

 <p>शुवाजी विद्यापीठ कोल्हापूर जानमेवाभूतम</p> <p>Estd. 1962 "A++" Accredited by NAAC (2021) With CGPA 3.52</p>	<p>SHIVAJI UNIVERSITY, KOLHAPUR 416 004, MAHARASHTRA PHONE : EPABX - 2609000, BOS Section - 0231-2609094, 2609487 Web : www.unishivaji.ac.in Email: bos@unishivaji.ac.in शुवाजी विद्यापीठ, कोल्हापूर, ४१६ ००४, महाराष्ट्र दूरध्वनी - इपीबीएक्स - २०६०९०००, अभ्यासमंडळे विभाग : ०२३१- २६०९०९४. २६०९४८७ वेबसाईट : www.unishivaji.ac.in ईमेल : bos@unishivaji.ac.in</p>		
--	--	---	---

Ref. No./SU/BOS/Law/ 140

Date :14/05/2025

The Principal,
All concerned affiliated Law Colleges/ Institutions,
Shivaji University, Kolhapur

Subject: Regarding syllabi of B.A. L.L. B. (Five Year Pre Law)
Part-III (Sem V & VI) under the Faculty of Humanites.

Sir/Madam,

With reference to above, I am directed to inform you that the university authorities have accepted and granted approval to the revised syllabi, equivalence and nature of question paper of B.A. L.L. B. (Five Year Pre Law) Part- III (Sem V & VI) under the Faculty of Humanities.

This syllabus shall be implemented from the academic year 2026-27 onwards. A soft copy containing the syllabus is attached herewith and it is also made available on university website www.unishivaji.ac.in (Online Syllabus).

The question paper on the pre-revised syllabi of above mentioned programme will be set for the examinations to be held in October/November 2026 & March/ April, 2027. These chances are available for repeater students, if any.

You are therefore, requested to bring this to the notice of all students and teachers concerned.

Thanking you,

Yours faithfully



Dy. Registrar

Encl : As above

Copy to, For Information and necessary action.

The Dean, Faculty of Humanities.	Eligibility Section.
The Chairman, Respective, BOS	P. G. Seminar Section.
Director, Board of Examinations & Evaluation	P. G. Admission Section.
Appointment A & B Section	Affiliation Section (T. 1 & T 2)
Internal Quality Assurance Cell (IQAC)	Computer Center/I. T. Cell.

SHIVAJI UNIVERSITY, KOLHAPUR



Faculty of Humanities

(B.A. LL.B. – Five Year Law Programme)

Choice Based Credit System (CBCS)

B.A. LL.B. III (Semester V and VI)

(To be implemented from Academic Year 2026-27)

INDEX

Sr. No.	Particulars
1.	DEGREE –
2.	B.A. LL.B. Rule 1: Implementation of Regulations & guidelines –
3.	The Course and Duration:
4.	B.A. LL.B. Rule 2: Prohibition against lateral entry and exit:
5.	B.A. LL.B. Rule 3: Pattern of CBCS :
6.	Inclusion of mandatory subjects –
7.	Rules relating to University Examination - (AECC, CEP, DEGG)
8.	B.A. LL.B. Rule 4: Scheme of Examinations:
9.	B.A. LL.B. Rule 5: Practical Training Papers:
10.	B.A. LL.B. Rule 6: Gradation Chart:
11.	B.A. LL.B. Rule 7: Result –
12.	B.A. LL.B. Rule 8: Saving Clause
13.	B.A. LL.B. Rule 9: Updation
14.	Model Question Paper Format: (for DSC papers)
15.	Equivalence of the papers
16.	CBCS - FIVE YEARS B.A. LL.B. - Structure of Programme: Part – I
17.	CBCS - FIVE YEARS B.A. LL.B. - Structure of Programme: Part – II
18.	CBCS - FIVE YEARS B.A. LL.B. - Structure of Programme: Part – III
19.	Syllabus of Five Year Law Programme (B.A. LL.B.) B.A. LL. B. III, SEMESTER V
20.	Syllabus of Five Year Law Programme (B.A. LL.B.) B.A. LL. B. III, SEMESTER VI
21.	B.A. LL.B. III Semester – V CEP - 507 Compulsory English Paper
22.	B.A. LL.B. III Semester – VI CEP - 607 Compulsory English Paper

Regulations and Guidelines
Under Choice Based Credit System (CBCS)
Third Year of Five Years Programme (B.A. LL.B.)
B.A. LL.B. – III (Semester V and VI)
(To be implemented from Academic Year 2026-27)

DEGREE –

Five year law integrated degree programme shall be called as B.A. LL.B. and Final degree shall be awarded only after successful completion of five years (10 semesters) within a stipulated period.

B.A. LL.B. Rule 1: Implementation of Regulations & guidelines –

The Regulations and guidelines shall be implemented as mentioned below-

- B.A. LL.B. Part – III, Sem V & VI from Academic year 2026-27
- B.A. LL.B. Part – IV, Sem VII & VIII from Academic year 2027-28
- B.A. LL.B. Part – V, Sem IX & X from Academic year 2028-29

The Course and Duration:

B.A. LL.B. degree course constitutes Bachelor's Degree Course in Law.

The duration of the B.A. LL.B. Course shall be 5 academic years consisting of 10 semesters.

Duration for the Completion of the Programme is N + 2 years where N stands for the Normal or Minimum duration prescribed for the completion of the programme. As per the UGC Guidelines on Determination of a Uniform Span Period within which a student may be allowed to Qualify for a degree (Ref. – DO No. F. 12-1/2015(CPP-II) dated 15 Oct. 2015, thereafter the admission stands lapsed and earlier performance annulled. The above rule shall be subject to the mandates of the Bar Council of India (BCI) and University Grants Commission (UGC) from time to time.

Each academic year shall be divided into two semesters:

Course	July to November / December	December to April / May
B.A. LL.B. Part – III	Semester V	Semester VI
B.A. LL.B. Part – IV	Semester VII	Semester VIII
B.A. LL.B. Part – V	Semester IX	Semester X

There shall be 15 weeks of student-teacher interaction, divided into 12 weeks of instructions and 3 weeks for Internal Assessment.

The papers and the syllabus appended to these regulations.

B.A. LL.B. Rule 2: Prohibition against lateral entry and exit:

There shall be no lateral entry on the plea of graduation in any subject or exit by way of awarding a degree splitting the integrated double degree course, at any intermediary stage of integrated double degree course. Relevant Rules mandated by the Bar Council of India (BCI) and University Grants Commission (UGC) are applicable.

The term “lateral entry” means an admission given to graduate applicants at the beginning of third year in an integrated five-year program.

The term “lateral exit” means opting out at the end of three years after successfully completing the courses up to the third year, from an integrated five-year program on being awarded a Bachelor’s degree.

B.A. LL.B. Rule 3: Pattern of CBCS :

The CBCS System: In tune with the rules prescribed by the UGC/BCI, all programmes shall be run credit-based semester system. It is an instructional package developed to suit the needs of the students to keep pace with the developments in higher education and the quality assurance expected of it in the light of liberalisation and globalisation in the higher education.

Inclusion of mandatory subjects –

1. Ability Enhancement Compulsory Course (AECC)
2. Compulsory English Paper (CEP) (for opting Marathi Medium of answer)
3. Democracy, Election and Good Governance (DEGG)

Note

1. Above papers are on self-learning mode for students. However, the college may arrange contact sessions for the benefit of students.
2. Every student is required to obtain minimum passing grade in this course as per the Shivaji University norms for the award of degree.
3. Time duration shall be one hour for examination.

Rules relating to University Examination - (AECC, CEP, DEGG)

1. University shall conduct the term-end examination of total 50 marks simultaneously with regular theory exam through SRPD.
2. Question paper shall be in MCQ format with 25 questions with four options each. Two marks for each question. The minimum passing criteria shall be 20 marks.
3. Answer-sheets will be assessed by the teachers of the concerned college in Offline mode and marks will be communicated to the University.

Ability Enhancement Compulsory Courses (A E C C)

AECC is of two credits course, introduced as per the CBCS policy of UGC.

Credit: The term credit refers to the weightage given to the course, usually in the relation to the instructional hours assigned to it. For instance, four hours theory course and two hours practical work for week is given six credits. However, in no instance the credits of a course can be greater than the hours allotted to it.

Five Year B.A. LL.B. Programme comprising of 10 semesters shall be of total 54 courses of 284 credits which include 44 Compulsory Core Courses (Discipline Specific Core Courses i.e. DSC) and 10 AECC.

Compulsory English Paper (CEP) (for opting Marathi Medium of answer)

Students appearing for the end-semester university theory exam in Marathi medium has to pass the Compulsory English Paper as per the mandate of BCI Rules. Passing in these papers is must for the award of final degree for such students. Score of these papers are not be counted in calculating the grade.

There shall be two CEP papers in Semester V (CEP 507) and Semester VI (CEP 607) of five years law course.

Semester V CEP 507 - Compulsory English Paper (for opting Marathi Medium students) Communicative English-I PERSONAL AND PROFESSIONAL COMMUNICATION

Semester VI CEP 607 - Compulsory English Paper (for opting Marathi Medium students) Communicative English-II INTERVIEW AND PRESENTATION SKILLS

Democracy, Election and Good Governance (DEGG)

This shall be the compulsory paper for the First year. Passing in this paper is must for the award of final degree of graduation. Score of this paper shall not be counted in calculating the grade.

