SCHEME OF EXAMINATION

&

DETAILED SYLLABUS

ODD SEMESTER

AUGUST 2011 - DECEMBER 2011

for

BA LLB(H)

Five Year Integrated Course

AMITY LAW SCHOOL, DELHI
FIRST YEAR

First Semester

<table>
<thead>
<tr>
<th>Paper Code</th>
<th>SUBJECTS</th>
<th>L</th>
<th>Credit</th>
</tr>
</thead>
<tbody>
<tr>
<td>LLB 101</td>
<td>Legal Method</td>
<td>4</td>
<td>4</td>
</tr>
<tr>
<td>BA LLB 103</td>
<td>History-I (Indian History)</td>
<td>4</td>
<td>4</td>
</tr>
<tr>
<td>BA LLB 105</td>
<td>Political Science-I</td>
<td>4</td>
<td>4</td>
</tr>
<tr>
<td>LLB 107</td>
<td>Law of Contract – I</td>
<td>4</td>
<td>4</td>
</tr>
<tr>
<td>LLB 111</td>
<td>English and Legal Language</td>
<td>4</td>
<td>4</td>
</tr>
<tr>
<td>BA LLB 113</td>
<td>Sociology-I (Introduction to Sociology)</td>
<td>4</td>
<td>4</td>
</tr>
<tr>
<td>BA LLB 115</td>
<td>Economics-I (Microeconomic Analysis)</td>
<td>4</td>
<td>4</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td><strong>28</strong></td>
<td><strong>28</strong></td>
</tr>
</tbody>
</table>
Objective: This paper focuses on orientation of students to legal studies from the point of view of basic concepts of law and legal system.

Unit – I: Meaning and Classification of Laws (Lectures– 10)
   a. Meaning and definition
   b. Functions of law?
   c. Classification of laws:
      i. Public and Private Law
      ii. Substantive and Procedural Law
      iii. Municipal and International Law

Unit – II: Sources of Law (Lectures– 09)
   a. Custom
   b. Precedent
   c. Legislation

Unit – III: Basic Concepts of Indian Legal System (Lectures– 10)
   a. Common Law
   b. Constitution as the Basic Law
   c. Rule of Law
   d. Separation of Powers
   e. Judicial system in India

Unit – IV: Legal Writing and Research (Lectures – 10)
   a. Legal materials – Case law
   b. Statutes, Reports, Journals, Manuals, Digests etc.
   c. Importance of legal research
   d. Techniques of Legal Research
   e. Legal writings and citations

Text Books:
   1. Glanville Willains – Learning the law
   2. Nomita Aggarwal – Jurisprudence (Legal Theory)
   3. B.N.M. Tripathi – An Introduction to Jurisprudence and Legal theory

References:
   2. ILI Publication – Indian Legal System
   3. ILI Publication in Legal Research and Methodology
Essential Case Law:
11. Peoples Union for Civil Liberties v. Union of India 1997 (1) S.C.C. 301
13. R.K. Tangkhul v. R. Simirei, AIR 1961 Manipur 1
Objective: This paper focuses on broad features of legal institutions and administration in ancient, medieval and modern India.

Unit – I: Introduction (Lectures – 08)
   a. History – Meaning and Methodology
   b. Relationship between Law and History

Unit – II: Polity, State and Administration (Lectures – 10)
   a. Ancient India
      i. Vedic Polity
      ii. Mauryan State
      iii. Gupta Polity
   b. Medieval India
      i. Chola Village Administration
      ii. Delhi Sultanat
      iii. Mughal State (Mansabdari System and Administrative Apparatus)
   c. Theory of Kingship and Nature of State in Ancient and Medieval India
      i. Brahmanic
      ii. Buddhist
      iii. Kautilyan
      iv. Balban
      v. Alauddin Khilji
      vi. Turko-Afgan Concept
   d. Political Movements of Gandhi – Non-Cooperative, Civil Disobedience, and Quit India Movements

Unit – III: Society and Economy (Lectures – 10)
   a. Social Institutions in Ancient India
      i. Varna
      ii. Jati
      iii. Gotra
      iv. Pravara
      v. Family
      vi. Slavery
      vii. Position of Woman
      viii. Changes in Medieval period
   b. Reformation in Medieval and Modern Times
      i. Nanak
      ii. Kabir
      iii. Raja Ram Mohan Roy
      iv. Aligarh Movement and Backward Caste Movements (B.R. Ambedkar, Jotiba Phule and Naicker)
c. **Economic Structure**
   i. Feudalism
   ii. Post-Mauryan Economy
   iii. Gupta Economy
   iv. Iqtadari System
   v. Agrarian Reforms of Alauddin Khalji and Mohammed-bin Tughlaq
   vi. Market Reforms of Alauddin Khalji
   vii. Drain of Wealth and Stages of Colonialism

