

15

BALLB 5 YEARS INTEGRATED SYLLABUS

Second Semester

Academic Year

2019-20



MSB Global Law Institute

Maharaja Surajmal Brij University, Bharatpur
(Raj.)

Session 2021-2022 & Onwards

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अकादमिक प्रभारी
महाराजा सुरजमल ब्रिज विश्वविद्यालय
भरतपुर (राज.)

MSB Global Law Institute
B.A. LL.B. Semester II
Subject: English and Legal Language
Subject Code: 201

Objective: This paper aims to inculcate the value of writing and its interplay with language as the law in the common law system mostly has been used in English language, which has become lingua franca over the years

Unit: English Grammar

(Lectures – 2 0)

- a. Articles, prepositions, conjunctions and connectors, Tenses, Bices
- b. Prefixes/ Suffixes – synonyms and Antonyms
- c. Common Errors
- d. Modifier Clauses and words
- e. Sentence structure- syntax

Unit 2: Legal Maxims and Legal Terms

(Lectures – 10)

- a. Legal maxis, foreign words and Hindi words
- b. FIR, Complaint, Written statement, plaintiff, Defendant, appeal Tribunal , Divorce, Legitimate, Illegitimate , adoption, maintenance, alimony, valid, void, litigation, monogamy, bigamy, polygamy, crime, agreement, contract, fraud, minor, indemnity, guarantee, bailment, pledge, libel, slander, defamation, homicide, genocide, suicide, executive, legislature, judiciary, constitution, negligence, nuisance, precedent , prospective, mortgage, retrospective, summons, ultra vires, will , warrant, public, private.

Unit3: Legal communication

(Lectures – 14)

- a. Legal communication
- b. Mooting
- c. Reading and analysis of writings by Eminent Jurists (Cases, petitions and judgements)

Unit 4: Translational skills and legal writing

(Lectures – 10)

- a. Translation of Hindu\ Urdu passage of legal or General interest into English
- b. Translation of an English passage of legal or General Interest into Hindi or Urdu

Note: After informing the BOS/Director through Head, the teachers teaching the subject are free to add or delete any topic/case from the synopsis after informing the BOS/Director thru Head.

Books:

- Legal language and Legal Writing – P.K. Mishra.
- English Grammar – Wren and Martin.

PSAD Professional Skill Development Activities 3 Hrs/Week

(10 Lectures)

- Regular collection of columns of newspapers and some portions of famous judgments.
- Group discussion, debates, extempore, impromptu, mock interviews.

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Syllabus/ B.A. LL.B./ Sem. II

MSB Global Law Institute
BA LLB, Semester II

Subject: Development in Legal, Constitutional and Economic Laws & Institutions (Since 1909)

Subject Code: 202

Unit I: Introduction (Lectures – 15)

- a. Present Courts/Judiciary Structure, Tribunals Special Regulations like NCLT, Competition TRAI
- b. Special Courts, CBI, POCSO, Dacoity court, Narcotics. D. P Act
- c. West minister Model and District Administration

Unit II: Constitutional History and Analysis (Lectures – 10)

- a. Discussion on The Indian Council Act, 1909 mentioning The Indian Council Act, 1861 and the Indian Council Act, 1892
- b. The Government of India Act 1919
- c. The Government of India Act 1935
- d. Independence of India Act 1947 and Constitution of 1950

Unit III: Evolution of Law and Legal Institutions (Lectures – 10)

- a. Development of Law in Presidency Towns
- b. Development of Civil law in *Mufassil*: Special Emphasis on Justice, Equity and Good Conscience
- c. Privy Council and Federal Court: Appeals and working of Privy Council, appraisal of privy Council, Feature of Federal Court
- d. Evaluation: Special reference to racial Discrimination, Merit and Demerits

Unit IV: Codification of Law (Lectures – 05)

- a. The Charter Act of 1833-
- b. First Law Commission
- c. Charter Act of 1853.
- d. Second, Third & Fourth law Commission.
- e. Present Law Commissions

Unit V: Codification of Economic Laws / Economic Administration (Lectures – 05)

Laws under DI Act, like Rationing, Rent Control, Planning Commission
Industrial Policy Resolution of 1948 and 1956 where policy operates as law,
FERA 1947, 1973, IDRA, 1951 RBI Act, SBI Act, Import and Export Control,
ECASTC, CICA,

Industrial Policy 1973, 1991, Liberalization,
World Bank and GATT, IMF.