B.A. LL.B. Rule 4: Scheme of Examinations:

Each DSC course of 6 credits will be assessed on basis of 100 marks. The marks will be divided under two heads, internal assessment 30 marks and End- Semester University Examination 70 marks. Each DSC Course shall have continuous internal assessment of 30 marks. The student shall have to secure minimum 10 marks to pass in the internal assessment of the respective DSC course. For each DSC Course End Semester University Examination of 70 marks, the student shall have to secure minimum 25 marks to pass in the End-Semester University Examination. The minimum passing in each DSC Course shall be 35 marks (10+25) and the average passing percentage for every semester shall be 40 percent.

The weightage of internal assessment shall be based on the following.

Internal Assessment:

- (1) The division of 30 marks for each Course / subjects for internal assessment shall be as under:

1	Viva-Voce	10 Marks
2	Experiential learning through Extension work, Field Visit, Case Study, Case Comment, Legislative Comment, Judgment Analysis, Judgement Writing, Client Counselling, Projects, Extempore Moot Court, Arbitration, Mediation, Seminar Papers, Legal Aid Training, Para-legal Volunteering, Home assignments, etc. to be assessed by the teacher/s concerned. The College may decide any one or more of the above or any other activities to be conducted for the purpose of assessment of the student. Record shall be maintained properly.	20 Marks
	Total	30 Marks

2) The student failing in internal assessment of any course will be deemed to have failed in the End - Semester University Examination of the respective course. Such student shall be allowed to reappear for the internal assessment only in the next semester.

Appearing in Internal Written Test of all DSC Courses and AECC Courses is strictly compulsory.

3) The internal assessment marks for each semester for all DSC Courses, AECC along with requisite Credits earned by the student for the Compulsory Foundation Course shall have to be sent to the University, prior to the commencement of the respective End - Semester University Examination.

4) A student who has passed in the internal assessment but has failed in the End - Semester University Examination, his / her internal marks and credits earned for respective course/paper will be carried forward till the validity of his / her respective semester.

5) A student who has failed in the End- Semester theory examinations but passed in internal assessment can reappear for theory paper and his marks of internal assessment will be carried forward.

B.A. LL.B. Rule 5: Practical Training Papers:

Practical Training Paper I: Professional Ethics and Professional Accountancy for Lawyers and Bar-Bench Relations for Sem. VI - The theory End-Semester University Examination shall be 70 marks and internal assessment of 30 marks at college level.

Practical Training Paper II: Alternative Disputes Resolution (ADR) for Sem. VIII - The theory End-Semester University Examination shall be 70 marks and internal assessment of 30 marks at college level.

Practical Training Paper III: Drafting, Pleading and Conveyance (DPC) for Sem. IX - The course will be taught class instructions and simulation exercises. Apart from teaching the relevant provisions of law, the course may include not less than i. 15 practical exercises in Drafting of pleadings carrying the total of 45 marks (3 marks for each) and ii. 15 exercises in Drafting of Conveyancing, carrying another 45 marks (3 marks for each), iii. 10 marks will be given for viva voce to be conducted by the university through external examiner where internal examiner shall be the Principal of the concerned college.

Practical Training Paper IV: Moot Court Exercise and Internship for Sem. X –

This paper shall have;

I. Three components of 30 marks each:

- i. Three Moot Courts
- ii. Observance of Trial in Two Cases
- iii. Interviewing Techniques and Pre- Trial Preparation
along with Internship Diary/record of three years) and

II. Viva of 10 marks to be conducted by the university through external examiner where internal examiner shall be the Principal of the concerned college.

Duration of Semester Examination for each theory paper - The duration of Semester Examination for each theory paper of 70 marks shall be of three hours.

Standard of passing- The Standard of passing shall be minimum 35 in each DSC Course both theory + internal assessment and average passing for every semester shall be 40 percentages. However, ATKT rules shall be applicable to Theory Paper only as per University norms.

B.A. LL.B. Rule 6: Gradation Chart:**Gradation chart for DSC of 70:30 = 100 Marks**

Marks Obtained	Numerical Grade (Grade Point)	CGPA	Letter Grade
Absent	0 (zero)	-	-
0 – 34	0 to 4	0.0 – 4.99	F (Fail)
35 – 44	5	5.00 – 5.49	C
45 – 54	6	5.50 – 6.49	B
55 – 64	7	6.50 – 7.49	B+
65 – 74	8	7.50 – 8.49	A
75 – 84	9	8.50 – 9.49	A+
85 – 100	10	9.50 – 10.0	O (Outstanding)

Gradation chart for Ability Enhancement Compulsory Paper (AECC) of 50 Marks

Marks obtained	Numerical grade (Grade point)	CGPA	Letter Grade
Absent	0 (zero)	--	Ab (Absent)
0-19	0 to 4	0.0 – 4.99	F (Fail)
20-24	5	5.00 – 5.49	C (Average)
25-29	6	5.50 - 6.49	B (Above average)
30-34	7	6.50 – 7.49	B+ (Good)
35-40	8	7.50 – 8.49	A (Very good)
41-45	9	8.50 – 9.49	A+ (Excellent)
46-50	10	9.50 – 10.00	O (Outstanding)

Note:

Marks obtained ≥ 0.5 shall be rounded off to next higher digit.

The SGPA & CGPA shall be rounded off to 2 decimal points.

Calculation of SGPA & CGPA

1. Semester Grade Point Average (SGPA)

$$\text{SGPA} = \frac{\sum(\text{Course credits} \times \text{Grade points obtained}) \text{ of a semester}}{\sum(\text{Course credits}) \text{ of respective semester}}$$

2. Cumulative Grade Point Average (CGPA)

$$\text{CGPA} = \frac{\sum(\text{Total credits of a semester} \times \text{SGPA of respective semester}) \text{ of all semesters}}{\sum(\text{Total course credits}) \text{ of all semesters}}$$

B.A. LL.B. Rule 7: Result –

The result of each Semester shall be declared as Pass or Fail or Allowed to Keep Terms (A.T.K.T. for Semester II & IV) with grade/ grade points and Credits gained.

Revised Rules - These revised rules will be implemented with effect from the academic year 2026-27 onwards for B.A. LL.B. degree program. However, the existing (i.e. pre-revised) rules shall remain in force for the students of old semester pattern during the transition period.

B.A. LL.B. Rule 8: Saving Clause

Read Ref. 1) University Letter No. SUK/BoS/604 date 27/11/2024, 2) Letter No. SUK/BoS/law/485 date 27/08/2024, 3) Letter No. SUK/BoS/Law/298 date 06/05/2025, by which syllabus of B.A. LL.B. I (Sem. I and II) and B.A. LL.B. II (Sem. III and IV) were implemented respectively, will continue with same meaning and effect, unless modified. The same rules will be applicable unless amended for B.A. LL.B.- Part I, II, III, IV, V.

B.A. LL.B. Rule 9: Updation

9.1 Rules and Syllabus implemented by above referred letters for B.A. LL.B. I (Sem. I & II), B.A. LL.B. II (Sem. III & IV) are modified hereby whereas the rest of the rules and syllabus will be the same.

9.2 Any new/amended legislation passed by the legislature and brought into force repealing an existing statute shall form the part of the syllabus in place of old statute earlier included therein. For e.g. Indian Penal Code (IPC) replaced by Bharatiya Nyaya Samhita (BNS) then BNS will be applicable on its express insertion in the syllabus accordingly.

Equivalence of the papers

Sem. No.	Paper code	Title of the old paper	Credit	Sem. No.	Paper code	Title of the New paper	Credit
V	DSC-501	Law of Contract (General Principles of Contract and Specific Relief Act)	06	V	DSC-501	Law of Contract (General Principles of Contract and Specific Relief Act)	06
V	DSC-502	Constitutional Law -I	06	V	DSC-502	Constitutional Law -I	06
V	DSC-503	Law of Torts and Consumer Protection Act	06	V	DSC-503	Law of Torts and Consumer Protection Act	06
V	DSC-504	Environmental Law	06	V	DSC-504	Environmental Law	06
V	DSC-505	Family Law-I	06	V	DSC-505	Family Law-I	06

Sem. No.	Paper code	Title of the old paper	Credit	Sem. No.	Paper code	Title of the New paper	Credit
VI	DSC-601	Special Contract	06	VI	DSC-601	Special Contract	06
VI	DSC-602	Constitutional Law – II	06	VI	DSC-602	Constitutional Law – II	06
VI	DSC-603	Family Law - II	06	VI	DSC-603	Family Law - II	06
VI	DSC-604	Law of Crimes-I (BNS)	06	VI	DSC-604	Law of Crimes-I (BNS)	06
VI	DSC-605	Professional Ethics	06	VI	DSC-605	Professional Ethics	06

CBCS - FIVE YEARS B.A. LL.B. - Structure of Programme: Part – I

Semester I								
Teaching Scheme and Evaluation Scheme								
Course Code	Subjects	Theory Examination Shiv. Uni.	Hours	Internal Assessment College	Hours	Total Marks	Weekly Teaching Hours	Total Credits
DSC- 101	Political Science- I (Local Self government)	70	4	30	2	100	06	06
DSC- 102	Political Science- II (Public Administration)	70	4	30	2	100	06	06
DSC- 103	English –I (Grammer and Usage)	70	4	30	2	100	06	06
AECC - 104	Personal Communication	50	-	-	-	50	-	02
	Total	260	12	90	8	350	18	20

