

LL.B.-SEMESTER – I
Effective From Academic Year 2016-17.

PER WEEK	LECTURES	OTHERS	Internal	External	TOTAL	CREDITS
CORE COURSE 101 Law of Contract	3	1	30	70	100	4
CORE COURSE 102 Special Contract	3	1	30	70	100	4
CORE COURSE 103 Law of Tort Including Motor Vehicle Act and Consumer Protection law	3	1	30	70	100	4
CORE COURSE 104 Law of Crimes – I (I.P.C.)	3	1	30	70	100	4
CORE COURSE 105 Property Law	3	1	30	70	100	4
Foundation Course 106 Principles of Political Science	1	1	--	--	100	2
Soft Skill 107 Use of Computer, Law Journals and Legal Software	1	1	--	--	100	2
TOTAL CREDITS						24

LL.B. Semester-I**CORE COURSE 101 : LAW OF CONTRACT**

Objectives of the Course :

Every man in his day to day life from dawn to dusk makes a variety of contract, Man's contract making activities increase with the increasing trade, commerce and industry. In a way living in a modern society would be impossible if the law did not recognize this contract making power of person. This prompted Roscoe Pound to make his celebrated observation: " wealth, in a commercial age, is made up largely of promises. In this sense India is also a " Promissory " Society.

The conferment and protection by the of this contract making power of person gives them a considerable leeway to strike best bargain for the contract making person. In a way they are permitted to regulate and define their relation in a best possible manner they chose. However, the contours of contractual relation in a feudal, colonial and capitalist society of pre-independence India cannot necessarily be the same in a independent and developing India society. Whatever may be the nature of a given society, the contractual relation as are obtained in that society, are governed by certain principle which are more or less of a general and basic nature. India these general principles are enacted in the form of the Indian Contract Act, 1972.

This course is designed to acquaint a student with the conceptual and operational parameters of these various general principles of contractual relation.

Specific enforcement of contract is an important aspect of the law of contracts. Analysis of the kinds of contract that can be specifically enforced and the methods of enforcement forms a significant of this study.

SYLLABUS :

1. General Principle of Law of Contract :
 - 1.1 Agreement and contract definitions, elements and kinds Proposal, Communication and revocation - proposal and invitation for proposal - floating offers.

- 1.2 Acceptance - their various forms, essential elements
- 1.3 Consideration - its need, meaning, kinds, essential elements
- 1.4 Capacity to Contract
2. Capacity to Contract & Free Consent :
 - 2.1 Minor, age of Majority, Nature's of minor's agreement & effects thereof, Accessories supplied to a minor, Agreement beneficial and detrimental to a minor.
 - 2.2 Free consent- its need and definition, Effects of force, coercion & undue influence on contract.
 - 2.3 Mistake : definition - kinds - fundamental error mistake of law and of fact - their effects.
 - 2.4 Legality of objects :
 - 2.4.1 unlawful Agreements : kinds and effects thereof
 - 2.4.2 Void Agreement, Uncertain Agreements, Wagering Agreements, Illegal & Void Agreements
3. Discharge of contract & Quasi-Contract :
 - 3.1 Various modes of discharge of contract and effect thereof
 - 3.2 Anticipatory Breach of Contract
 - 3.3 Impossibility of performance - specific ground of frustration-application to leases- leases- theories of frustration-effect of frustration and restitution, by period of limitation.
 - 3.4 Rescission and alteration - their effect - remission and waiver of performance - extension of time - accord and satisfaction
 - 3.5 Quasi-contract or certain relation resembling those created by contract, Quantum Meruit.
4. Specific Relief Act.
 - 4.1 Person against whom specific enforcement can be ordered
 - 4.2 Rescission and cancellation

- 4.3 Injunction: Temporary and Perpetual
- 4.4 Declaratory orders
- 4.5 Discretion and power of court

Suggested Reading

Beasten (Ed), Anson's Law of Contract

P.S. Atiya, Introduction to the law of Contract (Claredon Law Series)

Avtar Singh, Law of Contract, Eastern Law House.Lucknow

G.C. Cheshire, and H.S. Fitoot and M.P. Formston Law Contract ELBS with Butterworths.

