

B.A.LL.B FIVE YEARS INTEGRATED COURSE

IV – SEMESTER

Paper 1.1 401 – History of Courts, Legislature and Legal Profession in India

Note :

1. In order to ensure that students do not leave out important portions of the syllabus, examiners shall be free to repeat the questions set in the previous examination.
2. Leading cases prescribed under this paper may be read whenever they are relevant.
1. Importance of necessity of legal history : Charter of 1726 and establishment of Mayor's Court : Charter of 1753 ; The Regulating Act, 1773. The Supreme Court of Calcutta, Bombay and Madras Act of Settlement, 1781 ; Nand Kumar Trial, Patna case Cosijurah case.
2. The beginning to the adalat system ; The judicial plan of 1772 and 1774 introduced by warren hastings. Judicial reforms of Cornwallis and William bentick.
3. The high court : Dual judicature before 1986 : Indian high court act 1861 ; Privy Council ; Federal Court, and good conciences), Development of Criminal Law.

Charter Act of 1833

Condification of Law : Law Commission, Legislative Council, First, Second and Third Law Commissions. The Lex Loci Report.

4. Government of India Act, 1858 and 1892 Act of 1909 ; Morley Minto reforms, Government of India Act, 1919.
5. Simmon Commission, Round Table Conference : Federalism – Nature and Characteristics under Government of India Act, 1935 ; Provincial Authonomy, Cabinet Mission ; Crips Mission ; Indian Independence Act, 1947 ; Abolition of jurisdiction of Privy Council ; Constituent Assembly – Its formation, working, contributions.

LEADING CASES :

1. Trial of Raja Nand Kumar 1775.
2. Patna Case, 1777-79
3. Cossijurah Case, 1789-90
4. Kamaluddin Case, 1775

SUGGESTED BOOKS :

1. Jain, M.P. : Outlines of Indian Legal History (Hindi & English)
2. Keith, A.B. : Constitution History of India (Chapter VII, VIII, X, XI, XII)
3. Banerjee : The making of the Indian Constitution
4. Mahajan, V.D. : Constitutional History of India.
5. Sinha, B.S. : Legal & Constitutional History of India.
6. Kulshrestha, V.D. : Land marks in Indian legal and Constitutional history (English & Hindi)
7. Bhansali, S.R. : Legal System of India.