Semester II								
Teaching Scheme and Evaluation Scheme								
Course Code	Subjects	Theory Examination Shiv. Uni.	Hours	Internal Assessment College	Hours	Total Marks	Weekly Teaching Hours	Total Credits
DSC- 201	Political Science- III (Organisation & Administration of the State Government)	70	4	30	2	100	06	06
DSC- 202	History-I (General History)	70	4	30	2	100	06	06
DSC- 203	Economics-I (General Principles)	70	4	30	2	100	06	06
DSC- 204	Sociology-I (General Principles)	70	4	30	2	100	06	06
AECC - 205	Interview Skills	50	-	-	-	50	-	02
	Total	330	16	120	10	450	24	26

CBCS - FIVE YEARS B.A. LL.B. - Structure of Programme: Part – II

Semester III								
Teaching Scheme and Evaluation Scheme								
Course Code	Subjects	Theory Examination Shiv. Uni.	Hours	Internal Assessment College	Hours	Total Marks	Weekly Teaching Hours	Total Credits
DSC- 301	Political Science- IV (Political theory and political organisation)	70	4	30	2	100	06	06
DSC- 302	Sociology- II	70	4	30	2	100	06	06
DSC- 303	Economics- II	70	4	30	2	100	06	06
DSC- 304	Legal History	70	4	30	2	100	06	06
AECC- 305	Legal Language	50	-	-	-	50	-	02
	Total	330	16	120	08	450	24	26

Semester IV								
Teaching Scheme and Evaluation Scheme								
Course Code	Subjects	Theory Examination Shiv. Uni.	Hours	Internal Assessment College	Hours	Total Marks	Weekly Teaching Hours	Total Credits
DSC- 401	Political Science- V (Foundation of Political Obligation)	70	4	30	2	100	06	06
DSC- 402	Political Science- VI (International Relations and International Organisation)	70	4	30	2	100	06	06
DSC- 403	English- II	70	4	30	2	100	06	06
AECC- 404	Legal Aid and Community Engagement	50	-	-	-	50	-	02
	Total	260	12	120	6	350	24	20

CBCS - FIVE YEARS B.A. LL.B. - Structure of Programme: Part – III

Semester V								
Teaching Scheme and Evaluation Scheme								
Course Code	Subjects	Theory Examination Shiv. Uni.	Hours	Internal Assessment College	Hours	Total Marks	Weekly Teaching Hours	Total Credits
DSC-501	Law of Contract (General Principles of Contract and Specific Relief Act)	70	4	30	2	100	06	06
DSC-502	Constitutional Law -I	70	4	30	2	100	06	06
DSC-503	Law of Torts and Consumer Protection Act	70	4	30	2	100	06	06
DSC-504	Environmental Law	70	4	30	2	100	06	06
DSC-505	Family Law-I	70	4	30	2	100	06	06
AECC-506	Legal Research	50	-	-	-	50	-	02
	Total	400	20	150	10	550	30	32

Semester VI								
Teaching Scheme and Evaluation Scheme								
Course Code	Subjects	Theory Examination Shiv. Uni.	Hours	Internal Assessment College	Hours	Total Marks	Weekly Teaching Hours	Total Credits
DSC-601	Special Contract	70	4	30	2	100	06	06
DSC-602	Constitutional Law – II	70	4	30	2	100	06	06
DSC-603	Family Law - II	70	4	30	2	100	06	06
DSC-604	Law of Crimes-I (BNS)	70	4	30	2	100	06	06
DSC-605	Professional Ethics	70	4	30	2	100	06	06
AECC-606	Public Interest Lawyering	50	-	-	-	50	-	02
	Total	400	20	150	10	550	30	32

Syllabus of Five Year Law Programme (B.A. LL.B.)

B.A. LL. B. III, SEMESTER V

DSC-501: LAW OF CONTRACT (GENERAL PRICIPLES OF CONTRACT AND SPECIFIC RELIEF)

COURSE OBJECTIVES:

The Law of Contract in India, a civil law, governs private rights and obligations between individuals and entities, and provide for civil remedies. It is primarily governed by the Indian Contract Act, 1872, which codifies the general principles of contract law and founded on the mutual consent of parties, reflecting the principle of *consensus ad idem*. This course is designed to acquaint students with the fundamental conceptual and practical principles of contract law, including the rules governing the formation and performance of contracts, and the enforcement of contractual rights through remedies, with particular emphasis on reliefs available under the Specific Relief Act.

TEACHING-LEARNING METHODOLOGY:

Lecture and Case-study methods include the main methods of learning supplemented by discussion, seminar and problem methods. Teaching-Learning methods aim to integrate traditional teaching with practical, experience-based approaches to develop critical thinking, analytical, and practical legal skills.

COURSE OUTCOMES:

On successful completion of the course, students will be able to:

CO 1: Define and explain the fundamental concepts, terminology, and scope of contract law under the Indian Contract Act, 1872.

CO 2: Identify and classify the essential elements and types of contracts by systematically examining statutory provisions and judicial precedents.

CO 3: Analyse factual situations to determine the formation, validity, and enforceability of contracts using logical and doctrinal reasoning.

CO 4: Apply statutory rules relating to offer, acceptance, consideration, capacity, and free consent to solve problem-based contractual disputes.

CO 5: Evaluate the consequences of breach of contract and select appropriate remedies, including compensation and equitable relief under the Specific Relief Act, 1963.

CO 6: Interpret and synthesize case law and statutory principles to formulate reasoned legal conclusions on contractual rights and obligations.

Syllabus

Unit I: Introduction & Formation of Contract (Section 1-10 ICA, 1872)

- 1.1 Historical Background, Meaning, Nature and Scope of Contract
- 1.2 Essential Elements of a Valid Contract and Agreement
- 1.3 Offer / Proposal: Definition, essential elements, Communication, Revocation, General/ Specific Offer, Invitation to Offer, Tenders and Auctions
- 1.4 Acceptance: Definition, essential elements, Communication, Revocation
- 1.5 Standard Form of Contract and E-Contracts-Legal Recognition (The Information Technology Act, 2000 Section 2-16, Kinds)

Unit II: Competency of Parties (Section 10-12 ICA, 1872)

- 2.1 Age of majority under the Indian Majority Act 1875, Contracts with minors, effect of contracting with a minor, the purpose of the law, liability for supply of necessaries
- 2.2 Soundness of mind for the purpose of making contracts, effect of unsoundness of mind on the contract
- 2.3 Legal disqualifications-Section 75 of the Patents Act, 1970, Section 75 of the Indian Forests Act, 1927, Section 130 of the Transfer of Property Act, 1882
- 2.4 Competency of prisoners in jail, married women, aliens, insolvents

Unit III: Free Consent (Section 13 to 22, 64, 65, 67 ICA, 1872)

- 3.1 Consent and Free Consent
- 3.2 Coercion and its effect, Doctrine of Duress
- 3.3 Undue Influence, its effect-Pardanashin women, Unconscionable bargains

- 3.4 Misrepresentation, Fraud and its effect
- 3.5 Mistake and its effect, mutual and common mistake, unilateral mistake, mistake of law and fact,
- 3.6 Remedies available to the party whose consent is not free: rescission, restoration

Unit IV: Consideration (Section 2(d), 23-30 ICA, 1872)

- 4.1 Definitions, meaning, importance and essential elements of Consideration, kinds
- 4.2 Adequacy of consideration and effect of inadequacy
- 4.3 No consideration, no contract, and exceptions to the rule
- 4.4 Doctrine of Privity of Contract and its exceptions.
- 4.5 Legality of Consideration and Object

Unit V: Void Agreements (Section 23-30, 57-58 ICA, 1872)

- 5.1 Unlawful agreements
- 5.2 Void Agreements: Restraint of Marriage, Trade, Legal Proceedings, Uncertain Agreements, Wagering Agreements-Exceptions, Agreements against public policy
- 5.3 Effect of void and of unlawful agreements

Unit VI: Contingent Contracts (Section 31-36 ICA, 1872) and Quasi-Contracts (Section 68 – 72 of ICA Act)

- 6.1 Contingent contracts and their enforcement: Definition, contingent and absolute obligations, Effect of happening & non-happening of event, Enforcement of contingent contracts
- 6.2 Quasi-contract: Concept, Kinds, Effect of breach of quasi-contractual obligations

Unit VII: Performance and Discharge of Contract (Section 37-67 ICA, 1872)

- 7.1 Performance of Contract
 - a) Obligation to perform or offer to perform; who must perform, effect of death on personal contracts, rights and liabilities under a contract
 - b) Time & Place of performance, right to terminate if time is of essence of contract
 - c) Performance of Reciprocal promises, effect of non-performance of one of reciprocal promises; unilateral and bilateral promises
- 7.2 Discharge of a Contract: Meaning and Modes
 - a) By performance
 - b) By non-performance by one party