M. Krishnan Nair, Law of Contract,

G.H. Trinel, Law of Contract Sweet & Maxwell

R.K. Abichandani (ed), Pollock and Mulla on the Indian contract and the Specific Relief Act, Butterworths Publication

Benerjee S.C. Law of Specific Relief, Universal

Anson, Law of Contract, Universal

Dutt on Contract, Universal

Anand and Aiyer, Law of Specific Relief, Universal Law House.

LL.B. Semester-I

CORE COURSE 102 : SPECIAL CONTRACT

Objectives of course :

This course is to be taught after the student have been in which the emphases is on understanding and appreciating the basic essentials of valid contract and on the existence of contractual relationship in various instances. Obviously a course on special contract should initiate the student to different kinds of contract with emphasis on the intricacies therein. This course also should provide an insight into the justification for special statutory provision for certain kinds of contract.

SALLYBUS :

1. Indemnity and Guarantee.
 - 1.1 Indemnity : concept, Need for Indemnity, definition.
 - 1.2 Method of creating Indemnity obligation.
 - 1.3 Commencement, Nature and extent of liability of the Indemnifier.
 - 1.4 Situation of various type of Indemnity creation, Document/ agreement of Indemnity, Nature of Indemnity clauses
 - 1.5 Guarantee : Concept, essentials for a valid guarantee contract
 - 1.6 Rights & Liabilities of Surety
2. Bailment, Pledge and agency :
 - 2.1 Bailment : Essential Features, Rights & duties of Bailor&Bailee
 - 2.2 Pledge : Definition Rights and duties of Pawnee, who can pledge ?

- 2.3 Agency :
 - 2.3.1 Definition, Essentials, kinds of agents, creation of Agency
 - 2.3.2 Relation, Essentials, kinds of agents, creation of Agency
 - 2.3.3 Relation of Principle with Third Parties
 - 2.3.4 Methods of termination of Agency Contract
 - 2.3.5 Liabilities of Principle and Agent before and after termination of Agency Contract
- 3. Sale of Goods Act :
 - 3.1 Contract of sale : Concept, Essentials, Implied Terms
 - 3.2 Rule of Caveat Emptor
 - 3.3 Condition and Warrantees
 - 3.4 Transfer of title and passing of risk
 - 3.5 various rules regarding delivery of goods
 - 3.6 Unpaid Seller and his rights
- 4. Partnership Act :
 - 4.1 Partnership : Nature, Scope, Definition, Kinds of Partnership
 - 4.2 Rights and duties of Partners, Liabilities of Partners
 - 4.3 Registration of Firm, Effect of non-Registration
 - 4.4 Dissolution of firm and its effects
 - 4.5 Liability of partners under the Limited Liability Partnership Act.

Suggested Reading :

P.S. Atiya, Introduction to the Law of Contract (Claredon Law Series)

Avtar Singh, Law of Contract, Eastern Law House Lucknow

G.C. Cheshire, and H.S. Fifoot and M.P. Formston Law Contract ELBS with Butterworths

M.Krishnan Nair, Law of Contract ,

G.H.Trinel, Law of Contract Sweet & Maxwell

R.K. Abichandani (ed), Pollock and Mulla on the Indian contract and the Specific Relief Act, Butterworths Publication

Benerjee S.C. Law of Specific Relief, Universal

Anson, Law of Contract, Universal

Dutt on Contract, Universal Law House.

Anand and Aiyer, Law of Specific Relief, Universal Law Publication.

Pollock and Mulla, Partnership Act, Butterworths Publication

Mulla on Sale of Goods Act

Semester-I**CORE COURSE 103 : LAW OF TORT INCLUDING MOTOR VEHICLE ACCIDENT AND CONSUMER PROTECTION LAWS**

Objective of the Course :

With rapid industrialization, tort action came to use against manufacturers and industrial unit for products injurious to human beings. Presently the emphasis is on extending the principles not only to acts, which are harmful, but also to failure to comply with standards that are continuously changing due to advancement in science and technology. Product Liability is now assuming a new dimension in developed economics.

