



Semester - II

SOCIOLOGY--- II

(Indian Society)

(The entire syllabus is divided into five units. Ten questions shall be set in all with two questions from each unit. The candidate shall be required to answer five questions in all selecting one from each unit. All questions carry equal marks)

Objective: Society in India is the aggregate of people living together in India. The course aims at making the student understand the basics of the Indian society, its institutions, functions and dysfunctions for understanding its relations with law and legal institutions.

UNIT-I

Social Change

- Social Change: Meaning, Nature of Social Change, Theories of Social Change, The Causes or Factors of Social Change
- Globalization and Social Change
- Law as an instrument of Social Change in India
- Social Change in Modern India: Sanskritization, Westernization, Islamization and Secularization.

UNIT-II

Sociology of Development

- Concepts of Development
- Perspectives of Development: Liberal, Marxian, Gandhian
- Modernization
- Various Approaches to Sustainable Development
- Environmental issues and Movements in India

**UNIT-III
Women and Society**

- Status of Women in Society: Historical and Contemporary view
- Gender Inequality: The origin of Gender Inequalities
- Different Perspectives on Gender Inequality: Feminist and Marxist perspectives,
- Women's liberation Movements
- Feminism and the Future
- Constitutional Mandates and Women in India
- Changing Position of Women in India.

**UNIT – IV
Weaker Sections and Minorities**

- Problems of the underprivileged and welfare measures (Scheduled castes, Scheduled Tribes and Other Backward Classes)
- Concepts of Social Exclusion and Social Justice, Protective Discrimination and Legal Measures for SCs, STs and OBCs,
- Types of Minority Community in India, Minority Rights, Issues and Challenges of Minority communities of India.

**UNIT-V
Contemporary Social Issues and Legal Measures**

- Major Social Problems in India: Poverty, Illiteracy, Unemployment, Corruption and Black Money, Communal Violence,
- LGBT Issues: Decriminalization of Homosexuality
- Aged and Disability Issues

Suggested Readings

1. A. R. Desai: *India's Path of Development: A Marxist Approach*, Popular Prakashan, Bombay.
2. Amartya Sen: *The Argumentative Indians: Writings on Indian History, Culture and Identity*, Penguin Group, London
3. Andre Beteill: *The Backward Classes in Contemporary India*, Oxford University Press, New Delhi.
4. Anil Agarwal: 'What is Sustainable Development', *Down to Earth*, June 15, 1992: 50-51.
5. Ann Oakley: *Subject Women: Where Women Stand Today – Politically, Economically, Socially, Emotionally*, Martin Robertson, Oxford.
6. B. Kuppyswamy: *Social Change in India*, Vikas, New Delhi.
7. Bipan Chandra: *Communalism in Modern India*, Vikas Publishing House, New Delhi.
8. C. N. Shankar Rao, *Sociology*, S. Chand, Delhi.
9. D. Harrison: *The sociology of Modernization and Development*, Routledge.
10. Francis Abraham (1985): *Sociological Thought*, Macmillan Publishers, India.
11. Ghansyam Shah (ed.): *Dalit Identity and Politics*, Sage, New Delhi.
12. Gunnar Myrdal: *Asian Drama: An Inquiry into the Poverty of Nations*, Kalyani Publishers, India.
13. Jean Drèze and Amartya Sen: *India: Economic Development and Social Opportunity*, Clarendon Press.
14. K. L. Sharma (ed.): *Social Inequality in India: Profiles of Caste, Class and Social Mobility*, Rawat Publications, Jaipur.
15. Kamala Bhasin: *What is Patriarchy?*, Kali for Women: New Delhi.
16. M. Haralambos: *Sociology: Themes and Perspectives*, Oxford University Press, New Delhi.
17. M. K. Gandhi: *Hind Swaraj or Indian Home Rule*, Navajivan Trust, Ahmedabad.
18. M. K. Gandhi: *The Selected Works of Mahatma Gandhi Vol.III*, Navajivan Trust, Ahmedabad.
19. M. N. Srinivas: *Social Change in Modern India*, University of California Press, Berkeley.
20. Mahbub Ul Haq: *Reflections on Human Development*, Oxford University Press, New Delhi.
21. Maitrayee Chaudhuri: *The Indian Women's Movements: Reform and Revival*,

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Radiant Publishers, New Delhi.

