

## **SEMESTER II**

### **CONTRACT – II**

#### I. Special Contracts

UNITS: 15

1. Contracts of indemnity & guarantee.
2. Bailment:
3. Pledge
4. Agency:

#### II. Indian Partnership Act

UNITS: 20

##### 1. Introduction:

Meaning and definition of partnership, Basic essentials of partnership, Mode of determining existence of partnership

Comparison between partnership and co-ownership, Comparison between partnership and joint family business, Comparison between partnership and company.

##### 2. Partnership at will

##### 3. Rights of partners.

Duties and obligations of partners.

##### 4. Relations of partners to third persons: liability of firm for acts of partners Liability of the partners towards third parties

##### 5. Implied authority of a partner. Scope of such implied authority

##### 6. Doctrine of holding out

##### 7. Minor

##### 8. Incoming partners:

modes of introduction, liability, Retirement of a partner, Expulsion of a partner

##### 9. Dissolution of firm:

Liability, accounts, public notice, Rights, payment of debts, Restraint of trade, good will,

##### 10. Registration of firm:

Advantages of registration, Effects of non registration, Registrationsubsequent to filing of suit

#### III. Sale of Goods Act

UNITS: 20

##### 1. Introduction:

Definition and essentials of sale, Define Goods and Different kinds of goods

Difference between contract of sale and agreement to sell. Differentiate between hire – purchase and contract of sale.

##### 2. Implied conditions and Warranties in a contract of sale

##### 3. Transfer of property and Title:

Transfer of property in Specific Goods, and Unascertained goods

Transfer of title: Rule of Nemo det quod non habet, Exceptions to the rule

4. Performance of Contract:

Kinds of delivery, Rules regarding delivery.

5. Rights of Unpaid Seller:

*Right to LIEN, Right to stoppage in transit and right to resale*

6. Suits for breach of Contract

IV. Negotiable Instruments Act

UNITS: 20

1. Definition and essentials of Negotiable Instruments

2. Promissory note:

Definition, Nature and Essentials of Promissory Note

3. Bill of exchange:

Definition and essentials of a bill of exchange. Bills in sets Distinction between

Bill of exchange and Promissory Note

4. Cheque:

Definition and essentials of a cheque. Distinction between Cheque and Bill of exchange

5. Negotiation :

Indorsement and its kinds, Definition of holder, and, holder in due course

6. Holder in due course:

Rights and privileges of a holder in due course of a negotiable instrument

7. Payment in due course

8. Parties to negotiable instruments and their liability.

9. Modes of discharge from liability: payment, cancellation, release, non-presentment, etc

10. Crossing of cheques

11. Dishonour of cheques: Criminal liability of drawer for issuing cheques without funds

12. Presentment: Presentment for payment

13. Dishonour: non acceptance, non payment, Notice of dishonour

14. Noting and protest

15. Maturity of negotiable instruments

16. Special rules of evidence, Rules of international law

**Note: The units mentioned above include internal assessment hours.**

**Suggested Readings:**

- Mulla : Indian Contract Act
- Avtar Singh : Law of Contract
- Anson : English Law of Contract
- Avtar Singh : Principles of Mercantile Law
- Bangia R.K. : Principles of Mercantile Law
- Mulla : Negotiable Instruments Act
- Avtar Singh : Partnership Act, Sale of Goods Act,  
:Negotiable Instruments Act
- Bangia R.K. : Partnership Act, Sale of Goods Act, Negotiable Instruments Act

## **CONSTITUTIONAL LAW – II**

- |  |           |
|--|-----------|
| 1. Union Executive   | UNITS: 05 |
| 2. Union Legislature (Parliament)  | UNITS: 05 |
| 3. The Union Judiciary   | UNITS: 05 |
| 4. State Executive   | UNITS: 03 |
| 5. State Legislature   | UNITS: 03 |
| 6. State Judiciary   | UNITS: 03 |
| 7. Relation Between Union and states:  | UNITS: 08 |
| Concept of Federalism, Legislative relations, Administrative Relations, Financial Relations, Cooperative federalism  |           |
| 8. State Liability   | UNITS: 05 |
| 9. Right to Property.  | UNITS: 03 |
| 10. Freedom of Trade, Commerce and Intercourse   | UNITS: 08 |
| 11. Services under the Union and the states  | UNITS: 05 |
| 12. Elections  | UNITS: 05 |
| 13. Emergency Provisions: Kinds of Emergencies, Effects of emergency   | UNITS: 08 |
| 14. Amendment of the Constitution  | UNITS: 07 |
| Kinds of amendments, Methods of amendments under Indian Constitution, Scope of amending power of the Parliament, Amendment of Fundamental Rights, Doctrine of Basic Structure. |           |
| 15. Special Status to Jammu & Kashmir  | UNITS: 02 |