4. **Legal Systems and Institutions Ancient India and Medieval India**  
   (Lectures– 10)
   a. Sources: Vedic Texts, Brahmanas, Sutras (Kalpa and Dharma), Dharma Shastra, Asthashastra, custom
   b. Thinkers – Manu, Brihaspati, Yajnavalkya, Narada, Katyayan
   c. Judicial System
      i. Types of court: Pratishita, Apratishta, Mudrita, Sasita, Guilds, Panchayats, Kantakasodhana, Dharmansthiyaa
      ii. Procedures: Appointment of judges, Trial, Witness, Pleaders, Secret agents, wergild and Punishment, Role of Judges and Investigation
   d. Sources of Islamic Law: *Sharia* and *Hadis*
   e. Salient features of Islamic Criminal Law
   f. Judicial organization: King, Chief Qazi, Judicial Officers, Investigative Process and Punishments
   g. Law with regard to non-Muslims
   h. Evolution of Judicial Setup – changes introduced by Akbar

**Text Books:**
1. H.V. Sreeniwasmurthy – History (for law students)

**References:**
1. Bipan Chandra – India’s Struggle for Independence (Penguin)
2. A.S.Tripathi – Jurisprudence
3. T.Rama Jois – Ancient Legal thought
4. A.L. Basham – Wonder that was India, Part-I
5. S.A.A. Rizvi – Wonder that was India, Part –II
Objective: This paper focuses on understanding the basic concepts, theories and functioning of state.

Unit – I: Introduction and theories

  a. Introduction
     i. What is Political Science- definition, aims and scope
     ii. Relationship between Political Science and Law
  b. Theories of State
     i. Divine and Force theory
     ii. Organic theory
     iii. Idealist theory
     iv. Individualist theory
     v. Theory of social Contract
  c. Indian Context
     a. Santiparva and Kautilaya’s Saptang theory
     b. Development of concept of Hindu State
     c. Islamic concept of state

Unit – II: Liberalism and Totalitarianism

  a. Liberalism
     i. Liberalism meaning and features
     ii. Merits and demerits
  b. Totalitarianism
     i. Totalitarian state – meaning and features
     ii. Merits & demerits of Totalitarian state
     iii. Fascism & Nazism

Unit – III: Socialism and Marxism

  a. Socialism
     i. Socialism- meaning and features
     ii. Schools of Socialism
        • Fabianism
        • Syndicalism
        • Guild socialism
  b. Marxism
     i. Concept of Marxism
     ii. Historical and dialectical materialism
     iii. Concept of class and class struggle
     iv. Merit and demerits of Marxism
Unit – IV: Political Thinkers  

(Lectures– 10)

a. Western Political Thinkers- Plato, Aristotle, St. Augustine, St. Aquinas, J.S. Mills and T.H. Green
b. Indian Political thinkers – Gokhale, M.N. Roy, Jay Prakash Narayan, Gandhi and Nehru

Text Books:

1. Eddy Asirvatham & K.K. Misra, Political Theory, S. Chand & Company Ltd., Delhi
2. A.C. Kapur, Principles of Political Science, S.Chand & Company Ltd., Delhi

References:

1. Myneni, Political Science for Law Students, Allahabad Law Agency
2. R.L. Gupta, Political Theory
3. Vishoo Bhagwan, Indian Political thinker
4. Amal Ray & Bhattacharya, Political Theory: Ideas and Institution
Objective: The objective of this paper is to make students familiar with various principles of contract formation enunciated in the Indian Contract Act, 1872.

Unit – I: Formation of Contract (Lectures – 10)

a. Meaning and nature of contract
b. Offer / Proposal
   • Definition
   • Communication
   • Revocation
   • General/ Specific offer
   • Invitation to treat
c. Acceptance
   • Definition
   • Communication
   • Revocation
   • Tenders / Auctions

Unit – II: Consideration and Capacity (Lectures – 10)

a. Consideration
   • Definition
   • Essentials
   • Privity of contract
b. Capacity to enter into a contract
   • Minor’s position
   • Nature / effect of minor’s agreements

Unit – III: Validity, Discharge and Performance of Contract (Lectures – 10)

a. Free Consent
b. Coercion, undue influence, Misrepresentation, Fraud, Mistake
c. Unlawful consideration and object
d. Effect of void, voidable, valid, illegal, unlawful and uncertain agreements contracts
e. Discharge of Contracts
f. Performance
g. Time and Place of performance
h. Impossibility of performance and frustration
i. Breach – Anticipatory & Present

Unit – IV: Remedies and Quasi Contracts (Lectures– 10)

a. Remedies
   i Damages
   ii Kinds
   iii Remoteness etc.
   iv Injunction
   v Specific performance
vi  Quantum Merit

b. Quasi Contracts (Sections 68-72)

Text Books:
1. Avtar Singh – Law of Contract and Specific Relief
2. Mulla - Law of Contract and Specific Relief

References:
1. Anson’s - Law of Contract
2. Bangia - Law of Contract and Specific Relief
Objective: The Objective of this course is to develop a student capability to write and speak in English correctly.