In modern era of consumer concern of goods and services, the law of torts has an added significant weightage into the emerging law of consumer protection. It operates in disputes relating to the quality of goods supplied and services rendered and into those areas relating to damage suffered by consumers. The law relating to consumer protection, lying scattered in myriad provisions of various legislation and judicial decisions in India, so connected with the human right for a healthy life and environment, has now a core subject to be taught as an indispensable part of a socially relevant curriculum. The provisions of the Motor Vehicles Act relating to payment of compensation in case of hit and run accident and compulsory third party insurance are also included in this paper.

Syllabus :**1. General Principle of Tort**

- 1.1 Tort : Definition, Distinction from crime, Breach of Contract etc. Nature, Scope and object of Tort, who may sue? who may not be sued?
- 1.2 Damnum sine Injuria Sine Damnum.
- 1.3 Volenti non fit injuria, ubi jus ibi remedium
- 1.4 Vicarious Liability : Basis, scope, Justification, Different types

1.5 Extinguishment of Liability in Tort

1.6 Justification in Tort, defences to the defendants

2. Torts against person, property, Freedom & Reputation

2.1 Trespass to person : Assault, Battery, Mayhem, False Imprisonment.

2.2 Torts affecting Property (Movable & Immovable) : Trespass, Trespass ab intinto etc.

2.3 Torts related to Reputation (Defamation) & personal relations

2.4 Torts affecting person & property : Nuisance, Negligence, Fraud

2.5 Third party liability of owner under the Motor Vehicles Act.

3. Principles of Liability in Torts and Legal Remedies

3.1 Principle of strict liability : Ryland V/s. Fletcher case with exceptions

3.2 Principle of Absolute Liability : Bhopal Gas Disaster case and Shree Ram Food Gas Leakage case.

3.3 Remoteness of damage - foreseeability and directness Injunction Specific restitution of property.

3.4 Extra-legal remedies - self - help, re-entry on land, re-capture of goods, distress damage feasant.

4. Concept of Consumer Protection Act.

4.1 Consumer : Definition.

4.2 Services : Types of services, Deficiency meaning.

4.3 Commercial & Professional Services, Medical Services.

4.4 Denial of Services.

- 4.5 Consumer Protection Councils.
- 4.6 Consumer Disputes Redressal Agencies : District Forums, State Commission & National Commission, Judicial Review.

Suggested Reading :

Salmond and Heuston - On the law of Torts, Universal, Delhi.

D.D. Basu. The law of Torts, Kamal, Calcutta. D.M.

Gandhi Law of Tort Eastern, Lucknow.

Ratanlal & Dhirajlal, The Law of Torts, Universal Delhi.

Winfield and Jolowiz on Torts, Sweet and Maxwell, London.

Surat, D.N. Law of Consumer Protection India, Tripathi, Bombay.

Avtar Singh. The Law of Consumer Protection, Principles and Practices, Eastern Book Co. Lucknow.

J.N. Barowalia, Commentary on Consumer Protection Act, 1986, Universal Delhi.

P.K. Majumdar, The law of Consumer Protection in India, Orient Publishing Co. New Delhi.

R.M. Vats, Consumer and the Law, Universal, Delhi. Winfield and Jolowiz on Tort, Sweet and Maxwell London.

Saraf, D.n. Law of Consumer Protection In India, Tripathi, Bombay.

Avtar Singh. The Law of Consumer Protection, Principles and Practices, Eastern Book Co. Lucknow.

J.N. Barowalia, Commentary on Consumer Protection Act, 1986, Universal Delhi.

P.K. Majumdar, The law of Consumer Protection in India, Orient Publishing Co. New

Delhi.

R.M. Vats, Consumer and the Law, Universal, Delhi Motor vehicles Act, 1988 : Eastern Book Company

A.P. Mathur's Law Relating to Motor vehicle : Eastern (Revised by Justice G.C. Mathur (Retd.)

LL.B. Semester-1

Core Course 104 :LAW OF CRIMES - 1 (INDIAN PENAL CODE)

Object of the course:

The Indian society has changed very rapidly since independence. A paper understanding of crimes, method of controlling them and the socio-economic and political reason for their existence is now extremely important in the larger context of India's development. It student are to use their knowledge and skills to build a just and human society. The curriculum outlined here attempts to bring in these new perspectives.

