

**DR. BABASAHEB AMBEDKAR MARATHWADA UNIVERSITY,
AURANGABAD.**



CIRCULAR NO./ SYLL./CURR./ LLB/ 3 & 5 YEAR/SEM-II/2019.

It is hereby inform to all concerned that, the Academic Council at its meeting held on 29th December, 2018 has accepted the Curriculum of [1] L.L.B. [Semester-II] of Three Year Degree Course & [2] LL.B. Integrated Double Degree Course leading to B. A. LL.B. [Semester-II] (Five Year LL.B. Double Degree Integrated Programme) under Choice Based Credit & Grading System in the faculty of Humanities as per Appendix-'A' & 'B'.

This is effective from the Academic Year 2018-19 and Onwards.

All concerned are requested to note the contents of this circular and bring notice to the students, teachers and staff for their information and necessary action.

University campus,
Aurangabad-431 004.

Ref. No. SU/LLB/3&5Yr Curri./2019/24459
= 78


**Deputy Registrar,
Academic [Syllabus]
Section.**

Date: 08.05.2019.

Copy forwarded with compliments to:-

- 1] The Principals, affiliated concerned Colleges,
Dr. Babasaheb Ambedkar Marathwada University, Aurangabad
- 2] The Director, University Network & Information Centre, UNIC, with a request to upload this Circular on University Website.

Copy to :-

- 1] The Director, Board of Examinations & Evaluation,
 - 2] The Section Officer, [Professional Unit] Examination Branch,
 - 3] The Section Officer, [Eligibility Unit],
 - 4] The Programmer [Computer Unit-1] Examinations,
 - 5] The Programmer [Computer Unit-2] Examinations,
 - 6] The In-charge, [E-Suvidha Kendra],
 - 7] The Public Relation Officer,
 - 8] The Record Keeper,
- Dr. Babasaheb Ambedkar Marathwada University, Aurangabad

Regulations relating to
LL.B. 3 YEAR DEGREE COURSE CBCS PATTERN SEMESTER
WISE

(effective from the Academic Year 2018-'19)

The following regulations for 3 year LL.B Course shall come into force with effect from the Academic Year 2018-'19.

- **Admission** into 3 Year LL.B. Degree Course is subject to MH-CET (LAW) and University Rules and Regulations. Admissions are made by MH-CET (LAW) in accordance with the Rules prescribed by Government of Maharashtra vide Gr. No. CET -2015/C.R.243/MASHI-2 of Higher Education dt. 2/4/2016
- **For the award of 3 year LL.B. Degree**, a candidate shall be required to have
 - i) received instruction and training for the prescribed course of study as full-time students for three academic years, and
 - ii) passed all the examinations prescribed for the award of 3 Year LL.B. Degree.
- **Duration:** 3 Year LL.B Degree Course has to be pursued in six semesters stretching over three academic years. Each academic year comprises of two Semesters.
- **Medium of Instruction** will be in English language
- **Class Room Instruction:** Class room instruction for each semester will be for 16 weeks excluding the period for conducting the examinations.
- **Attendance:** In order to be eligible to take the examination in any subject, candidate is required to put in 75% of attendance in each subject which includes lectures, tutorials and practical training.

If a student for any exceptional reason fails to attend 75% of the classes held in any subject, he/she may be condoned for the shortage of attendance if the student concerned attended at least 66% of the classes held in the subject concerned subject to the payment of the fine prescribed from time to time by the University

- **Credits:**
All papers carry six credits each. Total credits of the LL.B (3Year) Course are 180.
- **Question Paper Pattern**
For papers other than Practical Papers, the question paper consists of three parts.

- **Question No. 1 is Compulsory Question** which consist of 06 short answer questions. The candidates have to answer any 5 (five) questions. Each question carries 4 marks with a total for 20 marks ($4 \times 5 = 20$).
- **Question No. 2 to 8 are optional Questions** consists of 8 (eight) **Essay questions**. The Candidate has to answer **any 5 (five) questions**. Each question carries 12 marks with a total of 60 marks. ($5 \times 12 = 60$).

➤ **Allotment of Marks:**

All papers carry **100 Marks** each.