- c) By breach of contract: Anticipatory Breach, Actual Breach
- d) Doctrine of impossibility and its effect
- e) By agreement: novation, alteration and rescission
- f) By act of promisee: dispensation, remission and waiver, extension of time, accord and satisfaction
- g) By Operation of Law- Insolvency, Merger, Alteration without consent, Death

Unit VIII: Contract Remedies:

8.1 Remedies under the Contract Law (Section 73-75 ICA, 1872)

- a) Compensation (damages): Types: General and special, substantial and nominal, aggravated and punitive, liquidated and unliquidated and remoteness and ascertainment of damages
- b) Claim in *Quantum meruit*

8.2 Remedies under the Specific Relief Act, 1963 (Section 5-43 SRA, 1963 as amended by the Amendment Act, 2018)

- a) Recovering possession of property
- b) Specific Performance of Contracts
 - i. Cases in which it can and cannot be granted
 - ii. Personal bars to relief
 - iii. Who can claim specific performance
 - iv. Against whom can specific performance be claimed
 - v. Claim for compensation and other reliefs in a suit for specific performance
 - vi. Defences in suits of specific performance - Section 9 of SRA, 1963
- c) Rescission of contracts, Rectification and Cancellation of instruments
- d) Declaratory Decree
- e) Preventive Relief
 - i. Injunction- Discretionary relief, Kinds - Temporary and perpetual, prohibitory and mandatory
 - ii. When can injunction be granted? When will injunction not be granted?
 - iii. Injunction to enforce negative agreement, Claim for damages in a suit for injunction

Reference Cases:

1. Carlill v. Carbolic Smoke Ball Company, (1830) 1.Q.B 265
2. Harris v. Nickerson, (1875) LR SQB, 286
3. Powell v. Lee, (1908) 99 LT 284
4. Entores v. Miles Far East Corporation, (1955) 2 All ER 493
5. Bank of India Ltd v. O. P. Swarnakar, AIR 2003 SC 858
6. Harvey v. Facey, (1893) AC 552
7. Lalman Shukla v. Gauri Dutt, (1913) ILR 40 All 489
8. Felthouse v. Bindley (1862) 11, CB (NS) 86
9. Mohori Bibee v. Dharmodass Ghose, (1903) 30 IA 114
10. Derry v. Peek, (1889) 14 AC 337
11. Mithoolal Nayak v. LIC of India, AIR 1962 SC 814
12. Subhas Chandra Das Mushib v. Ganga Prasad Das Mushib & others AIR 1967 SC 878
13. Central Inland Water Transport Corporation v. Brojo Nath Ganguly, AIR 1986 SC 1571
14. Kalyanpur Lime Works Ltd. v. State of Bihar and another AIR 1954 SC 165
15. Gujarat Bottling Co. Ltd. v. Coca Cola Co. & others, (1995) 5 SCC 545
16. National Insurance Co. Ltd. v. S. G Nayak & Co., AIR 1997 SC 2049
17. Satyabrata Ghose v. Mugneeram Bangur & Co., AIR 1954 SC 44
18. State of Bihar v. Majeed, AIR 1954 SC 786
19. Bashir Ahmad and others v. Govt. of Andhra Pradesh, AIR 1970 SC 1089
20. Mugniram Bangur & Co. (P) Ltd. v. Gurbachan Singh, AIR 1965 SC 1523
21. Taylor v. Caldwell (1863) 3 B&S 826.
22. Krell v. Henry (1903) 2 KB 740
23. Hadley v. Baxendale (1854) 9 ExCh 341
24. Dunlop Pueumatic Tyre Co. Ltd. v. New Garage & Motor Co. Ltd. (1915) A.C 79
25. Oil and Natural Gas Corp. Ltd. V. SAW Pipes Ltd., AIR 2003 SC 2629

Suggested Readings:

1. Cheshire & Fifoot's Cases on the Law of Contract, 7th Ed., London: Butterworths, 1977.
2. Sir G. H. Treitel, The Law of Contract, 12th Ed., London: Sweet & Maxwell, 2007.
3. J. Beatson, Anson's Law of Contract, Clarendon Press, Oxford, (28th Edn. -2002).
4. Cheshire & Fifoot's, Law of Contract, Oxford University Press, 15th Ed., 2007.
5. Chitty, Contracts, Vol. 1, 29th Ed., Sweet & Maxwell, 2004.
6. Mulla, Indian Contract Act and Specific Relief Acts, Lexis Nexis 13th Ed. 2006.
7. V.K. Rao, Contract I - Cases and Materials, Butterworths, 2004.
8. M. Krishnan Nair, Law of Contracts, 1998.
9. Dutt on Contract, H.K. Saharay, Universal, 2000..
10. Sujan M.A, Frustration of Contract 2nd Ed. UPC 2001.
11. Avtar Singh, Law of Contract and Specific Relief, 12th ed., EasternBook Company
12. Smith & Thomas, A Case Book on Contract 11th Edition
13. Anand and Aiyer, Law of Specific Relief (1999), Universal
14. Banerjee S.C. Law of Specific Relief (1998), Universal
15. Rastogi Sachin, Insights into E-Contracts in India, 2013, LexisNexis.

DSC – 502: CONSTITUTIONAL LAW- I
(Fundamental Rights & Directive Principles of State Policy)

India is a democracy and her Constitution embodies the Principles of the democratic government. A good understanding of the Constitution and the constitutional amendments, judicial decisions, constitutional practice and conventions, is therefore, absolutely necessary for a student of law. He must also know the genesis, nature and special features of the Constitution and be aware of the social, political and economic influence on it. A student must learn how various interpretations of the constitution are possible and how do they influence the growth of constitutional law.

Judicial review is an important aspect of constitutional law. The application of basic structure objective in the evaluation of executive actions is an interesting development of Indian constitutional law.

COURSE OBJECTIVES:

1. To study the basic provisions related to citizen, 'states and 'law' under Indian Constitution.
2. Understanding the core ideals i.e. Equality Justice, Liberty, Fraternity, Dignity, Unity etc.
3. To study Fundamental Rights, Detailed study of rights like equality and freedoms. To safeguard fundamental rights and liberties of citizens from both the state and individuals.
4. To Study Directive Principles of State Policy, guiding principles for state policy, focusing on social & economic justice.
5. Learning legal Doctrines and principles like eclipse, and waiver etc
6. To establish the Constitution as the supreme law of the land, above all other laws. To ensure fairness, accountability, and impartial governance.

COURSE OUTCOMES:

CO 1: Grasping constitutionalism, rule of law, supremacy and liberty etc. Developing logical reasoning and critical assessment skills for constitutional issues.

CO 2 : Understanding the historical context and making of the Indian Constitution.

CO 3 : Comprehending the framework of governance, including federalism and decentralization.

CO 4 : Fundamental Rights: knowledge of preamble, rights freedom and protections

CO 5 :Fundamental Duties: Recognizing citizen responsibilities, such as respecting the Constitution and protecting national integrity.

CO 6 : Social Justice: Understanding provisions for women, children, backward classes, and economic justice.

CO 7 : Understanding the Constitution & its Values, Fostering an ability to articulate views on contemporary constitutional matters.

CO 8 : To understand the Constitution of India in its letter and spirit.

Syllabus

UNIT I – MAKING OF INDIAN CONSTITUTION, PREAMBLE AND CITIZENSHIP

1.1 Making of the Indian Constitution: Role of Constituent Assembly

1.2 Salient Features of Indian Constitution

1.3 Preamble

1.4 Citizenship Under Indian Constitution and Citizenship Act 1955

UNIT II- FUNDAMENTAL RIGHTS JUSTICIABILITY, STATE OBLIGATION

2.1 Meaning and scope of Fundamental Rights and its justiciability

2.2 Definition of ‘State’ for enforcement of fundamental rights

2.3 Law under article 13 of the constitution

2.4 Doctrine of eclipse, severability, waiver

UNIT III- RIGHT TO EQUALITY AND SOCIAL JUSTICE (ART 14-18)

3.1 Equality before law and equal protection of law

3.2 Prohibition of Discrimination on the grounds of religion race caste etc.,

3.3 Classification for differential treatment- Constitutional validity

3.4 Protective discrimination in favour of certain sections of the society

3.5 Untouchability and abolition of titles

UNIT IV- FREEDOMS UNDER ARTICLE 19 AND ITS RESTRICTIONS

4.1 Article 19. Protection of certain rights regarding freedom of speech, etc.

4.2 Restrictions on freedoms

4.3 New dimensions of Freedom of speech and expression

4.4 Judicial contribution in development of freedoms

UNIT V – RIGHT TO LIFE AND PERSONAL LIBERTY

5.1 Protection in respect of conviction for offences (Art.20)

5.2 Right to life and personal liberty (Art.21)

5.3 Right of children to free and compulsory education (Art. 21 A)

5.4 Protection against arrest and Preventive Detention (Art.22)

UNIT VI- RIGHT AGAINST EXPLOITATION, RELIGIOUS FREEDOMS AND MINORITY RIGHTS

6.1 Right against Exploitation Article 23 and 24

6.2 Freedom of Religion Article 25 -28: Secularism, right to religion and its restrictions

6.3 Rights of Minority Article 29 and 30

6.4 Judicial Contribution in protection of rights

UNIT VII - CONSTITUTIONAL REMEDIES

7.1 Constitutional remedy under Article 32 and 226

7.2 Public Interest Litigation: meaning and scope, Merits and demerits

7.3 Role of supreme court in development of expanding the scope of Article 21

7.4 Writ of Habeas Corpus, Mandamus, Certiorari, Prohibition, Quo-warranto

UNIT VIII – DIRECTIVE PRINCIPLES, FUNDAMENTAL RIGHT AND FUNDAMENTAL DUTIES

8.1 Object and significance of Directive Principles, Classification of Directives.

8.2 Fundamental Right and Directive principles- Interrelationship and Judicial balancing

8.3 Fundamental Duties - Need, Source and its enforcement

8.4 Relation and harmony between Fundamental Rights with Directive Principles and Fundamental Duties

BOOKS /REFERENCES:

1. T. K. Tope : Constitutional of India.
2. G. Austin, History of Democratic Constitution: The Indian Experience(2000) Oxford.
3. D.D. Basu : Shorter Constitution of India : (1996) Prentice Hall of India, Delhi.
4. Constituent Assembly Debates Vol. 1 to 12 (1989).
5. H.M. Seervai : Constitution of India. Vol.-1-3 (1992), Tripathy, Bombay.
6. M.P. Singh (ed) V.N. Shukla : Constitutional Law of India (2000) Oxford.
7. G.Austin: Indian Constitution:- Cornerstone of a Nation (1972)
8. M.Glanter: Competing Equalities – Law and the Backward Classes in India (1984) Oxford.
9. B. Sivaramayya : Inequalities and the Law (1984) Eastern, Lucknow.
10. S.C. Kashyap : Human Rights and Parliament (1978) Eastern Lucknow.
11. Dr. Pandey J.N. : Constitutional Law of India. (2007) Central Law Agency.
12. P.M.Bakshi, Constitution of India, Universal
13. M.P.Jain Indian Constitutional Law, Wadhwa
14. Granville Austin The Constitution of India, Oxford.
15. Landmark cases ,Latest case laws / Amendments etc

List of cases (For reference):

KeshavanandaBharati v. State of Kerala, AIR 1973 SC 1461;
Excel Wear v. Union of India AIR 1979 SC 25;
BhimSinghji v. Union of India, AIR 1981 SC 234;
State of Kerala v. N.M.Thomas AIR 1976 SC 490
WamanRao v. Union of India AIR 1981 SC 271;
Minerva Mills Ltd. V. Union of India AIR 1980 SC 1789,

GolakNath v. State of Punjab, AIR 1967SC 1643,
State of West Bengal v. Anwar Ali AIR 1951 SC 75,
Naga People's Movements of Human Rights v. Union of India AIR 1998 SC 431,
BALCO Employees'Union v. Union of India AIR 2002 SC 350
St Stephen's College v. University of Delhi AIR 1992SC1630,
Indian Express Newspapers v. Union of India, AIR 1986 SC 515
State of Sikkim v. Surendra Prasad Sharma AIR 1994 SC 2342,
Prabhakar v. State of Andhra Pradesh AIR 1986 SC 210,
Shiv Charan v. State of Mysore AIR 1965 SC 280,
Balaji v. State of Mysore AIR 1963 SC 649,
Sagir Ahmed v. State of Utter Pradesh AIR 1954 Sc 728,
T.M.A. Pai Foundation v. State of Karnataka AIR 2003 SC 355,
Express Newspapers v. Union of India AIR 1986 SC 872
Khare v. State of Delhi AIR 1950 SC 211,
State of Maharastra v. RajendraJ.Gandhi AIR 1997 SC 3986
Francis CoralieMullin v. Administration of Delhi AIR 1981 SC 746,
M.C.Mehta v. Union of India AIR 1987 SC 1086,
BandhuaMuktiMorcha v. Union of India AIR 1984 SC 802,
Indian Council for Enviro-legal Action v. Union of India AIR 1996 SC 1446.
Vellore Citizens Welfare Forum v. Union of India AIR 1996 SC 2715
State of Punjab v. Mahinder Singh Chawla AIR 1997 SC 1225.
PaschimBangalKhetMazdoor Society v. State of West Bengal, AIR 1996 SC 2426
Air India Statutory Corporation v. United Labour Union AIR 1997 SC 645,
Maneka Gandhi v. Union Of India AIR 1978 SC 597,
Olga Tellis v. Bombay Municipal Corporation, AIR 1986 SC 186,
People's Union of Civil Liberty v. Union of India AIR 1997 SC 568,
Hussainara v. Home Secretary,State of Bihar AIR 1979 SC 1819
J.P.Unnikrishnan v. State of Andhra Pradesh AIR 1993 SC 2178
Mr. X v. Hospital Z AIR 1999 SC 495
Gopalan v. State of Madras, AIR 1950 SC 27,
M.C.Mehta v. State of Tamil Nadu, AIR 1997 SC 699,

Gaurav Jain v. Union of India AIR 1990 SC 1412,
Acharya Jagadiswarananda v. Commissioner of Police, Calcutta AIR 1984 SC 51,
Ratlam Municipality v. Vardichan, AIR 1980 SC 1622.
M.C.Mehta v. Union of India AIR 1987 SC 1086, and AIR 1999 SC 2583,
Pramod v. Medical Council, (1991) 2 SCC 179,
Ahmedabad Women Action Group v. Union of India AIR 1997 SC 3614
Vishakha v. State of Rajasthan, AIR 1997 SC 3011

DSC – 503: LAW OF TORT & CONSUMER PROTECTION LAW

COURSE OBJECTIVE:

Law of Tort provides individuals and groups with redress for injury to every dimension of life from physical injury, to property damage, to personal insult. Over past decades no area of law within the civil justice system has experienced greater ferment than the law of Tort and this has resulted in vital changes the thinking of the tortious liability. The object of the course is to familiarize the students with the nature and extent of liability of the private enterprises, multinationals and the government authorities for the wrongs committed against the individual and their property, and to develop sound knowledge, skills and disposition amongst students of law on some of the contemporary issues of Specific Torts, Cyber Tort, Family Tort and Economic Tort, Product Liability etc.

Presently the emphasis is on extending the principles not only to harmful acts but also to failure to comply with standards that are continuously changing due to advancement in science and technology. In the modern era of consumer, concern of goods and services, the law of torts has added significance in consumer protection and to create awareness among the students about Consumer Protection Act, 2019.

COURSE OUTCOMES-

Students graduating with Law of Torts and Consumer Protection Act will be able -

CO 1 : To understand the principles of Tortious liability and defences available in an action for torts and matters connected therewith.

CO 2 : To study and evaluate the Specific Torts against the individual and property.

CO 3 : To analyze and interpret various judicial decisions, doctrines, principles under the Law of Torts.

CO 4 : To understand the Salient Features of the Consumer Protection Act in applied way.

CO 5 : To understand the redressal mechanism, its procedure and the remedies provided under the Consumer Protection Act, 2019.

Syllabus:

Unit I - Introduction to Law of Torts

- 1.1. History, Definition of Torts
- 1.2. Elements of Torts - a. Civil wrong b. Ubi Jus ibi remedium c. Injuria sine Damnum d. Damnum sine Injuria e. Unliquidated Damages.
- 1.3. Tort vis-à-vis other wrongs e.g. contract and crime.
- 1.4. Relevance of Mental Elements - Intention, Motive, Malice, Knowledge, Malfeasance, Misfeasance, Nonfeasance and Negligence in Law of Torts.
- 1.5. Who may not sue and who may not be sued?

Unit II - General Defences in Torts

- 2.1 Volenti non fit injuria
- 2.2 Necessity
- 2.3 Act of God
- 2.4 Inevitable Accident
- 2.5 Private Defence
- 2.6 Statutory Authority
- 2.7 Judicial and Quasi-Judicial Acts
- 2.8 Parental and Quasi Parental authority

Unit III - Discharge of Tortious Liability

- 3.1 By Death of the Parties - Actio Personalis moritur cum persona-Exceptions
- 3.2 Waiver
- 3.3 Release
- 3.4 Acquiescence
- 3.5 Accord and Satisfaction
- 3.6 Law of Limitation

Unit IV - Tortious Liability

- 4.1 Nature of Liability
- 4.2 Vicarious Liability - Meaning, Application and Scope
Modes of Creation - Express Authorization, Ratification, Abetment, Special Relationship

4.3 Master - Servant Relationship - Who is Master, Who is Servant, When Master liable for servants torts.

4.4 Rule of Strict and Absolute liability - Basis of Liability - fault, No fault liability

Rule of Strict liability - Rylands v/s Fletcher Case, Exceptions to the Rule.

