

**PART VIII**  
**Syllabus of Second Year of B.A. LL.B.**

**Second Year B.A. LL.B. - Semester III**

**CE 0301 Legal Language and Legal Reasoning :**

**Objectives of the Course :** This course is designed to give the students more exposure to the nature of legal language and the issues related to it in drafting legislations and legal documents. It intends to acquaint the students with advocacy skills so much so to bridge the gap between theoretical and practical knowledge and to strengthen and enhance their critical thinking. It also introduces the students to logical reasoning and its use in law to set up good arguments.

**Module 01 Legal Language and its Nature :**

1. Law and Language
2. Meaning of Legal Language
3. Scope and Domain of Legal Language

**Module 02 Problems of Legal Language and Remedies :**

1. Problems of Legal Language
2. Problems of Legal Language in Drafting Statutes
3. Principles of Legal Writing
  - a) Simplicity, Clarity and Precision
  - b) Plain English and Plain Language Vocabulary
  - c) Eliminating the Jargon “Legalese”
  - d) Avoid Repetitions
  - e) Slash Unnecessary Words
  - f) Breaking up Long and Complex Sentences
  - g) Connecting Sentences
  - h) Linking Paragraphs
  - i) Use of Passive Voice
  - j) Use of Symbols and Abbreviations

**Module 03 Use of Language in Drafting :**

1. Use of Legal Language and its Significance in Drafts (Sale Deed, Gift Deed, Release Deed, General Power of Attorney and Will)
2. Use of Legal Language in Drafting in Legal Notices (Notice to Tenant on behalf of Landlord and vice versa and Notice to Husband on behalf of Wife and vice versa)

**Module 04 Advocacy Skills :**

1. Meaning of Advocacy
2. Advocacy as an Art
3. Qualities of Lawyers (Good voice, command of words, confidence, practical wisdom, etc.)

4. Use of Rhetoric- Figures of Speech (Euphemism, Hyperbole, Irony, Metaphor, Paradox, Simile, Synecdoche and Understatement)
5. Etiquettes and Manners for Law Professionals
6. Client Counseling and Interviewing

#### **Module 05 Logic and Legal Reasoning :**

1. Logic and its Scope
  - a) Major Sources of Knowledge : Empiricism and rationalism - a priori, evidence, memory, observation, reasoning and testimony
  - b) Meaning of Logic and its Nature
  - c) Structure of Argument-Statements/Premises and Conclusion
  - d) Methods of Reasoning- Deductive, Inductive and Reasoning by analogy
  - e) Fact and Opinion
  - f) Truth and Validity
2. Syllogism.
  - a) Meaning of Syllogism
  - b) Rules of Syllogism
  - c) Types of Syllogism-Categorical, Conditional and Disjunctive
3. Fallacy
  - a) Meaning and Reasons of Fallacy
  - b) Types of Fallacies-Faulty Cause, Sweeping Generalization, Faulty Analogy, Anecdotal Fallacy, Bifurcation (False Dilemma), Equivocation, Tautology, Appeal to Popular Opinion and Association Fallacy
4. Elements of Legal Reasoning :
  - (a) Law, facts, issue in legal reasoning
  - (b) Application of Reasoning to Law - Facts of a Case and provisions / Case Laws - *Dahyabhai Chhaganbhai Thakker v. State of Gujarat*, AIR 1964 SC 1563 and *Nirmala Anand v. Advent Corporation Pvt. Ltd.*, AIR 2002 SC 2290

#### **Recommended Readings:**

1. Agarwal, S P. *Drafting and Conveyancing*, Delhi : LexisNexis, 2005.
2. Asprey, Michele M. *Plain Language for Lawyers*. New Delhi : Universal Law Publishing Co., 2011. (Module 1-2 (a)- Ch.-2,3,13).
3. Anirudh, Prasad. *Outlines of Legal language in India*. Allahabad : Central Law Publications, 2009.
4. Basantani, K T. *Elementary Logic for LLB*. Sheth Publishers, 2013.
5. Howell, Tracey and Gary Kemp. *Critical Thinking A Concise Guide*. New York : Routledge, 2005.
6. Butt, Peter and Caste Richard, *Modern Legal Drafting*. New Delhi : Cambridge University Press, 2011.
7. Copi, Irving M and et al. *Introduction to Logic*. London : Pearson Education Ltd. 2014.
8. Garner, Bryan A. ed. *Black's Law Dictionary*. 9<sup>th</sup> Edition.

