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792103

Bachelor of Arts Bachelor of Law

FOURTH SEMESTER

Name of Subject	Credits	Total Marks
Hindi Gaddya Sahitya	4	100
Indian Legal History	4	100
Family Law – II [Muslim Law]	4	100
Constitutional Law of India – II	4	100
Land Laws including Ceiling and Other Local Laws	4	100
Legal Ethics and Court Craft	4	100
Total	24	
Internship II will be added on last semester.		

SUBJECT NAME: Hindi Gaddya Sahitya

विषय का नाम: हिंदी गद्य साहित्य

इकाई 1: हिंदी गद्य का उद्भव एवं विकास

हिंदी गद्य विधाएँ एवं उनका संक्षिप्त परिचय (कहानी, निबंध, रेखाचित्र, संस्मरण, आत्मकथा, जीवनी, नाटक, उपन्यास आदि)

इकाई 2: कहानी

कफन- प्रेमचंद

चीफ की दावत- भीष्म साहनी

पुरस्कार- जयशंकर प्रसाद

मैं हार गई- मन्नू भंडारी

इकाई 3: निबंध :

श्रद्धा और भक्ति -आ. रामचंद्र शुक्ल

अशोक का फुल- हजारीप्रसाद द्विवेदी

इकाई 4: नाटक :

अंधेर नगरी- भारतेन्दु हरिश्चंद्र

कबीर खड़ा बाजार में- भीष्म साहनी

सहायक ग्रंथ

- हिंदी गद्य साहित्य- रामचंद्र तिवारी
- हिंदी साहित्य का इतिहास- बच्चन सिंह
- छायावादोत्तर हिंदी गद्य साहित्य- विश्वनाथ प्रसाद तिवारी
- निबन्धों की दुनिया- विजय देव नारायण साही

SUBJECT NAME: INDIAN LEGAL HISTORY

UNIT-I:

Administration of justice in the Presidency Towns (1600-1773) and the development of Courts and Judicial Institutions under the East India Company. Warren Hastings Plan of 1772 and the Adalat system of Courts - Reforms made under the plan of 1774 and re-organisation in 1780. Regulating Act – 1773 – Supreme Court at Calcutta – Its composition, power and functions – Failure of the Act of 1781 – Supreme Court vis-à-vis Mofussil Courts.

UNIT-II:

Judicial measures of Cornwallis 1787, 1793 progress of Adalat system, under Sir John Shore - Conflicts arising out of the Dual Judicial System – Tendency for amalgamation of the two systems of Courts - The Indian High Courts Act, 1861 – The Government of India Act, 1935 - High Courts under the Government of India Act, 1935 - High Courts under the Indian Constitution -Development of Rule of Law - Separation of powers - Independence of Judiciary. Judicial Committee of Privy Council as a Court of Appeal and its

jurisdiction to hear appeals from Indian decisions – Abolition of the Jurisdiction of the Privy Council to hear appeals from India - Court system generally under the Constitution of India.

UNIT-III:

Legislative authority of the East India Company under the Charter of Queen Elizabeth I, 1601 – (Changes under Regulating Act, 1773- Act of 1781 - Recognition of the powers of the Governor and Council to make regulations by the British Parliament.) Act of 1813 and the extension of the legislative power conferred on all the three councils and subjection of the same to greater control. Act of 1933 – Establishment of a legislature of an all India Character in 1834 -The Indian Council Act, 1861 - Central Legislative Council: its composition, powers and functions - powers conferred on the Governor. Government of India Act of 1909 – Government of India Act, 1919 - Setting up of bicameral system of Legislature at the centre in place of the Imperial consisting of one House.

UNIT-IV:

Government of India Act, 1935 – The Federal Assembly and the Council of States: its composition, powers and functions, legislative assemblies in the provinces and the powers and functions - Legislative Councils in the provinces, power and functions. Law Reforms and the Law Commissions. Legal Profession in Pre-British India: Rules, Training and functions - Law practitioners in the Mayor's courts established under the Charter of 1726 - Organisation of legal profession under the Charter of 1774 - Legal Profession in Company's Court.

UNIT-V:

Provision for Enrolment of Advocates - vakils and attorneys under Legal Practitioner's Act, 1853. High Courts under the Act of 1861 and provision for the enrolment of the Advocates under the letters patent issued. Legal Practitioners Act, 1879 – Report of the Indian Bar Committee, 1923. The Indian Bar Councils Act, 1926 – The All India Bar Committee, 1951. The Advocates Act, 1961. The development of Legal Education - History of Law Reporting in India.

Suggested Reading Materials:

1. M. P. Jain - Outlines of India Legal History.
2. Herbert Cowelle - The History and Constitution of the Courts and Legislative Authorities in India.
3. Sir Courtenay Lebert - The Government of India.
4. A. B. Keith - A Constitutional History of India, 1600-1935.
5. Gwyer and Appadori - Speeches and Documents on the Indian Constitution 1945-1947 (2 Vols.)