4.5 Application of the Rule in India - Genesis of the Absolute liability Rule.

M.C. Mehta (Olium Gas leak) Case

Unit V - Negligence and Nuisance

1.1 Meaning of Negligence, Essential conditions in suit for Negligence.

1.2 Defences in a suit for Negligence

1.3 Contributory Negligence - Meaning, Scope

1.4 Res Ipsa loquitor - as Rule of evidence

1.5 Nuisance - Meaning, Scope, Essentials

1.6 Types of Nuisance - Public & Private

1.7 Defences and Remedies for Nuisance

Unit VI - Defamation and Remedies in Tort

6.1 Defamation - Meaning, Scope, Types

6.2 Essential Condition in suits for Defamation

6.3 Defences and Remedies for Defamation

6.4 Remedies in Tort - Judicial and Extra Judicial Remedies in Tort

Unit VII - Consumer Protection Act 2019

7.1 Introduction, Salient features of the Act

7.2 Definitions - Complainant, Complaint, Consumer, Consumer Dispute, Consumer, Rights, Defect in Goods, Deficiency in Service, Manufacturer

Unit VIII - Consumer Redressal Mechanism

8.1 District Commission

8.2 State Commission

8.3 National Commission

8.4 Limitation Period, Penalties

} Composition, Jurisdiction, Procedure, Findings,
Appeal

List of Cases :

1. Ashby V. White (1703)2 LR 938;
2. Rudal Shah V. State of Bihar, AIR 1983 SC 1086
3. Saheli V. Commissioner of Police, Delhi AIR 1990 SC 513;
4. Gloucester Grammer School case (1410) YB, Hill II Hen, 4 of 47, Pg. 21.
5. Mayor of Broadford Corporation V. Pickles (1895) AC 587;
6. Bhim Singh V. State of Jammu & Kashmir AIR 1986 SC 494;
7. Usha Ben v. BhagyaLaxmi Chitra Mandir, AIR 1978 Guj.
8. Lucknow Development Authority V. M.K. Gupta AIR 1994 1 SC 243;
9. State of Rajasthan V. Vidyawati Devi AIR 1962 SC 933;
10. Donoghue V. Stevenson, 1932, AC 562;
11. KasturiLal V. State of U.P. AIR 1965 SC 1039;
12. Nicholas V. Marshland (1876) 2 Ex.D. 1;
13. Smith V. London and South Western Railway Co. (1870) LR 6;
14. Loyd V. Grace Smith & Co. (1912) AC 716;
15. JayLaxmi Salt Works (P) Ltd. V. State of Gujarat 1994 (4) SCC 1;
16. Dr. Laxman V. Dr. Trimbak AIR 1969 SC 128;
17. Davis V. Redcliffe, (1990) AER 536;
18. F.V. Birkshire Health Authority (1989) 2 All ER 545 (HL);
19. Maynard V. Midlands Health Authority (1985) I All ER 635 (HL);
20. Achutrao Haribhau Khodwa V. State of Maharashtra AIR 1996 SC 2377;
21. M. P. State Road Transport Corp. V. Basantibai (1971) MPLJ706 (DB);
22. Indian Air Lines V. Madhuri Chaudhri AIR 1964 Cal. 252;
23. Glasgow Corporation V. Muir (1943) AC 448;
24. Municipal Corporation of Delhi V. Subhagwati AIR 1966 SC 1750;
25. Ratlam Municipality V. Vardhichand (1980) 4SCC 162;
26. Hall V. Brooklands Auto Racing Club; (1932) All ER 208;
27. Smith V. Baker (1981) AC 325;
28. Stanley V. Powell (1891) 11 Q.B. 86;
29. Heynes V. Harwood (1935) 1 KB 146;
30. Baker V. Boltan, (1808), 1 Camp 493;

31. NoorMohd. V. MohdJiauddin AIR 1992 MP 244;
32. Hayward V. Thompson (1981) 3 All ER 450;
33. M.C. Verhese V. T. J. Poonam, AIR 1970 SC 1876;
34. T. S. Bhatt V. A. K. Bhatt AIR 1978 Ker 111;
35. Girija Prasad Sharma V. Uma Shankar Pathak AIR 1973 MP 79;
36. Quinn V. Leathem, (1901) AC 495;
37. Municipal Board of Kanauj V. Mohanlal AIR 1951 All 867;
38. State V. Gangadhar AIR 1967 Raj 199;
39. Rajalingam V. Lingaiah (1964) IALT 391;
40. Sobha Ram V. Tika Ram (1936) H.R. 58 All 903;
41. Reyland V. Fletcher (1868) L.R. 3 H.L.30;
42. M. C. Mehta V. Union of India (1987)1 SCC395
43. In Re Polemise Case (1921)3 KB 560 CA;
44. Wagaon Mound Case (1961) AC 388;
45. Leisbosch Dredger V. Edison, (1933) AC 449 HL;
46. Byrne V. Boddle (1863) 2 H&C 722;
47. Parker V. Miller (1868) 1 KB 972;
48. Gee V. Metropolitan Rly Co. (1873) 8 QB 161;
49. Bartlett V. Tottenham, (1932) 1 Ch. 144;
50. Alexander V. N.E. Rly (1865) 6B & S 340;

References :

1. Winfield, P. H., & Jolowicz, J. A. (2006). *Winfield and Jolowicz on tort*. Sweet & Maxwell.
2. Salmond, J. W., & Heuston, R. F. V. (n.d.). *Salmond and Heuston on the law of torts*. Sweet & Maxwell / Universal Law Publishing.
3. Pillai, P. S. A. (n.d.). *Law of torts*. Eastern Book Company.
4. Kumar, A. (n.d.). *Law of torts*. Bookhive Publications.
5. Myneni, S. R. (n.d.). *Law of torts*. Asia Law House.
6. Desai, K. (n.d.). *Law of torts: An outline with cases*. N. M. Tripathi Pvt. Ltd.
7. Fleming, J. G. (n.d.). *The law of torts*. LBC Information Services.
8. Ratanlal, & Dhirajlal. (n.d.). *The law of torts*. Wadhwa & Company.

9. Sridhar, L. M. (n.d.). *The law of torts*. LexisNexis.
10. Bangia, R. K. (n.d.). *The law of torts*. Allahabad Law Agency.
11. Kapoor, S. K. (n.d.). *Law of torts*. Central Law Agency.
12. Basu, D. D. (n.d.). *The law of torts*. Kamal Law House.
13. Salmond, J. W. (n.d.). *Salmond's law of torts*.
14. Iyer, R. (n.d.). *Ramaswamy Iyer's the law of torts*. LexisNexis Butterworths.
15. Singh, A. (n.d.). *Introduction to law of torts*. Wadhwa & Company.
16. Gandhi, B. M. (n.d.). *Law of torts*. Eastern Book Company.
17. Pandey, J. N. (n.d.). *Law of torts*. Central Law Publications.
18. Taxmann. (n.d.). *Consumer protection law and practice*. Taxmann Publications.
19. Law & Justice Publishing. (2019). *The Consumer Protection Act, 2019: Bare act with comments*. Law & Justice Publishing.
20. Professional's. (2019). *The Consumer Protection Act, 2019: Bare act*. Professional Book Publishers.

DSC- 504 ENVIRONMENTAL LAW

COURSE OBJECTIVES

The Environmental Law course aims to introduce first-year law students to the fundamental principles, concepts, and legal frameworks governing environmental protection. It seeks to develop an understanding of the interrelationship between law, society, and the environment, and the role of law in addressing key environmental challenges such as pollution, climate change, deforestation, and biodiversity loss. The course also familiarizes students with international environmental law and global environmental governance. By the end of the course, students will be able to identify environmental legal issues, appreciate the role of institutions and the judiciary in environmental protection, and understand the responsibilities of the state, organizations, and individuals. The course further aims to cultivate environmental awareness and ethical responsibility among future legal professionals.

TEACHING–LEARNING METHODOLOGY

The course adopts a blended teaching–learning approach comprising lectures, interactive discussions, and case-based learning. Classroom lectures provide foundational knowledge of legal principles, statutes, and constitutional provisions. Case studies of landmark judicial decisions promote analytical thinking and practical understanding. Seminars, presentations, and group discussions enhance research and communication skills. Audio-visual resources and contemporary environmental reports connect theory with practice. An environmental study tour offers experiential learning through direct exposure to environmental institutions, conservation sites, or impacted areas.

COURSE OUTCOMES:

Upon successful completion of the course, students will be able to:

CO 1 : Understand and explain the fundamental principles, concepts, and sources of environmental law at national and international levels.

CO 2 : Identify and analyze environmental problems using relevant legal provisions, policies, and judicial precedents.

CO 3 : Interpret constitutional mandates, environmental statutes, and landmark court decisions relating to environmental protection.

CO 4 : Evaluate the role of the state, judiciary, international organizations, and individuals in environmental governance and sustainability.

CO 5 : Apply environmental law principles to real-life situations with ethical awareness and a commitment to environmental justice.