Except for the *Practical papers*, 80 Marks are allotted to Semester End written examination. 20 Marks are allotted for internal marks, the split up of which is as follows;

- Test - 10 Marks (Two midterm tests will be conducted out of which one test will be in objective mode consisting of not less than 10 questions.)
- Assignment -5 Marks (One Assignment to be given)
- Semester End Viva- 5 Marks

For all practical papers 50 Marks are allotted to internal component and 50 marks are allotted to external component Practical Papers are:

- (i) Professional Ethics - Semester III
- (ii) ADR (Clinical Legal Edn.) - Semester IV
- (iii) Drafting, Pleading and Conveyance - Semester V
- (iv) Moot Court (Clinical Legal Edn.) - Semester VI

Breakup for : For Practical Training Papers in III, IV, V & VI Semesters

The Semester end paper carrying 50 Marks consists of **8 essay questions** out of which the candidate has to answer **any 5 (five)** questions i.e., $5 \times 10 = 50$ Marks.

The remaining 50 marks is practical record on the subject.

Project Report **50 marks** on Clinical Legal Education Exercise prescribed for the concerned semester.-

- 35 Marks
- Viva-15 Marks

➤ **Examination:**

- Candidate shall take examination in each of the subjects prescribed for study at the end of the semester by registering for that semester examination and obtaining hall ticket for the same. Duration of the examination is three hours.
- The semester end examination shall be based on the question paper set by an external paper setter.
- For qualifying in the examination the candidate has to secure a minimum of **40%** in the theory papers including internals marks i.e. **20 marks** at the

institutional level. For qualifying in the Practical papers in LL.B (3YDC) i.e. Clinical Legal Education and the Practical Training Papers III, IV, V, & VI semesters the candidate has to secure 40% in external & internal i.e. Project Record together.

- Grafting/Grace is permitted. Eg. A candidate, who secured only 35%, would fail having fallen short of the required minimum pass percentage (40%) by five marks. Permission for grafting allows such candidate an opportunity to utilize the excess marks if any he might have earned in some other paper for filling up the said deficit. Thus, if the concerned candidate happened to secure 45 marks in another paper, the extra five marks which is in excess of what is required for a pass could be notionally added to fill the deficit of 5 marks of the paper in which the candidate actually failed. and thereby declare the candidate to have been passed in such paper.

The pattern of grade and CGPA & SGPA as followed in PG in Law & Dip. In Taxation Law
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Note: Only those candidates who appear and pass the examination in all the papers of the First semester, all the papers of the Second semester, all the papers of the Third semester, and similarly all the papers of the Fourth semester and so on, at first appearance are eligible to be placed in O grade.

➤ **Awards:**

No candidate who has not passed all the papers relating to any semester at the first appearance shall be eligible for the Award of Medals or Prizes by the University and to receive certificates of rank obtained by them in the examination.

Explanation: Credits, Grade Letter Grade Points, Credit Points.

Credit means the unit by which the course work is measured. One credit means one hour of teaching work or one hour of practical work per week.

Grade Letter is an index to indicate the performance of a student in a particular course (Paper). It is the transformation of actual marks secured by a student in a course/paper. It is indicated by a Grade letter O, A, B, C, D, E. There is a range of marks for each Grade Letter.

Grade Point is Weightage allotted to each grade letter depending on the marks awarded in a course/paper

CGPA: CGPA means Cumulative Grade Point Average. It will be calculated from 2nd semester onwards.

SGPA: means Semester Grade Point Average. This is calculated for each semester of the programme

CGPA x 10 will be the overall percentage of the marks obtained by the candidate.

The performance of the candidate extinguishes in case of non completion of the course within 6 yrs. from the date of joining i.e. the 3 years student should complete his course within 6 yrs. from the date of joining (*Example: 2018-19 academic year admitted student has to complete his / her LL.B. 3 yrs. course by 2023-24 academic year*)

LL.B. (Three Year) Degree Course Pattern

FIRST YEAR

FIRST SEMESTER:

Sl. No	Paper No		per week			Marks		Credits
			L	T	P	E	I	
1	1	1.1 Constitutional Law I	5	1	-	80	20	6
2	2	1.2 Jurisprudence	5	1	-	80	20	6
3	3	1.3 Family Law I (Family Relations)	5	1	-	80	20	6
4	4	1.4 Contract I	5	1	-	80	20	6
5	5	1.5 Banking Law	5	1	-	80	20	6
TOTAL								30