Unit V: Growth of legal Profession in India:

(Lectures – 05)

- a. Legal Practitioners Act 1853, The High Court of 1861, The Legal Practitioners Act 1879
- b. Report of the Indian Bar Committee 1923
- c. The Indian Bar Council Act, 1926

Unit VI: History of Law Reporting in India

(Lectures –05)

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Text Books:

1. M.P. Jain, Outline of Indian legal History, Wadhwa & Co, Nagpur.
2. V.D. Kulshreshtha, V.M. Gandhi, Landmark of Indian Legal and Constitutional History, Eastern Book Company, Lucknow
3. M.P. Singh, Outline of Indian Legal History, Universal Law Publishing Co.
4. Industrial Policy – Government of India

PSAD Professional Skill Development Activities 3 Hrs/Week

(20Lectures)

- Regular collection of columns of newspapers and some portions of famous judgements.
- Group discussion, debates, extempore, impromptu, mock interviews.

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Syllabus/ B.A. LL.B./ Sem. II

MSB Global Law Institute, Bharatpur

BALLB, Semester II

Subject: Law of Contract-I

Subject Code: 203

The law of contracts touches equally upon the lives of ordinary persons and the activities of small of and big business. This branch of law deals with law relating to promises, their formation, performance and enforceability. It is scattered over several legislations. There are special legislations dealing with particular contractual relationships, e.g. The Sale of Goods Act, 1930, The Partnership Act, 1932. This paper will include a study of general principles of contracts spelt out in sections 1-75 of the Indian Contract Act, 1872. The statutory provisions would be supplemented with judicial pronouncements.

Topic 1 : General Introduction – History and Nature of Contractual Obligation (Lectures – 05)

Topic 2: Formation of an Agreement (Lectures – 05)

Intention to create legal relationship; offer and invitation to treat; kinds of offer, communication, acceptance and revocation of offer and acceptance; modes of revocation of offer – Indian contract Act, 1872, Sections 2-10

1. Carlill v. Carbolic Smoke Ball Co. (1891-4) All ER Rep. 127
2. Lalman Shukla v. GauriDatt (1913) XL ALJR 489 (All)
3. BhagwandasPPGoverdhandasKedia v. M/s. Girdhar Lal Parshottamdas & Co. AIR 1966 SC 543

Topic 3 – Making of an agreement – Special Situations (Lectures – 05)

Tenders and Auctions – Indian Contract Act, 1872, Sections 2-10

1. Rajendra Kumar Verma v. State of M.P., AIR 1972 MP 131
2. Kanhaiya Lal Aggarwal v. Union of India, AIF 2002 SC 2766

Topic 4 : Consideration (Lectures – 05)

Meaning; basis and the nature of consideration; Doctrine of Privity of Contract and of consideration, its exceptions; Exceptions of consideration – Indian Contract Act, 1872, Sections 2(d), 2(i), 23 and 25

1. Abdul Aziz v. Masum Ali, AIR 1914 All. 22
2. Nawab Khwaja Muhammad Khan v. Nawab Husaini Begam

Topic 5 : Capacity to Contract (Lectures – 05)

Legal disability to enter into contract – Minors, persons of unsound mind; person under legal disability; lunatics, idiots; Restitution in cases of minor's agreement; liability for necessaries supplied to the minor – Indian contract Act, 1872, sections 10, 11, 12, 64, 65, 68; Specific Relief Act, 1963, section 33; Indian Majority Act, 1875.

1. MohoriBibee v. DhurmodasGhose (1903) 30 I.A. 114
2. Khan Gul v. Lakha Singh. AIR 1928 Lah. 609

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3. Ajudhia Prasad v. Chandan Lal. AIR 1937 All. 610

Topic 6 : Free Consent

(Lectures – 08)

Free Consent: Definition – Coercion, Undue influence, Fraud, Misrepresentation and mistake: Effect on contracts influenced by any factor vitiating free consent – Indian Contract, Act, 1872, Sections 13-22.

