



MANIPAL UNIVERSITY JAIPUR

School of Law

Department of Law

Course Hand-out

History of Legal and Constitutional Development| LA 1401 | 4 Credits

Session: Jan- May, 2017 | Faculty: Dr. Shilpa Rao Rastogi

Course Outcomes: At the end of the course, students will be able to

LA 1401.1 CO.1 Analyse general trend of law reformation.

LA 1401.2 CO.2 Reveal the alterations in law on particular lines which are now tentatively under consideration, and had already been thought of in the past also, in the earlier attempts at reform of the law, but had been rejected for sound and valid reasons.

LA 1401.3 CO.3 Explore the circumstances in which the present position of legal system came about where the present statutory provision or rule of law has raised meaningful queries.

LA 1401.4 CO.4 Develop analytical skills to ascertain the nature, scope and sources of law in the given dynamic political structure.

B. SYLLABUS

- C. **Introductory:** The early Charters (Charters of 1600 and 1661) and Surat Factory, Administration of Justice in Madras, Bombay and Calcutta before 1726, Charter of 1726 and Establishment of Mayor's Court; Charter of 1753, The Regulating Act, 1773, The Supreme Court of Calcutta, Bombay and Madras, Merits and Defects of Regulating Act and the Act of Settlement, 1781, judicial reforms by Warren Hastings, Judicial Reforms of Cornwallis and Bentinck, **The High Court:** Dual Judicature before 1861, Indian High Courts Act, 1861 Privy Council, Federal Court, Development of Law in Mofussil (Justice, Equity and Good conscience) Development of Criminal Law, Changes in Criminal-Law 1790-1861, Charter Act of 1833, Codification of Law : Law Commission, Legislative Council, First, Second and Third Law Commissions. The Lex Loci Report The Government of India Act, 1858, Indian Council Act, 1861 and 1892, Morely Minto Reforms, 1909, Government of India Act, 1919, Simon Commission, Round Table Conference, Government of India Act, 1935 Federalism: Nature and, characteristics under the Act. Executive Powers of Governor General, Federal Legislature, Federal Court, Provincial Autonomy, Powers of the Governor, Crips Mission plan, Indian Independence Act, 1947, Abolition of Jurisdiction of Privy Council, Constituent Assembly; its formation, working and contribution.

Cases Referred:

- (a) Trial of Raja Nand Kumar
- (b) Patna Case, and
- (c) Cossijurah Case

C. TEXT BOOKS

1. Jais Rama. Legal and Constitutional History of India. I Edt. Universal Law Publishing Co. 2012.

