

BALLB 5 YEARS INTEGRATED SYLLABUS

Fourth Semester

Academic Year

2019-20



MSB Global Law Institute

Maharaja Surajmal Brij University, Bharatpur (Raj.)

Session 2021-2022 & Onwards

Signature
अकादमिक प्रभारी
महाराजा सुरजमल ब्रिज विश्वविद्यालय
भरतपुर (राज.)

MSB Global Law Institute, Bharatpur
B.A. LL. B. Semester - IV
Subject: Constitutional Law II
Subject Code: 401

Unit I **(04 Lectures)**

Introduction to Federalism: Essential characteristics of Indian Federalism, Indian Federalism distinguishes from American Federalism, Federalism and Basic Structure Doctrine.

Unit II **(09 Lectures)**

Distribution of Legislative and Executive Powers : The Scheme of Distribution of Legislative Powers, Territorial extent of Union and State Legislature, Limitations to the territorial jurisdiction of the Parliament, Distribution of Legislative subjects, Residuary powers, Expansion of Legislative powers of the Union under different circumstances, Interpretation of Legislative lists, Distribution of Executive powers: Union – State Co-ordination, Inter-Governmental Delegation of Powers, Delegation by the Union Entrustment of State's Power to the Union, Union's direction to the State All India Services, Inter-State Council, Important commissions and committees on Union-State relations .

Unit III **(05 Lectures)**

Distribution of Financial Powers: Position Allocation of Taxing Powers, Restriction of State's Power to levy Taxes, Distribution of Revenue between the Union & the States: - Assignment of Union Revenue to the State, Compulsory Tax Sharing, Permissive Sharing of Taxes, Grant-in Aid, Finance Commission.

Unit IV **(08 Lectures)**

Structure, Powers and Functions of Union Legislature (Parliament) : Bicameral Legislature, Constitution of Houses of Parliament, Qualification and Disqualification for Membership of Parliament, Officers of Parliament, Secretariats of Parliament, Meeting of Parliament, Termination of Parliament, Functions of Parliament:- Legislation, Control of Public Finance, Deliberation and Discussion, Parliamentary Committees, Anti-Defection Law, Parliamentary Privileges.

Unit V **(08 Lectures)**

Structure Powers and functions Union Executive: The President of India: - Election of the President, Powers of the President, Position of the President, The Vice-President of India:- Qualifications for the Office of Vice- President, Election of the Vice-President, Term of Office of Vice-President, Resignation Removal of Vice-President, Oath of Office and Conditions of Office,

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Syllabus/ A. LL.B./ Sem. IV

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भरतपुर (राज.)

Council of Ministers:- Appointment of Prime Minister, Appointment of Ministers, Non-Justifiability of Cabinet Advice.

Unit VI (10 Lectures)

Structure Powers Functions of State Executive: Governor: - Appointment of Governor, Term of Office, Removal of Governor, Powers of Governor, The Council of Ministers: - Appointment of Chief Minister and Other Ministers, Interaction between the Executives and the Legislature, Conduct of Governments Business.

Unit VII (04 Lectures)

The High Courts: Composition of High Court, Jurisdiction and Powers of High Court: - Court of Record, Writ Jurisdiction, Supervisory Jurisdiction, Independence of High Courts.

Unit VIII (08 Lectures)

Freedom of Trade, Commerce and Intercourse: Object and Scope of Article 301, Restriction on Freedom of Trade under the Parliamentary Law, Restriction on Freedom of Trade and Commerce under a State Law, Saving of Existing Law, Saving of Laws Providing for State Monopoly, Authority for carrying out the Purposes of Articles 301-304.

Unit IX (03 Lectures)

Emergency Provisions: National Emergency, Failure of Constitutional Machinery in a State, Financial Emergency.

Unit X (04 Lectures)

Constitutional Position of Jammu and Kashmir: Article 370 of the Constitution, The Constitutional (Application to Jammu & Kashmir) Order 1954, Status of Article 370.

Note:

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- 2. The students are required to study the legislations as amended up-to-date and consult the latest editions of books.
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List of Cases -

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 B-7, Brij Vihar, Sector-16
 Gurgaon (Raj.)