22. Mary E. John *et. al.* (ed.): *Contested Transformations: Changing Economies and Identities in Contemporary India*, Tulika, New Delhi.
23. N. R. Madhava Menon: *Social Justice and Social Processes in India*, Indian Academy of Social Sciences, Allahabad, India.
24. Neera Desai and Maithreyi Krishna Raj: *Women and Society in India*, Ajanta Books, New Delhi.
25. Rajeev Bhargava: *Secularism and its Critics*, Oxford University Press, New Delhi.
26. Ram Ahuja: *Social Problems in India*, Rawat Publications, Jaipur.
27. S. C. Dube: *Understanding Change*, Vikas Publishing House, New Delhi.
28. S. C. Dube: *Modernisation and Development*, Sage Publication: New Delhi.
29. T. K. Oommen: *Nation, Civil Society and Social Movements: Essays in Political Sociology*, Sage, New Delhi.
30. T. B. Bottomore: *Sociology: A Guide to Problems and Literature*, S. Chand, New Delhi.
31. United Nations Development Programme: *Human Development Report*, Oxford University Press. New Delhi.
32. Upendera Baxi: *Towards the Sociology of Law*, Satvagan Publications, New Delhi
33. Vandana Shiva: *Ecology and the Politics of Survival: Conflicts over Natural Resources in India*, Sage Publications, New Delhi.
34. Vidya Bhushan, *Text Book of Sociology for Law Students*, Kitab Mahal, Allahabad.
35. Vidya Bhushan and D. R. Sachadev: *An Introduction to Sociology*, Kitab Mahal, Allahabad.
36. Yogendra Singh: *Modernization of Indian Tradition*, Thomson Press, New Delhi.

ECONOMICS-II

(INDIAN ECONOMY)

(The entire syllabus is divided into five units. Ten questions shall be set in all with two questions from each unit. The candidate shall be required to answer five questions in all selecting one from each unit.)

Objective: The objective of the course is to introduce the salient features of institutional economics and its analytical tools that could be applied to study various legal issues in public and private sector. It also aims to familiarize student with the role of institutions and how these have proven important for economic and social development. The course is specifically designed to make student learn the economic approach of analysing the importance and significance of institutions for resolving socio-economic issues.

UNIT- I

INTRODUCTION TO INDIAN ECONOMY

- **Basic Features of Indian Economy:** Importance of Social Sector-Health, Education and Infrastructure-India's National Resources (Human and Natural) and their Role in Economic Development.
- **Poverty:** Types, Extent, Causes and Unemployment
- Poverty Alleviation and Employment Generating Programmes and their Impacts

UNIT- II

INDIA'S AGRICULTURE & ECONOMIC DEVELOPMENT

- **Basic Characteristic & Problems of Agricultural Economy:** Trends in the Growth of Agricultural Production.
- Indian Agricultural Policy and Agricultural Price in India.
- **Land Reforms:** Agriculture Labour-Agriculture Finance-Green Revolution.

UNIT- III

INDUSTRIAL DEVELOPMENT

- **Industrial Development and Economic Growth:** Trends in Industrial Production-Large Scale and Small-Scale Industry-Industrial Policy of 1948, 1956, 1980 and 1991.
- Industrial Finance and Industrial Relations.
- **Concentration of Economic Power:** Multi-National and Trans-Nationalization of Indian Business.

UNIT- IV

TRADE & FINANCE

- **Trade Composition & Direction:** Balance of Trade and Balance of Payments Problems-Export & Import Policy
- **Finance Commission in India:** Major Issues in Fiscal Policy-Problems of Fiscal Deficit.
- Problems of External and Internal Debts-Size & Its Implications.

UNIT- V

INDIAN ECONOMY IN GLOBAL ORDER

- Economic Reforms since 1990s
- MNCs and IFMs
- **WTO and Indian Economy:** IPRs, TRIPs, TRIMs.

Suggested Readings

1. A. N. Aggarwal: *Indian Economy*, Wishwa Prakashan, New Delhi.
2. B. Sodersten: *International Economics*, Macmillan Press Ltd., London.

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3. B. N. Ghosh and Rama Ghosh: *Modern Macroeconomics: Theory and Practice*, Himalayan Publishing House, New Delhi.
4. Bernard Heokman: *Development Trade and The WTO: A Handbook*, Atlantic Publisher, New Delhi.
5. D. M. Mithani: *International Economics*, Himalaya Publishing House, New Delhi.
6. G. S. Batra & R. C. Dangwal (ed.): *Liberalization, Globalization and International Business*, Deep & Deep Publishers, New Delhi.
7. H. G. Mannur: *International Economics*, Vikas Publishing House, New Delhi.
8. H. L Ahuja: *Macroeconomics: Theory and Policy*, S. Chand & Company Ltd., New Delhi.
9. H. L. Bhatia: *Public Finance*, Vikas Publishing House Pvt. Ltd., New Delhi.
10. I. C. Dhingra: *The Indian Economy: Environment & Policy*, Sultan Chand & Sons, New Delhi.
11. K. K. Dewett: *Modern Economic Thoery*, S. Chand & Company Ltd., New Delhi.
12. K. R. Gupta (ed.): *World Trade Organisation*, Atlantic Publisher, New Delhi.
13. Kalpana Rajaram (ed.): *Indian Economy*, Spectrum Books Pvt. Ltd., New Delhi.
14. M. C. Vaish: *Monetary Theory*, Vikas Publishing House Pvt. Ltd., New Delhi.
15. M. M. Sury (ed.): *Finance Commissions of India*, New Century Publication, New Delhi.
16. M. Y. Khan: *Indian Financial System*, Tata McGraw Hill Publisher, New Delhi.
17. Peter Isard: *Globalisation and the International Financial System*, Cambridge University Press, Cambridge.
18. R. A. Musgrave and P.B. Musgrave: *Public Finance in Theory and Practice*, Mcgraw-Hill International Edition, Tokyo.
19. R. K. Lekhi: *Public Finance*, Kalyani Publishers, New Delhi.
20. Ruddar Datt & K. P. M. Sundharam: *Indian Economy*, S. Chand & Company Ltd., New Delhi.

