

BALLB(Hons.) 5 year Integrated Course
VII- Semester
Defence and Strategic Studies-I
(Theory and Concepts)

Paper 701(OPTION B)

Internal Assessment : 20 Marks
Theory : 80 Marks
Total : 100 Marks
Time : 3 Hours

Note:

- a) Nine questions shall be set in all, two questions in each Unit I-IV and one compulsory question in Unit-V.
- b) The compulsory question in Unit-V shall consist of four parts, one from each unit I-IV.
- c) The candidate shall be required to attempt five questions in all, selecting one question from each Unit I-IV and question no. 9 in Unit V shall be compulsory.
- d) Each question in Unit I-IV shall carry 15 marks and question no. 9 in Unit-V shall carry 20 marks.

Unit-I

Kautilya : Philosophy of War, Sun Tzu : Art of War, Mao Tse Tung: Views on Guerrilla Warfare, Douhet :Views on Air power, Mahan: Views on Sea Power and Navel Warfare and General introduction of Geneva Convention, 1949.

Unit-II

Defence and Strategic Studies: Meaning and Definitions, Its Relevance and Significance, Relationship of Defence and Strategic Studies with other disciplines with special emphasis on Law.

Definitions and meaning of basic concepts: War, Campaign, Battle, Strategy, Tactics, Security and Defence.

Unit-III

Warfare : historical Evolution, Features, Causes, Principles and Types
Modern Warfare : Concept, Definitions and Features

Unit—IV

Guerrilla Warfare: Origin and Concept, Principles,, Techniques and Characteristics of Guerrilla Warfare and Counter Guerrilla Measures.

Psychological Warfare : Definitions and Concept, Functions and Limitations.

Nuclear Warfare : Beginning of Nuclear Era and Effects of Nuclear Explosion, Nuclear Strategies of Deterrence and Massive Retaliation and ABC Warfare (Atomic, Biological or Chemical)

Suggested Reading:

1. Anthony James Joes, Guerrilla Conflict before the Cold war (1996) Praeger Publishers.
2. Bernard Montgomery, A History of Warfare : Field –Marshal Viscount Montgomery of Alamein (1983) William Morrow & Co., New York City.
3. Carl Von Clausewitz, “Principles of War”(2003) Dover Publication Inc.
4. D.K. Palit, Essentials of Military Knowledge,(2003) Natraj Publication Dehradun.
5. F.M. Osanka, Modern Guerrilla Warfare, (1962) Free Press of Glencoe, New York.
6. Geoffery Blainey, The Cause of War, (1973) Macmillan, London.

7. J.A. Khan Probing War and Warfare (2005) APH Publication, New Delhi.
8. J.F.C Fuller, The Conduct of War 1789-1961 : A Study of the Impact of the French, Industrial and Russian Revolutions on War and Its Conduct Publisher : Da Capo Press; Reprint edition (March 22, 1992)
9. K.S. Sidhu, War and Its Principles, (1988) Atlantic, New Delhi.
10. KS Tripathi, Evolution of Nuclear Strategies, (1970) Vikas Publication, New Delhi.
11. Marshal Foch, The Principle of War,(1972) Reliance Publishing House New Delhi.
12. Nagendra Singh, The Defence Mechanism and the Modern State, (1974) Asia Publishing House, New Delhi
13. Quincy Wright Study of War,(1942) University of Chicago Press.
14. Ravi Nanda, Evolution of National Strategy, (1987) South Asia Books, 1st Edition
15. Raymond Aron, Peace and War : A Theory of International Relations (1966) Praeger, New York.
16. Richard E. Barringer, War : Patterns of Conflict (1972)MIT Press, Cambridge Mass.
17. Stanislav Andreski, Military Organisation and Society (1968) Berkely University of California Press.