Syllabus/ B.A. LL.B./ Sem. IV

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1. Electricity Board Rajasthan v. Mohan Lal AIR 1967 SC 185
2. Sukhdev v. Bhagat Roy AIR 1975 SC 1331
3. R.D. Shetty v. International Airport Authority 1979 SC 1628
4. M.C. Mehta v. UOI 1987 (1) SCC 395
5. Mysore Paper Mills v. Mysore Paper Mills Officers Association AIR 2002 SC 609
6. Bhikaji Narain v. State of M.P. AIR 1955 SC 781
7. Kailash Chand Sonkar v. Smt. Maya Devi AIR 1984 SC 600
8. Sikkim Subba Associates v. State of Sikkim 2001 (5) SCC 629
9. Olga Teelis v. Bombay Mumcp. Corp. 1985 (2) SCR 51
10. State of W.B. v. Anwar Ali Sarkar AIR 1952 SC 75
11. Deepak Sibbal v. Punjab University AIR 1989 SC 903
12. Competroller and Auditor General v. K.V. Mehta 2003 (1) Scale 351
13. E.P. Ropayya v. State of T.N. AIR 1974 SC 555
14. Rattan Lal v. State of Haryana 1985 (4) SCC 43
15. Communist Party of India v. Bharat L. Pasricha AIR 1998 SC 184
16. A.K. Gopalan v. State of Madras AIR 1950 SC 27
17. Maneka Gandhi v. Union of India AIR 1978 SC 597
18. Hussainara Khatoun v. State of Bihar AIR 1979 SC 1369
19. M.H. Hoskot v. State of Maharashtra
20. Sunil Batra v. Delhi Administration AIR 1978 SC 1675
21. Narmada Bachao Andolan v. Union of India 2001 (2) SCC 62
22. M.R. Balaji v. State of Mysore AIR 1963 SC 648
23. Indira Sawney v. Union of India AIR 1997 SC 477
24. Kihoto Hollohan v. Zachillu AIR 1993 SC 412
25. State of Madras v. Champak Dorai Rajan AIR 1951 SC 226
26. Minerva Mills v. UOI AIR 1980 SC 1784
27. Javed and Ors. v. State of Haryana 2003 (5) SCALE 602
28. Dasrathi v. State AIR 1985 A.P. 136

Recommended Readings :

- 1) M. P. Jain, Indian Constitutional Law, Lexis Nexis (2015).
- 2) D.D. Basu, Constitutional Law of India, Lexis Nexis (2013).

Syllabus/ B.A. LL.B./ Sem. IV

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Dr. P. K. Singh
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- 3) Narendra Kumar, Constitutional Law of India, Allahabad Law Agency (2015).
- 4) H. M. Seervi, Constitutional Law of India, N.M. Tripathi.
- 5) Arvind Datar, Commentary on Constitution of India (3 Vols), Lexis Nexis (2010).
- 6) Sathya Narayan (Ed), Selected Work of S.P. Sathe (3 Vols), Oxford University Press (2015).
- 7) M.P.Singh, V.N. Shukla's Constitution of India, Eastern Book Company, (2013).
- 8) Sujit Chaudhry, MadhavKhosala&PratapBhanu Mehta, The Oxford Handbook of the Indian Constitution, Oxford University Press.
- 9) Granville Austin, Working of a Democratic Constitution- The Indian Experience, Oxford University Press.
- 10) Granville Austin, The Indian Constitution – Cornerstone of a Nation, Oxford University Press.

PSAD Professional Skill Development Activities 1Hrs/Week

(12 Lectures)

- Visit Parliament
- Intra Parliamentary Proceedings/Legislative Process
- Moot Court
- Celebrate the Constitution Day participated the students with debates and other competition.
- Tracing old cases and discussing the judgments with attached act of constitution.
- Judgment Analysis

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Syllabus/ B.A. LL.B./ Sem. IV

MSB Global Law Institute
BBA LL.B. Semester - IV
Subject : Law of Crimes - II,
Subject Code: 402

UNIT I

(20 Lectures)

Offences against Human Body:

Culpable Homicide, Murder, Ingredients, Exceptions and Distinction between Culpable Homicide and Murder, when culpable homicide is murder? Attempt to commit Culpable Homicide, Attempt to Murder Causing Death by Negligence, Causing Death with the consent of the deceased – Euthanasia and its Constitutionality Suicide – abetment and attempt, its Constitutional validity, Hurt, voluntarily causing hurt, etc.; Grievous Hurt, Voluntarily causing grievous hurt, etc., Wrongful Restraint, Wrongful Confinement Criminal Force, Assault, Kidnapping and Abduction, distinction between them.