SECOND SEMESTER

Sl. No	Paper No	Subject	Hours per week			Max Marks		Credits
			L	T	P	E	I	
1.	1	2.1 Constitutional Law II	5	1	-	80	20	6
2.	2	2.2 Torts, Motor Vehicle Act and Consumer Protection Act	5	1	-	80	20	6
3.	3	2.3 Family Law II (Succession)	5	1	-	80	20	6
4.	4	2.4 Contract II (Optional Legal)	5	1	-	80	20	6
5.	5	2.5 Social Research Methods (Research methodology)	5	1	-	80	20	6
TOTAL								30

L = Lectures; T= Tutorials; P = Practical; E= Examination; I=Internal

LL.B. (Three Year) Degree Course Pattern**SECOND YEAR****THIRD SEMESTER**

Sl. No	Paper No	Subject	Hours per week			Max Marks		Credits
			L	T	P	E	I	
1.	1	3.1 Law of Crimes	5	1	-	80	20	6
2.	2	3.2 Property Law and Easement Act	5	1	-	80	20	6
3.	3	3.3 Labour Law I	5	1	-	80	20	6
4.	4	3.4 Administrative Law	5	1	-	80	20	6
5.	5	3.5 Professional Ethics	5	1	6	50	50	6
TOTAL								30

FOURTH SEMESTER

Sl. No	Paper No	Subject	Hours per week			Max Marks		Credits
			L	T	P	E	I	
1	1	4.1 Criminal Procedure Code	5	1	-	80	20	6
2	2	4.2 Company Law	5	1	-	80	20	6
3	3	4.3 Labour Law II	5	1	-	80	20	6
4	4	4.4 Interpretation of Statutes (Optional Legal)	5	1	-	80	20	6
5	5	4.5 ADR (Clinical Legal Edn.)	5	1	6	50	50	6
TOTAL								30

L = Lectures; T= Tutorials; P = Practical; E= Examination; I=Internal

LL.B. (Three Year) Degree Course Pattern

THIRD YEAR

FIFTH SEMESTER

Sl. No	Paper No	Subject	Hours per week			Max Marks		Credits
			L	T	P	E	I	
1	1	5.1 Law of Evidence	5	1	-	80	20	6
2	2	5.2 Principles of Taxation	5	1	-	80	20	6
3	3	5.3 Environmental Law	5	1	-	80	20	6
4	4	5.4 Land Laws including Tenure and Tenancy Law	5	1	-	80	20	6
5	5	5.5 Drafting, Pleading and Conveyance	5	1	6	50	50	6
		TOTAL						30

SIXTH SEMESTER

Sl. No	Paper No	Subject	Hours per week			Max Marks		Credits
			L	T	P	I	E	
1	1	6.1 Civil Procedure Code and Limitation Act	5	1	-	80	20	6
2	2	6.2 Public International Law	5	1	-	80	20	6
3	3	6.3 Intellectual Property Law	5	1	-	80	20	6
4	4	6.4 Insurance Law (Optional Legal)	5	1	-	80	20	6
5	5	6.5 Moot Court (Clinical Legal Edn.)	5	1	6	50	50	6
TOTAL								30
GRAND TOTAL								180

L = Lectures; T= Tutorials; P = Practical; E= Examination; I=Internal

Structure of Subject of 3 yrs. LL.B. under CBCS Pattern w.e.f. 2018-'19

	Semester-I		Semester-II	
Compulsory Legal	1.1 Constitutional Law I	6	2.1 Constitutional Law II	6
Compulsory Legal	1.2 Jurisprudence	6	2.2 Torts, MV Act and Consumer Protection Act	6
Compulsory Legal	1.3 Family Law I (Family Relations)	6	2.3 Family Law II (Succession)	6
Compulsory Legal	1.4 Contract I	6	2.4 Contract II (Optional Legal)	6
Optional Legal	1.5 Banking Law	6	2.5 Social Research Methods (Research methodology)	6

Structure of Subject of 3 yrs. LL.B. under CBCS Pattern w.e.f. 2018-'19**Semester II**

	Semester-II	Credits
Compulsory Legal	2.1 Constitutional Law II	6
Compulsory Legal	2.2 Torts, Motor Vehicles Act and Consumer Protection Act	6
Compulsory Legal	2.3 Family Law II (Succession)	6
Compulsory Legal	2.4 Contract II (Optional Legal)	6
Optional Legal	2.5 Social Research Methods (Research methodology)	6