- 1. Lakshmi Amma v. T. Narayana Bhatta, 1970 (3) SCC 159
- 2. Tarsem Singh V. Sukhminder Singh (1998) 3 SCC 471

Topic 7 Limitations on Freedom of Contract

(Lectures – 08)

Circumstances in which agreements become void or voidable, Distinction between void and voidable agreements; unlawful Agreements; Public policy; Agreements with unlawful consideration in part and objects; Agreements without consideration; Agreements in restraint Ambiguous and uncertain agreements & wagering agreements – Indian Contract Act, 1872, Section 23-30.

- 1. Central Inland Water Transport Corpn. Ltd v. BrojoNathGanguly (1986) 3 SCC 156
(Also see D.T.C. v. D.T.C. Mazdoor Congress, AIR 1991 SC 101; Bank of India v. O.P. Swarankar, AIR 2003 SC 858)
- 2. Dhurandhar Prasad Singh v. Jai Prakash University, AIR 001 SC 2552

Topic 8: Discharge of a Contract

(Lectures – 08)

Modes – Discharge by performance; Frustration; Supervening impossibility of performance; Grounds of Frustration and its effect; Discharge by Agreement and Novation – Indian Contract Act, 1872, Sections 37-67.

- 1. Punj Sons Pvt. Ltd. v. Union of India, AIR 1986 Del. 158
- 2. Easun Engineering Co. Ltd. v. The Fertilizers & Chemicals Travancore Ltd., AIR 1991 Mad. 158

Topic 9: Remedies for Breach of Contract

(Lectures – 03)

(a) Damages; Types of damages; Basis of Assessment of Damages; Remoteness of Damages and Measures of Damages; Mitigation of Damages; Penalty & Liquidated Damages- Indian Contract Act, 1872, Section 73-74

- 1. Ghaziabad Development Authority v. Union of India, AIR 2000 SC 2003
- 2. Oil & Natural Gas Corporation Ltd. v. Saw Pipes Ltd. (2003) 4 SCALE 92

Topic 10: Quasi – Contracts

(Lectures – 03)

Obligations resembling those created by Contract (Quasi – Contracts): Concept and classification – Indian Contract Act, 1872, Sections 68-72

- 1. State of West Bengal v. B.K. Mondal & Sons, AIR 1962 SC 779

Topic 11: E-Contracts

(Lectures – 05)

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Nature and Scope; Formation of E-contracts; Legislative Framework; Judicial Approach- The Information Technology Act, 2000, sections 3-5, 10-17.

1. P R Transport Agency v. Union of India, AIR 2006 All 23
2. Timex International Fze Ltd Dubai v. Vedanta Aluminium Ltd. (2010) 3 SCC 1

Prescribed Legislations:

- (a) The Indian Contract Act, 1872
- (b) The Information Technology Act, 2000

Note:

1. The topics, legislations and cases given above are not exhaustive. The teachers teaching the course shall be at liberty to add new topics/legislations/cases.
2. The students are required to study the legislations as amended up-to-date and consult the latest editions of books.
3. After informing the BOS/Director through Head, the teachers teaching the subject are free to add or delete any topic/case from the synopsis after informing the BOS/Director thru Head.

Prescribed Books:

- (a) NilimaBhadbhade, Pollock & Mulla, Indian contract & Specific Relief Acts (13th ed., 2006)
- (b) J. Beatson, Anson's Law of Contract (28th ed., 2002)
- (c) H.K. Saharay, Dutt on Contract – The Indian Contract Act, 1872 (10th ed., 2006)
- (d) Avtar Singh, Law of Contract and Specific Relief (11th ed., 2013)
- (e) Sachin Rastogi, Insights Into E-Contracts in India, 2014
- (f) R.K. Singh, Law Relating to Electronic Contracts, 2013.

Case Laws: As mentioned above and other recent cases discussed in the class.

PSAD Professional Skill Development Activities 3 Hrs/Week

(15 Lectures)

- Statutes and Judgements Analysis
- Access to legal Re-course :- Library and online Data Base
- Debate/ Seminar, Symposium/ Group Discussion
- Development of writing skills.