B.A. LL.B(Hons.) 5 –Year Integrated Course

**VII- Semester
Civil Procedure Code -I**

Paper 702

**Internal Assessment:20 Marks
Theory: 80Marks
Total: 100 Marks
Time: 3 hours**

Note:

- (a) Nine questions shall be set in all, two questions in each unit I-IV and one compulsory question in unit-V.
- (b) The compulsory question in unit-V shall consist of four parts, one from each Unit I-IV.
- (c) The Candidate shall be required to attempt five questions in all, selecting one question from each Unit I-IV and question no. 9 in Unit- V shall be compulsory.
- (d) Each question in Unit I-IV shall carry 15 marks and question no. 9 in Unit –V shall carry 20 Marks.

UNIT-I

1. Definitions : Decree, Decree Holder, Foreign Court, Foreign Judgment, Judgment, Judgment Debtor, Legal Representative, Mesne Profits, Order (Sec. 2)
2. Jurisdiction of Civil Courts, Nature of Suits (Sec. 9)
3. Stay of Suits, Resjudicata, Foreign Judgement (Sec. 10)
4. Place of Suing, Transfer of Suits (Secs.15-25)
5. Joinder of Parties, Representative Suits, Splitting of Claims and Relief, Joinder of Cause of Action (Order I & II)

Leading Case: Sinha Romanuja v. Ranga Romanuja, AIR 1961SC 1720

UNIT-II

1. Institution of Suits (Sec. 26 & Order IV)
2. Fundamentals rules of Pleadings (Order VI, VII & VIII)
3. Summons to defendants and witnesses (Secs. 27-32 & Order V & XVI)
4. Appearance of parties, Exparte Decree (Order IX)
5. Discovery and Inspection (Order XI)
6. Admission (Order XII)

Leading Case: Babbar Sewing Machine Co. v. Triloki Nath, AIR 1978SC 1436

UNIT-III

1. Production, Impounding and Return of Documents(Order XIII)
2. Settlement of Issues (Order XIV, XV)
3. Adjournment (Order XVII)
4. Hearing of Suits (Order XVIII), Affidavits (Order XIX)
5. Judgment and Decree (Sec. 33 & Order XX)
6. Awarding of interest and Cost (Secs. 34-35B)

A. J.

Leading Case: Arjun Singh v. Mohijder kumar and others, AIR 1964 SC 993

UNIT-IV

1. Power and Jurisdiction of Executing Court (Secs.36- 47, 49- 50)
2. Procedure in Execution (Secs.51-54 & Order XXI Rules 1 & 2, Rules 10- 25), Stay of Execution (Rules 26-29)
3. Mode of Execution (Rules 30-36), Arrest and detention (Secs.55-59 & Order XXI Rules 37- 40)
4. Attachment of Property and Adjudication of Claims and Objections (Secs.60- 64 & Order XXI Rules 41-59)
5. Sale, Procedure in Sale and Distribution of Assets (Secs.65-73 & Order XXI Rules 64-96)
6. Resistance to Execution (Sec.74 & Order XXI Rules 96-106)

Leading Case: Uma Shanker v. Sarabjeet, AIR 1996 SC 1005

Statutory Material

Code of Civil Procedure, 1908

Suggested Readings

- | | |
|--------------------|---|
| 1. Mulla | : The Code of Civil Procedure (Student Edition) |
| 2. Thakkar, C.K. | : The Code of Civil Procedure |
| 3. Sarkar, Sudipto | : The Code of Civil Procedure |
| 4. Saha, A.N. | : The Code of Civil Procedure |
| 5. Mulla D.F. | : Key to Civil Practice |
| 6. Takwani C.K. | : Civil Procedure Code |

**B.A.LL.B (Hons.) 5-Year Integrated Course
VII - Semester
Principles of Taxation Law**

Paper 703

**Internal Assessment: 20 Marks
Theory: 80 Marks
Total: 100 Marks
Time: 3 hours**

Note:

- (a) Nine questions shall be set in all. Two questions from each unit I-IV and one compulsory question.
- (b) The compulsory question shall consist of four parts which shall be set one each from Unit I-IV.
- (c) The Candidate shall be required to attempt five questions in all selecting one question each from Unit I-IV and question number 9 in Unit V shall be compulsory.
- (d) Each question in Unit I-IV shall carry 15 marks and question number 9 in Unit V shall carry 20 Marks.