CONSTITUTIONAL LAW- II

Unit 1: Parliamentary Government: Westminster Model-Indian experience before Independence-choice of Parliamentary Government, President of India-Election Qualifications, Impeachment, Salary, etc., Council of Minister-President's Constitutional position, Governor and State Government-President's constitutional relationship. Legislative Process Privileges, Freedom of Speech. Practice of law-making, etc., Legislative Privileges-vs. Fundamental Rights, In re. Art 143 of the constitution of India, Prime Minister - Cabinet system - collective responsibility -Individual responsibility President P.M. Relationship. Party System- Anti-defection Law. Freedom of an M.P./M.L.A. to dissent

Unit 2: Federalism: Federalism-principles-Comparative study of other Federations. Why India has a federal Government, Indian Federalism-President of India-Council of State

Process of Constitutional amendment. Identification of Federal Features, Legislative Relations between the Centre and the States Administrative relations-Centre-States, Financial Relations-Centre States, Governor's position from the perspective of Federalism, Centre's Powers over the States-Art. 356, J & K - Special Status, Critical problems of India Federalism Sarkaria Commission-Greater autonomy vs Central Control one party domination. Emergence of Political Federalism. Growth of Regional parties.

Unit 3: Governor under the constitution: Powers and functions

Unit 4: Independence of the Judiciary and Judicial process: Judicial process under the Constitution: Judicial Review - Art. 32, 226, 227, Nature of Judicial Review, Court system in India: Backlogs, Arrears, alternatives. Lok Adalats etc. Judges; Appointments, Conditions of service, etc. Subordinate Judiciary, Jurisdiction of Supreme Court and High Court, Advisory Jurisdiction of the Supreme Court, Public Interest Litigation.

Unit 5 Freedom of Trade and Commerce:

Unit 6: Services under the Constitution: Doctrine of pleasure (Art. 310), Protection against Arbitrary Dismissal, Removal, or Reduction in Rank (Art. 311), Tulsiram Patel case- Exceptions to Art. 311.

Unit 7; Election Commission of India: Powers and functions

Unit 8: Emergency Provisions under the constitution: Emergency. Need for such a provision. Types of Emergencies. Experience in other democracies , Proclamation of Emergencyconditions-Art. 352- Effect of Emergency on Centre-State relations, Emergency and suspension of fundamental rights. Arts. 358, 359 - Makhan Singh Tarasikha to A.D.M. Jabbalpore, Financial Emergency.

Unit 9: Amendment to the Constitution: Constitutional Processes of Adaptation & Alteration: Methods of constitutional Amendment-Written-Unwritten-Rigid-Flexible Constitutions, Provisions which can be amended by ordinary procedure. Special procedure, review of Constitutional

Amendments, Limitations upon constitutional amendments Shankari Prasad, Sajjan Singh, Golak Nath vs. Punjab - Why should Fundamental Rights be immune from the process of constitutional Amendment, Basic Structure Doctrine as a limitation-Kesavananda Bharati. Development of the Basic Structure Doctrine Constituent power of the Supreme Court. Waman Rao, Minerva Mills, etc., Indira Gandhi Vs Raj Narain; Judicial consensus on Basic Structure, Legislative and Judicial Attempts to bury the Basic Structure Doctrine; Legitimation of the Basic Structure Doctrine, Special Bench to reconsider the Basic

Structure Issue. FortySecond Constitutional Amendment. Forty-Fourth constitutional Amendment. Minerva Mills and subsequent developments of the Basic Structure Doctrine. Responsibility of the court; Activism vs. Restrain.

References:

1. Shukla V.N.: Constitution of India, Eastern Books Company, Lucknow.
2. Pandey J.N.: Constitutional Law of India, Central Law Agency, Allahabad.
3. Austin, Granville: The Indian Constitution - Corner Stone of a Nation, 1966, Oxford University, Press, New Delhi.
4. Basu D.D.: Constitutional Law of India, Prentice Hall of India, New Delhi.
5. Jain, M.P.: Indian Constitutional Law, Wadhwa & Co., Nagpur.
6. Subba Rao, GCV.: Indian Constitutional Law, Eastern Books Company, Lucknow.
7. Tope T.K.: Constitutional Law of India, Eastern Book Company, Lucknow.
8. Shiva Rao B.: The Framing of India's Constitution (in 5 volumes), Indian Institute of Public Admn., New Delhi.
9. Seervai, H.M.: Constitutional Law of India (in 3 volumes), M.M. Tripathi, Bombay.
10. Constituent Assembly Debates (5 books) - Official report, Lok Sabha Secretariat, New Delhi.

