

Subodh Law College

B.A, LL.B. Five Year Integrated course

I Semester

PAPER 1.1. ENGLISH - I

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 36

This paper shall consist of following two parts:

- (a) Written paper — 70 marks
- (b) Internal examination — 30 marks (15+10+5) Mid Semester Test: 15 marks Project/Assignment: 10 marks Presentation: 05 marks

The candidate must pass in part (a) and (b) separately. For passing, he shall be required to obtain 36 percent marks in each part, i.e. 25 marks out of 70 and 11 marks out of 30 marks.

- (1) The question paper shall be divided into two (02) Parts viz. Part – A and Part – B.
- (2) Part – A shall consist of five (05) compulsory questions of two (02) marks each whereas Part – B shall consist of seven (07) questions. The Candidate is required to attempt any four (04) questions. All questions carry equal marks.
- (3) The prescribed syllabus includes latest amendments in the subject wherever applicable.

OBJECTIVES OF THE COURSE: The course aims at enhancing verbal and non-verbal skills of law students with focus on Reading skills. The exposure to close reading of the reference books and journals would enable them to hone their empathetic skills, study skills and writing skills.

UNIT – I The Joy of Reading (Orient Longman): The following stories-(a) —An Astrologer’s Day| R.K. Narayan (b) —The Child| Premchand —The Gift of the Magi| O. Henry Language and Grammar: Defining Language, Nature of Language; Linguistic Competence (Introductory); Grammar and Usage - Sentence Structure- Subject and Predicate; Concord; Tenses; Use of Articles; Accurate Use of Prepositions; Making Questions (Why- and yes-no questions and question tags); Use of Auxiliary Verbs (making requests, suggestions, seeking permission etc.); Some Common Errors

UNIT – II The Joy of Reading (Orient Longman): The following prose pieces—Education: Indian and American| Anurag Mathur (1)—Bangle Sellers| Sarojini Naidu(2)—Where the Mind is Without Fear| Rabindranath Tagore Sentence Transformation: Active and Passive Voice; Types of Sentences (Statements, interrogative, exclamatory and imperative); Simple, Complex and Compound Sentences; Reported Speech; Syntactic Ambiguity

UNIT – III The Joy of Reading (Orient Longman): The following poems- —My Financial Career| Stephen Leacock; The World is Too Much with Us| William Wordsworth Communication Skills: Communication - Verbal, Non-verbal and Written; Significance of Communication Skills for Lawyers- Listening, Speaking,

Reading and Writing (Introductory); Electronic Communication and its Types (Telephone, Facsimile, E-mail, Voicemail, Teleconferencing, Video-conferencing, Word processor, Internet, Social Media); Formal Correspondence; Resume Writing, Difference between Bio-data, Resume and Curriculum-Vitae.

UNIT – IV The Joy of Reading (Orient Longman): The following Poems- Speech on Indian Independence Jawaharlal Nehru (1) Sonnet: —When in disgrace... William Shakespeare (2) Success is Counted Sweetest Emily Dickinson Transformation of sentences: (a)Active/passive(b)Interrogative

UNIT – V Tenses; Comprehension; Paragraph Writing; Punctuation; Latin Maxims; Pair of words; One-word substitution, Synonym, Antonym; Comprehension of Legal Texts; Prescribed Leading Cases; Newspaper Reading, Idioms and Phrases.

SUGGESTED READINGS:

- i. Bhatnagar, R.P. and R. Bhargava, Law and language, New Delhi: Macmillan.
- ii. Cambridge Idioms Dictionary. Singapore : Cambridge University Press, 2006.
- iii. Collins Cobuild students Grammar
- iv. Cutts Martin, The Plain English Guide, Oxford University Press, 1995.
- v. Donald, Sydney G. and Pauline E Kneale. Study Skills for Language Students. New York: OUP, 2001. vi. Eastwood John, Oxford Practice Grammar Oxford Uni. Publication.
- vi. Gibbons John, (ed.) Language and Law, Longman, 1996 London.
- vii. Green, David. Contemporary English Grammar Structures and Composition. Chennai: Macmillan, 1999.
- viii. Hansen, Randall S and Katherine Hansen. The Complete Idiot's Guide to Study Skills. New Delhi: Penguin Books, 2008.
- ix. Hewings, Hartin, Advanced English Grammar, Cambridge University Press

PAPER 1.2. GENERAL PRINCIPLES OF POLITICAL SCIENCE

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 36 This paper shall consist of following two parts:

- (a) Written paper — 70 marks
- (b) Internal examination — 30 marks

(15+10+5) Mid Semester Test: 15 marks Project/Assignment: 10 marks Presentation: 05 marks

(1) The question paper shall be divided into two (02) Parts viz. Part – A and Part – B.