UNIT-I

Tax and Fee; Scope of Tax Laws; Distribution of Tax Resources between Union and the States (Article 268-279); Surcharge; Grant-in-Aid; Constitution of Finance Commission and Functions; Principles Governing the Share of Income Tax; Inter-Government Tax Immunities (Article 285-289).

Leading Case: Commissioner, Hindu Religious Edowments v. Sri Lakshmindra Thirtha Swamiar of Sri Shirur Mutt, 1954 SCR 1005.

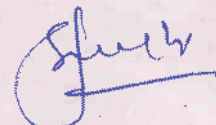
UNIT-II

Concept & Definition; Income (Section-2(24), Total Income (Section 2 (45), Agriculture Income Section 2 (1A), Assessee (Section-2(7) Assessment Year & Previous Years 2(9), Assessing Officer. Income which do not form part of total income (Section-10-13A), Capital Receipt, Revenue Receipt, Capital Expenditure & Revenue Expenditure.

Leading Case: C.I.T. v. Raja Benoy Kumar Sahas Roy, 32 ITR 466 SC 1957.

UNIT-III

Income: Salary (Sections 15-17), Income from House Property (Sections 22-27), Profits & Gains of Business and Profession (Sections 28 & 32,33,33A, 34, 36-37), Capital Gains (Sections 45-55A), Income from Other Sources (Sections 56, 58).



Leading Case: Bharat Development Pvt. Ltd v. CIT,133 ITR 470 (Del)

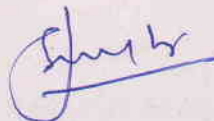
UNIT-IV

Set off and Carry forward of Losses (Sections 70-80) ; Income Tax Authorities (Sections 116-138), Appeal Reference & Revision, Collection Recoveries and Refund (Sections 190-234, 237 to 245), Penalties, Offences & Prosecution (S. 271-280).

Leading Case : K.C. Builders and Another v. Asstt. Commissioner Income Tax (2004) 265 ITR 562 (SC)

Suggested Readings

1. Ahuja, Grish, : Income Tax Law and Practice, Bharat Law House 2010.
2. HC Mehrotra : Income Tax Law & Accounts, Shahitya Prakashan
3. Kailash Rai : Taxation Laws, Bharat Law House
4. N.A.Palkhivala : Income Tax Law, Modern Law House
5. Saxena, A.K. : Income Tax Act, 1961
6. SR Myneni : Law of Taxation, Allahabad Law Agency
7. Vinod & Monica Singhania : Income Tax, Taxmann



**B. A. LL. B. (Hons) 5-year Integrated Course
VII-Semester
Interpretation of Statutes and Principles of Legislation**

PAPER:704

**Internal Assessment:20 Marks
Theory: 80Marks
Total: 100 Marks
Time: 3 hours**

Note:

- (a) Nine questions shall be set in all. Two questions from each unit I-IV and one compulsory question.
- (b) The compulsory question shall consist of four parts which shall be set one each from Unit I-IV.
- (c) The Candidate shall be required to attempt five questions in all selecting one question each from Unit I-IV and question number 9 in Unit V shall be compulsory
- (d) Each question in Unit I-IV shall carry 15 marks and question number 9 in Unit V shall carry 20 Marks.

UNIT-1

Statute:Meaning and Classification of Statute.

Interpraetation:Meaning, Object and Necessity.

General Principles of Interpretation –Literal or Grammatical Rule; Mischief Rule; Golden Rule; Harmonious Construction; *Noscitur-A Sociis*; *Ejusdem Generis*, *Contemporanea Expositio est Optima Et fortissima in lege*, *Statute should be read as a whole*, *Statutes in Pari materia*.

Prescribed Case:

Harbhajan Singh v. Press Council of India, AIR 2002 SC 1351

UNIT-II

Internal Aids to Construction- Short Title, Long Title, Preamble, Marginal Notes, Headings, Section and Subsection, Definitions, Interpretation Clauses, Provisos, Illustrations, Exceptions and Saving Clauses, Explanations, Schedules and Punctuation Marks and non obstante clause.