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BA LL.B. Semester - II
Subject: Computer Education – II
Subject Code: 204

UNIT I

(Lectures – 15)

(DOS/UNIX)

- (a) Operating System: Introduction, Features, Functions, Measuring System Performance.
- (b) Disk Operating System: Introduction to operating system, How DOS works, Internal Commands: PROMPT, CLS, DATE, TIME, DIR, REN DEL, MD, CD, RD, COPY, TYPE, VOL, VER, PATH. External Commands: XCOPY, DELTREE, FORMAT, CHKDSK, DISKCOPY, DISKCOMP, SCANDISK, TREE, APPEND, ATTRIB, LABEL, EDIT, DOSKEY

UNIT II

(Lectures – 10)

(MS Word)

- (a) MS Office: Elements, Introduction to Office & Features, MS-Word: Definition, Benefits, Features & Uses of Word, Menus, Toolbars, Cursor, Short Cut & Hot keys, Editing Text, Opening, Creating, Saving, Printing, Editing Files, Formatting text, Find and Replace, Tables and Columns, Spell Check, Thesaurus, File Protection, Mail Merge, Macros.
- (b) Type menu: applying a font, formatting and word processing, formatting characters, changing borders and applying fills, graphics and text blocks, wrapping text around graphics and dropdown menus.

UNIT III

(Lectures – 10)

(MS Excel)

- (a) Editing: Editing a cell, selecting range, deleting cell, column, row, worksheet. Renaming, moving, copying and moving a worksheet. Protecting a workbook. Formatting: Adjusting a column width, row height, hiding /unhiding rows and columns, aligning a worksheet data. Number, currency, date formats.
- (b) Functions: Types of function in MS-Excel, Syntax, Mathematical function, Logical function, date/time function. Wizard Formula: Entering a formula, referencing technique, naming range, moving & copying formula. Charts: Creating Charts, Components of a chart, types of a chart, using chart wizard, Moving and resizing charts, saving & retrieving charts. Printing, Defining page layouts, setting header and footers, hiding gridlines, print preview, printing a worksheet.

UNIT IV

(Lectures – 10)

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(MS PowerPoint)

Definition, Benefits, Features & Uses of Power Point, Menus, Toolbars, Creating and Editing Slides, adding graphics, Multimedia, and Special Effects to Slides, Insert (Picture, Slide & Text), Master Slide, Views, Animation, Action Buttons.

(Lectures – 10)**UNIT V****(Jurisdiction and the Internet)**

- (a) Introduction, E-Contract, Jurisdiction-The Concept, Internet Jurisdiction, Cases of Cyberspace Jurisdiction, Contractual Obligation in Cyberspace, Advertising on the Web, Active versus Passive Web Sites, Electronic Mail Transactions, Mechanical process to examine witness, Analysis, Publication of Draft Regulation in Electronic Form.
- (b) Computer Education in Law, Significance, and Important software used in legal research.

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Suggested Readings:

1. Introduction to Computers, Peter Norton, TMH
2. Computer Fundamentals, P.K. Sinha, BPB
3. PC Software – R.K. Taxali
5. Law Relating to Computers, Internet, & E-Commerce, Nandan Kamath, Universal Law Publishing.
6. Computer Sciences, D.P. Nagpal, PHI
7. Comdex Computer Course Kit, Vikas Gupta, Dreamtech, N. Delhi

PSAD Professional Skill Development Activities 3 Hrs/Week

(09 Lectures)

- Quiz Problems
- CCT'S Case Following.
- Foreign Language Learning & Practice case study.

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B.A. LLB, Semester II

Subject: Political Science –II, Subject Code: 205

Introduction

This paper focuses on understanding of theories of state and basic concepts and functioning of state & government

Unit – I: Concept of State and its organs

(Lecture – 15)

- a. Concept of state and its elements
- b. Government and its relation with state
- c. Constitution – features and classification
- d. Legislature – Concept, types and functions
- e. Executive: Concept and functions
- f. Judiciary- functions, judicial review and independence of judiciary
- g. Separation of powers
- h. Other forms: One party democracy and military rule

Unit – II: Political Organization

(Lecture – 10)

- a. Unitary form of Government – features, merits and demerits
- b. Federal form of Government –features, merits and demerits
- c. Quasi Federal Government
- d. Parliamentary form - features, merits and demerits
- e. Presidential form- features, merits and demerits

Unit – III: Sovereignty, Rights and Duties

(Lecture – 10)

- a. Sovereignty –definition and types (political, popular and legal)
- b. Rights – concept and types
- c. Duties- concept and types

Unit – IV: Political Concepts

(Lecture – 10)