6. M. V. Pylee - Constitutional History of India (1600-1950).

7. Kulsreshta .V. L - Indian Legal and Constitutional History.

8. N. R. Madhava Menon - History of Courts.

SUBJECT NAME: FAMILY LAW – II (MUSLIM LAW)

UNIT – I: Marriage Laws

Nikah (Muslim Marriage)

- i. Definition, objects and nature
- ii. Essentials and validity
- iii. Obligations arising out of marriage – Mehar, Maintenance etc.

UNIT – II: Dissolution of Marriage

- a. Dissolution of Marriage under Muslim Law
 - i. By death
 - ii. By the act of either party
 - iii. By mutual consent
 - iv. By court
- b. Maintenance
 - i. Entitlement
 - ii. Enforcement
- c. Muslim Women (Protection of Rights on Divorce) Act, 1986
- d. Maintenance under the Code of Criminal Procedure, 1973

UNIT – IV: Guardianship

- a. Guardianship under Muslim Law
- b. Entitlement to guardianship
- c. Rights, obligations and disqualification of a guardian

UNIT – V: Principles of Inheritance

Principles of inheritance under Muslim Law (Sunni Law)

UNIT – VI: Religious and Charitable Endowments

- a. Endowments Shafait
- b. Waqf
 - i. Meaning, Kinds, Rights and Characteristics,
 - ii Advantages and disadvantages
- c. Objects and purpose
 - i. Mosques – objects, kind, requisites

- ii. Methods of creation of waqf
- d. Pre-emption – Origin, Definition, Classification, Subject matter, formalities, effects, constitutional validity.

SUBJECT NAME: CONSTITUTIONAL LAW OF INDIA – II

UNIT-I: Fundamental Rights – I

- a. Definition of ‘State’ for enforcement of fundamental rights – Justifiability of fundamental rights – Doctrine of eclipse, severability, waiver. Distinction between pre-constitutional law and post-constitutional law
- b. Right to equality – Doctrine of Reasonable classification and the principle of absence of arbitrariness
- c. Fundamental freedom: Freedom of speech and expression, freedom of association, freedom of movement, freedom to reside and settle, freedom of trade, business and profession – expansion by judicial interpretation – reasonable restrictions.

UNIT-II: Fundamental Rights – II

- a. Right to life and personal liberty – scope and content – (expensive interpretation)
- b. Preventive detention under the Constitution – Policy and safeguards – Judicial review Right against exploitation – Forced labour and child employment
- c. Freedom of religion

UNIT-III: Right to Constitutional Remedies

- a. Right to Constitutional Remedies (Art 32 and 226)
- b. Judicial Review
- c. Writs –
 - i. Habeas Corpus
 - ii. Mandamus
 - iii. Certiorari
 - iv. Prohibition
 - v. Quo-warranto

UNIT-IV: Directive Principles, Fundamental Duties and Social Justice

- a. Directive Principles of State Policy – Nature and justiciability of the Directive Principles – Inter-relationship between Fundamental Rights and Directive Principles– Fundamental Duties.
- b. Social justice under the Indian Constitution – Compensatory discrimination for backward

classes – Mandal Commission's case and other cases – Protective discrimination doctrine.

SUBJECT NAME: LAND LAWS

UNIT-I: Land Reforms

- a. Constitutional Provisions on Agrarian Reform Legislation
- b. Abolition of private landlordism
- c. Land Ceiling Legislation
- d. State enactments prohibiting alienation of land by tribals to non-tribals
- e. Consolidation of holdings

UNIT-II: Land Acquisition

- a. Purpose
- b. Procedure
- c. Compensation
- d. The Assam Land (Requisition and Acquisition) Act, 1964

UNIT-III: Rent Law: Concepts, Terms and Processes

- a. Rent Legislation in India
- b. Definitions, Land Lord, Tenant, Land and Fair Rent.
- c. Fixation of fair rent
- d. The Assam Urban Areas Rent Control Act, 1972
- e. The Assam Non-Agricultural Urban Areas Tenancy Act, 1955

UNIT-IV: Eviction and Dispute Settlement Mechanism

- a. Grounds of eviction : Non-payment of Rent, Sub-letting, Change of user, Material, alterations, Non-occupancy, Nuisance, Dilapidation, Bonafide requirement of the landlord, Alternative accommodation, Building and re-construction and Limited Tenancy
- b. Settlement of rent disputes

SUBJECT NAME: LEGAL ETHICS AND COURT CRAFT

UNIT – I: (a) Supreme Court Rules, 1966

(b) Delhi High Court Rules, 1967

UNIT – II: (a) Limitation Act, 1963

(b) Indian Registration Act, 1908

UNIT – III: Bench – Bar Relations

- a. Reciprocity as Partners in Administration of Justice
- b. Professional Misconduct

c. Rights and Privileges of Advocates

UNIT – IV: Legal Ethics

a. Ethics in present Era

b. Ethics and statutory sanctions

c. Ethics and Professional Duty

d. Conflicts between Interest and duty

e. Duty to court

f. Duty to client

g. Duty to opponent

h. Duty to colleague

i. Duty towards society and obligation to render legal aid