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21. S. K. Misra & V. K. Puri: *Indian Economy*, Himalaya Publishig House, New Delhi.
22. Suraj B. Gupta: *Monetary Economics: Institution Theory and Policy*, S. Chand Company, New Delhi.
23. T. T. Sethi: *Monetary Economics*, S. Chand & Company Pvt. Ltd. New Delhi.
24. Vasant Desai: *Indian Financial System and Financial Market Operation*, Himalaya Publishing House, New Delhi.

POLITICAL SCIENCE-II (CONCEPTS & PERSPECTIVES)

(The entire syllabus is divided into five units. Ten questions shall be set in all with two questions from each unit. The candidate shall be required to answer five questions in all selecting one from each unit.)

Objectives: Political Science and Law are organically interwoven and leave profound impact on the society, both in their individual domains as well as when they work in unison. While Political Science could be seen as a larger domain that leads to the creation of the legal system, the Laws regulate the various players, processes and institutions in the political sphere. This paper is designed to introduce law students to the institutions, processes and contemporary debates that have their genesis in the political realm but profoundly influence the legal domain and *vice versa*, both nationally and internationally. This paper aspires to provide a platform to enhance the students' understanding of national and global developments in the field of Constitutional Law, International Law, and Human Rights Law.

UNIT- I CONSTITUTION

- Definition, Aims and Scope
- Types of Constitutions
- Amendment to the Constitution
- Salient Features of the Indian Constitution

UNIT- II GOVERNMENT

- Concept and Meaning, Classification of Governments
- Organs of the Government
- Separation of Powers & Checks and Balances
- Governance in India

UNIT- III DEMOCRACY AND REPRESENTATION

- Democracy: Definition and Meaning, Models of Democracy

- Theories of Democracy
- Elections, Representation and Political Parties
- Groups, Interests and Movements

**UNIT- IV
WORLD POLITICS**

- National Power: Definition and determinants of National Power, Limitations on National Power
- National Interest: Meaning and Scope of National Interests
- Means of Securing National Interest
- National Security and Human Security

**UNIT- V
INTERNATIONAL POLITICS**

- **Cold War:** Causes, Phases and Conflicts (Korean Crisis, Vietnam Crisis, Cuban Missile Crisis, Gulf, War)
- Post-Cold War World: Bipolarity-Unipolarity-Multipolarity, Globalization
- United Nations and its Organs
- Alliances: NATO and Non-Aligned Movement; Supra-National Organisations: EU, OAS, AU, SAARC, ASEAN, BRICS, SCO; **Challenges before the Contemporary World Order**

Suggested Readings

1. A. C. Kapur: *Principles of Political Science*, S. Chand & Company Ltd., Delhi.
2. Andrew Heywood: *Political Theory: An Introduction*, Palgrave-Macmillan Education, London.
3. L. Fadia and KuldeepFadia: *Indian Government and Politics*, SahityaBhawan Publications, Agra.
4. E. Asirvatham& K. K. Misra: *Political Theory*, S. Chand Co. Ltd., New Delhi.
5. E. Whittington, R. D. Kelemer& G.A. Calberia: *Law & Politics*, Oxford University Press, Oxford.
6. Eddy Asirvatham and K. K. Misra: *Political Theory*, S. Chand & Company Ltd., Delhi.