SYLLABUS :

1. General :
 - 1.1 Conception of crime, Stages of Crime, (including Section 511) Mens Rea.
 - 1.2 Applicability of the Indian Penal Code : Intra-Territorial Jurisdiction and Extra-Territorial Jurisdiction.
 - 1.3 General Explanations : Public Servant, Wrongful Gain, Wrongful Loss, Valuable Security, Harbour.
 - 1.4 Group Liability
 - 1.4.1 Common Intention
 - 1.4.2 Criminal Conspiracy
 - 1.5 Abetment
2. Punishments
 - 2.1 Theories of punishment
 - 2.2 Kinds of punishment
 - 2.2.1 Death Sentence : Constitutionality & Judicial Approach
 - 2.2.2 Life Imprisonment

- 2.2.3 Imprisonment : Simple and Rigorous, Solitary Confinement
- 2.2.4 Forfeiture of Property
- 2.2.5 Fine : Rules imposing fine
- 2.3 Discretion in awarding punishment
- 3. **General Defenses :**
 - 3.1 Mental Incapacity, Minority, involuntary intoxication and Insanity as a defense
 - 3.2 Right of Private Defense : Justification and limits
 - 3.3 when private defends extends to causing of death to protect body and property ?
 - 3.4 Necessity
 - 3.5 Mistake of facts
- 4. **Offence Relating of Public Tran quality :**
 - 4.1 Unlawful Assembly
 - 4.2 Rioting
 - 4.3 Affray
 - 4.4 Distinction between Common Object & Common Intention
- 5. **Offences against State, giving of false evidence, etc. :**
 - 5.1 Offences against State :
 - 5.1.1 Wagging war against the Government of India etc.
 - 5.1.2 Sedition
 - 5.2 Giving/fabricating false evidence : Offence & Punishment
 - 5.3 Offences relating to election
 - 5.4 Offences by or against Public Servants
- 6. **Offences against Human Body.**

- 6.1 Culpable Homicide
- 6.2 Murder :
 - 6.2.1 Ingredients and exception
 - 6.2.2 Distinction between Culpable Homicide and Murder
- 6.3 When Culpable Homicide is Murder ?
- 6.4 Suicide : Attempt punishable as offence & its Constitutionality
- 6.5 Hurt, Grievous Hurt
- 6.6 Criminal Force, Wrongful Restraint, Wrongful Confinement
- 6.7 Kidnapping : Types, Abduction
- 6.8 Causing death by rash or negligent Act.
- 6.9 Death caused by consent of the deceased - euthanasia and surgical operation : Constitutionality

7. Offences against property, Defamation & Miscellaneous offences :

- 7.1 Theft & Extortion, Robbery and Dacoity, Distinction between them, receiving and disposing of stolen Property & other related offences
- 7.2 Criminal Misappropriation, Criminal Breach of Trust, Mischief
- 7.3 cheating : Types, Forgery and Making False documents
- 7.4 Defamation : Exceptions
- 7.5 Criminal Intimidation

8. Offences against Women

- 8.1 Rape : Custodial Rape, Relevancy of Consent,
- 8.2 Intercourse by man with his wife : When Rape, Un-natural offence
- 8.3 Dowry Death, Cruelty by Husband or Relatives of Husband
- 8.4 Offences relating to marriage

8.5 Outraging modesty and annoyance of woman

Suggested Reading :

Kenny's Outlines of Criminal Law - Universal Law Publishing Co.

Russell on crime - Universal Law Publishing Co. (2 Volumes)

K.D.Gaur, Criminal Law Cases and Materials, Butterworth's, India

Ratanlal&Dhirajlal's Indian Penal Code Butterworth's Wadhwa, Nagpur

K.D.Gaur, A text Book on the Indian Penal Code, Universal Delhi.

P.S.Achuthanpillai, Criminal Law Eastern Book Co.,

B.M. Gandhi, Indian Penal Code, Eastern Book Co,

LL.B. Semester-I**CORE COURSE 105 :Property Law****OBJECTIVES OF THE COURSE :**

The Course On Property Conventionally Deals With The Transfer Of Property Act,1882.More Than A Century Has Elapsed Since The Passing Of The Act And Far-ReachingChanges Have Occurred In The Field In Property Laws Owing To Altered Social Condition.While Archaic Feudal Rules Enacted By The Colonial Administration Like The Rule AgainstPerpetuities Find A Place In The Act,The Post,Independence Development Relating toControl And Use Of Agricultural Land Do Not Find A Place.The Obsolescence Of The Transfer of Property Act Can Be Best Illustrated By Citing The Provision Relating To Leases Onunmovable Properties.