9. Garner, Bryan A. *The Winning Brief*, New York : Oxford University Press, 2014. (Module 2.3, Ch. 19, 21, 22, 27, 29, 30, 32, 34, 56).
10. Jayakumar, Srividya. *Client Counseling for Tomorrow's Lawyers*. All India Court Cases, January 2007. PP 13-17.
11. Selby, Hugh. *Advocacy Preparation and Performance*, New Delhi : Universal Law Publishing Co., 2009.
12. Sridhar, Madabhushi. *Legal Language*. Hyderabad : Asia Law House, 2004.
13. P. Ramanatha Aiyer's *Law Lexicon*. LexisNexis, 2012.
14. Tiersma Peter M. "What is Language and Law? And does anyone care?" *Legal Studies*. Paper No. 2009-11, March 2009.
15. Webb, Julia. *Lawyers' Skills*, United Kingdom : Oxford University Press, 2011.
16. Williams, Glanville. *Learning the Law*. New Delhi : Universal Law Publications, 2000.

### **BA 0302 Public Policy and Public Administration :**

**Objectives of the Course :** Public Administration as a discipline of study is basically known as the science of ruling and the study of the rulers and the ruled. Traditionally, it covered the study of man in the process of governing himself. Today it is seen as an encyclopedia of governing the people. The main objective of this course is to enable students to understand the basic concepts of administration. It tries to make the students understand the evolution of this subject and its need. It also tries to focus on different approaches to study Public Administration and its various basic concepts.

#### **Module 01 Introduction :**

1. Meaning and nature of Public Administration
2. Evolution of Public Administration as a discipline
3. Scope of Public Administration- POSDCORB (Planning, Organising, Staffing, Directing, Coordinating, Reporting and Budgeting) view versus People's expectations from the government
4. Relation of Public Administration with Political Science and Law

#### **Module 02 Introduction to Public Policy :**

1. Meaning and Objectives of Public Policy
2. Difference between Policy and Rules
3. Impact of Executive decisions and Public Policy on Traditional Practices and Law
4. Impact of Policy formulation on Law and Justice

#### **Module 03 Approaches to Public Administration :**

1. Traditional Approaches –Woodrow Wilson and Max Weber- An Overview
2. Recent Approaches - Public Choice, Good Governance, New Public Management
3. Post 1990's Approach - Development Administration – Concept- Characteristics and Scope
4. State versus Market Debate

**Module 04 Accountability and Control :**

1. Concepts of Accountability and Control
2. Mechanisms of Accountability and control – Executive, Media, Interest groups, Right to Information, Social Audit, Civil Society and People's Participation

**Module 05 Importance of Judicial Administration in Modern Era :**

1. Ethical and moral values in Judicial Administration
2. Role of State in Judicial Administration
3. Importance of Financial Autonomy in Judicial Administration
4. E-Governance in Judicial Administration

**Recommended Readings :**

1. Avasthi and Maheshwari, *Public Administration*, Laxmi - Narain Aggarwal, Agra, 2010.
2. Mohit Bhattacharya: *New Horizons of Public Administration*, Jawahar Publishers, New Delhi, 2010.
3. Rumki Basu, *Public Administration - Concepts and Theories*, Sterling Publishers, New Delhi, 2007.
4. H. George Frederickson and Kevin B. Smith, *Public Administration Theory Primer*, Rawat Publications, Jaipur, 2008.
5. H. George Frederickson, *New Public Administration*, The University of Alabama Press, Alabama, 1980.
6. Raymond W. Cox III, Susan J. Buck and Betty N. Morgan, *Public Administration in Theory and Practice*, Pearson Education, New Delhi, 2005.
7. Hoshier Singh and Pardeep Sachdeva, *Administrative Theory*, Kitab Mahal, New Delhi, 2005.
8. M.P. Sharma and B. L. Sadana, *Public Administration in Theory and Practice*, Kitab Mahal, Allahabad, 1988.
9. P.B. Mehta, Oxford Publication (Student Edition), 2015.
10. J.D. Straussman, *Public Administration*, Holt, Rinehart and Winslow, New York, 1985.
11. A.R. Tyagi, *Public Administration - Principles and Practices*, Atma Ram and Sons, Delhi, 1992.
12. S.L. Goel, *Public Administration-Theory and Practice*, Deep and Deep Publications, New Delhi, 2003.
13. Dr. B. L. Fadia, *Public Administration*, Sahitya Bhawan Publications, Agra, 2010.

**Recommended Articles :**

1. John M. Gaus. 1950. *Trends in the Theory of Public Administration*. Public Administration Review 10(3): 161-168.
2. Stephen K. Bailey, 1964, *Ethics and the Public Service*, Public Administration Review 24(4), 234-243.
3. Yehezkel Dror, 1967, *Policy Analysts, A New Professional Role in Government Service*, Public Administration Review 27(3) : 197-203.
4. Nicholas Henry, 1975, *Paradigms of Public Administration*. Public Administration Review 35(4): 378-386.

5. Hal G. Rainey, Robert W. Backoff, and Charles H. Levine, 1976, *Comparing Public and Private Organizations*, Public Administration Review 36(2): 233-244.
6. Caroline J. Tolbert, and Karen Mossberger, 2006, *The Effects of E-Government on Trust and Confidence in Government*. Public Administration Review 66(3): 354-369.

#### **Recommended Journals :**

1. Indian Journal of Public Administration. ([www.iipa.org.in](http://www.iipa.org.in)).
2. International Review of Administrative Sciences, SAGE Journals. ([journals.sagepub.com/home/ras](http://journals.sagepub.com/home/ras)).
3. Journal of Public Administration Research and Theory, Oxford. (<https://academic.oup.com/jpart>).
4. Educational Administration Quarterly - SC Imago. ([www.scimagojr.com/](http://www.scimagojr.com/)).
5. Public Administration Review. (<https://publicadministrationreview.org/>).

### **BA 0303 Theories of Development and Indian Economy :**

**Objectives of the Course :** The objectives of the course are : (1) To understand the theories of economic growth; (2) To know the important sectors of the Indian Economy; (3) To analyse the various issues of the Indian Economy.

#### **Module 01 Economic Development and Growth :**

1. Concept of Development, Economic Development and Economic Growth
2. Human Right Dimension in Economic Development and Economic Growth
3. Features and Indicators of Economic Development
4. Vicious Cycle of Poverty
5. Determination of Poverty Line

#### **Module 02 Strategies of Economic Growth :**

1. An overview of Theories of Development
2. Balanced and Unbalanced Growth
3. Big Push Theory
4. Relation between Population Growth and Per Capita Income
5. Concept of Sustainable Development – Sustainable Development Goals
6. Concept of Human Development – Determination of HDI and PQLI

#### **Module 03 Agrarian Economy in India :**

1. Features of Indian Agriculture
2. Subdivision and Fragmentation of Land
3. Pattern of Land Holding In India
4. Agricultural Credit - Institutional and Non- Institutional Credit
5. Issues of Agricultural Labours
6. Contractual Farming
7. Issues of Corporatisation of Farming

#### **Module 04 Industrial Economy in India :**

1. Features of Indian Industry
2. Concept of SME, MSME, PSU and MNC

3. Controversy over land acquisition for Industry
4. Issues of Industrial Labour and Labour Legislation
5. Capital – Sources of Domestic Capital and Foreign Capital