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7. J. C. Johari: *Contemporary Political Theory: New Dimensions, Basic Concepts and Major Trends*, Sterling Publishers, India.
8. J. C. Johari: *Principles of Modern Political Science*, Sterling Publishers, India.
9. J. C. Johari: *The Constitution of India: A Politico-Legal Study*, Sterling Publishers, India.
10. John Baylis et al.: *The Globalization of World Politics: An Introduction to International Relations*, Oxford University Press, New York.
11. John S. Dryzek et al.: *The Oxford Handbook Political Theory*, Oxford University Press, New York.
12. Joshua S. Goldstein and Jon C. Pevehouse: *International Relations*, Pearson Longman, New York.
13. Karen A. Migst et al.: *The United Nations in the 21st Century: Dilemmas in World Politics*, Westview Press, Boulder.
14. M. P. Jain: *Political Theory (Liberal & Marxian)*, Authors' Guild Publications, Delhi.
15. M. S. Rao: *Political Obligation*, New Era Law Publication, Delhi.
16. Margaret P. Karns et al.: *International Organizations: The Politics and Processes of Global Governance*, Viva Books Pvt. Ltd., New Delhi.
17. N. Kant: *An Introduction to Political Science*, Central Law Publications, Allahabad.
18. O. P. Gauba: *An Introduction to Political Theory*, Mayur Paperbacks, New Delhi.
19. Rajeev Bhargava and Ashok Acharya (eds.): *Political Theory: An Introduction*, Pearson, Delhi.
20. Rathore & Haqqi: *Political Theory*, Eastern Book Company, Lucknow.
21. S. Lukes: *Power: A Radical View*, Macmillan, London.
22. S. N. Ray: *Modern Comparative Politics: Approaches, Methods and Issues*, Prentice Hall: India, New Delhi. S.P. Verma: *Modern Political Theory*, Vikas Publishing House, New Delhi.

23. Shahrbanou Tadjbakhsh and Anuradha M. Chenoy: *Human Security: Concepts and Implications*, Routledge, London.
24. Subhash C. Kashyap: *Our Constitution*, National Book Trust, Delhi.

HISTORY

(The entire syllabus is divided into five units. Ten questions shall be set in all with two questions from each unit. The candidate shall be required to answer five questions in all selecting one from each unit.)

Objectives: The objective of this paper is to introduce the law students the historical basis, foundation and legacies influencing our current legal framework, institutions and jurisprudence. The course takes students through historical periods and analyses the methodology through the sources, for understanding, informing and advancing the genesis of our Law. The course provides the students with a foundational understanding on Ancient Law systems such as Arthashastra and sources of Islamic History and Law like Quran and Hadith. After completion of the course, the students are able to draw parallels and appreciate historical influences that have shaped our legal system.

UNIT- I

- **History:** Meaning and Methodology-Relationship between Law and History- Sources of History-Indus Valley Civilization
- **Sources of Legal Systems in Ancient India:** Vedic Texts-Brahmanas-Sutras (*Kalpa* and *Dharma*)-*Dharma Shastra*-*Asthashastra*-Custom-Law State and Society in *Manusmriti*; **Sources of Islamic Law:** *Shari'ah* and *Hadith*

UNIT- II

- **Political System, Religion and Culture in the Vedic Period:** Rise of the Caste System-Emergence of Jainism and Buddhism
- **Mauryan and Gupta Period:** State and Administration under the *Mauryas*-*Asokan Dhamma*-State Craft and Law in *Kautilyal's Arthashastra*-State and Administration under the *Guptas*- Rise of Indian Feudalism

UNIT- III

- **Delhi Sultanate:** *Alauddin Khalji's* Agrarian Measures and Price Control Policy-*Muhammad-Bin-Tughluq's* Major Projects-Religious Policy under the Tughluqs.
- **Delhi Sultanate:** Law and *Shari'ah* under the Delhi *Sultan*-Caste and Slavery-Development of *Sufism* in North India-Evolution of Indo-Islamic Culture.

UNIT- IV

- **Mughal Dynasty:** Establishment of Mughal Rule under *Babur* and *Humayun*-Administration under Sher Shah Suri-Consolidation of Mughal Empire under *Akbar*-*Akbar's* Religious Policy-*Aurangzeb* and the Decline of *Mughal* Empire
- British Expansion from the mid-18th to 19th Century-Economic Consequences of British Rule in India (1765-1857)-Socio-Religious Reform Movements during 19th Century

UNIT- V

- Resistance to Colonial Rule-Revolt of 1857-Social and Economic Consequences of the Railways in India
- Early Indian Nationalism (1885-1909)-Emergence of Gandhi-Khilafat and Non-Cooperation Movement (1919-24)-Civil Disobedience Movement (1930-34)-National Movement from Quit India (1942) to Independence

Suggested Readings

1. A. B. Keith: *Constitutional History of India*, Pacific Publication, New Delhi.
2. Bipan Chandra: *India's Struggle for Independence*, Penguin India, New Delhi.
3. Burton Stein: *History of India*, Wiley-Blackwell, Chichester, U.K.
4. D. N. Jha: *Ancient India: An Introductory Outline*, Manohar Publishers and Distributors, New Delhi.