Unit – I: Grammar and Usage (Lectures – 10)
   a. Tense and Composition
   b. Basic Transformations
      i. Active/Passive
      ii. Negatives
      iii. Questions
   c. Simple, Complex and Compound Sentences
   d. Reported Speech
   e. Some Common errors

Unit – II: Comprehension and Composition (Lectures – 10)
   a. Reading Comprehension
   b. Comprehension of Legal Texts
   c. Paragraph and Precis Writing
   d. Formal Correspondence
   e. Note Taking
   f. Drafting of Reports and Projects
   g. Abstracts

Unit – III: Legal Language (Lectures – 08)
   a. Legal maxims
   b. Foreign words
   c. Drafting of moot memorials

Unit – IV: a. Common Hindi and Urdu words used in Courts (Lectures – 06)
            b. Translation from Hindi to English and Vice Versa

Text Books:
1. Legal Language and Legal Writing – P.K. Mishra
2. English Grammar – Wren and Martin

References:
   1. Legal Language, Writing and General English – J.S. Singh
Objective: The objective of this paper is to focus on basic concepts of sociology relevant for understanding of society and various social issues.

Unit I: Introduction (Lectures – 10)
- Sociology – definition, aims and scope
- Relation with other social sciences- history, anthropology and psychology
- Important theoretical approaches- evolutionism, functionalism, conflict theory, interactionist theory

Unit II: Contributions of eminent sociologists (Lectures – 12)
- Saint Simon
- August Comte
- Emile Durkheim
- Herbert Spencer
- Karl Marx
- Max Weber
- Talcott Parson
- Pareto

Unit III: Basic concepts (Lectures – 10)
- Society
- Community
- Association
- Social groups
- Status and role

Unit IV: Research Methods (Lectures – 12)
- Types of methodology – comparative, descriptive, diagnostic, exploratory, experimental
- Research methods – documentary, empirical and survey method
- Tools of data collection- observation, interview, questionnaire and schedule, genealogy, case study, sampling
- Stages of data collection- conceptualizing problem, laying down hypothesis, defining the variables, choosing the tools of data collection, phase of data collection, data analysis

Text Books:
2. Bottomore, T.B. Sociology: A Guide to Problems and Literature; Blackie and Sons India Ltd; 1971
4. Giddens, A. Sociology; Polity Press, UK; 1993

References:
1. Davis, K. *Human Society*; Surjeet Publications, India; 2000
2. Desai, N. and M. Krishnaraj *Women and Society in India*; Ajanta Publications; 1987
4. Mac Iver and Page Society: *An Introductory Analysis* ; Mac Millan India Ltd., New Delhi
5. Myneni *Sociology*; Allahabad Law Agency, Faridabad; 2004
Objective: The objective of this paper is to provide broad understanding of basic concepts of economics and understanding of relationship between economics and law.

Unit - I: Introduction to Economics (Lectures – 10)

a. Definition, methodology and scope of economics
b. Forms of economic analysis – Micro vs. macro, partial vs. general, static vs. dynamic, positive vs. normative, short run vs. long run
c. Basic concepts and precepts – economic problems, economic rationality, optimality
d. Economic organization – market, command and mixed economy
e. Relation between economics and law- economic offences and economic legislation

Unit - II: Demand and Supply (Lectures – 12)

a. Theories of demand- demand function, law of demand
b. Concept of utility and utility theory-utility approach, indifference curve approach
c. Law of supply, supply function
d. Price determination; shift of demand and supply
e. Elasticity of demand and supply; consumer surplus
f. Applications of demand and supply –tax floor and ceilings; applications of indifference curves- tax, labor and work

Unit - III: Production Analysis, costs and market structure (Lectures – 12)

a. Concepts of Production- production isoquants, returns, returns to factor, returns to scale
b. Cost and revenue concepts
c. Classification of markets-pure and perfect competition; monopolistic and imperfect competition; monopoly, duopoly and oligopoly; cartels;
d. Concept of Dumping- to be substantiated with the cases of International Courts of Justice, Competition law

Unit - IV: Theory of determination of factor prices, rent, interest, wages and profit (Lectures – 12)

a. Labour supply and wage determination
b. Role of trade unions and collective bargaining in wage determination; minimum wage legislation
c. Exploitation of labour
d. The theory of rent, interest and profits
Text Books:
2. Lipsey Introduction to Positive Economics; ELBS
3. Samuelson Economics;

Reference:
1. Bilas Microeconomic theory; Mc Graw Hill Intedn; 2nd edition
2. Hirshleifer Price Theory and Applications; Prentice Hall; 1978
4. Myneni, S.R. Principles of Economics; Allahabad law Agency; Faridabad
5. Dewett, K.K. Modern Economic Theory;