

SYLLABUS OF
LL.B.Honours (3-YDC)
(WITH EFFECT FROM ACADEMIC YEAR 2017-2018)

SEMESTER-I

PAPER-I:
LAW OF CONTRACT-I

Unit-I:

Definition and essentials of a valid Contract - Definition and essentials of a valid Offer - Definition and essentials of valid Acceptance - Communication of Offer and Acceptance - Revocation of Offer and Acceptance through various modes including electronic medium - Consideration - salient features - Exception to consideration - Doctrine of Privity of Contract - Exceptions to the privity of contract - Standard form of Contract.

Unit-II:

Capacity of the parties - Effect of Minor's Agreement - Contracts with insane persons and persons disqualified by law - Concepts of Free Consent - Coercion - Undue influence - Misrepresentation - Fraud - Mistake - Lawful Object - Immoral agreements and various heads of public policy - illegal agreements – Uncertain agreements - Wagering agreements - Contingent contracts - Void and Voidable contracts.

Unit-III:

Discharge of Contracts - By performance - Appropriation of payments - Performance by joint promisors - Discharge by Novation - Remission - Accord and Satisfaction - Discharge by impossibility of performance (Doctrine of Frustration) - Discharge by Breach - Anticipatory Breach - Actual breach.

Unit-IV:

Quasi Contract - Necessaries supplied to a person who is incapable of entering into a contract - Payment by an interested person - Liability to pay for non-gratuitous acts - Rights of finder of lost goods – Things delivered by mistake or coercion - Quantum merit - Remedies for breach of contract - Kinds of damages – liquidated and unliquidated damages and penalty - Duty to mitigate.

Unit-V:

Specific Relief - Recovering possession of property - Specific performance of the contract - Rectification of instruments - Rescission of contracts - Cancellation of instruments-Declaratory Decrees-Preventive Relief-Injunctions - Generally - Temporary and Perpetual injunctions - Mandatory & Prohibitory injunctions – Injunctions to perform negative agreement.

Suggested Readings:

1. Anson: *Law of Contract*, Clarendon Press, Oxford.
2. Krishnan Nair: *Law of Contract*, S.Gogia & Co., Hyderabad.
3. G.C.V. Subba Rao: *Law of Contract*, S.Gogia & Co., Hyderabad.
4. T.S.Venkatesha Iyer: *Law of Contract*, revised by Dr.V.Krishnama Chary, S. Gogia & Co.
5. Avatar Singh: *Law of Contract*, Eastern Book Company, Lucknow.

PAPER-II:**FAMILY LAW–I (Hindu Law)****Unit-I:**

Sources of Hindu Law – Scope and application of Hindu Law – Schools of Hindu Law - Mitakshara and Dayabhaga Schools – Concept of Joint Family, Coparcenary, Joint Family Property and Coparcenary Property – Institution of Karta- Powers and Functions of Karta - Pious Obligation - Partition – Debts and alienation of property.

Unit-II:

Marriage - Definition - Importance of institution of marriage under Hindu Law – Conditions of Hindu Marriage – Ceremonies and Registration – Monogamy – Polygamy-*Recent Trends in the institution of marriage.*

Unit-III:

Matrimonial Remedies under the Hindu Marriage Act, 1955 - Restitution of Conjugal Rights – Nullity of marriage – Judicial separation – Divorce – Maintenance *pendente lite* – importance of conciliation- *Role of Family Courts in Resolution of matrimonial disputes.*

Unit-IV:

Concept of Adoption – *Historical perspectives of adoption in India – In country and inter-country adoptions* - Law of Maintenance - Law of Guardianship – The Hindu Adoption and Maintenance Act, 1956 – The Hindu Minority and Guardianship Act 1956.

Unit-V:

Succession – Intestate succession – Succession to the property of Hindu Male and Female; Dwelling House – The Hindu Succession Act, 1956 as amended by the Hindu Succession (Andhra Pradesh Amendment) Act, 1986 & the Hindu Succession (Amendment) Act, 2005 – Notional Partition – Classes of heirs – Enlargement of limited estate of women into their absolute estate – *Daughter's right to inherit ancestral property and impact of recent changes in law.*

Suggested Readings:

1. Paras Diwan : *Modern Hindu Law*, Allahabad Agency, Delhi.
2. Paras Diwan : *Family Law*, Allahabad Agency, Delhi.
3. Mayne: *Hindu Law - Customs and Usages* , Bharat Law House, New Delhi.
4. Sharaf: *Law of Marriage and Divorce.*
5. G.C.V. Subba Rao, *Family Law in India*, S. Gogia & Company, Hyderabad.
6. Mayne's *Treatise on Hindu Law & Usage*, Bharath Law House.
7. Y.F. Jaya Kumar, *Horizons of Family Law in India-Select Essays(2017)* , Spandana Publications, Secunderabad

**PAPER III:
CONSTITUTIONAL LAW-I**

Unit-I:

Constitution-Meaning and Significance - Evolution of Modern Constitutions - Classification of Constitutions- Indian Constitution - Historical Perspectives - Government of India Act, 1919-Government of India Act, 1935-Drafting of Indian Constitution - Role of Drafting Committee of the Constituent Assembly

Unit-II:

Nature and Salient Features of Indian Constitution - Preamble to Indian Constitution - Union and its Territories-Citizenship - General Principles relating to Fundamental Rights(Art.13) - Definition of State

Unit-III:

Right to Equality(Art.14-18) – Freedoms and Restrictions under Art.19 - Protection against Ex-post facto law - Guarantee against Double Jeopardy - Privilege against Self-incrimination - Right to Life and Personal Liberty - Right to Education – Protection against Arrest and Preventive Detention

Unit-IV:

Rights against Exploitation - Right to Freedom of Religion - Cultural and Educational Rights - Right to Constitutional Remedies - Limitations on Fundamental Rights(Art.31-A,B and C)

Unit-V:

Directive Principles of State Policy – Significance – Nature – Classification - Application and Judicial Interpretation - Relationship between Fundamental Rights and Directive Principles - Fundamental Duties – Significance - Judicial Interpretation

Suggested Readings:

1. M.P.Jain, *Indian Constitutional Law*, Wadhwa & Co, Nagpur
2. V.N.Shukla, *Constitution of India*, Eastern Book Company, Lucknow
3. Granville Austin, *Indian Constitution-Cornerstone of a Nation*, OUP, New Delhi
4. H.M.Seervai, *Constitutional Law of India* (in 3 Volumes), N.M.Tripathi, Bombay
5. G.C.V.Subba Rao, *Indian Constitutional Law*, S.Gogia & Co., Hyderabad
6. B.Shiva Rao: *Framing of India's Constitution* (in 5 Volumes), Indian Institute of Public Administration, New Delhi
7. J.N.Pandey, *Constitutional Law of India*, Central Law Agency, Allahabad

Paper-IV:

LAW OF TORTS INCLUDING MOTOR VEHICLE ACCIDENTS

Unit-I:

Nature of Law of Torts - Definition of Tort - Elements of Tort - Development of Law of Torts in England and India - Wrongful Act and Legal Damage - *Damnum Sine Injuria* and *Injuria Sine Damno* - Tort distinguished from Crime and Breach of Contract - General Principles of Liability in Torts - Fault - Wrongful intent - Malice - Negligence - Liability without fault - Statutory liability - Parties to proceedings.

Unit-II:

General Defences to an action in Torts – Vicarious Liability - Liability of the State for Torts – Defense of Sovereign Immunity – Joint Liability – Liability of Joint Treaders – Rule of Strict Liability (*Ryland's V Fletcher*) – Rule of Absolute Liability (*MC Mehta vs. Union of India*) – Occupiers liability – Extinction of liability – Waiver and Acquiescence – Release – Accord and Satisfaction - Death.

Unit-III:

Specific Torts - Torts affecting the person - Assault - Battery - False Imprisonment – Malicious Prosecution - Nervous Shock - Torts affecting Immovable Property - Trespass to land - Nuisance - Public Nuisance and Private Nuisance

Unit-IV:

Torts relating to movable property – Liability arising out of accidents -Relevant provisions of the Motor Vehicles Act -Defamation - Negligence - Torts against Business Relations - Injurious falsehood - Negligent Misstatement - Passing off - Conspiracy - Torts affecting family relations

Unit-V:

Remedies - Judicial and Extra-judicial Remedies –Damages – Kinds of Damages – Assessment of Damages – Remoteness of damage (In Re Polemis & Wagon Mount Case) - Injunctions - Death in relation to tort – *Actio personalis moritur cum persona*-*Latest trends in relation to tortious liability*-*Mass tort actions*

Suggested Readings:

1. Winfield & Jolowicz : *Law of Tort*, Sweet and Maxwell, London.
2. Salmond and Heuston : *Law of Torts*, edition, 2nd Indian reprint, Universal Book traders, New Delhi.
3. Ramaswamy Iyer: *The Law of Torts*, LexisNexis Butterworths, New Delhi.
4. PSA Pillai's: *Law of Tort*, Eastern Book Company, Lucknow.
5. Durga Das Basu: *The Law of Torts*, Prentice Hall of India, New Delhi.
6. Ratanlal & Dhirajlal: *The Law of Torts*, LexisNexis.
7. R.K.Bangia: *Law of Torts*, Allahabad Law Agency, Allahabad.
8. Vivienne Harpwood: *Law of Torts*, Cavendish Publishing Ltd. London.
9. Hepple & Mathews: *Tort - Cases and Materials*, Butterworth, London.
10. D.N.Saraf: *Law of Consumer Protection in India*, Tripathi, Bombay.