UNIT II

(20 Lectures)

Offences against Property and Person, etc.:

Theft, Extortion, Robbery and Dacoity, distinction between them, forms of Robbery and Dacoity ,Criminal Misappropriation, Criminal Breach of Trust, Stolen property, Cheating, Mischief, Criminal Trespass, House Trespass, Lurking House Trespass, House Breaking, House Breaking by Night Defamation, Criminal Intimidation and Insult Forgery and Making of False document, Falsification of accounts.

UNIT III

(05 Lectures)

Offences relating to Women:

Cruelty against Woman, Dowry death, Causing Miscarriage, Acid Attack Outraging Modesty of woman, Sexual Harassment, Voyeurism, Stalking . Rape – its ingredients, developments in law along with relevant judicial decisions, Unnatural offences Deceitful Cohabitation, Bigamy, Mock Marriages, Adultery .

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Leading Cases:

1. Govinda's Case - (1876), Bom 342
2. State of A.P. v. R. Punayya - 1977 Cr LJ 1(SC)
4. K.M. Nanavati v. State of Moharashtra - 1962 (Bom) LR 488 (SC) - AIR 1962 SC 605
5. Bachan Singh v. State of Punjab (1980) 2 SCC 684
6. Shashi Nayar v. Union of India - 992 Cr LJ 514
7. Virsa Singh v. State of Punjab - AIR 1958 SC 465
8. Harjinder Singh v. Delhi Administration - AIR 1968 SC 867
9. Mahesh Balmiki v. State of M.P. - 2000 (1) SCC 319
10. Tukaram v. State of maharashtra - AIR 1979 SC 185
11. State of Punjab v. Gurmit Singh - AIR 1996 SC 1393
12. Bodhisattwa Goswami v. Miss Subhra Chakrabarty - AIR 1996 SC 922
13. Biswanath Mallick v. State of Orissa - 1995 Cr LJ 1416 (ori)
14. State OF MADRASv. Vardarajan - AIR 1965 SC 942
15. State of Haryana v. Raja Ram - AIR 1973 SC 819
16. Vishwanath v. State of U.P. - AIR 1960 SC 67
17. State of HP v. Nikku Ram - 1995 Cri LJ 4184 (SC)
18. P. Rathinam v. Union of India - AIR 1994 SC 1844
19. Gian Kaur v. State of Punjab - AIR 1996 SC 946
20. State v. Lekhraj - 2000 (1) SCC 247
21. Sikhar Behera v. State of Orissa - 1993 Cr LJ 3664
22. Dhananjai v. State of U.P. - AIR 1996 SC 556
23. Shanti v. State of Haryana
24. State of Kerala v. Mathai Verghese - (1986) 4 SCC 746

Recommended Readings:

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Syllabus/ B.A. LL.B./ Sem. IV

1. Ratanlal & Dhirajlal – The Indian Penal Code

- 1) Principles of Criminal Law by Andrew Ashworth, Clarendon Law Series.
- 2) R. A. Nelson's Indian Penal Code (4 Volumes), by S. K. Savaria, LexisNexis Delhi.
- 3) Penal Law of India (4 volumes) by Dr. Hari Singh Gaur.
- 4) Indian Penal Code (Ed. II 1901, p.242-249) by J. D. Mayne.
- 5) Essay's on Indian Penal Code by Prof. K. N. Chndranshekhhar Pillai.
- 6) Law Relating to Crime and Punishment by R. C. Srivastava.
- 7) A Text Book on Indian Penal Code by Prof K. D. Gaur.
- 8) Criminal Law Cases and Material by Prof K. D. Gaur.
- 9) The Indian Penal Code by Ratanlal and Dhirajlal, Wadhwa and Company Nagpur.