Syllabus :**1. General Principles of Transfer of Property.**

- 1.1 Kinds of property : Movable Immovable, Tangible and non-tangible Property, Intellectual Property.
- 1.2 Which properties may be transferred? – Competency of person to Transfer : Transfer for the benefit of unborn child
- 1.3 Rule against perpetuity
- 1.4Vested Interest and Contingent Interest

2 Doctrine of Election

- 2.1LisPendens : Principal, Salient Features, application in India, Essential Requirements, Exceptions
- 2.2 Fraudulent Transfer : Essential Requirementes, Exceptions
- 2.3 Doctrine of Part-n performance : Essentials and Exceptions

3.Specific Transfers

- 3.1 Sale : Essentials, Rights & Liabilities of Buyer and Seller

3.2 Mortgage & Charge : Definition, Kinds of Mortgage, Rights and Seller

Mortgager – Mortgagee, Redemption – Clog on Redemption

3.3 Lease : Definition, Essentials, Rights & Liabilities of Lessor and Lessee

3.4 Gift : Definition, Essentials, Rights & Liabilities of Gift, Onerous

Gifts, universal Donee, Exchange : Definition & Features

3.5 Actionable Claim: Definition & transfer of Actionable Claims

4. Easements :

4.1 Easements : Meaning, Nature, Essentials and Characteristics

4.2 Kinds of Easements, Incidents of Easements, Creation of easement

4.3 Various Easementary Rights : Right of Air, Right of support, Right of water etc.

4.4 Extinction, Suspension and Revival of Easements,

4.5 Licences : Meaning, elements, Grant and Revocation of Licences

SUGGESTED READING :

Mulla, Transfer of Property Act, Universal Delhi

Subbarao, Transfer of Property ACT, C. Subbiah Chetty, Madras

B. Sivaramayya, The equalities and the Law, Eastern Book Co. Lucknow.

P. C. Sen. The General Principles of Hindu, Jurisprudence (reprint) Allahabad Law Agency.

B. H. Baden-Powell, Land Systems of British India, Vol. 1 to 3 (1892)

Oxford V. P. Sarthy, Transfer of Property, Eastern Book Company,

Lucknow, Vepa P. Sarathi : Law of Transfer of Property, Eastern Book

Company T. R. Desai : The Indian Easements Act, 1982

B. B. Katiyar : Easements and Licences, Universal Law Publishing Co

Sanjiva Row : The Indian Easements Act

K. Joshi : Easements and Licences Peacock : The Law relating to Easements

FOUNDATION - 106**PRINCIPLES OF POLITICAL SCIENCE & THEORY****1. Concept of Citizenship and Federalism:**

- 1.1. Citizenship: Definition under the Constitution of India.
- 1.2. State- Citizen: Inter- relationship, Right- Duties towards each other.
- 1.3. Federalism: Unitary and federal System: Distinction, True Federalism and Quasi – Federalism- Meaning, Distinction, and Merits & Demerits of Quasi Federalism.
- 1.4. Federal and State Power.
- 1.5. Federalism: Basic Structure of the Constitution, Golaknath” s case and KesvanandBharti” s case and other Relevant cases for Reference.
- 1.6. Doctrine of Judicial Review: Meaning, Need and Importance in Democratic System.

2. Meaning of “State” Under Article 12 and its Significance and other Constitutional Principles:

- 2.1. Definition of “State” Under Article 12 of the Constitution of India.
- 2.2. Changing notion of “State” Under Article 12 of the Constitution of India through Judicial Pronouncements.
- 2.3. Change of Trend in the Definition of State in the Era of Liberalization.
- 2.4. Change in the Judicial Trend in interpreting the Definition of State after the Year 2002.
- 2.5. Sovereignty: Definition, Concept, Characteristics, Austin” s theory on sovereignty.
- 2.6. Supremacy of the Constitution: Meaning and Importance along with the Supreme Court Decisions.

