

GONDWANA UNIVERSITY
GADCHIROLI

FACULTY OF LAW
B.A.LL.B. (HONS) 5 YRS COURSE

DETAILED SYLLABUS FOR
IVth SEMESTERS

B.A. LL.B. (HONS) IVth Semester

Course Code: 4.1

Criminology and Penology

UNIT-I Introducing Criminology and Penology

Concept and Nature of Criminology - Criminology and other social sciences - Importance of Criminology - Concept and Nature of Penology-Objects and features of Penology
Relation between Criminology and Penology

UNIT-II Dimension of Crime in India

Nature and extent of Crime in India- Concept, Nature, Definition and Characteristics of crime
Theories of Crime- The situational offenders- Criminality in woman- Juvenile in Conflict with Law

UNIT-III Causes of Criminal behaviour

Heredity and crime-Mental disorder and criminality-Bio-physical factors and criminality, theory by Lombroso-Sociological theory of crime with the theory of Different Association by Sutherland - Economic theory and their relevance-Multiple factors responsible for crime causation

UNIT-IV Penal Administration

Some discarded modes of punishment like whipping, mutilation, branding, public execution, transportation etc.- Types of punishment- Concept of Fine-Capital Punishment in India- The Prison System- Administrative organisation of prisons- The Jail Manual-Powers of prison officials- Classification of prisoners- - male, female, juvenile and adults, undertrial and convicted Prison Reforms-Open Prison- Prison Labour

UNIT-V Police and Criminal Justice

The Police System- Preparatory Police Training Programme- The Role of police- Legal functions of police -patrolling, surveillance. preventive functions, search and seizure etc
Third Degree Methods and liability of police for custodial violence-Corruption in police
Police public relations-Malimath Committee Report on police functioning- INTERPOLE

UNIT-VI Treatment for correction of offenders

The need for rehabilitation and reformation of prisoners- The role of Psychiatrist, psychoanalysts and social workers in prison- Vocational and religious education and apprenticeship programmes for the offenders- Treatment of Habitual Offenders- Group counselling and resocialisation programmes- Participation of inmates in community services

UNIT-VII Re-socialisation Process

Parole-Nature of parole-Authority for granting parole-Supervision on Parolees
Parole and Conditional Release-Probation- Difference between Parole and Probation
Problems of released offenders

UNIT-VIII Victimology

The concept of Victimology-Rights and Protection to victims under Criminal Law
Role of victim-Compensation under various laws-Sec. 357 of Cr.P.C.
Motor Vehical Acts- Sexual harrasment and assault-Medical negligence
State liability to pay compensation-Justice to victims-Malimath Committee Report on victims
Victim Compensation Scheme

Case Law-

Saradhakar Sahu v. State of Orissa, 1985 CrLJ1591;
Sunil Batra v. Delhi Administration, 1980 CrLJ 1099(SC);
Satbir Singh v. State of Haryana, AIR2005 SC 3546;
Hari Ram v. State of Rajasthan, (2009) 13 SCC 211;
Prerana v. State of Maharashtra (2003) 1 ILD 438(Bom),
Rudul Shah v. State of Bihar (1983) 4 SCC 339.
Hari Kishan v. Sukhbir Singh, 1988 AIR,2127

D.K.Basu v. State of West Bengal AIR 1997 SC 610
Manish Jalan vs. State of Karnataka 2009 (1) M. L. J. (cri.) (S.C.)123=(2008)8,SCC225
Hari Kishan v. Sukhbir Singh, 1988 AIR,2127
Malak Singh v.State of Punjab and Haryana,(1981) 1 SCC 420
Bachchan Singh v. State of Punjab,AIR 1980 SC 898]

Recommended Books

- 1) Kathering S. Williarns, "Textbook on Criminology" 2002
- 2) Ahmad Siddique, "Criminology problems and porspective" 2005
- 3) K.D.Gaur, "Criminal law- Cases and materials" 2005
- 4) Prof N .V .Paranjape, "Criminology and penology" 2006