PSAD Professional Skill Development Activities 3 Hrs/Week

(30 Lectures)

- Examination of criminal records in various report
- Jail Visit
- Drafting of Criminal complaint
- Awareness camp

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Syllabus/ B.A. LL.B/ Sem. IV

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MSB Global Law Institute
B.A. LL.B. Semester - IV
Subject : Family Law - II (Mohammedan Law)
Subject Code: 403

UNIT-I

Status and Scope of Muslim Law in India, Statutory Application of Muslim Law including the Muslim Personal Law (Shariat) Application Act, 1937; Sources of Muslim Law and their position in India: Classical and Modern; Sects and Schools of Muslims in India, Muslim Marriage (Nikah), its legal requirements including all forms of Marriage and Legal impediments thereon, Effects of marriage.

UNIT-II

Marital Rights including dower and its Characteristics and Enforcement; Special terms and conditions in marriage and their enforcement; Post Marriage Conversion to Islam; and Post Marriage renunciation of Islam, Divorce and its Policy in Islam and Forms of divorce in Muslim Law of India including divorce by wife outside and through courts under the Dissolution of Muslim Marriages Act, 1939, Post-Divorce Rights of parties including iddat period, remarriage; maintenance including the Muslim Women (Protection of Rights on Divorce) Act, 1986 and Maintenance of Wife and Widow under (Sees 125-128) Cr.P.C., 1973.

UNIT-III

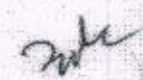
Surviving Spouse, his or her right to inherit; deceased wife's dower, widow's lien/wife's right to retain, rights of deceased husband's heirs, transferability and inheritability of dower, Parent Child relations including acknowledgement of paternity and concept of Legitimacy; Concept of Minority and puberty including guardianship and custody of minor's person and/or property; Parents maintenance under Muslim Law and Cr.P.C. (Ss 125-128), Disposition of property including gifts (hibh), debts and bequests (wasiyat); revocation and lapse of legacies, bequest to heirs, and bequeathable third and deathbed transactions, Muslim Law of inheritance including Women's right to inherit and disqualification of heirs; Muslim Law on Increase and return, Muslim Law relating to wakfs and their administration including the Wakf Act, 1995.

Leading Case:

- i) Begum Subhanu V Abdul Ghafoor AIR 1987 SC 1103
- ii) Kapore Chand V Kidar Nissa AIR 1953 SC 413
- iii) Syed Sabir Husain V Farzand Hasan AIR 1938 PC 80
- iv) Maima Bibi V Ch. Vakil Ahmad (1924) 52 IA 145 UNIT-IV

Only For Session
2020-21

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BOOKS RECOMMENDED

- Tahir Mahmood : Muslim Law of India
- Ameer Ali : Principles of Mohammadan Law
- Fyzee : Outlines of Mohammedan Law
- Wilson : Muslim Law
- Mulla's : Principles of Mohammadan Law
- Khalid Rashid : Muslim Law
- Tahir Mahmood : Civil Marriage Law
- Central Acts : Muslim Personal Law(Shariat) Application Act,1937
- : Dissolution of Muslim Marriage Act, 1939
- : Muslim Women (Protection of Rights on Divorce) Act, 1986
- : Family Courts Act, 1984
- : The Special Marriage Act, 1954

(15 Lectures)

PSAD Professional Skill Development Activities 1Hrs/Week

- Preparation pleading for Partition Suit
- Field Study
- Visit a family court.
- Family Counselling
- Visit to a CARA
- Essentials of child custody and maintenance

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Syllabus/ B.A. LL.B./ Sem. IV

MSB Global Law Institute
B.A. LL.B. Semester -IV
Subject: - Macro Economics, Subject Code: 40 4

Unit - I

(15 Lectures)

1. Nature and scope of Macro Economics,
2. Macroeconomics variable: Stock and flow concept
3. National Income: Concepts, Components, Measurements and Issues in National Income Accounting.
4. Development of Macroeconomics- School of Thought- Classical, Keynesian and Post Keynesian
5. Principles of Effective demand – Aggregate Demand and Aggregate Supply

Unit - II

(20 Lectures)

Theory of Money and Banking

1. Concepts of Money, classification, function and Measures of Money Supply
2. Commercial Banks- Functions and Credit Creation
3. Central Banks(RBI)- Functions and Credit Control
4. Non-Banking Financial Institution (NBFI) – Meaning, Role & Distinction between NBFI & Banks
5. Inflation – types, causes, Effects and Remedies
6. Money & Capital Market

Unit - III

(15 Lectures)

Principles of Public Finance

1. Nature of Public Finance, Public Finance VS Private Finance
2. Taxation system – Its Meaning and Classification
3. Public Expenditure and Public Borrowing
4. Budget: Types of Deficit Budget

Unit - IV

(20 Lectures)

1. Poverty: Concept Causes and Policies Measures of Poverty
2. Unemployment: Concept, Types, Causes and Remedies of Unemployment
3. Business Cycle

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Suggested Readings:

- M.L.Seth: Macro Economics, Laxmi Narayan Publications, New Delhi
- H.L.Ahuja: Advance Macro Economic Theory, S Chand Publication New Delhi
- T.N.Hajela: Macro Economics, Ane Books Pvt.Ltd New Delhi
- N. Gregory Mankiw: MacroEconomics, Cengage India Pvt Ltd
- T.R. Jain, M.L. Grover: VK Global Publications Private Limited
- S.K. Singh : Public Finance Theory and Practice S Chand Publication New Delhi

Professional Skill Development Activities This Week

(14 Lectures)

- Class room discussion on the trade-off between different economic goals/exercises on stock and flow variables/ case study on business cycles.
- Field Study
- Symposium on various development models/ role of economic planning.
- Presentations on comparative analysis of budgets/class room seminar/ discussion on fiscal deficit and debt./ implication for growth.
- Class Room discussion on second generation reforms need and challenges/ public vs private sector/discussion on case laws related to WTO/Articles in media related to IMF and WB and there after preparing a bibliography for the same.

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Syllabus/ B.A. LL.B./ Sem. IV

MSB Global Law Institute
BA.LL.B. Semester -IV
Subject: - Micro Economics
Subject Code: 40 5

(15 Lectures)

Unit - I

Introductory Economics

1. Meaning and Definition, nature and Scope
2. Basic concept & Central problem of an Economy
3. Economics as a basis of social welfare and social Justice
4. Economic System- Capitalism, Socialism and Mixed Economic System

Unit - II

Theory of consumer Behavior-

(10 Lectures)

1. Concept of Utility, Utility Approach, indifference curve approach,
2. Demand analysis - Demand, Demand function and Law of Demand,
3. Elasticity of Demand-Price, Income and Cross Elasticity of demand
4. Supply, Supply function and Law of supply
5. Theory of consumer surplus

(15 Lectures)

Unit - III

Theory of Production

1. Production function, Combination of factors, law of production, returns to scale, Law of Variable Proportions
2. Concepts of Cost and Revenue
3. Forms of Market - Structure of Market, Perfect Competition, Monopolistic Competition, Monopoly, Oligopoly, Duopoly and Cartels
4. Concept of Dumping - International Court of Justice & Competition Law

(10 Lectures)

Unit - IV

Theory of Distribution

1. Theory of Rent
2. Theory of wages - Wage determination, Role of Trade Unions, Minimum wage Legislation, Exploitation of Labour

- 3. Theory of interest
- 4. Theory of profit
- 5.

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Suggested Books

- 1. Alfred W.S. Stonier & Hague: The Essentials of Economics
- 2. Dewett K.K.: Modern Economic Theory S Chand and Company
- 3. Ahuja H.L.: Modern Economic Theory S Chand and Company
- 4. Koutsoyianins, A: Micro Economics Pearson Education
- 5. Mittal Abha: Micro Economics Theory and Practices S Chand and Company

PSAD Professional Skill Development Activities 1Hrs/Week

(14 Lectures)

- Class room discussion on the trade -off between different economic goals/exercises on stock and flow variables/ case study on business cycles.
- Field Study
- Symposium on various development models/ role of economic planning.
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- Class Room discussion on second generation reforms need and challenges/ public vs private sector/discussion on case laws related to WTO/Articles in media related to IMF and WB and there after preparing a bibliography for the same.