3. Democratic System and Constitutional Doctrines:

- 3.1 Democracy: Parliamentary Democratic System Vis- a- Vis Presidential Democratic System, Merits & Demerits.

3.2 Doctrine of Separation of Powers: Legislature, Judiciary & Executive.

3.3 Doctrine of Eclipse: Application and Importance.

3.4 Doctrine of Waiver of Fundamental Right: Circumstances.

3.5 Principle of Rule of Law, Application in India and other Countries, Importance.

3.6 Procedure Established by Law (Under Article 21) : Meaning , Interpretation by the Judiciary and its Importance.

SUGGESTED READING:

L.S. Rathore & S.A.H. Haqqi : Principles of Political Theory and Organization , Eastern Book Co.

Gilchrist , R.N. : Principles of Political Science

Laski, Harold J. A. : The State in Theory

Practice Fairlie J.A. : Separation of Powers

Lindsay A.D. : Essentials of Democracy .

D.D.Basu : Constitutional Law of India

V. N. Shukla : Constitutional Law of India

M.P.Jain : Constitutional Law of India

J.N.Pandey : Constitution of India

P.M.Baxi : Constitution of India

Kailash Rai : Constitution of India

SOFT SKILL – 107**USE OF COMPUTER, LAW JOURNALS AND LEGAL SOFTWARE****Objective of the Course :**

The purpose behind introduction of this course is to provide the law students basic knowledge of computer and information about various Indian and Foreign Law Journals and make them acquaint with the use thereof. An art to find out the judgments supporting a legal issue will be taught to the student. After having acquired basic knowledge by continuous practice, students are expected to know how to read and interpret the judgments of court. In the era of ICT knowledge of Legal Software and use thereof has become inevitable. In this course, with the theoretical background, the students will become familiar about the use of legal software and its application at the library or at the office of a law firm.

1. Basic Knowledge of Computer.

- 1.1. Basic Knowledge of Computer.
- 1.2. Microsoft Office.
 - 1.2.1. Word
 - 1.2.2. Power point
 - 1.2.3. Excel
- 1.3. PDF.

2. Requirements of Legal Journalism & Basic about Law Journals.

- 2.1. Code of Ethics of Legal Journalism (Adopted at the Stockholm Symposiums, 1991)
- 2.2. Legal Reasoning : Meaning, Nature application and Importance.
- 2.3. Importance of Law Journals in the legal Profession :
 - 2.3.1. Importance of Legal Articles
 - 2.3.2. Importance of criticism and analysis of judgments.
- 2.4. Information about new Bills and Legislations from Law Journals.
- 2.5. International and Foreign Law Journals : its importance in India.
- 2.6. Kinds of International and Foreign Law Journals :
 - 2.6.1. All England Reports.
 - 2.6.2. Halsbury's Laws on England.

3. Use of Law Journals and importance thereof.

- 3.1. Format of Law Journals.
- 3.2. Types of Law Journals.
- 3.3. Art of finding relevant judgments from Law Journals.
- 3.4. How to read a Judgments : Significance of Minority and Majority views.

4. Legal Software : General Information and use :

- 4.1. Various types of Legal Software :
 - 4.1.1. General Information about Legal Software.
 - 4.1.2. Characteristics and features of various Legal Software.
 - 4.1.3. Legal Software : Operating System, Utility Programme, Upgradation& Installation, Dongle Lock Facility in Legal Software.
 - 4.1.4. Various options available for searching judgments from legal software.
 - 4.1.5. Options to find out relied and overruled judgments from legal software.
- 4.2. Court Cases :
 - 4.2.1. Commenting and Reporting of Judgments.
 - 4.2.2. Crime Reporting.

Suggested Reading

NandanKamath – Law relating to Computers and Internet, Universal Law Publishing Co.

Allan M. Gahten – Internet : Law and Legal Profession.

Kant D. Stuckey : Internet and online law.

Michael D. Rostoker : Computer jurisprudence and Legal Responses to the Information Revolution.

RegaRao : Use of Computer, Internet for Law Studnets& Legal Profession (Asia Law Book House, Hyderabad)

BaxiUpendra : Legal Education in 21st Century.