**Note: The units mentioned above include internal assessment hours.**

### **Suggested Readings:**

- |             |                                 |
|-------------|---------------------------------|
| Jain M.P.   | : Indian Constitutional Law     |
| Basu D.D.   | : Shorter Constitution of India |
| Kazgi       | : Constitutional Law Vol. I &II |
| Shukla V.N. | : The Constitution of India     |
| Tope T.K.   | : Constitutional Law of India   |

## **LAW OF PROPERTY**

1. Introduction:	UNITS: 02
Interpretation clause	
2. Transfer of property by act of parties:	UNITS: 20
Whether movable of Immovable, Election, apportionment, transfer of immovable property	
3. Sale of Immovable property	UNITS: 08
4. Mortgages of immovable property and charges:	UNITS: 15
Rights and liabilities of mortgagor, Priority, Marshalling and contribution, suits for foreclosure, Sale or Redemption, anomalous Mortgages, Charges, Notice and tender	
5. Lease of Immovable Property	UNITS: 08
6. Exchanges	UNITS: 03
7. Gift	UNITS: 05
8. Transfer of actionable Claim	UNITS: 02
9. Indian Easement act	UNITS: 12
Easement, acquisition of easement, kinds, extinguishments of easement and licence	

**Note: The units mentioned above include internal assessment hours.**

### **Suggested Readings**

- Mulla : Transfer of Property
- Shah : Transfer of Property
- Jain J.D. : Transfer of Property
- Tripathi : Transfer of Property  
: Easements Act

## **FAMILY LAW - II**

1. Joint family UNITS: 25
- a. Mitakshara joint family.
  - b. Mitakshara coparcenary -formation and incidents.
  - c. Property under Mitakshara law -separate property and coparcenary property.
  - d. Dayabhaga coparcenary -formation and incidents.
  - e. Property under Dayabhaga law.
  - f. Karta of the joint family -his position, powers, privileges and obligations.
  - g. Alienation of property -separate and coparcenary.
  - h. Debts -doctrines of pious obligations and antecedent debt.
  - i. Partition and re-union.
  - j. Joint Hindu family as a social security institution and impact of Hindu Gains of Learning Act and various tax laws on it.
  - k. Matrilineal joint family.

2. Inheritance UNITS: 25
- a. Hindus.
  - b. Historical perspective of traditional Hindu law as a background to the study of Hindu Succession Act 1956
  - c. Succession to property of a Hindu male dying intestate under the provisions of the Hindu Succession Act 1956.
  - d. Devolution of interest in Mitakshara coparcenary with reference to the provisions of Hindu Succession Act 1956.
  - e. Succession to property of Hindu female dying intestate under the Hindu Succession Act 1956.
  - f. Disqualification relating to succession.
  - g. General rules of succession
  - h. Marumakkattayam and Aliyasantana laws governing people living in Travancore - Cochin and the districts of Malabar and South Kanara

- i. Muslims
  - j. General rules of succession and exclusion from succession
  - k. Classification of heirs under Hanafi and IthnaAshria schools and their shares and distribution of property.
  - l. Christians, Parsis and Jews.
  - m. Heirs and their shares and distribution of property under the Indian Succession Act of 1925.
3. Settlement of spousal property). UNITS: 10  
 (Need for development of law).
4. Establishment of Family courts UNITS: 15
- a. Constitution, powers and functions.
  - b. Administration of gender justice.
  - c. Uniform Civil Code.
  - d. (Need for).
  - e. Religious pluralism and its implications.
  - f. Connotations of the directive contained in Article 44 of the Constitution.
  - g. Impediments to the formulation of the uniform Civil Code.
  - h. The idea of optional uniform Civil Code.