- a. Equality : Meaning of equality, Characteristics, Kinds, Relationship between liberty and equality, Liberal Theory & Marxist Theory of Equality
- b. Liberty: Meaning, Definitions, concept of Positive and Negative Liberty Forms/Kinds of Liberty, Safeguards of Liberty
- c. Property: Nature of Property Liberal Perspective Social Democratic Perspective Marxist Perspective

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d. Justice: Meaning, definition, various types of Justice, Relationship between Liberty, equality, property and justice. Liberal perspective- Rawl's theory of Justice Libertarian Perspective-Nozick theory of Justice Marxist perspective

Unit-V: Democracy

(Lectures – 05)

- a. Meaning, characteristic and types of Democracy.
- b. Theories of Democracy-Liberal, Elite, Marxist.

Note: After informing the BOS/Director through Head, the teachers teaching the subject are free to add or delete any topic/case from the synopsis after informing the BOS/Director thru Head.

Text Books & References:

- Gauba, O.P., An Introduction to Political Theory (New Delhi, Macmillan 2005) Held, David, Political Theory Today (Cambridge, Polity Press; 1991)
- Held, David, Models of Democracy (Cambridge, Polity Press, 1987)
- Johari, J.C. Principles of Modern Political Science (New Delhi, Sterling Publisher, 2005)
- Kapur, A.C., Principles of Political Science (New Delhi, S. Chand and Co. 2005)
- Indian Books available in Library
- Reference Books
- Mill, J.S., On Liberty (London, Watts and Co., 1948)
- Laski, Harold, A Grammar of Politics (London, George Allen and Unwin, 1951)
- Macpherson, C.B., Democratic Theory (Oxford Clarendon Press, 1973)
- Marx, Karl, Economic and Philosophical Manuscripts of 1844 (Moscow, Progress Publishers)
- Ramaswamy, Sushila, Political Theory: Ideas and Concepts (Delhi, Macmillan, 2003)
- Rawls, John; A Theory of Justice (London, O.U.P, 1972) Tawney,
- R.H. Equality (London, George. Allen and Unwin, 1931).
- Asirvatham Addi, Political Theory (New Delhi, S. Chand and Co. 1988) Berlin,
- Isaih, Four Essays on Liberty (Oxford, O.U.P., 1975) Bottomore Tom, Dictionary of Marxist Philosophy (Oxford, Basill Blackwell, 1985)

PSAD Professional Skill Development Activities 3 Hrs/Week

(19 Lectures)

- Debates on political Theories
- Political Analysis of current Happenings
- Political Surveys

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BA LLB Semester II
Subject: Sociology-II
Subject Code: - 206

This paper focuses on basic concepts of sociology relevant for better understanding of Indian Society.

Unit I: Features of Indian Society (Lectures – 20)

- a. Diversity- linguistic, racial, ethnic and religious
- b. Unity-through processes of assimilation, accommodation, pilgrimage and political and administrative efforts
- c. Basis of social stratification in Indian society-caste, class and tribes;
- d. Scheduled caste, scheduled tribe and other backward classes: Issue of reservation

Unit II: Marriage, family and kinship (Lectures – 10)

- a. Marriage- definition, forms and trends: dowry and divorce
- b. Family-definition, forms and trends; universality of family; functions and dysfunctions of family
- c. Kinship- definition and forms: kinship system in north and south India- important features;

Unit III: Social Change in India (Lectures – 15)

- a. Internal social processes of change- sanskritization, universalization and parochialization
- b. External sources- modernization and westernization
- c. Change initiated through state agencies-education, administrative policies, development processes

Unit IV: Identity, dignity and social justice in India (Lectures – 15)

- a. Children and youth
- b. Women
- c. Aged
- d. Physically challenged
- e. Religious and ethnic minorities

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Textbooks:

1. Harlambos, M. Sociology: Themes and Perspectives; Oxford University Press, 1980
2. Bottomore, T. B. Sociology: A Guide to Problems and Literature; Blackie and Sons India Ltd; 1971

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3.Horton.P.b.and C.L. Hunt Sociology; McGrew- Hill bookCompany, Singapore, 1984. 4. Giddens, A.Sociology; Polity Press, UK; 1993

PSAD Professional Skill Development Activities 3 Hrs/Week

(04 Lectures)

- Symposium of judicial Activism and social Action Litigation
- Evaluation of Law as an agency of social Transformation .

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