- 5) Dr. Krishna Pal Malik , 'Penology, Victimology and Correctional Administration in India' 2011
- 6) Hall, J. Law, "Social Sciensce and criminal Theory"(1982).
- 7) Manheim,H."Comparative Criminology:A Text book" (1965).
- 8) Rabindra K Mohanty, Satyajit Mohanty ' *Criminology Penology and Victimology*' 2012
- 9) Sutherland, E. and Cressy, Principles of Criminology
- 10) S. Rao,"Crimes in Our Society" , (1983).
- 11) J. M. Sethna,"Society and the Criminal" (1980).
- 12) S. Kaldate,"Society, Delinquent and Juvenile Courts" (1982).
- 13) D. C. Pandey, "Haditual Offenders and the law" .
- 14) Krishna Iyer Report on Female Prisoners (1986).
- 15) Mulla Committee Report, (1983).
- 16) P.Rajgopal,"Violence and Response:A Critique of indian Criminal Justice System" (1988).
- 17) Katherine S. Williams, "Text book on Criminology" (1997), Blackstone,London

Course Code: 4.2

Law, Poverty and Development

Unit 1

The concept of poverty-economical-cultural-situational-distinction between “natural” and “social” poverty-absolute and relative poverty-sociological-religion and poverty

Unit 2

the struggle over conceptualization of impoverishment-poverty line as a way of identifying the impoverished-problems of data and india-wide generalization-“income” and “consumption” criteria the debate on “crossing of the poverty line as a basis of state action-causes of poverty in India

Unit 3

The “determinants” of impoverishment-population growth as determinant-planning as a determinant of poverty-poverty in developed & developing countries-the green revolution and basic strategies 1964-1977-the anti poverty programmes strategy 1977-1988.

Unit 4

- 4.1. SFDA (small farmer development programme)
- 4.2. MFAL(project for marginal farmers and agricultural labourers)
- 4.3. DPAP(the drought- prone areas programme)
- 4.4. IRDA (integrated rural development programme)
- 4.5. NREP(national rural development programme)
- 4.6. RLEGP(rural landless labour employment guarantee programme.)
- 4.7 “Food for work” anti-poverty programme, with special reference for IRDP.
- 4.8.1. identification of beneficiaries
- 4.8.2. arbitrariness and application of “poverty line” measures.
- 4.8.3. lack of differentiation among the impoverished constituencies (age, gender, health)
- 4.8.4. administrative structure weaknesses.
- 4.8.5. bribery, corruption, leakages, maladministration.(the problem of the IRDP)
- 4.8.6. bank financing of IRDP.
- 4.8.7. bank loans for poor and landless
- 4.9.constitutional aspects of the anti-poverty programmes:
 - 4.9.1. non-legislative character.
 - 4.9.2 right to access to information
 - 4.9.3. problem of legal accountability
 - 4.9.4. judicial remedies for maladministration
 - 4.9.5 constitutionality of measures such as identification of beneficiaries and bank financing
 - 4.9.6. federal autonomy question in centrally sponsored anti-poverty programmes.

Unit 5

Criminal law and the poor-anti- poor biases of the criminal justice system-poor and right to die: prosecution of the poor for attempt to suicide.-the right to bail-the problem of undertrials. compensation to victims of crime, especially to the impoverished in communal riots or civil disturbances.-. corruption laws, effective prosecution and their impact on poverty.-sentences: is imprisonment in default of fine constitutional in relation to the “poorest of the poor”?

Unit 6

The Bonded Labour Abolition-conception of bonded labour-Administrative process under the Act of 1976-Awareness of the act and legal services-Bandhumukti Morcha : Problems of Judicial effectiveness-Effective Law Reform

Unit 7

The Scheduled Castes and the Law-The Protection of Civil Rights Act- The Problems of scavengers and sweepers-Atrocities against Scheduled caste and sweepers-Access of Drinking water ; special problems in rural india-Violation of women: Rehabilitatory arrangements

Unit 8

The Scheduled Tribes and the legal order- Notions of Scheduled Tribe-Deforestation and tribals Public Project

Unit9

Conceptions of “unorganized labour”-Causes of “unorganization” and “disorganization” Social security legislation for rural labour.-Minimum wages-Migrant and contract labour Child labour.

Unit 10

Beggars and the law-Ex-criminal tribes-Vagrants-Physically and psychologically-Aged-Juveniles.