Prescribed Case:

Special officer and competent authority urban land ceiling, Hyderabad v. P.S. Rao, AIR 2002 SC 843

External Aids to Construction- Dictionaries, Use of foreign decisions, Text Books, Historical Background, Legislative History, Administrative Conveyancing and Commercial Practice.

Prescribed Case:

R.S. Nayak v. A. R. Antulay AIR 1984 SC 684

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UNIT-III

Construction of Taxing Statutes and Evasion of Statutes; Remedial and Penal Statutes – Distinction between the two; Liberal Construction Of Remedial Statutes; Strict Construction of Penal Statutes; *Mens Rea* in Statutory Offences, Vicarious responsibility in Statutory Offences, , Mandatory and Directory Statutes.

Prescribed Case:

Amery Pharmaceuticals v. State of Rajasthan, AIR 2001 SC 1303

UNIT-IV

Commencement, Operation and Repeal of Statute; Prospective and Retrospective Operation of Statutes, Revival of Statute, Interpretation of Constitution , Relation between Law and Public Opinion; Bentham's Principle of Utility; Delegated Legislation.

Prescribed Case:

Aruna Rao v. Union of India, AIR 2002 SC 3176

Suggested Readings:

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|-----|------------------|--|
| 1. | P.St. J. Langan | : Maxwell on the Interpretation of Statutes |
| 2. | G.P. Singh | : Principles of Statutory Interpretation |
| 3. | V.P. Sarathi | : Interpretation of Statutes |
| 4. | Jagdish Swarup | : Legislation and Interpretation |
| 5. | Maxwell | : Interpretation of Statutes |
| 6. | Bindra | : Interpretation of Statutes |
| 7. | T. Bhattacharya | : The Interpretation of statutes |
| 8. | D.N. Mathur | : Interpretation of Statute |
| 9. | K.P. Chakravarty | : Interpretation of Statute |
| 10. | Ruthnaswamy | : Legislative Principles and Practice |
| 11. | N.K Chakrabarti | : Principles of Legislation and legislative drafting |
| 12. | Dicey | : Law and Public opinion |
| 13. | Bentham | : Theory of Legislation |

Statutory Material:

General Clauses Act, 1897

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**B. A. LL. B. (Hons) 5 Year Integrated Course
VII - Semester
Human Rights Law and Practices**

Paper -705(A)

Internal Assessment:20 Marks

Theory: 80Marks

Total: 100 Marks

Time: 3 hours

Note:

- (a) Nine questions shall be set in all. Two questions from each unit I-IV and one compulsory question.
- (b) The compulsory question shall consist of four parts which shall be set one each from Unit I-IV.
- (c) The Candidate shall be required to attempt five questions in all selecting one question each from Unit I-IV and question number 9 in Unit V shall be compulsory
- (d) Each question in Unit I-IV shall carry 15 marks and question number 9 in Unit V shall carry 20 Marks.

UNIT -I

Nature and scope of human rights, Evolution of Universal Human Rights, League of Nations and Human Rights, U.N. Charter and Human Rights, The Universal Declaration of Human Rights and its legal significance, Covenants of Human Rights :

- I. International Covenant on Economic, Social and Cultural Rights, 1966.
- II. International Covenant on Civil and Political Rights, 1966.

Leading case : People's Union for Civil Liberties v. Union of India and Anr.,(1997)3 SCC 433

UNIT-II

Terrorism and Human Rights, Human Rights of Minorities, Human Rights of Disabled, International Humanitarian Law and Four Geneva Conventions of 1949 relating to :

- I. Amelioration of the conditions of Wounded and Sick in Armed Forces.
- II. Amelioration of the conditions of Wounded, Sick and Shipwrecked members of Armed Forces at Sea.
- III. Treatment of Prisoners of War.
- IV. Protection of Civilian Persons during War.

Leading case : Lilly Kurian v. St. Lewina, AIR 1979 SC 52.

