

SEMESTER - V

Paper - 501

Political Science-V

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

Comparative Government and Politics (United Kingdom & United States of America)

1. Meaning, Nature and Scope of Comparative Government and Politics: Approaches to the study of Comparative Politics-Structural Functional Approach and Systems Approach
2. Basic features of the Constitution of the United Kingdom
3. Basic features of the Constitution United States of America
4. Comparative study of the Legislative Assemblies of the United Kingdom and the United States of America System (House of Commons and House of Representatives; Senate and House of Lords)
5. Comparative study of Executive Machinery of the United Kingdom and the United States of America(Prime Minister of the United Kingdom, Cabinet Dictatorship, President of United States of America, System of Checks and Balances)
6. Role of Political Parties in the United Kingdom and the United States of America
7. Judicial system of the United Kingdom and United States of America and their Comparative Discussion with special reference to the Judicial Review in the United States of America
8. Basic Features of the Constitution of Canada and France
9. Amendment of the Constitution of the United States of America, France and Canada

Suggested Readings:

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

- NOTE-** 1. Questions are to be set taking from each unit of the syllabus of a paper
2. Number of Questions to be set- 12 questions x 2 marks (for answering 10 questions) and 8 Questions x12 marks (for answering 5 questions).
3. Amendment of Law, if any, shall be deemed to revise the relevant syllabus automatically.

Paper- 502

Constitutional Law-II

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

Note: As Amended Up-to-date

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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Paper- 503

Labour and Industrial Law-II

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

1. The Trade Unions Act, 1926:

Objects

Definitions: Trade Dispute, Trade Union

Registration of Trade Unions

Rights and Liabilities of registered Trade Unions

Penalties and Procedure

2. The Employee's Compensation Act, 1923:

Object

Definitions:

Dependent, Employee, Employer, Partial Disablement, Total Disablement, Wages

Employee's Compensation

Accident arising out of and in the Course of Employment, National Extension of Employer's Premises

3. The Factories Act, 1948:

Object

Definitions:

Manufacturing Process, Worker, Factory, Occupier

Provisions relating to Health, Safety, Welfare and Working Hours of Adults

Provisions relating to Employment of Young Persons

Penalties and Procedure

Power and functions of the Inspectors

4. The Payment of Wages Act, 1936:

Objects

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

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

5. Employees' Provident Funds & Miscellaneous Provisions Act, 1952

Definition

Scheme

Central Board

Appointment of officers

Contribution

Determination of PF Amount

Appeal and Tribunal

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, G. B.: Labour law in India

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Paper - 504

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

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

1. Nature, Scope, Definition, Significance and Utility of Jurisprudence
2. Analytical Positivisms:
 - i. Jeremy Bentham
 - ii. John Austin
3. Historical School of Law:
 - i. Karl Von Savigny
 - ii. Henry Maine
4. Sociological School of Law:
 - i. Ihering
 - ii. Ehrlich
 - iii. Roscoe Pound
 - iv. Duguit
5. Natural Law School:
 - i. Evolution
 - ii. Reformist Phase: Thomas Aquinas
 - iii. Social Contract: Grotius, Hobbes, Locke, Rousseau
 - iv. Modern Natural Law: Fuller, Rawls
6. Realist School:
 - i. Gray
 - ii. Holmes
 - iii. Frank
7. Pure Theory of Law:

Kelsen
8. Primary and Secondary Rules:

Hart

Suggested Readings:

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

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Paper- 505

Interpretation of Statutes and Principles of Legislation

(Honours Paper -III)

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 quampereat, Noscitur a sociis, Ejusdem Generis, RaddendoSingulaSingulis, Expression unis est exclusion alterios, Generaliaspecialibus non derogant, BonamPartem
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
9. General Clauses Act(must be specific)

Suggested Readings:

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

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Paper-506A
Right to Information
(Optional Paper - I)

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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Paper-506B
Law on Education
(Optional Paper-I)

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

1. Historical background of Indian Education System
2. Right to education as a Human Rights
3. Constitutional Provision relating to Education:
 - i. Articles 21A, 45, 246 read with Seventh Schedule
 - ii. Union List Entries No. 64, 65 and 66
 - iii. Concurrent List Entry No. 25
 - iv. Transfer of Education from State List to Concurrent List
4. Minority Right to conserve distinct scripts and culture (Article 29), Right to establish and administer Educational Institutions of their own choice (Article 30)
5. A brief idea about University Grant Commission (UGC), Bar Council of India (BCI)
6. Different Commissions on Education formed by GoI
7. National Education Policy (NEP), 2020
8. Dispute settlement mechanism for Educational Institution:
Educational Tribunals, Role of High Courts and Supreme Court
9. The Salient Features of the Educational Tribunal Act, 2010
10. The Salient Features of the Right to Education Act, 2009

Suggested Readings:

1. Basu, D. D.: Commentary on the Constitution of India

2. Jain, M. P.: Indian Constitutional Law
3. Sankhdher, B. M.: Encyclopedia of Education System in India
4. Agarwal, R. D.: Law of Education and Educational Institutions
5. Sharma, G. S.: Educational Planning: its Legal and Constitutional Implications in India

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