TORTS INCLUDING MOTOR VEHICLES ACCIDENT AND CONSUMER PROTECTION LAW

Unit 1: Evolution of Law of Torts:, Its development by courts in England, Forms of Action, Emergence of specific remedies from case to case, Reception of Law of Torts in India, Principles of Equity, Justice and Good Conscience, Uncodified character-advantages and disadvantages.

Unit 2: Definition, Nature, Scope and Objects: A Wrongful act-violation of a duty (in rem) imp-osed by law, duty which is owed to people generally, Legal damage-Damnum sine injuria and Injuria sine damnum., Tort distinguished from Crime, Breach of Contract etc.,

The concept of unliquidated damages, Changing scope of Law of Torts: Expanding character of duties owed to people generally due to complexities of modern society- scientific and technological progress, industrialisation, urbanisation, specialization, occupational hazards, Objects-Prescribing standards of human conduct, redressal of wrongs by payment of compensation, proscribing unlawful conduct by injunctions.

Unit 3: Principles of Liability in Torts: Fault, Wrongful intent, Negligence, Liability without fault, Violation of Ethical codes, Statutory liability, Fatal Accidents Act, Railway Act, Work-men's Compensation Act, Motor Vehicles Act, Carrier Act, Insurance Laws, Place of motive in Torts.

Unit 4: Justification in Torts: Volenti non fit injuria - What is free consent?: Informed consent, mere knowledge and knowledge coupled with assumption of risk, Necessity, Private and Public, Plaintiff's default, . Act of God and Inevitable Accident, Private defense, Statutory authorization, Judicial and Quasi-judicial Acts, Parental and quasi parental authority.

Unit 5: Extinguishment of Liability in Certain situations: Death, actio personalis moritur cum persona Exceptions, Law Reform (Miscellaneous Provisions) Act. 1934, Waiver and acquiescence, Release, Accord and satisfaction, Limitation.

Unit 6: Standing: Who may sue in torts, Aggrieved individuals, Class Action, Social Action Groups, Statutes granting standing to certain persons groups, Who may not be sued Ambassadors, Lunatics, Infants.

Unit 7: Doctrine of Sovereign immunity and its Relevance in India: Liability of States Sovereign and non-sovereign functions, Crown Proceedings Act of U.K., Federal Tort Claims Act of U.S. A. Constitution of India, Arts 299 and 300, Act of State.,

Unit 8: Vicarious Liability: Basis, scope and justification, Express authorization, Ratification, Abetment, Special Relationship, Master and servant-arising out of and in the course of employment

who is master? - Control test who is servant? Borrowed servant Independent Contractor, Principal and Agent, Corporation and Principal Officer.,

Unit 9: Torts Against Persons and Personal Relations: Assault, Battery, Mayhem, False Imprisonment, Defamation-Libel, slander including law relating to privileges, Marital Relations, domestic Relations, parental Relations Master and Servant relations, Malicious prosecution, Shortened Expectation of life, Nervous shock, Defences.

Unit 10: Wrongs Affecting Property: Trespass to land, Trespass ab initio, Dispossession, Movable Property-Trespass to goods, Detinue, conversion, Torts against Business interests Injurious falsehood, misstatements, passing off, Defences.

Unit 11: Negligence: Basic concepts, Theories of Negligence, . Standards of care, Duty to take care carelessness inadvertence, Doctrine of contributive negligence, Res ipsa loquitur and its importance in contemporary, . Professional liability due to Negligence with special reference to consumer Protection Law.

Unit 12: Absolute/Strict Liability: The Rule in Ryland vs. Fletcher. Principle for application of these rules, Storing of dangerous things, Escape of dangerous things - application of principles in concrete cases of damage arising out of industrial activity. (The Bhopal Disaster, Oleum Gas Escape, Matheran Dam Burst, M.C. Mehta Case, Nuclear Installations and their hazards), Defences, . Liability under Motor Vehicle Act, Railway Act etc.

Unit 13: Nuisance: Definition, Essentials, Types, Acts which constitute nuisance-obstructions of highways, pollution of air, water, noise, interference with light and air.

Unit 14: Legal Remedies: Legal Remedies, Award of damages-simple, special, punitive, Remoteness of Damages-Foreseeability and directness tests, Injunction, Specific Restitution of Property, Extra-Legal Remedies-self help, Re-entry in land, Recapture of goods, distress damage feasant abetment to nuisance.,

Unit 15: Judicial Process in Tort: Dilatoriness, Complicated rules of procedures and evidence, Experts in trial process, Reports of Testing labs, Court fees, Problems of access.