UNIT-III

Human Rights in India including Constitutional Guarantee of Fundamental Rights, Judicial activism and the protection of Human Rights in India, Role of Non-Governmental Organizations in the Promotion and Protection of Human Rights, Human Rights of Accused person, Human Rights and Environment protection, Human Rights of Women, Human Rights of Children.

Leading case : Sunil Batra v. Delhi Administration (II), AIR 1980 SC 1579.

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UNIT-IV

The Protection of Human Rights Act, 1993- Nature and Scope; Human Rights-Definition and Scope; National Human Rights Commission - Composition and appointment ; Inquiry into complaints and its procedure ; Functions and Powers of National Human Rights Commission ; State Human Rights Commission - Composition and appointment; Human Rights Courts - Constitution.

Leading case: National Human Rights Commission v. State of Arunachal Pradesh and Anr., 1996 SCC (1) 742.

Statutory Material

The Protection of Human Rights Act, 1993

Suggested Readings

- | | | |
|---------------------|---|---|
| 1. Ramajois | : | Human Rights in Ancient India |
| 2. U.Baxi | : | The Rights to be Human |
| 3. F.Kazmi | : | Human Rights |
| 4. J.Sawrup | : | Human Rights and Fundamental Freedom, |
| 5. Nagendra Singh | : | Human Rights and International Cooperation |
| 6. S.C.Khare | : | Human Rights and United Nations |
| 7. A.B.Kailash | : | Human Rights in International Law. |
| 8. J.Menon | : | Human Rights in International Law |
| 9. B.P.Singh Sehgal | : | Human Rights in India |
| 10. A.B.Robertson | : | Human Rights in National and International Law |
| 11. E.Lauterpact | : | International Law and Human Rights |
| 12. A.N.Sen | : | Human Rights. |
| 13. H.O. Aggarwal | : | International Law and Human Rights |
| 14. S.K. Kapoor | : | Human Rights under International Law and Indian Law |
| 15. Paras Diwan | : | Human Rights and Law |
| 16. Mahendra Gaur | : | Terrorism and Human Rights |

Note:

- (a) Nine questions shall be set in all, two questions in each unit I-IV and one compulsory question in unit-V.
- (b) The compulsory question in unit-V shall consist of four parts, one from each Unit I-IV.
- (c) The Candidate shall be required to attempt five questions in all, selecting one question from each Unit I-IV and question no. 9 in Unit- V shall be compulsory.
- (d) Each question in Unit I-IV shall carry 15 marks and question no. 9 in Unit -V shall carry 20 Marks.

UNIT-I

Meaning of International Trade Law, Overview of Public International Law relating to Trade, WTO, IMF and World Bank, Private Law relating IT, Agencies for Promoting Unification of Trade Law- UNICITRAL, UNIDROIT, UNCTAD, ICC & IMO

UNIT-II

Export Trade Transaction and International Commercial Contract, Types of International Contract and Law Governing Formation and Enforcement of International Contract, Rights and Liabilities of Parties to Contract, Unification of International Commercial Law, Vienna Convention on International Sale of Goods.

UNIT-III

Subsidies in I.T., Subsidies under GATT, Tokyo Round and Regional Trade Agreements and Customs Unions under GATT, GATT and New Issues e.g. Trade, Environment and Human Rights under the GATT dispensation.

UNIT-IV

Brief review of General Agreement on Trade in Services and TRIPS, Technical Barriers to Trade, Dispute Settlement Process under GATT and WTO, Legal Obligations under WTO Dispute Settlement.

Suggested Readings

1. Jackson : Jurisprudence of GATT and WTO
2. A Lowenfield : Law of International Trade
3. Arun Goyal : WTO in New Millennium
4. Jayanta Bagchi : World Trade Organisation
5. A.K. Kaul : Cases and Materials on I.T.
6. Leo D' Arey : The Law & Practice of IT

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**B. A. LL. B. (Hons) 5-year Integrated Course
VII- Semester
Professional Ethics, Accountancy for Lawyers &
Bench Bar Relations**

Paper 706

**Internal Assessment: 40 Marks
Theory: 60 Marks
Total: 100 Marks
Time: 3 hours**

Note:

- (a) Nine questions shall be set in all, two questions in each unit I-IV and one compulsory question in unit-V.
- (b) The compulsory question in unit-V shall consist of four parts, one from each Unit I-IV.
- (c) The Candidate shall be required to attempt five questions in all, selecting one question from each Unit I-IV and question no. 9 in Unit- V shall be compulsory.
- (d) Each question in Unit I-V shall carry 12 marks.

