

**SARDAR PATEL UNIVERSITY**  
**FACULTY OF LAW**  
**COURSE OF STUDY**

**INTEGRATED DEGREE OF BACHELOR OF BUSINESS ADMINISTRATION &  
LAW**

**B.B.A. LL.B. (INTEGRATED) 5 years**  
**(Under Choice Based Credit Scheme Semester Degree Programme)**

**Semester- VI**

Course Type	Subject Code	Subject	T/P	Credit	Exam Duration in hrs.	Components of Marks		
						Internal	External	Total
						Total Passing %	Total Passing %	Total Passing %
Compulsory Courses	<b>UL06CBBA21</b>	French	T	4	3	12/30	28/70	40/100
	<b>UL06CBBA22</b>	Property & Easement Law	T	4	3	12/30	28/70	40/100
	<b>UL06CBBA23</b>	Labour & Industrial Law-II- Labour welfare Legislation	T	4	3	12/30	28/70	40/100
	<b>UL06CBBA24</b>	Family Law– II (Muslim Law)	T	4	3	12/30	28/70	40/100
	<b>UL06CBBA25</b>	Practical Subject: Internship in Industry	P	4	3	12/30	28/70	40/100
Elective Courses	<b>UL06EBBA21</b>	Media Law	T	4	3	12/30	28/70	40/100
	<b>UL06EBBA22</b>	Comparative Constitution	T	4	3	12/30	28/70	40/100
				24				240/600



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Semester- VI  
Syllabus with effect from June -2021

**Objectives of the course:**

The objective of this course is to make students aware of and give them first-hand experience of French as a foreign language and to make the students aware of the different communicative functions of French and help them communicate using those functions. It aims to assist and guide the learners to be able to listen to and to read a text and identify specific and global information as well as to assist and guide the learners to be able to speak and to write clearly and effectively French language.

Paper Code: <b>UL06CBBA21</b>	<b>Total Credit: 4</b>
Title Of Paper: <b>French</b>	

<b>Course Content</b>		
Unit	Description	Weightage* (%)
1.	<b>Definite &amp; Indefinite Articles</b>  1.1.Nouns, plural of nouns 1.2 Subject pronouns 1.3Forms of address 1.4The verb "Avoir" ( to have) 1.5Negative forms 1.6The verb "etre" (to be) 1.7Adjectives 1.8Regular "er" verbs in present tense	25%
2.	<b>Presentence of "er" verbs</b>  2.1 Interrogative forms 2.2 Possessive adjectives 2.3 The past tense 2.4 The expression "c'est" 2.5 Time, numbers, months, days of the week, seasons, weather 2.6 Position of adjectives 2.7 Regular "ir" verbs 2.8 Adverbs 2.9 Pronoun "il"	25%





<b>3.</b>	<b>Personal Pronoun</b>  3.1 Direct object pronouns 3.2 Prepositions 3.3 The expression “il y a” 3.4 Comparison of adjectives and adverbs 3.5 Irregular comparison of adjectives and adverbs 3.6 Verbs conjugated with “être” 3.7 The expression “il faut”, “je voudrais” 3.8 Future tense	25%
<b>4.</b>	<b>Countries</b>  4.1 Relative pronouns 4.2 Imperfect tense 4.3 Conditional tense 4.4 Disjunctive pronouns 4.5 Verbs ‘savoir’, ‘connaître’ 4.6 Demonstrative pronouns 4.7 Possessive pronouns 4.8 Reflexive verbs 4.9 The pronoun “y”, “en”, “on”	25%

**Reference Books:**

1. Sans Frontiers – Book 1 (Part 1 & half Part 2)
2. French in Three Months - Hugo

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**Objectives of the course:**

The objectives of the act are to provide a clear, systematic and uniform law for the transfer of immovable property between living persons.

The purpose of the act is to provide a clear concept of types of property and different ways of transferring the property like sale, mortgage, gift, lease etc, in relation to immovable property.