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5. Irfan Habib: *Essays in Indian History: Towards Marxist Perception*, Anthem Press, London.
6. J. F. Richards: *The Mughal Empire*, Cambridge University Press, Cambridge.
7. Judith Brown: *Modern India the Origin of an Asian democracy*, Oxford University Press, Oxford.
8. Sekhar Bandyopadhyay: *From Plassey to Partition*, Orient Blackswan, Telangana.
9. Sumit Sarkar: *Modern India*, Laxmi Publications, New Delhi.

LAW OF TORTS-II

(The entire syllabus is divided into five units. Ten questions shall be set in all with two questions from each unit. The candidate shall be required to answer five questions in all selecting one from each unit.)

Objectives: The law of tort is a field of law that applies and regulate our day to day affairs. The course introduces major area of tort law such as intentional torts, negligence and strict liability as well as damages issues in tort actions. The course structure explores the underlying objectives and functions of tort law, the basis for imposing liability and a number of intentional torts and applicable defences. The centuries old tort-law stands substituted by the new enactment especially the Consumer Protection Act, 1986 and the Motor Vehicles Act, 1988.

UNIT- I

TORTS AGAINST PERSON & PERSONAL RELATIONS

- **Specific Torts:** Torts affecting the Person-Assault-Battery-False Imprisonment-Malicious Prosecution-Abuse of Legal Process
- **Torts Affecting Domestic Relationship:** Marital Relations, Domestic Relations, Parental Relations
- **Trespass to Reputation or Defamation:** Nature, Meaning, and Essentials, Kinds-Libel, Slander, Defences: Truth or Justification, Fair Comment, Privilege-Absolute & Qualified

UNIT- II

WRONGS AFFECTING PROPERTY AND PERSON

- **Trespass to Land:** Nature, Meaning and essentials, Kind-Trespass on the Highway, Trespass in the space, Continuing Trespass, Trespass *ab Initio*,

Defences & Remedies-Pleas of *Jus tertii* & Mesne Profits; **Trespass to Goods**-by conversion, by detention

- **Torts against Business Interests:** Injurious Falsehood, Mis-Statements & Passing-Off
- **Nuisance :** Nature, Meaning & Essentials, Kinds- Public and Private, Act Constituting Nuisance-Obstructions of Highways-Pollutions of Air, Water & Noise-Interference with Light & Air-Defenses

UNIT- III

DAMAGES

- **Award of Damages:** Simple-Special-Punitive
- **Remoteness of Damages:** Foreseeability & Directness-Test of Causation 'But for' Test-Wagon Mound Case-Reasonable Foreseeability Test-Effect of an Intervening Act-*Re Polemis* Case-Direct Consequences Test-Injunction & Specific Restitution of Property
- **Extra-Legal Remedies:** Self-Help, Re-Entry on Land, Re-Caption of Goods, Distress, Damage Feasant & Abatement of Nuisance

UNIT- IV

CONSUMER PROTECTION LAWS

- **Consumer Law:** Introduction to Consumer Protection Law in Contract and Torts
- **Criminal Sanction:**Scale of Noxious and Adulterated Substances-False Weights and Measures-Use of Unsafe Carriers
- **Consumer Laws:** Common Law and the Consumer-Duty to Take Care and liability for Negligence-Product Liability-Consumerism-Consumer Movements in India- Consumer Protection Act, 1986-Salient Features of the

Act-Definition of Consumer-Rights of Consumers-Defects in Goods and
Deficiency in Services-Unfair Trade Practices

UNIT- V

CONSUMER DISPUTE REDRESSAL AGENCIES & LIABILITY ARISING OUT OF ACCIDENTS

- **Redressal Machinery under the Consumer Protection Act:** District Forum-State Commission-National Commission
- **Liability under Consumer Protection Act:** Liability of the Service Providers, Manufacturers and Traders-Remedies
- **Liability Arising out of Accidents:** Relevant Provisions of the Motor Vehicles Act, 1988-Liability without Fault-Insurance of Motor Vehicle Against Third Party Risks-Claims Tribulation

Suggested Readings

1. Avtar Singh: *P.S.A. Pillai's Law of Tort*, Eastern Book Company, Lucknow.
2. H. K. Saharay: *Textbook on Consumer Protection Law*, Universal Law Publishing Co Pvt. Ltd., New Delhi.
3. J. N. Pandey: *Law of Torts*, Central Law Publications, Allahabad.
4. Janak Jai Raj & Himanshi Mittal: *Motor Accident Claims-Law & Procedure*, Universal Law Publishing Co Pvt. Ltd., New Delhi.
5. Justice J.R. Midha: *Law Relating to Motor Accident Claims-A Ready Referencer with Latest Judgements*, Universal Law Publishing Co Pvt. Ltd., New Delhi.
6. Kumud Desai: *Law of Torts (An Outline with Cases)*, N.M. Tripathi, Bombay.
7. R. Chakraborty: *Law Relating to Rash and Negligent Driving*, CTJ Publications, Maharashtra.