UNIT - I

Historical Introduction to Legal Profession in India-Barristers, Vakils, High Court Pleaders, Advocates etc. The All India Bar Committee 1951 and the Passing of Indian Advocates Act, 1961. The Advocates Act 1961: Definitions (Section 2), Constitution and Function of State Bar Councils, Bar Council of India, Terms of Office, Various Sub-committees Including Disciplinary Committee and the Qualification for their Membership. Power to Make Rules. Sections 3 to 15.

UNIT - II

The Advocate Act, 1961

Admission and Enrolment of Advocate-Senior and other Advocates; Common role of Advocates; Qualifications and Disqualifications for Enrolment and Procedure thereof; Sections 16 to 28.

Professional and Other Misconduct; Principles for Determining Misconduct; Disciplinary Committees for Misconduct; Selected opinions of the Disciplinary Committee of the Bar Councils; Appeals to the Supreme Court, sections 35 to 44.

UNIT - III

Nature of Legal Profession, Need for an Ethical Code Rights, Privileges and Duties of Advocates, Preparation of a Case and Fees of an Advocate, Bar Against Soliciting Work and Advertisement, Bar against Touting, Refusal of Briefs, Accountability to the Client, Confidentiality between an Advocate to Compromise, Study of Code of Ethics Prepared by the Bar Council of India.

Contempt of Courts Act, 1971

What is Contempt Civil and Criminal Contempt, Punishment for Contempt; Procedures in Contempt Cases; Supreme Court Rules to Regulate Contempt Proceedings.

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UNIT - IV

The following 10 Judgments of the Supreme Court would be discussed and analyzed:

1. Supreme Court Bar Association v. Union of India & others, AIR 1998 SC 1895.
2. Re Ajay Kumar Pandey Advocate, AIR 1998 SC 3299.
3. Dr. I. P. Mishra v. State of U.P., AIR 1998 SC 3337.
4. Kashi Nath Kher and other v. Dinesh Kumar Bhagat and others, AIR 1998 SC 374.
5. P. D. Gupta v. Ram Murti, AIR 1998 SC 283.
6. Sadhvi Ritumbhara v. Digvijay Singh & others, (1997) 4 SCJ 64.
7. Delhi Judicial Service Association, Tis Hazari Court Delhi v. State of Gujarat and others, AIR 1991 SC 2176.
8. M. B. Sanghi v. High Court of Punjab & Haryana and others, AIR 1991 SC 1834.
9. Amrit Nahata v. Union of India, AIR 1986 SC 791.
10. State of Bihar v. Kripalu Shankar, AIR 1987 SC 1554.

Statutory Material

Advocates Act, 1961

Contempt of Courts Act, 1971

Suggested Readings

1. Rao, Sanjeev : Indian Advocates Act, 1961.
2. Jain, M. P. : India Legal History (Chap. On Legal Profession).
3. Iyer, Krishna Murthy : Book on Advocacy.
4. Journal of Bar Council of India.
5. Bar Council Code of Ethics.

NOTE: There shall be an internal assessment carrying 40 marks as follows:

(i) The subject teacher will assign minimum two case-studies of 10 marks each to the students: - 20 Marks

(ii) The students are required to attend the Chamber of an Advocate for one week and maintain the Court Diary.

(ii) Viva-voce examination* -20 Marks

**Viva-voce examination will be conducted by a Committee consisting of Director/Principal, One External Subject Expert and the teacher teaching the subject on the date and time fixed by the Director/Principal. The Quorum will consist of two and one of them will be external expert*

Arjun Bala