Paper Code: <b>UL06CBBA22</b>	<b>Total Credit: 4</b>
<b>Title of Paper: Property Law &amp; Easement Law</b>	

<b>Course Content</b>		
Unit	Description	Weightage* (%)
1.	<b>Concept of Property and General Principles Relating to Transfer of Property</b> 1.1 Concept of Property: Distinction between Movable and Immovable Property 1.2 Definition of Transfer of Property 1.3 Conditions Restricting Transfer	25%
2.	<b>General Principles Governing Transfer of Immovable Property</b> a. Transfer to an Unborn Person and Rule against Perpetuity b. Vested and Contingent interest c. Rule of Election d. Rule of Lis pendens	25%
3.	<b>Specific Transfers – I</b> 3.1 Sale 3.2 Gift 3.3 Lease 3.4 Mortgage 3.5 Charge	25%
4.	<b>4.1 Specific Transfers – II</b> 4.1.1 Exchange 4.1.2 Actionable claims	25%





	<b>4.2 Indian Easement Act</b> 4.2.1 Introductory 4.2.2 Easement Generally 4.2.3 Imposition of Easement 4.2.4 Acquisition of Easement	
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**Basic Text & Reference Books:-**

1. Transfer of Property Act - Mulla
2. S. Rao's Transfer of Property
3. Transfer of Property - G.P.Tripathi
4. Lectures on Transfer of Property - S.M. Shah

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**Objectives of the course:**

The main objectives of Labour & Industrial Law-II are to provide knowledge to students regarding Preservation of the health, safety and welfare of workers; and how to develop and maintain good relations between employers and employees in the Industrial area. The objective of study of this Labour & Industrial Law-II- Labour Welfare Legislations is to provide knowledge regarding Regulation of working conditions (terms of employment, procedure for employment, safety + health+ welfare requirements).

Paper Code: <b>UL06CBBA23</b>	<b>Total Credit: 4</b>
<b>Title of Paper: Labour &amp; Industrial Law-II- Labour Welfare Legislations</b>	

<b>Course Content</b>		
<b>Unit</b>	<b>Description</b>	<b>Weightage* (%)</b>
<b>1.</b>	<b>The Minimum Wages Act, 1948</b> 1.1 Concept of Minimum Wage, Fair Wage, Living Wage and Need Based Minimum Wage 1.2 Constitutional Validity of the Minimum Wages Act, 1948 1.3 Procedure for Fixation and Revision of Minimum Wages 1.4 Fixation of Minimum Rates of Wage by Time Rate or by Piece Rate Procedure for Hearing and Deciding Claims	25%
<b>2.</b>	<b>The Payment of Wages Act, 1936</b> 2.1 Object, Scope and Application of the Act 2.2 Definition of Wage 2.3 Responsibility for Payment of Wages 2.4 Fixation of Wage Period 2.5 Time of Payment of Wage 2.6 Deductions which may be made from Wages 2.7 Maximum Amount of Deduction	25%
<b>3.</b>	<b>The Factories Act, 1948</b> 3.1 Approval, Licensing and Registration of Factories 3.2 Concept of "Factory", "Manufacturing Process", "Worker", and "Occupier" 3.3 General Duties of Occupier 3.4 Measures to be taken in Factories for Health, Safety and Welfare of	25%





	Workers 3.5 Working Hours of Adults 3.6 Employment of Young Person and Children 3.7 Annual Leave with Wages 3.8 Special provisions, Penalties and procedures	
<b>4.</b>	<b>The Employee's Compensation Act, 1923</b> 4.1 Definition of Dependant, Workman, Partial Disablement and Total Disablement 4.2 Employer's Liability for Compensation i. Scope of Arising out of and in the Course of Employment ii. Doctrine of Notional Extension 4.3 Employer's Liability for compensation 4.4 Amount of Compensation 4.5 Distribution of Compensation 4.6 Procedure in Proceedings before Commissioner 4.7 Appeals	25%

**Basic Text & Reference Books:-**

1. Labour and Industrial Law - S.N. Mishra
2. Labour and Industrial Law - S.K. Puri
3. The Industrial Disputes Act - S.K. Shrivastava
4. A Study of Industrial Law - G.M. Kothari
5. The Industrial Disputes Act - Patel's
6. Bombay Industrial Relation Act - K.L. Sothi
7. Law Relating to Trade Union and Labour Practice - K.D. Srivastava
8. Commentary on the Bombay Industrial Relation Act - Gupta and Dighe

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**Objectives of the course:**

To make the students to indentify and understand the scheme of succession under the Hindu and Muslim Law. To give understanding of the changes effected after the parsing of the Indian succession Act, 1956 and other related laws. To give idea about all legal provisions of Muslim Law.

Paper Code: <b>UL06CBBA24</b>	<b>Total Credit: 4</b>
<b>Title of Paper: Family Law– II (Muslim Law)</b>	

<b>Course Content</b>		
<b>Unit</b>	<b>Description</b>	<b>Weightage* (%)</b>
<b>Unit I</b>	<b>Who is Muslim :</b> 1.1 Application of Muslim Law 1.2 Origin, development and application of Muslim Law 1.3 <b>Sources of Muslim Law</b> 1.1.1 Primary Sources – Quran, Sunnat, Ahadis, Ijma, Qiyas 1.1.2 Secondary Sources – Custom, Judicial Decision, Legislation, Equity, Justice and Good Conscience  1.4 <b>Schools of Muslim Law</b>	25%
<b>Unit II</b>	<b>2.1 Marriage under Muslim Law</b> 2.1.1 Definition, Nature and Scope of Muslim Marriage (Nikah) 2.2.2 Difference between Hindu & Muslim Marriage 2.2.3 Essential Conditions of Muslim Marriage 2.2.4 Classification of Muslim Marriage 2.2.5 Distinction between Shia & Sunni Law of Marriage  <b>2.2 Dissolution of Marriage under Muslim Law</b> 2.2.1 Essentials of Talaq 2.2.2 Modes of Talaq 2.2.3 Judicial Separation under The Dissolution of Muslim Marriage Act, 1939 2.2.4 Distinction between Shia & Sunni Law of Divorce <b>2.3 Maintenance under Muslim Law</b> 2.3.1 Maintenance to Muslim Wife 2.3.2 Divorced Wife's Right to Maintenance under Muslim Women (Protection of Rights on Divorce) Act, 1986	25%





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**(Reaccredited with 'A' Grade by NAAC (CGPA 3.25))**  
**Syllabus with effect from the Academic Year 2021-2022**

	2.3.3 Maintenance to Muslim Children	
<b>Unit III</b>	<b>3.1 Muslim Law of Property (Lectures-10)</b> a. <i>Hiba</i> : Concept, Formalities, Capacity, Revocability b. <i>Wasiyat</i> : Concept, Formalities. c. <i>Waqf</i> <b>Guardianship under Muslim Law</b>  3.2.1 Meaning , Appointment and Removal of Guardianship 3.2.2 Kinds of guardianship- guardianship in marriage, person and property	25%
<b>Unit IV</b>	<b>4.1 Indian Succession Act-1925 (Sec-1 to 19, &amp; Sec.57 to 191 only)</b> <b>4.2 Indian Divorce Act-1869</b>	25%

**Basic Text & Reference Books:-**

1. Hindu Law – Mulla
2. Family Law - Paras diwan
3. Modern Hindu law - Paras diwan
4. Hindu Law - Basant K. Sharma
5. Hindu Law - Dr.Tahir Mehmood
6. Hindu Law & Usage - Myneni
7. Introduction of modern Hindu Law – Derrett
8. Hindu Law - Agrawal R.D
9. Modern Hindu Law - Dr. U.P.D.Kesari

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**Semester- VI**  
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**Objectives of the course:**

To develop skills in the application of theory to practical work situations, to provide students the opportunity to test their interest in a particular career before permanent commitments are made, to learn proper behavior of corporate life in industrial sector and to expose students to real work environment experience gain knowledge in writing report

Paper Code: <b>UL06CBBA25</b>	<b>Total Credit: 4</b>
<b>Title of Paper: Practical Subject: Internship in Industry</b>	

**Explanations:**

Students have to undergo a Compulsory Summer Internship for one month and on that a report has to be submitted by each student separately. The same shall be evaluated by a board of examiners constituted by the Academic Program Committee of the College. In case of Affiliated Colleges, the board of examiners shall be constituted by a committee comprising of all faculty members of respective institutions involved in teaching in Law subject to the Students. The same board shall conduct the comprehensive viva of this semester.

**Evaluations:**

Evaluation of Sixth Semester: The Sixth Semester Report shall carry 100 (70+30) marks. They shall be evaluated by the Board of Examiners consisting of Dean, an External Examiner, one faculty member nominated by APC and the supervisor concerned.

After the completion of internship by the students, the work done by the candidate as recorded in his/her daily diary along with a consolidated internship report which include objective and overall learning from the internship. Internship Report would be evaluated by a Board of examiners consisting of Dean, an External Examiner, one faculty member nominated by APC and the supervisor concerned.



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**Course Objectives:**

Students will learn about their legal rights and obligations. The course will educate students on how to publish information without violating defamation and invasion of privacy, how to gather information to avoid legal and/or ethical trouble and how to deal with subpoenas. We will also examine how to navigate the digital space of contemporary journalism and focusing on Fair Use, and other laws, policies and best practices in the use of photographs, trademarks, film clips and other copyrighted works. This is a rapidly changing and complex legal environment for journalists, publicists and other creative entrepreneurs. In addition, in an ever evolving fast and competitive digital space, the course also will explore the temptations of sloppy and unethical practices, and the consequences of giving into those temptations. We will explore the impact of the internet on the practice of journalism and other creative fields and how new communications technologies are regulated today. Overall, this course will aim to give students the essential legal framework of their rights and responsibilities as journalists. Come prepared to think, discuss and participate.

Paper Code: <b>UL06EBBA21</b>	<b>Total Credit: 4</b>
Title of Paper: <b>Media Law</b>	

<b>Course Content</b>		
Unit	Description	Weightage* (%)
1.	<b>Media and Law: An Introduction</b> 1.1 Meaning and Types of Media 1.2 Importance of Media 1.3 Historical background of Freedom of Speech and Expression in India with special reference to Print Media	25%
2.	<b>Constitutional framework of freedom of Speech and expression in India</b> 2.1 Meaning and development of freedom of Speech and expression 2.2 Constitutional status of Media 2.3 Facets of Media under Article 19(1)(a) <ul style="list-style-type: none"><li>• Right to circulate</li><li>• Right to criticize</li><li>• Right to conduct interviews</li><li>• Right to express beyond national boundaries</li><li>• Publication of parliamentary proceedings</li></ul> 2.4 Constitutional Restrictions on freedom of Speech and expression	25%
3.	<b>Regulatory and Broadcasting Framework: An Introduction</b> 3.1 Press Council of India 3.2 All India Radio 3.3 Prasar Bharati (Broadcasting Corporation of India)	25%
4.	<b>Films - How far included in freedom in of speech and expression?</b>	25%



	4.1 Censorship of films – constitutionality  4.2 The Abbas Case.	
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**Suggested References:**

**Bare Acts:**

- 1. The Constitution of India, 1950**

**BOOKS:**

1. M.P. Jain - Constitutional Law of India (1994) Wadhwa.
2. H.M. Seervai - Constitutional Law of India Vol.I (1991) Tripathi, Bombay.
3. John B. Howard - "The Social Accountability of Public Enterprises" in Law and Community Controls in New Development Strategies (International Center for law in Development 1980).
4. Bruce Michael Boyd - "Film Censorship in India: A Reasonable Restriction on Freedom of Speech and Expression ". 14 J.I.L.I. 501 (1 972).
5. Rajeev Dhavan- "On the Law of the Press in India" 26 J.I.L.I. 288 (1984).
6. Rajeev Dhavan - "Legitimizing Government Rhetoric: Reflections on Some Aspects of the Second Press Commission" 26 J.I.L.I. 391 (1984).
7. Soli Sorabjee -Law of Press Censorship in India (1976).
8. Justice E.S. Venkaramiah -Freedom of Press: Some Recent Trends (1984).
9. D D. Basu -The Law of Press of India (1980).
10. Students should consult relevant volumes of the Annual Survey of Indian Law published by the Indian Law Institute. (Constitutional Law 1 & 11, Administrative Law and Public Interest litigation).

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**Objectives of the course:**

The objectives of the act are to make students familiar with the constitutional systems of a few countries, in particular the constitution of United States of America and few other emerging constitutions along with the Indian Constitution and to give deeper understanding to the students about the doctrines and values underlying the provisions and principles from various constitutional systems

<b>Paper Code: UL06EBBA22</b>	<b>Total Credit:</b>
<b>Title of Paper: Comparative Constitution</b>	<b>4</b>

<b>Course Content</b>		
Unit	Description	Weightage* (%)
1.	<p><b>1.1 Scope of the Comparative Study of Public Law or Systems of Governance</b></p> <ul style="list-style-type: none"> <li>1.1.1 Public Law — meaning and concept               <ul style="list-style-type: none"> <li>○ Constitution and Administrative Law</li> </ul> </li> <li>1.1.2 Constitution               <ul style="list-style-type: none"> <li>○ Meaning, concept and idea of constitution</li> <li>○ Living constitution</li> <li>○ Constitution as a supreme law</li> <li>○ Constitutional law</li> </ul> </li> <li>1.1.3 Constitutional Law and Constitutionalism               <ul style="list-style-type: none"> <li>○ Concept of, and distinction between constitution, constitutional law and constitutionalism</li> <li>○ Essential features of constitutionalism — written constitution, separation of powers, fundamental rights, independence of judiciary and judicial review</li> </ul> </li> <li>1.1.4 Comparative Law               <ul style="list-style-type: none"> <li>○ Origin and development of comparative law</li> <li>○ Comparative private law</li> <li>○ Comparative public law</li> </ul> </li> <li>1.1.5 Study of comparative public law               <ul style="list-style-type: none"> <li>○ Scope and relevance</li> <li>○ Problems and concerns</li> <li>○ Comparative law and conflict of laws</li> <li>○ Comparative interpretation of statutory law</li> <li>○ Comparative law and legal education</li> </ul> </li> </ul>	25%





	<p style="text-align: center;">○ Unification of private law</p> <p><b>1.2 Nature of the Constitution (Unitary and Federal Constitutions)</b></p> <p>1.2.1 Federal constitution  1.2.2 Unitary constitution  1.2.3 Quasi federal  1.2.4 Confederation  1.2.5 Constitutions and governments at 3 levels  1.2.6 Written constitution  1.2.7 Rigid constitution  1.2.8 Supremacy of the constitution  1.2.9 Amenability of the constitution</p>	
2.	<p><b>2.1 Principles of Public Law (Rule of Law and Doctrine of Separation of Powers)</b></p> <p style="padding-left: 40px;">2.1.1 Rule of Law  2.1.2 The rule of law—in the international scenario  2.1.3 Magna Carta (1215)  2.1.4 The English Bill of Rights</p> <p>1.1.2 2.1.5 Universal rule of law  2.1.6 The Universal Declaration of Human Rights (1948),  2.1.7 The Convention on the Prevention and Punishment of the Crime of Genocide (1948),  2.1.8 The Covenant on Civil and Political Rights (1966),  2.1.9 The Convention against Torture (1984).</p> <p>1.1.3 2.1.10 Dicey’s doctrine of rule of law  1.1.4 2.1.11 Rule of law under the Indian Constitution  2.1.12 Ancient Indian system—<i>Dharma</i>  2.1.13 Preamble  2.1.14 Article 13  2.1.15 Article 14 (equality before the law and equal protection of the laws)  2.1.16 Articles 19, 20, 21, 32, 226, 142 and 144</p> <p>1.1.5 Doctrine of Separation of Powers  2.1.17 Aristotle, Locke, Montesquieu, etc  2.1.18 Concept of separation of powers  2.1.19 Checks and balances  2.1.20 Separation of powers or separation of functions  2.1.21 Different applications in France, USA, and UK  2.1.22 Indian Constitution</p> <p>Does the Indian Constitution discard the principle of separation of powers?</p> <p style="text-align: center;"><b>2.2.Principles of Natural Justice</b></p> <p>1.1.6 2.2.1 Evolution of principles of natural justice  1.1.7 2.2.2 PNJ as a mechanism to achieve rule of law  2.2.3 Absence of strict separation of powers and requirement of PNJ</p>	25%