**PAPER-V:
ENVIRONMENTAL LAW**

Unit-I

The meaning and definition of environment – Ecology - Ecosystems-Biosphere - Biomes – Ozone depletion - Global Warning - Climatic changes - Need for the preservation, conservation and protection of environment - Ancient Indian approach to environment- Environmental degradation and pollution - Kinds, causes and effects of pollution

Unit-II

Common Law remedies against pollution - trespass, negligence, and theories of Strict Liability & Absolute Liability - Relevant provisions of I.P.C. and Cr.P.C. and C.P.C., for the abatement of public nuisance in pollution cases - Remedies under Specific Relief Act - Reliefs against smoke and noise - Noise Pollution.

Unit-III

The law relating to the preservation, conservation and protection of forests, wild life and endangered species, marine life, coastal ecosystems and lakes etc. - Prevention of cruelty towards animals - The law relating to prevention and control of water pollution - Air Pollution - Environment pollution control mechanism - Law relating to environment protection – Role of National Environmental Tribunal, National Environmental Appellate Authority and *National Green Tribunal*.

Unit-IV:

Art. 48A and Art. 51A(g) of the Constitution of India - Right to wholesome environment - Right to development - Restriction on freedom of trade, profession, occupation for the protection of environment – Immunity of Environment legislation from judicial scrutiny(Art.31C) - Legislative powers of the Centre and State Government - Writ jurisdiction - Role of Indian Judiciary in the evolution of environmental jurisprudence.

Unit-V

International Environmental Regime - Transactional Pollution - State Liability - Customary International Law - Liability of Multinational corporations/Companies - Stockholm Declaration on Human Environment, 1972 - The role of UNEP for the protection of environment - Ramsar Convention 1971 – Bonn Convention (Migratory Birds) 1992 - Nairobi Convention, 1982 (CFCC) - Biodiversity Convention (Earth Summit), 1992 - Kyoto Protocol 1997, Johannesburg Convention 2002.

Suggested Readings:

1. Armin Rosencranz and Shyam Divan: *Environmental Law and Policy in India*.
2. Manoj Kumar Sinha (Ed), *Environmental Law and Enforcement: The Contemporary Challenges*, Indian Law Institute, New Delhi, 2016.
3. A.Agarwal (Ed.): *Legal Control of Environmental Pollution*
4. Chetan Singh Mehta: *Environmental Protection and Law*
5. V.K. Krishna Iyyer: *Environment Pollution and Law*
6. Paras Diwan : *Environmental Law and Policy in India*,1991
7. Dr. N. Maheshwara Swamy, *Environmental Law*, Asia Law House, Hyderabad.
8. P.Leela Krishnan, *Environmental law in India*, LexisNexis.

**PAPER-VI:
LEGAL AND CONSTITUTIONAL HISTORY OF INDIA**

Unit-I: Courts: 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 reorganization in 1780. Regulating Act of 1773 — The Supreme Court at Calcutta, its composition, power and functions and failure of the Court -- Act of 1781 - Supreme Court *vis-a-vis* Moffussil Courts. Judicial measures of Cornwallis 1787, 1790, 1793 - Progress of Adalat System under Sir John Shore.

Unit-II: Indian High Courts Act, 1861- Conflicts arising out of the dual judicial system - Tendency for amalgamation of the two systems of Courts - the Indian High Courts Act, 1911 - the Government of India Act, 1915 - 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 to hear appeals from Indian decisions — Abolition of the jurisdiction of the Privy Council to hear appeals from Indian decisions.

Unit-III: Legislatures: Legislative authority of the East India Company under the Charter of Queen Elizabeth, 1600 -- Changes under the Regulating Act, 1773 -- Act of 1781 -- Act of 1813 -- Act of 1833 — Establishment of Legislature of an all India character in 1834.

Unit-IV: The Indian Council Act, 1861 — Central Legislative Council and its composition, powers and functions. Government of India Act of 1900 - Government of India Act of 1919 — setting up of bicameral system of legislature at the Centre in place of Imperial Council consisting of one House. The Government of India Act, 1935 -- the Federal Assembly and the Council of States, its composition, powers and functions — Legislative Assemblies in the Province. Law Reform and Law Commission.

Unit-V: Legal Profession: Legal Profession in Pre-British India — Principles in ancient Indian system. Law practitioners in the Mayor's Courts established under the Charter of 1726. Organization of Legal Profession under the Charter of 1874.

Provision for enrolment of Advocates, Vakils and Attorneys under the Legal Practitioner's Act, 1853.

Suggested Readings:

1. Herbet Cowall: *The History and Constitution of the Courts and Legislature Authorities in India*, 1936.
2. M.Y. Pylee: *Constitutional History of India, 1600-1950*.
3. M.P. Jain: *Outlines of Indian Legal History*.
4. A.B. Keith: *A Constitutional History of India, 1600-1935*.
5. Rama Jois: *Legal and Constitutional History*.