UNIT I — Introduction and Basic Concepts

1.1 Concept, Nature, and Scope of Environment

1.2 Definitions: Environment, Environmental Pollution

1.3 Historical Evolution of Environmental Protection

1.3.1 Indian Tradition: Dharma and Environmental Protection

1.3.2 Causes and Effects of Environmental Degradation- Air Pollution, Water Pollution, Soil Pollution, Noise Pollution

1.3.3 Effects on Human Health, Animals, Plants, and Property

UNIT II — International Environmental Law

2.1 International Environmental Conferences

2.1.1 Stockholm Conference, 1972

2.1.2 Rio Earth Summit, 1992

2.2 Major International Environmental Treaties and Conventions

2.2.1 Basel Convention, 1989 (Hazardous Wastes)

2.2.2 Montreal Protocol, 1987 (Protection of Ozone Layer)

2.3 Effect of International Treaties/Agreements or convention

2.4 Sustainable Development, Polluter Pays Principle, Precautionary Principle, Inter-generational Equity

UNIT III — Constitutional and Common Law Framework

3.1 Constitutional Provisions Relating to Environment

3.1.1 Articles 14, 19(1)(g), 21 — Right to Clean and Healthy Environment

3.1.2 Directive Principles: Article 48A

3.1.3 Fundamental Duties: Article 51A(g)

3.1.4 Enforcement of International Agreement: Art 372

3.1.5 Writ remedies Art. 32 and 226 and Public Interest Litigation

3.2 Judicial Activism in Environmental Protection

3.3 Landmark Cases:

3.3.1 *M.C. Mehta v. Union of India* (1987) 1 SCC 395 (Oleum Gas Leak Case)

3.3.2 *Vellore Citizens' Welfare Forum v. Union of India* (1996) 5 SCC 647
(Tanneries Pollution Case)

3.3.3 *M.C. Mehta v. Union of India* (Taj Trapezium Case), (1997) 2 SCC 353

UNIT IV — Statutory Framework for Pollution Control

3.1 The Water (Prevention and Control of Pollution) Act, 1974

3.1.1 Water Pollution Control Boards, Powers and Functions and
Offences and Penalties

3.2 The Air (Prevention and Control of Pollution) Act, 1981

3.2.1 Air Pollution Control Boards, Powers and Functions, Offences and
Penalties

3.3 Noise Pollution

3.4 Regulation and Control Measures under BNS, BNSS, Torts, Motor Vehicles
Act, 1988 and Factories Act, 1948, Noise Pollution Rules 2000

3.5 The Environment (Protection) Act, 1986

3.5.1 Powers of the Central Government

3.5.2 Measures for Environmental Protection

3.5.3 Offences and Penalties

UNIT V — Natural Resources, Forests, Wildlife, and Animal Protection

5.1 Forest Conservation Laws

5.1.1 Forest (Conservation) Act, 1980

5.1.2 Indian Forest Act, 1927

5.2 Wildlife Protection Legislation- Wild Life Protection Act, 1972.

5.2.1 Definitions, Authorities and Wildlife Boards

5.2.2 Hunting Regulations, Protection of specified plants, Trade or
Commerce in wild animals

5.2.3 Sanctuaries, National Parks, and Zoos

5.2.4 Offences and Penalties

UNIT VI — Specialized Statutes and Regulatory Bodies

6.1 National Green Tribunal Act, 2010

6.2 Environmental Impact Assessment (EIA)

6.2.1 Procedures and Legal Framework

6.3 Coastal Zone Management (CZM)

6.3.1 Coastal Regulation Zone (CRZ) Notifications

6.4 Biodiversity and Genetic Resources

6.4.1 Biological Diversity Act, 2002

6.4.2 Bio-medical Waste Rules

6.4.3 Hazardous Waste Management Rules

6.4.4 Genetic Engineering – GMO Rules, 1989

6.5 Other Sector-Specific Environmental Laws

6.5.1 Wetlands Protection – Ramsar Convention

6.5.2 Mining Regulations – Mines and Minerals (Development and Regulation) Act, 1957 (MMDR Act), Maharashtra Minor Mineral Rules, 2020

UNIT VII — Protection of Animals

7.1 The Prevention of Cruelty to Animals Act, 1960

7.1.1 Definitions-

7.1.2 Animal Welfare Board of India (AWBI)

7.1.3 Acts of Cruelty to Animals

7.1.4 Experimentation on Animals and Performing Animals

7.1.5 Offences and Penalties

7.2 Prevention of Cruelty to Animals (Care and Maintenance of Case Property Animals) Rules, 2017

UNIT VIII — Environmental Governance, Liability, and Emerging Issues

8.1 Civil Remedies and Liability

8.1.1 Damages and Injunctions

8.1.2 Law of Torts: Nuisance, Negligence, Trespass, Strict and Absolute Liability

8.2 Criminal and Penal Enforcement

8.2.1 Penal Provisions under Environmental Legislations

8.2.2 Judicial Trends in Environmental Crime

8.3 Corporate and Governmental Liability

8.3.1 Public Liability Insurance Act, 1991

8.3.2 Corporate Responsibility and Accountability for Environmental Harm

8.4 Contemporary Environmental Challenges

8.4.1 Climate Change and Environmental Governance

8.4.2 E-Waste Management

8.4.3 Environmental Justice and Community Participation

Recommended Books

1. Divan, S., & Rosencranz, A. (2005). *Environmental law and policy in India*. Oxford University Press.
2. Leelakrishnan, P. (2019). *Environmental law in India* (5th ed.). LexisNexis Butterworths.
3. Shastri, S. C. (2022). *Environmental law*. Eastern Book Company.
4. Singh, G. (2024). *Environmental law in India*. Eastern Book Company.
5. Maheshwara Swamy, N. (2022). *Textbook on environmental law* (3rd ed.). Asia Law House.
6. Nanda, S. K. (2021). *Environmental law*. Central Law Publications.
7. Myneni, S. R. (2025). *Environmental law* (5th ed.). Asia Law House.
8. Paranjape, V. N. (2021). *Environmental law*. Central Law Agency.
9. Sands, P., & Peel, J. (2018). *Principles of international environmental law* (4th ed.). Cambridge University Press.
10. Nanda, V. P., & Pring, G. R. (2012). *International environmental law and policy for the 21st century* (2nd ed.). Martinus Nijhoff Publishers.
11. Bell, S., & McGillivray, D. (2008). *Environmental law* (7th ed.). Oxford University Press.
12. Ghosh, S. (Ed.). (2019). *Indian environmental law: Key concepts and principles*. Orient BlackSwan.
13. Sahu, G. (2014). *Environmental jurisprudence and the Supreme Court: Litigation, interpretation, implementation*. Orient BlackSwan.
14. Upadhyay, S., & Upadhyay, V. (2002). *Forest laws, wildlife laws and the environment*. LexisNexis.
15. Tiwari, H. (2005). *Environmental law*. Allahabad Law Agency.
16. Upadhyay, J. J. R. (2014). *Environmental law*. Central Law Agency.
17. Chitnis, V. S., & Tilak, R. K. (2001). *Changing face of the planet and environmental law*. Snow White Publications.

List of cases

1. Rural Litigation and Entitlement Kendra v. State of Uttar Pradesh, 1985 SCR (2) 431 – Dehradun Quarry Case
2. Vellore Citizens Welfare Forum v. Union of India, (1996) 5 SCC 647

3. Indian Council for Enviro-Legal Action v. Union of India, (1996) 3 SCC 212
4. M.C. Mehta v. Kamal Nath, (1997) 1 SCC 388 – Taj Trapezium Revisited
5. T.N. Godavarman Thirumulpad v. Union of India, (1996) 2 SCC 267
6. A.P. Pollution Control Board v. Prof. M.V. Nayudu, (1999) 2 SCC 718
7. Subhash Kumar v. State of Bihar, (1991) 1 SCC 598
8. Shehla Zia v. WAPDA, PLD 1994 SC 693
9. Samaj Parivartan Samudaya v. State of Karnataka, (1998) 7 SCC 41
10. Bihar State Electricity Board v. Rajendra Prasad, (1999) 4 SCC 78
11. Sterlite Industries (India) Ltd. v. Union of India, (2013) 7 SCC 1

DSC – 505: FAMILY LAW - I

The course structure is designed mainly with three objectives in view. One is to provide adequate sociology perspectives so that the basic concepts relating to family are expounded in their social setting. The next objective is to give an overview of some of the current problems arising out of the foundational inequalities writ large in the various family concepts. The third objective is to view family law not merely as a separate system of personal laws based upon religions but as the one cutting across the religious lines and eventually enabling us to fulfill the constitutional directive of uniform civil code. Such a restructuring would make the study of familial relations more meaningful.

To evaluate the strength of family system in India and the extent of legal support provided to the same and also to examine when and how and to what extent a Uniform Civil Code to regulate a religious part of family life, if any, may emerge!

Method of study: Lecture method and tutorial form of learning is the best method. Case study and research for self-learning may also be truly effective. Paper writing and presentation may be gainfully employed to maximize the teaching-learning devise. There are a lot of scope of innovation and new interpretation.

COURSE OBJECTIVES –

1. To provide foundational understanding of the nature, sources, and schools of Hindu and Muslim Law and their historical development.
2. To familiarize the students with laws relating to the marriage and family systems in India.
3. To study matrimonial remedies under personal laws.
4. To develop understanding of rights and responsibilities related to alimony, maintenance, adoption, guardianship, and minority under various legal statutes.
5. To enable students to understand the functioning of Family Courts, including their composition, powers

COURSE OUTCOMES –

After completing this course, students will be able -

CO 1 : To understand and explain the sources, evolution, and schools of Hindu and Muslim personal laws in India.

CO 2 : To identify and analyze the legal requirements for valid marriages and recognize grounds for divorce.

CO 3 : To evaluate the matrimonial remedies and apply the legal principles.

CO 4 : To understand and appreciate the legal provisions related to maintenance, adoption, and guardianship, including the roles of Courts and statutory protection available.

CO 5 : To interpret and describe the functioning of Family Courts.