	<p>2.2.4 Practice of PNJ in the legal systems of US, UK, France and European Union</p> <p>2.2.5 Concept and applicability—administrative action or quasi-judicial action?</p> <p>2.2.6 <i>Nemo judex in causa sua</i>—rule against bias</p> <p>2.2.7 <i>Audi alteram partem</i>—right to be heard</p> <p>2.2.8 Requirements of natural justice</p> <p>2.2.9 Reasoned decision &amp; right to legal representation</p> <p>2.2.10 Expanding horizon of natural justice</p> <p>2.2.11 Exclusion of natural justice.</p> <p>2.2.12 Exceptions to principles of natural justice</p> <p>2.2.13 Effect of failure to comply with principles of natural justice</p>	
3.	<p><b>3.1 Federal Governance (Legislative, Administrative and Financial Relations between the Federal and the Provincial Governments)</b></p> <p>3.1.1 Legislative, administrative and financial relations between the central (federal) government and the state (provincial) government</p> <p>3.1.2 Law making powers of federal and provincial governments</p> <p>3.1.3 Article 1, Section 8 of US Constitution</p> <p>3.1.4 Sections 91 and 92 of Canadian Constitution</p> <p>3.1.5 Exclusive powers to regional govt.'s in Schedule 5 of South African Constitution</p> <p>3.1.6 Presence of concurrent list in German and South African Constitution</p> <p>3.1.7 Financial distribution a comparative study</p> <p>3.1.8 Judicial review in centre-state relations</p> <p><b>3.2 Forms of Government</b></p> <p>3.2.1 Parliamentary form</p> <p>3.2.2 Presidential system of government</p> <p>3.2.3 Chancellor system</p> <p>3.2.4 Cabinet form of government</p> <p>3.2.5 Articles 74 and 75 of the Indian Constitution</p> <p>3.2.6 British North America Act 1867</p> <p>3.2.7 Australian Constitution Act 1900</p> <p>3.2.8 Role of Governor in presidential and parliamentary form of government</p> <p>3.2.9 System of elections in these forms</p>	25%
4.	<p><b>4.1 Judicial System (Role of Judiciary, Judicial Review, and Doctrine of State Action)</b></p> <p>4.1.1 Legal systems in the world</p> <ul style="list-style-type: none"><li>○ Civil law (sometimes known as Continental European law),</li><li>○ Common law</li><li>○ Religious/theocratic law, or</li></ul>	25%





