

... of LL.B. (Three Year) Six Semester - Semester I and II as per instructions of the Bar Council of India. For the Academic Session 2009-10, there shall be the following papers in LL.B. I & II Semester.

LL. B. First Semester

**3. YEAR - I<sup>st</sup> Semester** (3) (1)

PAPER - I

LAW OF CONTRACT - I

Maximum Marks: 100

**UNIT - I**

History and nature of contractual obligations  
Agreement and Contract: Definitions, elements and kinds  
Proposal and Acceptance - their various forms, essential elements, communication and revocation - proposal and invitation to treat, standing offers.  
Consideration - its need meaning, kinds, essential elements - nudum pactum - privity of contract and of consideration - its exceptions - adequacy of consideration - present, past and adequate consideration - unlawful consideration and its effects.  
Standard forms of contract.

**UNIT - II**

What agreements are contracts?  
Capacity to contract - meaning - incapacity arising out of status and mental defect - minor's agreements - definition of 'minor' - accessories supplied to a minor, agreements beneficial and detrimental to a minor to a minor - restitution in cases of minor's agreement.  
Free consent - Its need and definition - factors vitiating free consent.  
Coercion - definition - essential elements - duress and coercion - doctrine of economic duress - effect of coercion.  
Undue Influence - definition - essential elements - between which parties can it exist? Who is to prove it? Illustrations of undue influence - independent advice - pardanashin women - unconscionable bargains - effect of undue influence.  
Misrepresentation - definition - misrepresentation of law and fact - their effects and illustration.  
Fraud - definition - essential elements - When does silence amounts to fraud? Active concealment of truth - importance of intention.  
Mistake - definition - kinds - mistake of law and of fact - their effects.

**UNIT - III**

Legality of objects (Section 23, Indian Contract Act)  
Void agreements - from Sections 24-30, Indian Contract Act

**UNIT - IV**

Performance of contracts  
Discharge of contract and its various modes  
Performance - Time and Place  
Impossibility of performance - specific grounds of frustration - effect of frustration  
Breach - anticipatory and present  
Quasi - Contracts [Sections 68-72]  
Remedies in contractual relations -  
Damages - kinds - remoteness of damages - ascertainment of damages.  
Injunction - when granted and when refused - Why?  
Refund and restitution  
Specific Performance - When? Why?

**UNIT - V**

Specific Relief  
Specific performance of contract  
Contracts that can be specifically enforced  
Persons against whom specific performance can be ordered  
Rescission and cancellation

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Injunction – Temporary, Perpetual  
Declaratory orders

**Acts**

The Indian Contract Act, 1872  
The Specific Relief Act, 1963

**Books**

Anson, Law of Contract  
Avtar Singh, Law of Contract and Specific Relief  
S.K. Kapoor, Law of Contract  
P.S. Atiya, Introduction to the Law of Contract  
S.C. Banerjee, Law of Specific Relief  
Anand & Aiyer, Law of Specific Relief

**LL. B. First Semester**

**PAPER-II  
CONSTITUTIONAL LAW- I**

**Maximum Marks: 100**

**UNIT- I**

Constitutional developments since 1858-1947  
Making of Indian Constitution  
Nature and special features of the Constitution of India  
Rule of law & Separation of powers

**UNIT- II**

State under Article 12 of the Constitution  
Right to Equality (Articles 14-18)  
Right to Freedom (Articles 19-22)  
Right against Exploitation (Articles 23-24)

**UNIT-III**

Concept of secularism: historical perspective  
Right to Freedom of Religion (Articles 25-28)  
Cultural and Educational Rights (Articles 29-30)  
Fundamental Duties (Article 51-A)

**UNIT- IV**

Directive Principles- directions for social change- A new social order  
Fundamental Rights and Directive Principles of State Policy, inter-relationship, judicial balancing  
Constitutional amendments- to strengthen Directive Principles

**UNIT- V**

Remedies for enforcement of rights contained in Part III- Habeas Corpus; Mandamus, Certiorari, Prohibition and Quo-warranto under Articles 32 and 226 of the Constitution  
Judicial Review  
Judicial activism and restraint

**Act**

Constitution of India

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**Books**

G. Austin, History of Democratic Constitution: The Indian Experience (Oxford)  
Constituent Assembly Debates, Vol. 1-12  
D.D. Basu, Shorter Constitution of India  
H.M. Seervai, Constitution of India Vol. 1-3  
M.P. Singh (Ed.), V.N. Shukla, Constitutional Law of India  
J.N. Pandey, Constitution of India

**LL. B. First Semester**

**PAPER- III  
FAMILY LAW- I**

**Maximum Marks: 100**

**UNIT-I**

Who are Hindus?  
Sources and schools of Hindu law  
Evolution of the institution of marriage and family  
Hindu Marriage (Sections 5-8)  
Restitution of conjugal rights and judicial separation (Sections 9-10)  
Nullity of marriage and divorce (Sections 11-18)

**UNIT -II**

Adoption- definition and conditions of valid adoption, effect of invalid adoption  
Capacity of a male Hindu to take in adoption  
Capacity of a female Hindu to take in adoption  
Persons capable of giving in adoption  
Persons who may be adopted  
Maintenance- dependents  
Maintenance of dependents  
Amount of maintenance  
Transfer of family property and its effect

**UNIT -III**

Meaning of guardian  
Kinds of guardian- natural guardian, testamentary guardian, guardian appointed by the court, de facto and ad hoc guardian  
Natural guardian of a Hindu minor, its qualifications and disqualifications  
Natural guardian of adopted son  
Powers of natural guardian  
Intestate succession  
Order of succession among heirs  
Property of a female Hindu to be her absolute property  
General rules of succession and exclusion from succession

**UNIT -IV**

Joint family  
Coparcenary property- Mitakshara and Dayabhaga  
Karta of the joint family- his position, powers, privileges and obligations  
Alienation of property- separate and coparcenary property  
Debts- doctrine of pious obligations and antecedent debt

**UNIT -V**

Partition- meaning of partition; partition how effected  
Gifts- definition and subject-matter of gift

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Gift when complete  
Gift to unborn persons  
Revocation of gift  
Will- definition  
Meaning of 'Codicil'  
Persons capable of making will  
What property may be disposed of by will- Mitakshara and Dayabhaga law  
Revocation and alteration of will  
Will when void

**Acts**

The Hindu Marriage Act, 1955  
The Hindu Adoption and Maintenance Act, 1956  
The Hindu Minority and Guardianship Act, 1956  
The Hindu Succession Act, 1956

**Books**

Paras Diwan, Hindu Law  
J.D.M. Derrett, Hindu Law: Past and Present  
P.V. Kane, History of Dharmashastras, Vol.2, Part 1  
Paras Diwan, Family Law: Law of Marriage and Divorce in India  
S.T. Desai (ed.), Mulla's Principles of Hindu Law  
S.K. Singh (ed.), R.K. Agarwala's Hindu Law, C.L.A., Allahabad  
N.D. Basu, Law of Succession  
Paras Diwan, Law of Adoption, Minority, Guardianship and Custody

**LL. B. First Semester**

**PAPER- IV  
LAW OF TORTS- I**

**Maximum Marks: 100**

**UNIT-I**

Evolution of the law of torts  
Definition, Nature, Scope and Objects  
Wrongful act- violation of duty imposed by law, duty which is owed to people generally (in rem)- damnum sine injuria and injuria sine damnum  
Tort distinguished from crime and breach of contract  
The concept of unliquidated damages

**UNIT-II**

Volenti non fit injuria  
Necessity- private and public  
Plaintiff's default  
Act of God  
Inevitable accident  
Private defence  
Statutory authority  
Judicial and quasi-judicial acts  
Mistake

**UNIT- III**

Vicarious liability- Meaning, Scope and Justification

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Master and servant- arising out of and in the course of employment. Who is master? -  
The control test. Who is servant? Borrowed servant; Independent contractor and Servant distinguished  
Principal and agent  
Partners  
Vicarious liability of the State

**UNIT- IV**

Assault, battery, mayhem  
False imprisonment  
Malicious prosecution  
Nervous shock

**UNIT- V**

Strict/ Absolute liability  
The rule in Rylands v. Fletcher  
Liability for harm caused by inherently dangerous industries  
Position in India- Bhopal Gas Leak Disaster case, (AIR 1990 SC 273); M.C.Mehta v. Union of India, (AIR 1987 SC 1086)

**Books**

Salmond and Heuston, Law of Torts  
D.M.Gandhi, The Law of Torts  
Ratanlal Dhirajlal, The Law of Torts  
Winfield and Jolowiz on Tort  
R.K.Bangia, The Law of Torts, M.V. Accident and Consumer Protection Act

**LL. B. First Semester**

**Maximum Marks: 100**

**PAPER- V**

**PUBLIC INTERNATIONAL LAW**

**UNIT- I**

Nature, definition, origin and basics of International Law  
Sources of International Law  
Subjects of International Law  
Relationship between International Law and Municipal Law

**UNIT- II**

Recognition- definition, theories of recognition, kinds of recognition, legal effects of recognition, withdrawal of recognition  
Extradition- definition, purpose of extradition, legal duty, extradition of political offenders, doctrine of double criminality, rule of speciality  
Asylum- meaning, right of asylum, types of asylum  
Intervention- definition and its prohibition, grounds of intervention

**UNIT- III**

State Territory- concept, modes of acquisition, international rivers  
State Jurisdiction- territorial jurisdiction and its limitation  
State Succession- definition, kinds of succession, and consequences of State succession  
State Responsibility- kinds of State responsibility, consequences of State responsibility, nationality

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**UNIT- IV**

Law of War- legal effects of war, commencement of war, termination of war, enemy character and belligerent occupation  
War crime, genocide, blockade, doctrine of continuous voyage  
Law of Sea- maritime belt, contiguous zone, continental shelf

**UNIT- V**

United Nations- origin, objects, principles and membership  
Main organs of United Nations- General Assembly, Security Council, International Court of Justice  
Treaties  
Diplomatic agents

**Books**

Starke, Introduction to International Law  
S.K.Kapoor, International Law  
S.K.Verma, Public International Law  
H.O.Agrawal, International Law and Human Rights

**LL. B. First Semester**

**PAPER- VI  
LAW OF CRIMES- I**

**Maximum Marks: 100**

**UNIT- I**

Conception, nature and definition of crime  
Distinction between crime and other wrongs  
Elements of criminal liability- physical element (actus reus) and mental element (mens rea)  
Mens rea under statutory offences  
I.P.C.: a reflection of different social and moral values  
Applicability of I.P.C.

**UNIT- II**

Stages of crime  
Guilty intention- mere intention not punishable  
Preparation- preparation not punishable, exceptions  
Attempt- attempt when punishable, specific provisions of I.P.C., tests for determining what constitutes attempt- proximity, equivocality and social danger, impossible attempt  
Punishment- types of punishment  
Death, social relevance of capital punishment, alternatives to capital punishment  
Imprisonment  
Forfeiture of property  
Fine

**UNIT- III**

General Exceptions  
Mistake of fact and of law  
Mental incapacity- minority, insanity- medical and legal insanity  
Intoxication- involuntary  
Accident  
Necessity  
Consent

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Private defence- justification and limits

**UNIT- IV**

Joint / Group liability  
Common intention, distinction between common intention and common object  
Abetment- instigation, conspiracy and aiding  
Unlawful assembly- basis of liability  
Criminal conspiracy

**UNIT- V**

Constructive liability (Section 149, IPC)  
Rioting  
Vicarious liability  
Affray  
Sedition

**Act**

The Indian Penal Code, 1860

**Books**

K.D.Gaur, A Text Book on the Indian Penal Code  
K.D.Gaur, Criminal Law: Cases and Materials  
Ratanlal Dhirajlal's Indian Penal Code  
P.S.Achuthan Pillai, Criminal Law  
T.Bhattacharya, The Indian Penal Code  
M.D.Chaturvedi, Bharatiya Dand Samhita  
S.N.Mishra, Indian Penal Code

**LL. B. First Semester**

**Maximum Marks: 100**

**PAPER- VII**

**LEGAL LANGUAGE INCLUDING GENERAL ENGLISH**

**UNIT- I**

Sentences, kinds of sentences  
Subject and predicate  
Parts of speech  
Gender / Number  
Uses of Articles  
Tenses and structural rules of translation

**UNIT- II**

Narration  
Transformation  
Degree change  
Analysis and synthesis  
Syntax  
Synonyms and antonyms

**UNIT- III**

Legal terminology  
- Terms used in civil and criminal laws  
- Latin words and maxims  
- Case analysis

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- One word substitution

**UNIT- IV**

Essay writing on topics of legal interest (for example): Fundamental Rights; Secularism; Status of Women; Terrorism; Law and Environment; Consumerism; Lok Adalat; Independence of Judiciary; Criminals in Election, etc.

**UNIT- V**

Precis writing  
Composition skills  
Letter /Application writing

**Books**

Bhatnagar & Bhagava, Law and Language  
R.P.Sinha, How to Write Correct English  
R.P.Sinha, How to Translate into English  
Kelkar, Ashok R, "Communication and Style in Legal Language", Indian Bar Review, Vol. 10 (3), 1993  
Blacks' Law Dictionary  
Latin for Lawyers, (1997), Sweet and Maxwell, Universal, New Delhi

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