**Note: The units mentioned above include internal assessment hours.**

**RECOMMENDED BOOKS**

- 1. ParasDiwan: Family Law
- 2. Aquil : Mohammedan law  
Ahmad
- 3. Mulla : Hindu law

## **RIGHT TO INFORMATION AND LAW (OPTIONAL)**

- |   |           |
|---|-----------|
| 1. Constitutional aspects and right to information        | UNITS: 10 |
| a. Art. 19, 21, Preamble, other relevant area             |           |
| 2. Role of judiciary and right to information             | UNITS: 10 |
| 3. Historical perspective of RTI in India                 | UNITS: 11 |
| a. Official Secrets Act                                   |           |
| b. Development of RTI in India                            |           |
| c. Development at State level                             |           |
| 4. Right to Information Act, 2005                         | UNITS: 11 |
| a. Objectives, Definitions                                |           |
| b. Public authority and his role under RTI                |           |
| c. Public information Officers and his responsibilities   |           |
| d. Appellate authorities under RTI                        |           |
| e. Critical review of RTI                                 |           |
| 5. Democratization of Mass Media and Right to Information | UNITS: 11 |
| 6. Various laws and right to information                  | UNITS: 11 |
| 7. Overview, implementation and administration under RTI  | UNITS: 11 |

**Note: The units mentioned above include internal assessment hours.**

### **Reference Books:**

1. Barowalia JN, Commentary on The Right to Information Act
2. Niraj Kumar, Hand Book on Right to Information
3. AR Parulekar, Right to Information
4. RD Ryder, Right to Inoforatmion Law, Policy and Practice
5. S Madhav, right to Information
6. Sudhir Nain, Right to Information Act, 2005
7. P K Das, The Right to Information Act



## **WOMEN AND LAW – (OPTIONAL)**

Chapter —I

UNITS: 15

The Constitution of India and women

The Preamble, Fundamental Rights, Women Reservations, Women Reservations in elections to Local Bodies, Right against exploitation, Directive Principles — Women, Right of Women to economic development, Sexual Harassment of Women

Chapter —II

UNITS: 15

Personal Laws and Women

A. Marriage

a. Hindu Women and Marriage

b. Muslim Women and Marriage

c. Christian Women and Marriage

d. Matrimonial Causes -Rights of Women

B. Dissolution of Marriage (Divorce)

a. Muslim Women -Dissolution of Marriage

b. Christian women and Divorce

C. Succession

a. Hindu Women and Succession

b. Muslim women and Succession

c. Succession among Christian women 54

D. Maintenance

a. Hindu Women and Maintenance

b. Maintenance of Muslim Women

c. Maintenance under Criminal Procedure Code. 62

Chapter—III

UNITS: 06

Uniform Civil Code and Gender Justice

a. Introduction

b. Personal Laws and Discrimination against women

c. Uniform Civil Code and Indian Constitution

d. Judicial behaviour and Uniform Civil Code

Chapter—IV

UNITS: 06

## Women and Criminal Law

- a. Introduction
- b. Offences affecting human body
- c. Offences relating to Marriage
- d. Cruelty by husband or his relatives for dowry
- e. Insulting the modesty of women

### Chapter-V

UNITS: 05

#### Law Relating to Dowry Prohibition

- a. The Dowry Prohibition Act, 1961
- b. Dowry Death and Dowry Suicide
- c. Cruelty by :Husband or Relatives for Dowry

### Chapter-VI

UNITS: 06

#### Industrial Law

- a. Employment of Women
- b. Equal remuneration for Men and Women
- c. Maternity Benefit
- d. Other provisions for welfare and safety of women in Industrial laws

### Chapter-VII

UNITS: 04

- a. Sex Determination Tests and Female Foeticide
- b. Sex Determination Tests
- c. Termination of Pregnancy

### Chapter-VIII

UNITS: 06

#### Prevention of Immoral Traffic and Women

- a. Introduction
- b. Indian Legislation on Immoral Traffic
- c. Scheme of Legislation
- d. Purpose of Legislation
- e. Important Definitions
- f. Salient features
- g. Rehabilitative and Remedial Provisions
- h. Suggested measures
- i. Rescue and Rehabilitation of Prostitutes and their children

## Part—II

UNITS: 12

1. Relevant Provisions of The Indian Evidence Act, 1872

2. The Indecent Representation of Women {Prohibition) Act, 1986
3. The Family Courts Act, 1984
4. The National Commission for Women Act, 1990.
5. The Human Rights Act, 1993.
6. The Hindu Women's Rights To Property Act, 1937

**Note: The units mentioned above include internal assessment hours.**

### **BOOKS RECOMMENDED**

Reddy G.B. : Women and The Law

Jain M.P. : Constitutional Law

ParasDiwan : Hindu Law

ParasDiwan : Muslim Law

Mishra : Labour Law

Ratanlal : Indian Penal Code

Avtar Singh : Law of Evidence