SYLLABUS

UNIT I: NATURE, SOURCES AND SCHOOLS OF HINDU AND MUSLIM LAW

1.1 Nature, Sources and Schools of Hindu Law

1.2 Nature, Sources and Schools of Muslim Law

1.3 Customary Practices and Its Regulation

1.3.1 Dowry- Dowry Prohibition Act 1961

1.3.2 Child Marriage- Prohibition of Child Marriage Act 2006

1.3.3 Sati-Commission of Sati (Prevention) Act, 1987

UNIT II: MARRIAGE AND FAMILY

2.1 Nature, and Significance of Marriage and Family

2.2 Types and Functions of Marriage and Family

2.3 Essential Elements and Formalities for Valid Marriage of Hindus, Muslims, Christians, Parsis and Special marriage.

2.4 Comparative study of Marriage and Live-in Relationship in India

UNIT III: MATRIMONIAL REMEDIES UNDER HINDU MARRIAGE ACT

3.1 Restitution of Conjugal Rights and Judicial Separation

3.2 Nullity of Marriage- Grounds of Void and Voidable Marriage

3.3 Divorce- concept

3.3.1 Divorce by Fault Grounds

3.3.2 Divorce by Mutual Consent

3.3.3 Divorce by Irretrievable Breakdown of Marriage

3.4 Conversion- effects on marriage and succession

3.5 Bars to Matrimonial Relief-

3.5.1 Doctrine of strict proof,

3.5.2 No advantage of one's own wrong or disability

3.5.3 Accessory & Connivance,

3.5.4 Condonation,

3.5.5 Collusion

3.5.6 Improper or unnecessary delay

3.5.7 Residuary clause

UNIT- IV- MATRIMONIAL REMEDIES UNDER MUSLIM PERSONAL LAW

4.1 Talak System- Concept of Talak, Iddat Period, Period of Tuhr (purity), Option of Puberty etc.

4.2 Types of Talak, Process and Formalities, and Constitutionality of Talak-a-Biddat

4.3 Talak by Mutual Consent- Khula &Mubarat

4.4 Grounds of Divorce under Dissolution of Muslim Marriage Act, 1939

4.5 Apostacy- effects on marriage and succession

UNIT V: ALIMONY AND MAINTENANCE (HINDU LAW MUSLIM LAW, BNSS, & D.V. ACT)

1.1 Alimony and Maintenance under Hindu Marriage Act, Hindu Adoption and Maintenance Act- Concepts, Kinds, Rights and Procedure etc.

1.2 Right to Alimony and Maintenance under Muslim Personal Law

1.3 Right to Maintenance under Bhartiya Nagarik Suraksha Sanhita / Cr. P. C

1.4 Women's Right to Maintenance under Protection of Women from Domestic Violence Act

UNIT VI-LAW RELATING TO ADOPTION AND GUARDIANSHIP

6.1 Concept of Adoption under Traditional Hindu law

6.2 Hindu Adoption and Maintenance Act, 1956

(Provisions from Sec. 1 to 17)

6.3 CARA Guidelines for Adoption

UNIT VII- MINORITY AND GUARDIANSHIP

7.1 Hindu Minority and Guardianship Act, 1956- Kinds, Power & Functions and Liability of Guardian.

7.2 Muslim Personal Law- Kinds, Power & Functions and Liability of Guardian

7.3 Muslim women's Right of Hizanat

7.4 Power of Courts to appoint legal guardian

UNIT- VIII – FAMILY COURTS SYSTEM

8.1 Composition of Family Courts

8.2 Powers and Functions of Family Courts

8.3 Use of Mediation and Counselling in Family Courts

REFERENCE BOOKS

1. Diwan, P. (n.d.). *Family law*. Allahabad Law Agency.
2. Gandhi, B. M. (n.d.). *Family law* (Vols. 1–2). Eastern Book Company.
3. Saxena, P. P. (n.d.). *Family law lectures: Family law I*. LexisNexis.
4. Saxena, P. P. (n.d.). *Family law lectures: Family law II*. LexisNexis.
5. Kusum. (n.d.). *Family law I*. LexisNexis.
6. Myneni, S. R. (n.d.). *Hindu law (Family law I)*. Asia Law House.
7. Bhargava, M. L. (n.d.). *Family laws in India*. Lawmann's.
8. Commercial Law Publishers. (n.d.). *Manual on marriage and divorce laws*. Commercial Law Publishers.
9. Central Law Publications. (n.d.). *Family law I*. Central Law Publications.
10. Goswami, S. (n.d.). *Family law II*. Central Law Publications.
11. Mahmood, T. (n.d.). *Family law in India: Family rights, relations, property and succession rights*.
12. Parashar, A., & Dhanda, A. (n.d.). *Redefining family law in India*. Routledge.
13. Mulla, D. F., & Desai, S. A. (n.d.). *Mulla's Hindu law*. LexisNexis.
14. Khan, I. A. (n.d.). *Principles of Mahomedan law*. Central Law Agency.
15. Hidayatullah, M. (n.d.). *Mulla on Muslim law*.
16. Fyzee, A. A. A. (n.d.). *Outlines of Muhammadan law*. Oxford University Press.
17. Misra, R., & Kumar, V. (n.d.). *Hindu law and usage* (Rev. ed.). LexisNexis.
18. Derrett, J. D. M. (n.d.). *Introduction to modern Hindu law*.
19. Government of India. (n.d.). *Family laws: Bare acts compilation*.
20. Family Laws (Bare Acts Compilation)

AECC – 506: FUNDAMENTALS OF RESEARCH

Research in common parlance refers to a search for knowledge. It is a scientific and systematic search for pertinent information on a specific topic. In fact, research is an art of scientific investigation. It is the pursuit of truth with the help of study, observation, comparison and experiment. Significance of Research is increasing in all discipline as it reflects social values, attitudes and behavior. As we know law is a dynamic and not static, therefore law student should inevitably understand the basics of research. After gone through the syllabus of ‘Fundamentals of Research’ the law students are came to know-

- The Basics of the Research with the conceptual foundation
- The stages of the Research involved and
- The ethics for Research and its principle.

Each Ability Enhancement compulsory Course (AECC) of 2 Credits shall be of 50 Marks including teaching workload of 2 lectures per week per AECC. This paper workload shall be shared by existing Full-Time Teachers. The assessment of the Subject Skill Enhancement Course shall be internal assessment. The weightage for the continuous internal Assessment shall be based on the following.

UNIT I

UNIT I CONCEPTUAL FOUNDATION OF RESEARCH

- 1.1 Introduction: Historical perspective and importance of Research
- 1.2 Meaning and Definitions of Research
- 1.3 Objectives of Research
- 1.4 Types of Research
- 1.5 Concept of Legal Research
- 1.6 Research Methodology

UNIT II MAJOR STAGES OF RESEARCH

- 2.1 Identification and formulation of problem
- 2.2 Review of Literature and Formulation of Hypothesis
- 2.3 Research Design
- 2.4 Collection of data and its various modes
- 2.5 Analysis and interpretation of data
- 2.6 Findings, Suggestions and Conclusion

UNIT III TOOLS AND TECHNIQUES OF DATA COLLECTION

3.1 Questionnaire

3.2 Survey

3.3 Interview

3.4 Sampling

3.5 Observations

3.6 Schedule

UNIT IV RESEARCH ETHICS

4.1 Moral Principles and Social Values in Research

4.2 Research Ethical Committee in Higher Education

4.3 Legal aspects – Copyright, Plagiarism, etc

Reference/ Suggested Books

1. Kothari, C. R., & Garg, G. (2018). *Research methodology: Methods and techniques*. New Age International Publishers.
2. Myneni, S. R. (2017). *Legal research methodology*. Allahabad Law Agency.
3. Panneerselvam, R. (n.d.). *Research methodology* (2nd ed., e-book). Kindle Edition.
4. Singh, Y. K. (n.d.). *Fundamentals of research methodology and statistics*. New Age International Publishers.
5. Tewari, H. N. (2016). *Legal research methodology*. Allahabad Law Agency.
6. Goode, W. J., & Hatt, P. K. (1952). *Methods in social research*. McGraw-Hill.
7. Purohit, M. (2016). *Legal education and research methodology*. Central Law Publications.
8. Tripathi, G. P. (2015). *Legal research and research methodology*. Central Law Publications.

Syllabus of Five Year Law Programme (B.A. LL.B.)

B.A. LL. B. III, SEMESTER VI

DSC- 601 SPECIAL CONTRACT

COURSE OBJECTIVES

The course is to be taught after the students have been made familiar with the general principles of contract in which the emphasis is on understanding and appreciating the basic essentials of a valid contract and on the existence of contractual relationship in various instances. Obviously, a course on special contract should initiate the students to different kinds of contracts with emphasis on the intricacies therein. This course also should provide an insight into the justification for special statutory provisions for certain kinds of contracts.

We are witnessing a paradigm shift in every walk of life, especially commercial sector, due to computer technology. Internet has transformed traditional markets into global markets by facilitating online execution of commercial transactions including electronic transfer of goods and services through online advertising, online ordering, publishing, banking, investment, auction, travel, entertainment and professional and financial services.

Existing legal provisions have to be re-interpreted and applied to provide solutions to issues generated by new technology till the new legal provisions arrive. Students are expected to study the provisions that govern E-Contract including relevant provisions from Indian Contract act, Information technology Act and relevant amendments to Indian Penal code, Indian Evidence act, