

Political Science: V

Paper- 501

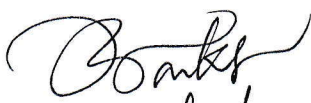
Full Marks: (Written 80+ Internal 20) =100 Credit – 4

COMPARATIVE GOVERNMENT AND POLITICS (U.K & U.S.A)

1. Meaning, Nature and Scope of comparative Government and Politics: Approaches to the Study of Comparative Politics- Structural Functional Approach.
2. Basic features of U.K.
3. Basic features of U S Constitution.
4. Comparative study of U.K and U.S.A Legislative system (House of Lords, House of Commons, Senate, House of Representatives).
5. Comparative study of Executive Machinery of U.K & U.S.A (Prime Minister of U.K , Cabinet Dictatorship , President of U.S.A, System of Checks and Balances).
6. Role of Political Parties in UK and U.S.A.
7. Interest Groups of U. K. and U. S. A.
8. Judicial system of U.K and U.S.A. and their Comparative Discussion.

Suggested Readings:

1. World Constitutions: - A Comparative Study : Vishnoolal Bhagwan , Vidya Bhusan.
2. Comparative Politics and Government : S. A Palekar
3. Introduction to Comparative Political Analysis: Rakhahari Chatterji.
4. Comparative Politics: Daniel Carawani.
5. Comparative Government: Calvert Peter.


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Constitutional Law-II


Paper-502

Full Marks :(Written 80+Internal 20) =100. Credit: 5

1. The Union Executive-President: Power and Procedure for Impeachment; Council of Ministers and formation of the Government.
2. Supreme Court of India: Constitution, Appointment of Judges and Jurisdiction.
3. The State Executive-Governor: Power and Role of Governor; Council of Ministers and Formation of the Government.
4. High Courts: Constitution and Jurisdiction.
5. Relations between the Union and the States:
 - i. Legislative Relations
 - ii. Administrative Relations
 - iii. Financial Relations
6. Trade, Commerce and Intercourse within the territory of India.
Doctrines of Pleasure
Election Commission
7. Emergency Provisions.
8. Amendment of the Constitution.

Suggested Readings:

1. Sukla, V. N. : Constitutional Law
2. Basu, D. D. : Constitution of India
3. Jain, M. P. : Indian Constitutional Law
4. Seeravai, H. M. : Constitution of India
5. Tope, T. K. : Constitution of India
6. Kumar, Narendra: Constitutional Law of India


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LABOUR AND INDUSTRIAL LAW-I

Paper 503

Full Marks :(Written 80 + Internal 20) =100 Credit-5

The Trade Unions Act, 1926

1. Objects

Definitions:

Trade Dispute, Trade Union

Registration of Trade Unions

2. Rights and Liabilities of registered Trade Unions

Penalties and procedure

The Employee's Compensation Act, 1923

3. Object

Definitions:

Dependant, Employee, Employer, Partial Disablement, Total Disablement,

Wages

Employee's Compensation

4. Accident arising out of and in the course of employment, National Extension of Employer's Premises

The Factories Act, 1948:

5. Object


Definitions:

Manufacturing Process, Worker, Factory, Occupier.

Provisions relating to health, safety, welfare and working hours of adults

6. Provisions relating to employment of young persons

Penalties and Procedure


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The Payment of Wages Act, 1936:

7. Object

Definitions:

Appropriate Government, Industrial or other Establishment, Wages

Responsibility for payment of Wages

Fixation of wage periods

Time of payment of Wages

Deductions which may be made from Wages

8. Fines


Deductions for absence from duty, damage or loss, services rendered,
recovery of advances, recovery of loans, payments to Co-operative Societies
and Insurance Schemes

Inspector

Penalty

Suggested Readings:

1. Mishra, S.N: Labour and Industrial Laws.
2. Goswami; V.G: Labour and Industrial Law.
3. Singh, Avtar: Introduction of Labour and Industrial Law.
4. Padni; P.K Labour and Industrial Law.
5. Pai, GB: Labour Law in India.


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Jurisprudence-I: Legal Method, Indian Legal System and basic theory of Law

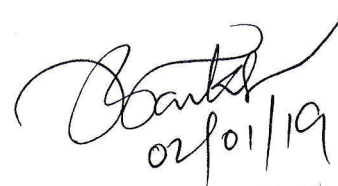
Paper-504

Full Marks: (Written 80 + Internal 20) =100. Credit: 5

1. Nature, Scope, Definition, Significance and Utility of Jurisprudence
2. 'Ought' law Vs 'Is' Law
3. Analytical Positivisms:
 - Jeremy Bentham;
 - John Austin;
4. Historical School of Law:
 - Karl Von Savigny;
 - Henry Maine;
5. Sociological School of Law:
 - Ihering;
 - Ehrlich;
 - Roscoe Pound;
 - Duguit;
6. Natural Law School:
 - Evolution
 - Reformist Phase: Thomas Aquinas
 - Social Contract: Grotius, Hobbes, Locke, Rousseau
 - Modern Natural Law: Fuller, Rawls.
7. Realist School:
 - Gray;
 - Hotmes;
 - Frank;
 - Oliveroroma;
8. Pure Theory of Law:
 - Kelson
 - Primary and Secondary Rules:
 - Hart

Suggested Readings:

1. Salmond on Jurisprudence: P. J. Fitzgerald
2. Jurisprudence: R W M Dias
3. Jurisprudence and Legal Theory: V. D. Mahajan
4. Jurisprudence and Indian Legal Theory: S. N. Dhyani
5. Jurisprudence: Nomita Agarwala
6. Lectures in Jurisprudence: N. K. Jayakumar
7. Jurisprudence (Legal Theory): B. N. Tripathi


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Interpretation of Statutes and Principles of Legislation (Honours Paper-III)

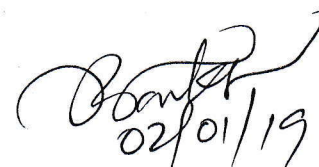
Paper-505

Full Marks :(Written 80+Internal 20) =100. Credit: 5

- 1: Statute – Meaning and Nature; Classification of statutes –Object and Purpose of Interpretation, Distinction between Interpretation and Construction.
- 2: Internal and External Aids to Construction
Basic Rules of Interpretation
- 3: General Principles of Interpretation – Literal or Grammatical Rule, the Golden Rule, the Mischief Rule,
Interpretation of Construction:
Contemporanea Exposition, Ut res magis valet quum pereat, Noscitur a sociis, Ejusdem Generis, Reddendo Singula Singulis, Expression unis est exclusion alterius, Generalia specialibus non derogant, Bonam Partem
- 4: Construction with reference to other statutes – (i) Statutes in *pari material*, (ii) construction with reference to earlier statutes, (iii) construction with reference to subsequent statutes
- 5: Harmonious Construction and Beneficial Construction
- 6: Test of constitutionality of statutes – Doctrine of Eclipse, Pith and Substance, Doctrine of Severability, Colourable Legislation
- 7: Presumptions in Interpretation, Construction of Penal Statutes and Taxing Statutes
- 8: Principles of Legislation, Theory of Legislation, Law and Morality.

Suggested Readings:

1. V. Sarathi, Interpretation of Statutes
2. K. P. Chakraborty, Interpretation of Statutes
3. Justice G. P. Singh, Principles of Statutory Interpretation
4. D. N. Mathur, Interpretation of Statutes


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Right to Information (Optional Paper-I)


Paper 506 A

Full Marks: (Written 80 + Internal 20) = 100. Credit: 5

1. History of development of right to information in India.
2. Shifting of the Freedom of Information Act, 2002 to the Right to Information Act, 2005.
3. Object and Salient Features of the Right to Information Act, 2005:
4. Definitions
Right to information and obligations of Public Authorities
5. Information Commissions under RTI:
The Central Information Commission
The State Information Commission
Composition, Powers and Functions of the Information Commissions
6. Appeal and Penalties and Bar of Jurisdiction of Courts
7. Right to information and Fundamental Right in India
8. Development of Right to Information in the light of decisions of Central Information Commission and Supreme Court in India

Suggested Readings:

1. Mallick, K. P.: Right to Information.
2. Acharya, N. K.: Right to Information.
3. Das, P. K.: The Right to Information Act.
4. Jain, Anshu Jain: The Right to Information Act.
5. Barowalia, J. N.: The Right to Information Act.


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Law on Education (Optional Paper-I)

Paper 506 B

Full Marks: (Written 80 + Internal 20) = 100. Credit: 5

1. Basics of Education:

Philosophy of Education: Jean-Jacques Rousseau (1712-1778), John Stuart Mill (1806-1873), John Dewey (1859-1952) and Paulo Freire (1921-1997)

Indigenous Education System in India: Historical background

2. Constitutional Allocation of Power

Article 246 read with Seventh Schedule

Concurrent List Entry No. 25

Union List Entries 63, 64, 65 and 66

Why was Education transferred from State List to the Concurrent List?

3. Elementary Education:

Constitutional Assembly Debate on Elementary Education

Pre and Post Constitution, compulsory elementary education

Right to Elementary Education (Article 21A and 45)

Budgetary Allocation and Right to Education

4. Minority and Education

Minority Rights-Right to conserve distinct script and culture

Right to establish and administer educational institutions of their own choice

Minority Institutions- Right to compensation

No discrimination in Grant in Aid


5. Higher Education in India

Higher Education and Constitution of India

University Grant Commission Act, 1956

National Regulators in India (BCI, MCI)

Analysis of different Commissions and Committee Report relating to Higher Education


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New Education Policy

Legal Provision Technical and Vocational Education in India

Laws related to Professional Education

Private Educational Institutions and Government control

The Kalyani University Act, 1981 as amended up to date

6. Dispute Settlement Mechanism for Educational Institution

Chancellor, CDC

Educational Tribunals

Judicial Review

Educational Tribunal Act, 2010

7. Market Economy, Education and Law

Public Private Partnership

Private Higher Education: Opportunities and Challenges

NAAC

8. Human Rights to Education

Role of Education

International Law and right to Education

UNESCO: Convention and Recommendation against Discrimination in Education, 1960

Pune Declaration on Education for Human Rights in Asia 1999

Suggested Readings:

1. M. P. Jain , Indian Constitutional Law
2. D.D.Basu, Commentary on the Constitution of India
3. M.P.Singh, Constitution of India
4. H.O. Agarwal, International Law and Human Rights
5. B.M. Sankhdher, Encyclopaedia of Education System in India
6. P.L.Mehata, R.Poonga, Free and Compulsory Education
7. R. D. Agarwal, Law of Education and Educational Institutions
8. G.S.Sharma, Educational Planning: its Legal and Constitutional Implications in India

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