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Syllabus/ B.A. LL.B./ Sem. IV

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MSB Global Law Institute
B.A. LL.B. Semester - IV
Subject: Histroy-I, Subject Code: 406

UNIT-I

History and Law

- a. Relevance of History to Law: Interdisciplinary Approach.
- b. Rethinking History and Historians Craft.
- c. Indian Historiography: Orientalist, Utilitarians, Nationalists, Marxist, Religious Nationalist, Subaltern and Regional Histories.

(15 Lectures)

UNIT-II

Ancient India

- a. State, Polity and Governance: Nature of State, Notions of Kingship (Brahminic, Buddhist, Kautilyan), and administrative apparatus in Vedic Age, Age of Mauryas and Guptas.
- b. Kinship, Caste and Class: Social Differentiation, Family, Patriliney, Rules of Marriage, Gotra, Jatis and Varnas, Access to Property and Gender.
- c. Religious Traditions and Polity: Brahminism, Buddhism, Jainism.

(10 Lectures)

UNIT-III

Medieval India

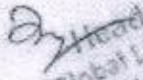
- a. Kings and their Courts:
 - i. Cholas: Local Self-Government.
 - ii. Delhi Sultanate: Theory of Kingship (Balban), Administrative Apparatus.
 - iii. Vijayanagara State.
 - iv. Mughals: Theory of Sovereignty (Akbar), Administrative Structure.
- b. Bhakti-Sufi Tradition in relation with the State and Reconfiguration of Identity.
- c. Peasant, Zamindars and the State: Market Reforms of Alauddin Khilji, Agrarian Reforms of Akbar 16.

(10 Lectures)

UNIT-IV

The Concept of Justice and Judicial Institutions in Ancient and Medieval India

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- a. Sources of Law in Ancient India: Vedas, Dharmasutra, Dharma Shastras, Treatises on Jurisprudence, Treatises on Law and Procedure.
- b. Legal Theories of Ancient India: Manusmriti, Yajñalkya Smriti.

Legal Traditions in Medieval India: Islamic Law (Sharia, Fiqh, Qiyas), Salient Features of Islamic Criminal Law, Personal Law of Muslims.

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Suggested Readings:

1. H.V. Sreenivasa Murthy – History of India, Eastern Book Company, 2011.
2. E.H. Carr, What is History, Penguin, 2008 Edn.
3. Satyendra Nath Bhattacharya (ed.), Approaches to History: Essays in Indian Historiography, Primus Books, 2013.

References:


1. Ramita Thapar, Time as a Metaphor of History, OUP, 1996
2. Ramita Thapar, Early India: From the Origins to AD 1300, University of California Press, 2004
3. Satish Chandra, Medieval India, Vol. I, Har-Anand, 2000, (2nd Edn)
4. Satish Chandra, Medieval India, Vol. II, Har-Anand, 2004, (3rd Edn)
5. Satish Chandra, History of Medieval India, Orient Black swan, 2009
6. Bipan Chandra, India's Struggle for Independence, 1857-1947, Penguin, 1989
7. N. Mani Tripathi, Jurisprudence the Legal Theory, 2013
8. T. Rama Jois, Legal and Constitutional History of India :Ancient Legal, Judicial and Constitutional System, Universal Law Publishing Co., 2004(Reprint)
9. A.L. Basham, The Wonder that was India, Part-I, Rupa& Co., 1993(20th Edn)
10. S.A.A. Rizvi, The Wonder that was India, Part –II
11. J.Duncan M. Derett, Religion, Law and State in India, Oxford, 1999
12. Robert Lingat, The Classical Law of India, California, 1973, Reprint Oxford, 1998
13. Marc Galanter, Law and Society in Modern India, Oxford University Press, 1989

PSAD Professional Skill Development Activities 1Hrs/Week


(14 Lectures)

- Enactment of Raja Nand Kumar case, Patna case, Cossijurah case
- Film les miserables/mother India and discussion on changing concept of justice.
- Seminar on Reification of religious tradition in modern times.
- Retrospective of films on partition: Pinjar, Tamas.

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