Unit 16: Tort and Consumer Protection Law: Duty to take care and liability for negligence: Manufacturers and traders and providers of services such as lawyers, doctors and other professional, Caveat emptor and caveat venditor, Deceit and false advertisement, Liability for hazardous and inherently dangerous industrial activity, Product liability - EEC directives, Right to common property resources-right to pass and repass on pathways, Consumer Protection Act, 1986.

Unit 17: Motor Vehicles Act, 1988.

References:

1. Winfield & Jolowicz: Tort, XII Edition, Sweet and Maxwell, London - 1994
2. Salmond and Heuston: Law of Torts, India reprint Universal Books Traders, New Delhi - 1994.

3. Ramaswamy Iyer: The Law Torts
4. Achutan Pillai: The Law of Torts, Eastern Book Co., Lucknow.
5. Durga Das Basu: The Law of Torts, X Edition Prentice Hall of India, New Delhi
6. Ratna Lal & Dhiraaj Lal: The Law of Torts, Wadhwa & Company, Nagpur, 1992
7. R.K. Bangia: The Law of Torts, Allahabad Law Agency, Allahabad, 1999
8. J.N. Panday: The Law of Torts, Central Law Publications, Allahabad, 1999
9. Vivienne Harpwood: The Law of Torts, Cavandish Publishing Ltd., London, 1993
10. Hepple & Mathews: Tort - cases and materials, Butterworth, London, 1980.
11. D.N. Saraf, Law of Consumer Protection in India, MN Tripathi, Bombay.

FAMILY LAW - II

(Testamentary and Intestate Succession)

Unit 1: Concept of property: property concept, scope and evolution, New Property concepts, Such As Skill, Job, etc. as new forms of property.

Unit 2: Inheritance: Hindus, historical perspective of traditional Hindu law as a background to the study of Hindu succession Act, 1956. Succession to property of a Hindu male dying intestate

under the provisions of Hindu Succession Act. 1956.

Unit 3: Devolution of interest in Mitakshara coparcenary with reference to the provisions of Hindu Succession Act, 1956.

Unit 4: Succession to property of Hindu female dying intestate under the Hindu succession Act.

1956. Disqualifications relating to succession, General Rules of Succession, Hindu Succession amendment Act, 2005

Unit 5: Disqualifications, general principles.

Unit 6: Muslim Law of Inheritance and Succession , Rules governing Sunni and Shia law of inheritance, Differences between Shia and Sunni Law, Administration of Estates, Wills under Muslim Law.

Unit 7: Indian Succession Act: Domicile, Intestate Succession, Will-Codicil, Interpretation - Revocation of Will, Bequests-conditional - contingent or void bequests, Legacies, Probate and

letters of administration, Executor-administrators, Succession certificate.

References:

1. Tahir Mahmood: The Muslim Law of India, Law Book Company, Allahabad:
2. Aquil Ahmed: Text Book of Mohammadan
3. Prof. G.C.V. Subba Rao: Family Law in India, S. Gogia & Company, Hyderabad.
4. Asaf A.A. Fyzee: Outlines of Mohammadan Law, Oxford University Press Delhi.
6. Paras Divan: Family Law (Hindu, Muslim, Christian, Parsi and others) Allahabad Law Agency, Allahabad.
7. M.A. Qureshi: Text Book on Muslim Law, , Central Law Publications, Allahabad.
8. Hidayatullah : Mulla Principles of Mohammadan Law, (4th reprint), N.M. Tripathi Private Limited, Bombay.
9. Tondon M.P.: Muslim law in India, Allahabad Law Agency, Allahabad.
10. Prasad V.: The Indian Succession Act, 1982, Allahabad Law Agency, Allahabad.

CONTRACT II (SPECIAL CONTRACTS)

Optional Legal

Unit-1 Indemnity and Guarantee: Indian Contract Act, 1872, Contract of Indemnity and guarantee (Secs. 134, 127); Definition, Rights to Indemnity holder, Liability of the Indemnifier,

Contract of Guarantee, Definition of Guarantee, Essential characteristics of contract of Guarantee, Distinction between contract of indemnity and contract of Guarantee, Kinds of guarantee, Rights and liabilities of surety, Discharge of surety, Contract of Bailment (Secs. 148-

181 of Indian Contract Act, 1872).