8. R.F.V. Heuston & R. A. Buckley: *Salmond & Heuston on the Law of Torts*, Sweet & Maxwell, London.
9. R. K. Bangia: *A Handbook of Consumer Protection Laws & Procedure for the Lawman & the Layman*, Asian Offset Press, Faridabad.
10. R. K. Bangia: *Law of Torts (Including Compensation under the Motor Vehicles Act and Consumer Protection Laws)*, Allahabad Law Agency, Allahabad.
11. Ratanlal & Dhirajlal (Revised by Akshay Sapre): *Ratanlal and Dhirajlal's The Law of Torts*, LexisNexis, Gurgaon.
12. S. K. Kapoor: *Law of Torts*, Central Law Agency, Allahabad.
13. W. V. H. Rogers: *Winfield and Jolowicz on Tort*, Sweet & Maxwell, London.

Relevant Cases

1. *Fowler v. Lanning*, (1959) 1 All ER 290.
2. *Letang v. Cooper*, (1964) 2 All ER 929.
3. *Collins v. Wilcock*, (1984) 3 All ER 974.
4. *Murray v. Ministry of Defence*, (1988) 2 All ER 52.
5. *Lumley v. Gye*, (1853) 118 ER 749.
6. *Mogul Steamship Co. v. McGregor, Gow & Co.*, (1892) AC 25.
7. *Rohtas Industries v. Rohtas Industries Staff Union*, (1976) 2 SCC 82.
8. *Cadbury Schweppes Ltd v. Pub. Squash Co. Ltd.*, (1981) 1 All ER 213.
9. *Cassidy v. Daily Mirror Newspaper Ltd.*, (1929) 2 KB 331.
10. *Tolly v. Fry & Sons Ltd.*, (1931) AC 333.
11. *R.K. Karanjia v. K.M.D. Thackersey*, AIR 1970 Bom 424.
12. *Dr. J.C. Gosh v. H.S. Mukherjee*, (1961) 3 SCR 486.
13. *Sturges v. Bridgman*, (1878) 11 Ch 853.
14. *St. Helen's Smelting Co. v. Tipping*, (1865) 11 HL Cas 642.
15. *Radhey Shiam v. Gur Prasad*, AIR 1978 All 86.
16. *Dr. Ram Baj Singh v. Babulal*, AIR 1982 All 285.

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17. *Hunter v. Canary Wharf Ltd.*, (1797) 2 All ER 426.
18. *Allen v. Flood*, (1898) AC 1.
19. *Quinn v. Leatham*, (1910) AC 495.
20. *Scoot v. Shepherd*, (1773) 2 W Bl 892.
21. *Re Polemis & Furness, Withy & Co. Ltd.*, (1920) 2 KB 560.
22. *Liesbosch Dredger v. S. S. Edison* (1933) AC 449.
23. *Overseas Tankship (U.K.) Ltd v. Morts Dock & Engg. Co. Ltd.*, (1961) 1 All ER 404 (PC).
24. *Doughty v. Tuner Manufacturing Co. Ltd.*, (1964) 1 QB 518.
25. *S.C.M. (UK) Ltd v. WJ Whittall & Sons*, (1971) 1 QB 337.
26. *The Presidency Post Master & Anr. V. Dr. U. Shanker Rao II*, (1993) CPJ 141 (NC).
27. *Nirmal Pande v. Post Master General & Others II*, (1993) CPJ7 (SC).
28. *Lucknow Dev. Authority v. M.K. Gupta*, (1993) CPJ 7 SC.
29. *Indian Medical Association v. V.P. Shantha*, AIR 1994 SC.
30. *Om Prakash v. Asstt. Engineer, Haryana Agro Industries Corporation Ltd. & Anr.*, (1994) 3 SCC 504.
31. *Post Master General, Tamil Nadu v. Calvin Jacob, III* (1994) CPJ 85 (NC).

LAW OF CONTRACTS-II (Special Contract & Mercantile Law)

(The entire syllabus is divided into five units. Ten questions shall be set in all with two questions from each unit. The candidate shall be required to answer five questions in all selecting one from each unit.)