**Module 05 Other Areas of Indian Economy :**

1. Inflation – Trends in Prices and Money Supply
2. Black Money and Corruption – Reasons and Measures
3. Food Security – Problem of Hunger and Malnutrition – PDS
4. Issue of Employment – Skill Development, Make in India Programme
5. Issue of Special Economic Zones
6. Trends in Revenue and Expenditure of Central and State Government

**Recommended Readings :**

1. Agarwal A. N., *Indian Economy: Problems of Development and Planning*, New Age International Publishers, New Delhi, 2015.
2. Dutt R. and K. P. M. Sundharam, *Indian Economy*, S. Chand and Company Limited, New Delhi, 2016.
3. Jhingan, M. L., *The Economics of Development and Planning*, Vrinda Publication Private Limited, New Delhi, 2010.
4. Prakash, B. A., *The Indian Economy Since 1991 Economic Reforms and Performance*, Pearson Publication, Delhi, 2008.

**BA 0304 Society in India :**

**Objectives of the Course :** This course aims to make students understand the plural Indian society. Indian society has regional; religious and linguistic diversity. Social stratification in India is also different from remaining world. To understand the process of social change, social movements and Act and Law; it is essential to know social structure in Indian society. The continuity between the present and the past is an evident feature of Indian society. The sociological perspective on Indian society will help students to gain a better understanding of their own society and the continuity and change in Indian society.

**Module 01 Indian Social Structure – India as Plural Society:**

1. Religious diversity - Hinduism, Islam, Buddhism and Christianity
2. Primitive Tribes and Nomadic tribes in India
3. Linguistic and regional diversity

**Module 02 Social Stratification and Social Institutions :**

1. Social stratification- Caste, class, tribe and gender
2. Social Institutions - Family, Kinship, and Marriage

**Module 03 Social Movements in pre and post-Independent India :**

1. Dalit movement, Linguistic movements and Tribal movements
2. Peasant movement, Women's movement, Student's movements and Environment movements

**Module 04 Segments of India Society and its Characteristics :**

1. Tribal Society
2. Rural society
3. Urban society

**Module 05 Continuity and Change :**

1. Major process of Change - Sanskritisation, Westernization and Modernization
2. Factors of change - Economy, Education and Constitutional provisions

**Recommended Readings :**

1. Ahuja, Ram: *Society in India: Concepts, Theories and Social Change*, Rawat, New Delhi, 2005.
2. Ahuja, Ram: *Indian Social System*, Rawat, New Delhi, 2002.
3. Aparna Rao and Michael J. Casimir (ed.), *Nomadism in South Asia*, Oxford University Press, New Delhi, 2003
4. Atal, Yogesh: *Changing Indian Society*, Rawat, Jaipur, 2006.
5. Atal, Yogesh (Ed.): *Understanding Indian Society*, Her Anand Publication, Delhi, 1992.
6. David, Mandelbaum: *Society in India*, Popular, Bombay, 1972.
7. Dube, S.C. *Indian Society*, Popular, Bombay, 2000.
8. Ramchandra, R.: *Urbanization and Urban System in India*, Oxford, New Delhi, 1991.
9. Shah Ghanshyam, *Social Movements and the State*, Sage, New Delhi, 2002.
10. Sharma, K.L. *Caste, Class and Tribe*, Rawat, New Delhi.
11. Sharma, K.L. *Essays on Social Stratification*, Rawat, New Delhi.
12. ICSSR *A Survey in Sociology and Social Anthropology*, 1999.
13. Singh, K. S. *The People of India*, Seagull, Calcutta, 1992.
14. Singh, Yogendra: *Modernization of Indian Tradition*, Thomson, 1973.
15. Srinivas, M. N.: *Social Change in Modern India*, University of California Press, Berkeley, California, 1963.
16. T.K. Oommen, *Social Movements in Independent India*, Vol. I and II, Oxford, New Delhi, 2010.
17. Uberoi, Patricia: *Family, Kinship and Marriage in India*, Oxford, New Delhi, 1993.