Unit-2: Bailment: Definition, Essential requisites of Bailment, Kinds of Bailment, Rights and Duties of Bailor and Bailee, Termination of Bailment, Pledge, Definition, Rights and duties

of Pawn or and Pawnee, Pledge by Non Owners.

Unit-3: Contract of Agency: (Secs. 182-238 of the Indian Contract Act 1872), Definition of Agent, Creation of Agency, Rights and duties of Agent, Delegation of authority, Personal liability of Agent, Relations of Principal with Third parties, Termination of Agency.

Unit-4: Contract of Sale of Goods: (The Indian Sale of Goods Act, 1934), Formation of Contract,

Subject-matter of Contract of Sale, Conditions and Warranties, Express and implied conditions

and warranties, Caveat Emptor, Property, Possession and risk, Passing of Property, Sale of non-owners, Delivery of goods, Rights and duties of Seller and buyer before and after sale, Rights of unpaid seller.

Unit-5: Contracts of Partnership: (The Indian Partnership Act, 1932), Definition and nature of

Partnership, Formation of Partnership, Test of Partnership, Partnership and other associations,

Registration of Firm, Effect of non registration, Relation of Partners, Rights and duties of Partners, Properties of the Firm, Relation of Partners to third parties, Implied authority of a partner, Kinds of partners, Minor as partner, Reconstitution of a firm, Dissolution of firm.

Unit-6: Hire purchase

Unit-7: Negotiable Instruments Act, 1881: Definition of negotiable instrument, essential features of promissory note, bill of exchange and cheque, holder, holder in due course, payment

in due course, dishonor of cheque.

References:

1. Anson's Law of Contract, Oxford University Press, London
2. Venkatesh Iyer: The Law of Contracts and Tenders. Gogia & Co., Hyderabad
3. Cheshire & Fifoot: Law of Contract, Buttersworth, London,
4. Mulla: The Indian Contract Act, N.M. Tripathi (P) Ltd. Bombay
5. G.C.V. Subba Rao: Law of Contract, S. Gogia & Co., Hyderabad
6. K. Krishnan Nair: Law of Contract, S. Gogia & Company, Hyderabad
7. Avtar Singh: Law of Contract, Eastern Book Company, Lucknow,
8. A. Ramaiah's Sale of Goods Act, 4th Edition 1998, The Law Book Co. Allahabad
9. Benjamins Sale of Goods, 1st Edition. 1978, Sweet & Maxwell, London
10. P.S. Atiyah: Sale of Goods Act 1997, Universal Book Traders, Delhi
11. Chales D. Drale: Law of Partnership, Sweet & Maxwell, London

SOCIAL RESEARCH METHODS

Optional Legal

Unit 1: Introduction to Social Research - Philosophy of Social Research : Social research - meaning and significance Types of social research - pure and applied research Values and ethics in social research.

Unit 2: Research Methods

- a) Socio Legal Research
- b) Doctrinal and non-doctrinal
- c) Relevance of empirical research
- d) Induction and deduction

Unit 3: Identification of Problem of research

- a) What is a research problem?
- b) Survey of available literature and bibliographical research.
 - i) Legislative materials including subordinate legislation, notification and policy statements
 - ii) Decisional materials including foreign decisions; methods of discovering the "rule of the case" tracing the history of important cases and ensuring that these have not been over-ruled; discovering judicial conflict in the area pertaining to the research problem and the reasons thereof.
 - iii) Juristic writings - a survey of juristic literature relevant to select problems in India and foreign periodicals.
 - iv) Compilation of list of reports or special studies conducted relevant to the problem.

Unit 4: Preparation of the Research Design

- a) Formulation of the Research problem
- b) Devising tools and techniques for collection of data : Methodology
 - i) Methods for the collection of statutory and case materials and juristic literature
 - ii) Use of historical and comparative research materials
 - iii) Use of observation studies
 - iv) Use of questionnaires/interview
 - v) Use of case studies
 - vi) Sampling procedures - design of sample, types of sampling to be adopted.
 - vii) Use of scaling techniques Law
 - viii) Jurimetrics

- c) Computerized Research - A study of legal research programmes such as Lexis and West law coding

Unit 5: Classification and tabulation of data - use of cards for data collection - Rules for tabulation. Explanation of tabulated data & Analysis of data

Unit 6: Report Writing: Importance of report writing Writing qualitative and quantitative research - presentation and interpretation Qualities of good research report

References:

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