Objective: The course structure of Contract II introduces the specific ways in which the law relating to contracts has evolved and the forms that it has taken. Contracts law has assumed special forms in the course of its evolution to suit changes in society. Special provisions that apply to special contracts relating to contracts of indemnity and guarantee, of bailment and pledge, and of agency are contained in three chapters of the Indian Contract Act 1872 and statutes *viz.*, Sale of Goods Act 1930 and Indian Partnership Act 1932 form part of this course. These transactions play a very important role in commerce and trade. This course follows the general principles that apply to all contracts. They deal with general principles that apply to each specific contractual relationship. The study of this course will enable a good understanding of the purposes with which each of these transactions is made, the features of each of these transactions, and the rights and liabilities of the parties to them. The course also emphasizes the study of remedies provided in these laws.

UNIT- I

INDIAN CONTRACT ACT, 1872

- **Contract of Indemnity (ss. 124, 125):** Definition and Conceptual Validity - By Specific Requirements, By General Principles of Contract-Nature & Extent of Indemnifier's Liability (Rights of Indemnified) on Indemnified suing or being sued-Commencement of Indemnifier's liability.
- **Contract of Guarantee (ss. 126- 147):** Definitions and Conceptual Validity by Specific Requirements, By General Principle of Contract-Liability of Surety: Its Nature and Extent-Discharge of Surety from Liabilities: By Invalidation, By Revocation & By Conduct of Creditor-Rights of Surety: Against-(i) Principal Debtor (ii) Creditor and (iii) Co-Surety

- **Contract of Bailment (ss. 148- 171) & Pledge (ss. 172-179):** Bailment: Definition and Conceptual Validity-Duties of Bailor and Bailee-Rights of Bailor and Bailee; Pledge (Pawn)-Definition and Conceptual Validity, Who can Pledge-Duties of Pledger (Pawner) and Pledgee (Pawnee)-Rights of Pledger (Pawner) and Pledgee (Pawnee).

UNIT- II

INDIAN CONTRACT ACT, 1872

- **Contract of Agency (ss. 182-189, 196-200, 201-210):** Definition and Conceptual Validity-By Specific Requirements-By General Principles of Contract; Classes (Kinds) of Agents-Creation of Agency: By Express Agreement-By Implied Agreement of (i) Estoppel (ii) Holding Out (iii) Necessity by Ratification-Requirements & Effects.
- Determination /Termination of Agency
- **Of Agency Transaction (ss. 211-238):** Mutual Rights and Duties of Parties-Principal, Agent & Third Party-As Regards Relations between Principal and Agent-As Regards Relations between Principal and Third Party-As Regards 'Personal Liabilities' of Agent-Presumption of Contract to the Contrary

UNIT- III

SALE OF GOODS ACT, 1930

- **Of Nature, Formation & Terms of Contract of Sale of Goods (ss. 1-17):** General (Ss. 4-10)-Generic Term Contract of Sale-Its Formalities and Essential-Its Species 'Sale' and 'Agreement to Sell'

- **Terms or Stipulations of Contract of Sale (ss. 11-13):** Conditions & Warranties-Of Implied Term/Stipulations (ss. 14-17)-Implied Conditions-Implied Warranties

UNIT- IV

SALE OF GOODS ACT, 1930

- **Of the Effect of Contract of Sale (ss. 18-30):** As to Transfer of Property between Seller and Buyer (ss. 18-25)-As to Passing of Risk (ss. 26)- As to the Transfer of Title by Seller having Defective Title (ss. 27-30)
- **Right of Unpaid Seller (ss. 45-54):** As to Lien (ss. 47-49)-As to Stoppage in Transit (ss. 50-52)-As to Resale (s. 54)
- Breach of Contract and its Remedies (ss. 55-57)

UNIT- V

INDIAN PARTNERSHIP ACT, 1932

- **Of Partnership, Its Nature & Concept:** Definition & Essential and Duration of Partnership (ss. 4-8)- Partnership distinguished from (i) Joint-Stock Company (ii) Joint Family (iii) Co-ownership and Other Association- Right and Duties of Partner (ss. 9-17)
- **Liabilities towards Thirds Persons (ss. 18-30):** Nature and Extent of the Liabilities of the Firm-Doctrine of 'Holding Out' Creating the Liability of a Non-Partner-Rights of Transferee of a Partner-Position of a 'Minor' admitted to the Benefit of Partnership
- **Of Registration (ss. 56-71) & Dissolution of Firms (ss. 39-55):** Registration of Firm-Procedure for-Effect of Non-Registration-Dissolution of Firm-Modes of Dissolution and Consequential Effects