Unit 11

Women , poverty and the law-Special features of impact of gender discrimination on the impoverished women-Specific domains-. Bidi workers-Wage discrimination by public financial institution-. Atrocities against women-. Rape, sexual assault including custodial rape. Institutionalized abuse-Trafficking in women-Devadasi system-Sati-Dowry

Unit 12

Legal services of the poor-. Concept of legal aid-Growth of legal aid movement In india Krishna Iyer report-Bhagwati report- Case laws on legal services- The legal services and lok Adalat act,1986-Role of students and teachers

Selected bibliography

Dr. saxena, tribals and the law(1997), deep and deep, new delhi.
l.p.vidyarthi(ed).tribal development and its administration(1986) concept publishing company,new delhi
U.baxi(ed),law and poverty (1988), tripathi, Mumbai
A.w.murphy,et.al,law and poverty(1973),tripathi, Mumbai
Government of Indian, planning documents relating to poverty alleviation programme at different times.
J.s. Gandhi, law and social change{ 1989) rawat,jaipur.
Leelakrishnan. P.et.al.(eds) tribal welfare: law and practice (1985), cochin university department of law.

Cases referred (Case Study)

- 1.Keshvchand Bharti vs State of Kerla 1973 (4) SCC 947
2. Hussainara Khatoon vs State of Bihar AIR 1979 SC 1369
3. H.M. Hastak vs State of Maharashtra AIR 1978 SC 1548
4. State of Maharashtra vs. Manubhai Pragaji Vashi AIR 1996 SC 1
5. Maneka Gandhi vs Union of India AIR 1978 SC 597
6. Olega Telis vs Bombay Municipal Corporation 1986 Sc 180
- 7.A.B.S.K.(Rly) vs Union of India AIR 1997, SC 3011
8. Sakshi vs Union of India AIR 2004 SC 3566
9. Bandhu Mukti Morcha vs. Union of India AIR 1984 SC
- 10.Sheela Barse vs Union of India AIR 1986 SC
11. Peoples Union for Democratic Rights vs. Union of India
12. Gian Kaur vs. State of Punjab AIR 1996 SC
- 13 Unnikrishnan vs State of M.P 1993 I SCC 645
- 14 Vishakha & Others vs State of Rajasthan AIR 1997 SC 3011
- 15 Babusing vs State of U.P AIR 1978 SC

Course Code: 4.3

Property Law

Unit I: Concept of Property: Concept of Property, Ownership and Possession, Meaning of Property under the Transfer of Property Act, Kinds of Property - Jura in re propria - Jura in re aliena - Movable, Immovable, Intangible; Theories of Property - Economic and social theories - doctrine of Eminent Domain ; Right to property under the Constitution of India

Unit II : General Principles of Transfer of Property: What is transferable, Competency to transfer property; Various conditions relating to transfer; Rule against perpetuity; Conditional and Contingent Transfer; Right of Election; Apportionment; Transfer by non-owners and Co-owners; Transfer under lis pendens; Fraudulent Transfer; Principle of Part Performance

Unit III: Specific Mode of Absolute Transfer of Property: Sale- definition, Agreement to Sale - Rights and Liabilities of the Buyer and the seller; Marshalling by subsequent purchaser; Discharge of encumbrances; Exchange - definition and mode; Exchange vis-a-vis Sale, Rights and liabilities of the parties; Gift - definition and mode of transfer, suspension and revocation, Onerous gift, universal donee; Transfer of Actionable Claims

Unit IV: Specific & Limited Transfer by way of creating Security Interest: (a) Mortgage meaning and purpose, Types - Simple, English, By Conditional Sale, Usufructuary, Equitable by way of deposit of title Deed, and anomalous mortgage; Rights and obligations of the mortgagor and mortgagee; Foreclosure, Deemed Foreclosure, Power of Sale, Priority right determination; Marshalling and Contribution, Redemption; Subrogation

(b) Charge - Fixed and Floating charge; rights and obligations of the parties, Charge created on corporate properties;

(c) Lease - definition, mode of making lease; Rights and liabilities of the parties; Determination of lease and lease terms; Waiver, forfeiture

(d) Lien - possessory right, when applicable, ceasing of right of lien, types of lien

Unit V: Registration of Transfer Documents: Registration - meaning and procedure -Types of Registration and legal consequence - provisions of Registration Act - procedure of registration

Unit VI: Easement & Prescription: Nature, creation, Extinction, Riparian Rights, Licenses, use-right by prescription

List of cases:

Dorab Cawasji Warden v. Coomi Sorab Warden, AIR 1990 SC 867
Laxmamma v State of Karnataka AIR 1983 Kant 237
Gautam Paul v Debi Rani Raul (2000) 8 SCC 330 207
Arjun Lal Gupta v Mriganka Mohan Sur AIR 1975 SC
Sunil D Chedda v Suresh Babsilal Seth & others AIR 1992 SC1200
Kedernath Lal & another v Sheonarain & others AIR 1970 SC 1717
AMA Sultan & Others v Seydu Zohra Beevi AIR 1990 Ker 186
Bhaskar Waman Joshi v Narayan Rambilas Agarwal AIR 1960 SC 301
Tamboli Ramanlal Motilal v Ghanmchi Chamanlal Keshavlal AIR 1992 SC 1236
Nana Tukuram v Sonabai AIR 1982 Bom 437
Harihar Prasad Singh v Deonarain Prasad AIR 1956 SC 305
Dattatraya Mote v Anand Datar (1974) 2 SCC 799
Dipak Banerjee v Smt Lilabati Chakraborty AIR 1987 SC 2055
Jattu Ram v Hakam Singh AIR 1994 SC 1653
Union of India v Sri Sarada Mills Ltd (1972) 2 SCC 877
Bal Niketan Nursing School v Kesari Prasad AIR 1987 SC 1970

List of Recommended Books

Mulla, Transfer of Property Act

Divekar, Law of Property Transactions

Ghosh, Law of Mortgage

Gour's Transfer of Property Act

Lahiri, Transfer of Property Act

Narayana, Easement & Licenses

R.S.Bhalla, The Institution of Property: Legally, Historically and Philosophically Regarded

Sanjivi Row, Commentaries on Easements and Licenses

Sanjiva Row, Registration Act, Law Publisheres

Course Code: 4.4

History III

(MODERN PERIOD FROM 1498 TO 1947)

Pattern of Question Paper

- ❖ The question paper shall consist of **80 marks**.
- ❖ It consists of **TWELVE QUESTIONS**, out of which Students are required to answer **EIGHT** Questions in all .
- ❖ **Question No. 1 is compulsory** and it shall consist of **TEN Objective/Multiple Choice Questions**.
- ❖ All Questions carry Equal Marks.

Unit 1: Advent of the Europeans

- 1.1 Factors leading to the arrival of European Companies in India
- 1.2 The Portuguese
- 1.3 The Dutch
- 1.4 The English
- 1.5 The French

Unit 2. Growth of British Empire

- 2.1 Battle of Plassey
- 2.2 Battle of Buxar
- 2.3 Dual government
- 2.4 Grant of Diwani
- 2.5 Subsidiary Alliance System
- 2.6 Doctrine of Lapse

Unit 3: Administration of Justice in Madras, Bombay, Calcutta

- 3.1 Early Charters of East India Company
- 3.2 Administration of Justice in Madras from 1639 to 1726
- 3.3 Administration of Justice Bombay from 1668 to 1726
- 3.4 Administration of justice in Calcutta 1690 to 1726

Unit 4: Growth of Modern Education

- 4.1 Woods Dispatch
- 4.2 Hunter Commission
- 4.3 Sadler Commission
- 4.4 Radhakrishnan Commission
- 4.5 University Grants Commission

Unit 5: Socio-religious Reform Movement

- 5.1 Reforms of Lord Bentinck
- 5.2 Raja Rammohun Roy and Brahmo Samaj
- 5.3 Arya Samaj and Dayanand Saraswati
- 5.4 Prarthana Samaj
- 5.5 Ramakrishna Mission
- 5.6 Theosophical Society

Unit 6: Revolt of 1857

- 6.1 Causes
- 6.2 Nature
- 6.3 Results

Unit 7: Growth of Nationalism

- 7.1 Causes Responsible for the Rise of Nationalism
- 7.2 Circumstances leading to the Birth of Indian National Congress

Unit 8: Freedom Movement

- 8.1 Era of Moderates
- 8.2 Era of Extremists
- 8.3 Non-co-operation Movement
- 8.4 Civil Disobedience Movement
- 8.5 Quit India Movement

Unit 9: Contribution of Some Prominent Indian Leaders to Freedom Movement

- 9.1 Role of Gandhi
- 9.2 Role of Tilak
- 9.3 Role of Jawaharlal Nehru

Suggested Readings:

1. Courtney Ilbert: Government of India
2. Courtney Ilbert: The Mechanics of Law Making
3. B.L.Grover and S. Grover: A new look at modern Indian history
4. M.P.Jain: Outlines of Legal History
5. G.C.Rankin: Background of Indian law
6. M.P. Jain: Outlines of Legal History
7. V.D.Kulashresta: Landmarks in Indian History
8. Elik Stakes: The English Utilitarians and India
9. V.D.Mahajan: Modern Indian History from 1907 to the Present Day
10. Majumdar, Raychaudhari and Dutta: An Advanced History of India

Course Code: 4.5

Economics-II

Pattern of Question Paper

- ❖ The question paper shall consists of **80 marks**.
- ❖ It consists of **TWELVE QUESTIONS**, out of which Students are required to answer **EIGHT** Questions in all .
- ❖ **Question No. 1 is compulsory** and it shall consists of **TEN Objective/Multiple Choice Questions**.
- ❖ All Questions carry Equal Marks.

Unit-I NATIONAL INCOME

National Income: Meaning & features of National Income.

- Measurements of National Income.
- Difficulties in the Measurement of National Income in India.

Unit-II UNEMPLOYMENT

- Types of unemployment
- Causes of Unemployment.
- Remedies of unemployment

Unit-III CENTRAL BANKING

- Principles
- Functions

Unit-IV COMMERCIAL BANKING

- Definition and types of Commercial Banks
- Functions of Commercial Banks

Unit-V PUBLIC FINANCE

- Principles of Public Finance
- Taxation : Definition, characteristics and Canons of Taxation
- Direct and Indirect Taxes.

Unit-VI CO-OPERATIVE BANKS

- Function
- Sources of Agricultural Finance

Unit-VII ECONOMIC PLANNING

- Meaning and objectives of economic planning.
- Types of economic planning

Unit-VIII AGRICULTURAL CREDIT

- Non Institutional sources

Institutional sources

Unit-IX Population: Problem & Policy

- Population Explosion
- Population and Economic growth
- Measures to control population

Suggested Books:

Misra and Puri : Modern Macro Economic Theory (Himalaya Publishing House, New Delhi)

Sharpo E : Macro Economic Analysis , Galgotia Publications, New Delhi (1984)

Dalt, R. and K.P.M. Sundharam(2001), Indian Economy, S. Chand and Company Ltd., New Delhi.

Dhingra, I.C.(2001), The Indian Economy, Environment and Policy, Sultan Chand and sons, New Delhi.

Misra, S.K. and V.K.Puri (2001) , Indian Economy its development experience, Himalaya publishing house, Mumbai.

Jalan B.(1992), The Indian Economy : Problems and prospects ,Viking , New Delhi

Bhagwati,J. and P. Desai (1970), India : Planning for Industrialization Oxford University Press, London.

Slok Ghosh : Indian Economy : Its Nature and problem.

Course Code: 4.6

Philosophy-III

(Induction)

Pattern of Question Paper

- ❖ The question paper shall consist of **80 marks**.
- ❖ It consists of **TWELVE QUESTIONS**, out of which Students are required to answer **EIGHT** Questions in all .
- ❖ **Question No. 1 is compulsory** and it shall consist of **TEN Objective/Multiple Choice Questions**.
- ❖ All Questions carry Equal Marks.

Unit - I Inductive Generalization

- Inductive inference and deductive inference
- Need for induction
- Simple enumeration
- Scientific Induction

Unit - II Ground of Induction

- Observation
- Experiment

Unit - III Law of Nature

- Meaning and types of laws
- Law of Nature

Unit - IV Hypothesis

- Definition and nature of Hypothesis
- Origin of Hypothesis
- Condition of good Hypothesis
- Ad-hoc Hypothesis
- Verification and proof of Hypothesis

Unit - V Causality

- Meaning of Cause
- Necessary condition
- Sufficient Condition

Unit - VI Mill's Methods

- Method of agreement
- Method of difference
- Joint method of agreement and difference
- Method of residues
- Method of concomitant

Books Prescribed

- | | | |
|-----------------------|---|---------------|
| Introduction to logic | - | Pratik Hurley |
| Inductive logic | - | Bholanath Roy |
| Introduction to logic | - | I. M. Copi |