<ul style="list-style-type: none"><li>○ Combinations of the above systems</li><li>4.1.2 Indian judicial system<ul style="list-style-type: none"><li>○ The Constitution of India</li><li>○ Single integrated (unitary) system of courts</li><li>○ Hybrid legal system: common law system, statutory law, regulatory law</li><li>○ Adversarial system (not inquisitorial system or non-adversarial)</li><li>○ Adopted the features of other legal systems</li></ul></li><li>4.1.3 The Supreme Court of India</li><li>4.1.4 The High Courts</li><li>4.1.5 The subordinate judiciary</li><li>4.1.6 Quasi judicial bodies</li><li>4.1.7 The United Kingdom Judicial System<ul style="list-style-type: none"><li>○ The Supreme Court</li><li>○ The Court of Appeal (Civil Division and Criminal Division)</li><li>○ The High Court</li><li>○ The Crown Court/County Court</li><li>○ Magistrates' Court</li></ul></li><li>4.1.8 The US Court System<ul style="list-style-type: none"><li>○ The Supreme Court of the United States</li><li>○ United States Courts of Appeals and the US Court of Appeals for the Armed Forces</li><li>○ US district courts and specialised courts</li></ul></li><li>4.1.9 Constitutional Review<ul style="list-style-type: none"><li>○ Methods of constitutional review</li><li>○ Judicial and political review</li><li>○ Concentrated and diffused review</li><li>○ Anticipatory and successive review</li></ul></li><li>4.1.10 Judicial Review<ul style="list-style-type: none"><li>○ Concept and origin</li><li>○ Judicial review under the US Constitution [<i>Marbury v Madison</i> 5 US 137 (1803)]</li><li>○ Judicial review under the UK Constitution</li><li>○ Judicial review under the Indian Constitution</li><li>○ Functions of judicial review</li></ul></li><li>4.1.11 Judicial activism<ul style="list-style-type: none"><li>○ Judicial activism in India</li><li>○ Judicial review and judicial activism</li></ul></li><li>4.1.12 Limitations and challenges to the doctrine of 'judicial review'</li><li>4.1.13 Public Interest Litigation<ul style="list-style-type: none"><li>○ An innovative step towards judicial activism</li><li>○ Problems and challenges posed by PIL</li></ul></li><li><b>4.2 Liability of State and Administration under the Constitution</b><ul style="list-style-type: none"><li>4.2.1 Concept of state</li><li>4.2.2 Significance</li><li>4.2.3 Other authorities</li></ul></li></ul>	
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<ul style="list-style-type: none"><li>○ Company</li><li>○ Society</li><li>○ Agency or instrumentality</li></ul> <p>4.2.4 Test</p> <p>4.2.5 Contractual liability</p> <ul style="list-style-type: none"><li>○ Effect of a valid contract with the government</li><li>○ Ratification</li><li>○ <i>Estoppel</i></li><li>○ Government contract and art 14</li><li>○ Award of government contract and judicial review</li><li>○ Issue of writs in the matters of contracts</li><li>○ Restitution</li><li>○ Quasi-contractual liability of the government</li></ul> <p>4.2.6 Tortious liability of the State and administration</p> <ul style="list-style-type: none"><li>○ What is vicarious liability?</li><li>○ General rule as to liability for a wrongful act</li><li>○ Vicarious liability for a wrongful act</li><li>○ Basis/rationale of the rule</li></ul> <p>4.2.7 Liability of the State for the tort committed by its servant</p> <ul style="list-style-type: none"><li>○ Constitutional provision (article 300 of the Indian Constitution)</li></ul> <p>4.2.8 Pre constitution judicial decisions</p> <ul style="list-style-type: none"><li>○ <i>Peninsular and Oriental Steam Navigation Co v Secretary of State for India (P&amp;O case) (1861) 5 Bom. HCR App 1, p.1.</i></li><li>○ <i>Secretary of State v Hari Bhanji (1882) ILR 5 Mad. 273.</i></li></ul> <p>4.2.9 Post constitutional judicial rulings</p> <ul style="list-style-type: none"><li>○ <i>State of Rajasthan v Vidyawati AIR 1962 SC 933.</i></li><li>○ <i>Kasturi Lal Ralia Ram Jain v State of UP AIR 1965 SC 1039.</i></li><li>○ Other cases</li></ul> <p>4.2.10 Cases involving fundamental rights—constitutional tort</p> <ul style="list-style-type: none"><li>○ Origin and evolution</li><li>○ Important judicial pronouncements</li></ul> <p>4.2.11 Liability of the state in the United Kingdom</p> <ul style="list-style-type: none"><li>○ Crown Proceedings Act 1947.</li></ul> <p>4.2.12 Liability of the state in the United States.</p> <p>4.3 The Federal Tort Claims Act 1946.</p>	
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1. Austin G, *The Indian Constitution: Cornerstone of a Nation* (Oxford 2008)
2. Basu DD, *Comparative Administrative Law*
3. Basu DD, *Comparative Constitutional Law*, (2nd ed., Wadhwa 2008).
4. Basu DD, *Comparative Federalism*, (2<sup>nd</sup> ed, Wadhwa).





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  6. Singh MI, *Constitutions, Constitutional Interpretation and Human Rights (Indian and Foreign)* (LexisNexis Butterworths Wadhwa 2009).
  7. Gutteridge HC, *Comparative Law: An Introduction to the Comparative Method of Legal Study & Research* (University Press Cambridge 1949).
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  3. Naorem S, *Basic Issues on Centre State Relation*, (Omsons Publications 1985).
  4. Phillips OH & Jackson, *Constitutional and Administrative Law* (Sweet and Maxwell 2001).
  5. Pylee MV, *Constitutional Amendments in India* (4<sup>th</sup> ed, Universal Publishing Co. Pvt. Ltd 2012).
  6. Reimann, Mathuas and Zimmermann, Reinard, *The Oxford Handbook of Comparative Law* (OUP 2006).
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  8. Singh M P, *Comparative Constitutional Law* (Eastern Book Company 2011).
- VN Shukla's *Constitutional Law* (MP Singh ed, 12th ed. Eastern Book Co 2013).

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1. Madras Law Journal
  2. Journal of the Indian Law Institute
  3. International Journal of Constitutional Law
  4. Columbia Law Review
  5. Boston College Law Review
  6. Stanford Law Review
  7. Virginia Law Review
  8. Harvard Law Review
  9. Iowa Law Review
  10. International and Comparatively Law Quarterly
- Journal of Law and Social Polity





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