(2) Part – A shall consist of five (05) compulsory questions of two (02) marks each whereas Part – B shall consist of seven (07) questions. The Candidate is required to attempt any four (04) questions. All questions carry equal marks.

(3) The prescribed syllabus includes latest amendments in the subject wherever applicable. **OBJECTIVES OF THE COURSE:**

To establish a relationship between Political Science and Law and in the process bring out the significance of Political Science in strengthening the understanding of Law. The subject will facilitate conceptual clarity and also will provide a theoretical understanding of key themes which are central to the subject of Law. In addition to this, Political Science as an academic discipline will familiarise with ideologies which will play a vital role in moulding the thought process of law students and which will have its effect while dealing with the practical aspect of Law.

UNIT - I Introduction to the study of Political Science/Politics; Origin, different meanings, definitions; Scope of Politics- Ancient/Greek view, Traditional view and Modern View; Significance of study of Political Science for Law. Meaning, Scope and Nature of Political Science; Traditional and Contemporary Perspective; Behaviouralism and Post-Behaviouralism; Inter-disciplinary approach in Political Science.

UNIT - II State: Name, Characteristics; State and Government, Theories of the Origin of State; Social Contract and Evolutionary; Organs of Government and their Functions; Theory of Separation of Powers; State and Nation and State and Society. Theories of the State; Social Contract Theory: Views of Hobbes, Locke and Rousseau: Critical appraisal of the theory; Historical/Evolutionary Theory; Marxist Theory; Sovereignty- Definitions and meaning; Internal and External Sovereignty; Types of Sovereignty; Characteristics of Sovereignty; John Austin's theory of Sovereignty; Pluralist Theory of Sovereignty;

UNIT - III Forms of Government: Unitary and Federal; Parliamentary and Presidential; Characteristics of Unitary and Federal; parliamentary and Presidential forms of Government; Merits and Demerits of Unitary and Federal; Parliamentary and Presidential forms of Government; Concept: Liberty, Equality, Power, Authority, Law, Justice, Citizenship, Rights and Duties; Constitution and Constitutionalism.

UNIT - IV Election Commission in India: Role of Election Commission in regulating Political Parties; Pressure Groups – Meaning and significance and functions; Election process – Understanding basic concepts- Electorate - Constituency- Universal Adult Franchise- Representation and its types

UNIT - V Political Parties and Pressure Groups: Origin and Evolution of Political Parties; Meaning and nature of Political Parties; Structure, Power and functions of Political Parties; Types of Political Party System– Single Party System-Bi-Party System- Multi-Party System; Types of Political Parties – Indian Scenario- Umbrella Party- National Parties-State Parties-Regional Parties.

SUGGESTED READINGS:

- i. S.W. Garner, Political Science and Government
- ii. L.S. Rathore, In Defence of Political Theory
- iii. S.P. Verma, Rajniti Shastra Ke Siddhantha (Hindi)
- iv. Barker, Ernest, Principles of Social and Political Theory, Oxford University Press, 1978.
- v. Bhargava, Rajeev and Ashok Acharya: Political Theory: An Introduction (New Delhi, Pearson Education, 2008)
- vi. Heywood, Andrew, Political Ideologies: An Introduction(London, Red Globe Press,6thed. 2017)
- vii. Hobbes, Thomas, Leviathan (England, Oxford University Press, edition 2008)
- viii. Johari, J.C. Principles of Modern Political Science (New Delhi, Sterling Publisher, 2005)

- ix. Hoffman John and Paul Graham, Introduction to Political Theory (London, Routledge,2015).

PAPER 1.3. GENERAL PRINCIPLES OF SOCIOLOGY

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 36 This paper shall consist of following two parts:

- (a) Written paper — 70 marks
- (b) Internal examination — 30 marks (15+10+5) Mid Semester Test: 15 marks Project/Assignment:10 marks Presentation: 05 marks
 - (1) The question paper shall be divided into two (02) Parts viz. Part – A and Part – B.
 - (2) Part – A shall consist of five (05) compulsory questions of two (02) marks each whereas Part – B shall consist of seven (07) questions. The Candidate is required to attempt any four (04) questions. All questions carry equal marks.
 - (3) The prescribed syllabus includes latest amendments in the subject wherever applicable.

OBJECTIVES OF THE COURSE: To introduce students with the emergence of sociology and basic concepts used in the discipline. The course content will apprise students with the relationship of Sociology and Law. It will familiarize students with the Classical Sociologists, i.e. Karl Marx, Max Weber and Emile Durkheim and to apply the formulation of these thinkers to contemporary issues. The Purpose of study is to know the basic ideas on the emergence of Sociology; Exhibit the understanding on the relationship of Sociology and Law; Express the knowledge on the foundation of sociology like society, culture, group, norms.

UNIT- I Sociology, its meaning, Emergence of Sociology, Law and Sociology (Social change and Social Control), Basic Concepts: Society, Community, Institution, Association, Status, Norms, values, Mores, Customs, Sanctions, Social Structure, Social Mobility, Rural, Urban and Tribal Society (Meaning and Characteristics)

UNIT-II Inequality, Differentiation, Ranking, Hierarchy, Social Stratification, Dimensions of Social Stratification: Caste, Class, Race, Ethnicity and Gender. Theoretical Formulations: i) Functional Theory: Davis and Moore ii) Conflict Theory: Karl Marx

UNIT-III Sociological Thought on Law: Emile Durkheim; Social Facts, Social Solidarity (Mechanical and Organic) Anomie; Karl Marx; law as a part of Super Structure; Max Weber: Verstehen, Ideal Type, Social action and its Types, Bureaucracy.

UNIT-IV Law and Weaker Section: Constitutional Provisions for Scheduled Castes, Scheduled Tribes and Other Backward Classes; Atrocities against Dalits; Violence against Women.

UNIT-V Law and Social Problems: Communalism and Communal Violence, Terrorism, Drug Abuse, Juvenile Delinquency, Child Marriage, Dowry, Widow-Remarriage, Divorce, Prostitution

SUGGESTED READINGS:

- i. Ahuja, Ram : Indian Social System, Rawat Publication, Jaipur, 1993
- ii. Baxi, Upendera, Towards the Sociology of Law. New Delhi: Satwahan Publications, 1986

- iii. Bottomore, T.B. (1972). *Sociology, A Guide to Problems and Literature*. Bombay: George
- iv. Craib, Ian. (1984). *Modern Social Theory*. Brighton: Harvester Press.
- v. Dillon Michele. (2014). *Introduction to Sociological Theory*. Wiley Blackwell
- vi. Giddens, Anthony. (2001). *Sociology*. Cambridge: Blackwell Publishers.
- vii. Inkeles, Alex. (1987). *What is Sociology?*. New Delhi: Prentice- Hall of India.
- viii. Maclver, R.M. and Page, C.H. : *Society : An Introductory Analysis*, Newyork, Rinehart, 1937
- ix. Morrison, Ken. (2006). *Marx, Durkheim, Weber, Formation of Modern Social Thought*.
- x. Rawat, H.K. : *Sociology : Basic Concepts*, Rawat Publications, Jaipur 2007.

PAPER 1.4. LAW OF TORTS - I

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 36

This paper shall consist of following two parts: (a) Written paper — 70 marks (b) Internal examination — 30 marks (15+10+5) Mid Semester Test: 15 marks Project/Assignment:10 marks Presentation: 05 marks

- (1) The question paper shall be divided into two (02) Parts viz. Part – A and Part – B.
- (2) Part – A shall consist of five (05) compulsory questions of two (02) marks each whereas Part – B shall consist of seven (07) questions. The Candidate is required to attempt any four (04) questions. All questions carry equal marks.
- (3) The prescribed syllabus includes latest amendments in the subject wherever applicable.

OBJECTIVES OF THE COURSE: With rapid industrialization, law of tort has taken a dynamic shape and came to be used as an effective remedy against manufacturers and industrial units for their activities injurious to human beings. Product liability is now assuming a new dimension in developed economics. Hence, the basic purpose for introducing this law to the students is to make them understand the constituents of tort and its general principles.

UNIT - I Meaning, Nature and Definition of Tort: Development of actions in tort in England and India; Meaning, Nature and definition of tort; Tort distinguished from contract, Quasi-Contract, breach of trust and crime; Foundation of tortious liability; Kinds of Damages; Relevance of Motive in Torts and its Exceptions– wrongful act, damage and remedy; Malfeasance, Misfeasance and Non-Feasance; Joint and Several Tort Feasors; Judicial Responses; Felonious Torts.

UNIT - II General Defences in Tort: Volenti Non Fit Injuria, consent, voluntary assumption of risk, exclusion clauses; Vis Major (Act of God); Inevitable accident; Act of third parties; Novus Actus Interveniens; Plaintiff's wrong or default; Self-defence and Defence of Property; Necessity; Statutory Authority; Judicial and quasi-judicial acts; Parental and quasi-parental authorities; Illegality; Mistake of Fact.

UNIT - III Damages and Remoteness of Damage; Contributory Negligence, Death as creating and extinguishing Liability

Damages: Types- General and special, nominal, contemptuous, aggravated, exemplary, Compensatory damages- Principles of causation, foreseeability, certainty, assessment and calculation of damages- principles, personal injuries, death, loss of property, economic and non-economic losses; Injunction- Permanent and Temporary, Quia-Timet Action; Replevin (Claim and Delivery); Ejectment Extra - Judicial Remedies: Self-Defence, Re-Entry on Land, Recapture of goods, Abatement, Distress Damage Feasant;

UNIT - IV Vicarious Liability: Principle of Vicarious Liability: Nature, Scope and Justification; Concept of Master (Employer) and Servant (Employee) relationship; State Liability; Concept of Sovereign and Non-Sovereign Functions;

UNIT - V Miscellaneous: Strict Liability and its Exceptions, Absolute Liability, No-Fault Liability and their Exceptions;

LEADING CASES: □ Donogue v. Stevenson (1932) AC 562 □ Indian Medical Association v. V. P. Shantha, AIR (1996) SC 558. □ Municipal Corporation of Delhi v. Smt. Subhagwati, AIR (1966) SC 17. □ N. Nagendra Rao v. State of Andhra Pradesh, AIR (1994) SC 2663. □ Rylands v. Fletcher, (1868) LP. 3 HL 330.

SUGGESTED READINGS:

- i. Avtar Singh and Harpreet Kaur, Introduction to the Law of Torts and Consumer Protection, 3rd ed, 2013, LexisNexis.
- ii. Bangia, R.K.: Law of Torts, Allahabad Law Agency, Faridabad, 2015.
- iii. Basu, D.D.: The Law of Torts, Kamal Law House, Kolkata, 2008.
- iv. Clerk and Lindsell: Torts, Sweet and Maxwell, London, 2008.
- v. Gandhi, B.M.: Law of Torts, Lucknow. Eastern Book Company, 2019.
- vi. Howarth, D. R., Hepple Howarth, and Mathews. Tort: Cases & Materials. London: Oxford University Press, 2005.
- vii. Iyer, Ramaswamy: Law of Torts, New Delhi. Lexis Nexis Butterworth, 2007.
- viii. Kapoor, S.K.: Law of Torts, Allahabad. Central Law Agency, 2018.
- ix. Pandey, J.N. & Pandey, Vijay K.: Law of Torts, Allahabad. Central Law Publications, 2019.
- x. Salmond on the Law of Torts, Sir John William Salmond, R. F. V. Heuston, Sweet & Maxwell, 1977.
- xi. Sir Percy Henry Winfield, Tom Ellis Lewis; Winfield on Tort: A Textbook of the Law of Tort, Sweet & Maxwell, 1954.

PAPER 1.5. LAW OF CONTRACT [GENERAL PRINCIPLES OF CONTRACT AND SPECIFIC RELIEF ACT, 1963]

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 36

This paper shall consist of following two parts:

- (a) Written paper — 70 marks
- (b) Internal examination — 30 marks (15+10+5) Mid Semester Test: 15 marks Project/Assignment: 10 marks Presentation: 05 marks

- (1) The question paper shall be divided into two (02) Parts viz. Part – A and Part – B.
- (2) Part – A shall consist of five (05) compulsory questions of two (02) marks each whereas Part – B shall consist of seven (07) questions. The Candidate is required to attempt any four (04) questions. All questions carry equal marks.
- (3) The prescribed syllabus includes latest amendments in the subject wherever applicable.

OBJECTIVES OF THE COURSE: To apply the basic principles in contractual relations, there need to be a clear understanding of the basic sources of law of contract. As the major source of contract law being the principles of English common law, we need to discuss the evolution of law of contract and the similarities and dissimilarities with the English law of contract. Hence, this course is designed to acquaint the students with the conceptual and operational parameters of these various general principles of contractual relations. Specific enforcement of contract is an important aspect of the law of contract. Analysis of the kinds of contracts that can be specifically enforced and the methods of enforcement forms a significant segment of this study. A practical overview of Specific Relief Act which gives a judicial remedy to enforce performance of contract is also included in the study.

UNIT - I Meaning, elements and characteristics of Contract; Formation and Classification of Contract, including the Standard form of Contract; Proposal: Meaning, Elements Characteristics and Kinds of Proposal; Distinction between Proposal and Invitation to Proposal; Acceptance: Meaning, Modes and Characteristics of Acceptance; Communication, Revocation and Termination of Proposal and Acceptance;

UNIT - II Consideration: Meaning, Definition and Elements of Consideration; Significance and adequacy of consideration; Privity to Contract; Unlawful Consideration and Object Exception to the consideration.

UNIT - III Valid Contract Capacity to Contract: Free Consent: E-Contracts: Definition, Silent Features, Formation and types, Differences between E- Contract and Traditional Contract, Advantages and Disadvantages of E –Contracts; Voidable and Void Agreements: Doctrine of severability; Agreements in restraint of marriage; in restraint of trade; Uncertain agreements; in restraint of legal proceedings; Agreement by way of wager; Contingent Contract

UNIT - IV Performance of Contract: Parties to perform the contract, Joint rights and joint liability and performance of reciprocal promises; Time, Place and Manner of Performance; Discharge from liability to perform the contract, doctrine of Impossibility. Certain relations resembling to those created by Contract (Quasi Contract)

UNIT - V Breach of Contract : Meaning and Kinds; Remedies for Breach of Contract: (i) Damages— Measure of damages and remoteness of damage; (ii) Specific Performance of contract and injunctions under Specific Relief Act, 1963 and Amendments; Contracts which are specifically enforceable; Contracts which are not specifically enforceable; Injunction; Rescission and Cancellation of Contract; Discretion of Court.

LEADING CASES: □ Carlill v. Carbolic Smoke Ball Co. (1892) Civ. 1 QB 256 □ Bhagwandas v. Girdhari Lal & Co. AIR 1966 SC 543 □ Motilal Padampat Sugar Mills v. State of U.P. AIR 1979 SC 621 □ Mohori Bibi v. Dharmodas Ghose, (1903) 30 I.A. 114 □ Satyabrata Ghose v Mugneeram Bangur & Co. and Another AIR 1954 SC 310

SUGGESTED READINGS:

- i. Anson, Law of Contract, Oxford University Press, New York, 2016
- ii. Atiyah P.S.: An Introduction to the Law of Contract, Clarendon Law Series, OUP
- iii. Avtar Singh, Law of Contract, 12th ed., Eastern Book Company, Lucknow, 2019 (Reprint)
- iv. Jill Poole, Textbook on Contract Law, Oxford University Press, New York, 14th ed. 2019
- v. Mulla, Indian Contract Act, Lexis Nexis, New Delhi, 15th Ed. 2015
- vi. Neil Andrews, Contract Law, Cambridge University Press, 2011
- vii. P.R. Desai: Principles of Law of Contract
- viii. Pollock & Mulla: Indian Contract and Specific Relief Act
- ix. V.G. Ramchandra: The Law of Contract in India