Suggested Readings

1. Dr. Avtar Singh: *Law of Contract & Specific Relief*, Eastern Book Company, Lucknow
2. Dr. R. K. Bangia: *Contract*, Allahabad Law Agency, Allahabad
3. Dr. R. K. Bangia: *Sale of Goods Act*, Allahabad Law Agency, Allahabad
4. H. K. Saharay: *Dutt on Contract-The Indian Contract Act, 1872*, Eastern Law House, Kolkata
5. G. H. Treitel: *The Law of Contract*, Sweet & Maxwell, London
6. H. G. Beale and Joseph Chitty: *Chitty on Contracts: General Principles*, Sweet & Maxwell, London
7. J. Beatson, Andrew Burrows & John Cartwright: *Anson's Law of Contract*, Oxford University Press, London
8. Justice K. Kannan: *Mulla: The Sale of Goods Act and the Indian Partnership Act*, Lexis Nexis, New Delhi
9. M. Krishnan Nair: *Indian Contract Law*, Orient Longman, Hyderabad
10. Michael P. Furmston: *Cheshire, Fifoot & Furmston's Law of Contract*, Oxford University Press, London
11. N. C. Seddon, R. A. Bigwood & M. P. Ellinghaus: *Cheshire and Fifoot -Law of Contract*, Butterworths, London
12. Pollock & Mulla (revised & edited by Nilima Bhadbhade): *Indian Contract Act, 1872*, Lexis Nexis, Gurgaon
13. T. S. Venkatesa Iyer: *Lectures on Law of Contract*, Asia Law House, Hyderabad,
14. Venkoba Rao (revised by S. C. Srivastava): *Law of Agency*, LexisNexis, New Delhi

Relevant Cases

1. *Adamson v. Jarvis*, (127) 4 Bing 66.
2. *Dugdale v Lovering*, (1875) 10 CP 196.
3. *United India Insurance Co. v. M/s Aman Singh Munshilal*, AIR 1994 P&H 206.

B.A.LL.B. (Hons.) Semester-II

4. *Secretary of State v. Bank of India Ltd*, AIR 1938 PC 191.
5. *Gajanan Moreshwar v. Moreshwar Madan*, AIR 199 Bom 302.
6. *SBI v. Manganese Ore (India) Ltd*, AIR 1997 SC 254.
7. *Birkmyr v. Darnell*, (1704) 91 ER 27.
8. *Taylor v. Lee*, (1924) 187 NC (SC) 393.
9. *London General Omni Bus Co. v. Holloway*, (1912) 2 KB 72.
10. *Bank of Bihar v. Damodar Prasad*, AIR 1969 Sc 297.
11. *Amrit Lal v. State Bank of Travancore*, AIR 1968 SC 1432.
12. *M.S. Anirudhan v. Thomco's Bank Ltd.*, AIR 1963 SC 746.
13. *State of MP v. Kaluram*, AIR 1967 SC 1105.
14. *Re Lampreigh Iron Ore Co. Ltd.*, (1927) 1 H 308.
15. *Larson & Tombro Ltd v. Maharashtra Electricity Board*, AIR 1996 SC 334.
16. *NTPC Ltd v. M/s Flowmore Pot Ltd.*, AIR 1996 SC 445.
17. *Coggs v. Bernard*, 1703, 1 Sin. LC 175.
18. *Ultzen v. Nichols*, (1894) 1 QB 92.
19. *NR Srinivasa Iyer v. New India Insurance Co. Ltd.*, AIR 192 SC 899.
20. *State of Gujarat v. Memon Mahomed*, AIR 1967 SC 1885.
21. *Trustee, Port Trust of the Bombay v. Premier Automobiles*, AIR 1981 SC 1982.
22. *Juggilal Kamlatpat Oil Mills v. Union of India*, (1976) 1 SCC 893.
23. *Morvi Mercantile Bank v. Union of India*, AIR 1955 SC 1954.
24. *Phillips v. Brooks Ltd*, (1919) 2 KB 243.
25. *M/s Kalyani Breweries Ltd v. State of WB*, AIR 1998 SC 408.
26. *Syndicate Bank of India v. Vijay Kumar*, AIR 1992 SC 1066.
27. *Loon Khan v. Johns & Co.*, AIR 1967 All 308.
28. *Sayyed Abdul Khader v. Rami Reddy*, AIR 1979 SC 553.
29. *Badri Prasad v. State of MP*, AIR 1988 SC 58.
30. *Panna Lal Jankidas v. Mohanlal*, AIR 1951 SC 144.

B.A.LL.B. (Hons.) Semester-II

31. *Keppel v. Wheeler*, (1927)136 LT 203.
32. *Narandas v. Papammal*, AIR 1967 SC 333.
33. *Luxor (Eastbourne) Ltd. v. Cooper*, (1941) AC 108.
34. *State Bank of India v. Shayama Devi*, AIR 1978 SC 1263.
35. *Harshad J. Shah v. LIC of India*, AIR 1997 SC 2459.
36. *Ram Prasad v. State of UP*, AIR 1973 SC 2673.