Contemporary India: Transitions--- P.R. DeSouza. 2000. Sage, New Delhi.**
14. **Themes and Perspectives in Indian Sociology--- D.N. Dhanagre. Rawat. Jaipur.**
15. **Social Sciences in a Changing Society--- S.c. Dube. Lucknow University Press.**
16. **Homo Hierachichs: The Caste System and its Implecations--- Louis Dumont. Vikas, New Delhi.**
17. **Diversities--- D.P. Mukherjee. 1958. People's Publishing House, Delhi.**
18. **Indian Sociology: Reflections and Introspections --- T.K. Oomen and P.N. Mukherjee (ed.). 1986. Popular Prakashan , Bombay.**
19. **Indian Sociology: Social Conditioning and Emerging Concerns--- Yogendra "Singh. 1986. Vistaar, Delhi.**

**NAME OF SUBJECT: POLITICAL SCIENCE-III(WESTERN POLITICAL THOUGHTS-I)**

**PAPER CODE: BAL 304**  
**MAXIMUM MARKS: 30+70=100**  
**TIME ALLOWED: 3 HRS.**

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

**OBJECTIVE:**

**UNIT – I**

**Plato's**

- a. Views on justice.
- b. Ideal state.
- c. Education.
- d. Communism.

**Machiavelli**

- a. Concept of Human nature.
- b. Views on Morality.
- c. Views on Religion.
- d. Views on Ideal Ruler.
- e. Machiavelli As First Modern Political Thinker.

**UNIT – II**

**Aristotle**

- a. Views on nature of state.
- b. Slavery.
- c. Concept of Revolution.
- d. Classification of Constitution.
- e. Theory of Distributive Justice.

**Theories of Hobbes, Locke and Rousseau**

- a. On Human Nature
- b. On Social Contract
- c. On Sovereignty
- d. On Natural Law

**UNIT – III**

**St. Thomas Aquinas**

- a. Concept of state.
- b. Classification of Law.(c. Contribution to Political & Legal Thought.

**Bentham**

- a. Views on Utilitarianism.
- b. Hedonistic Calculus.
- c. Views on Law Reforms.
- d. Views on Judicial Reforms.

**UNIT – IV**

**Bodin**

- a. Concept of Sovereignty.
- b. Limitations upon Sovereignty.
- c. Concept of state & Government.
- d. Concept of Religious Tolerance.
- e. Contribution to Political Thought.

**Marx**

- a. Scientific Socialism.
- b. Historical Materialism.
- c. Theory of Class struggle & Revolution.
- d. Theory of State.

**Suggested Readings:**

Political Thinkers Bhandari.

Western Political Thought Vol. -I, II, III & IV J.P. Sood.

A History of Political Theories G.H. Sabine.

Western Political Thought William Ebbenstein.

Western Political Thought C.C. Maxey.

Paschatiya Rajnitik Vicharak- Vol. 1-4, J.P. Sood

Paschatiya Rajnitik Chintan ka Itihaas B.L. Fadia



**NAME OF SUBJECT: ECONOMICS-III: THEORIES OF DEVELOPMENT AND INDIAN ECONOMICS**

**PAPER CODE: BAL 306**

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

**TIME ALLOWED: 3 HRS.**

**INTERNAL ASSESSMENT: 30 MARKS**

**TERM-END EXAMINATION: 70 MARKS**

**OBJECTIVE:** 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.

### RECOMMENDED READINGS

- (1) Agarwal, A.N., **Indian Economy: Problems of Development and Planning**, New Age International Publishers, New Delhi, Twenty Third Editions, 2007.
- (2) Dutt Rudder 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.

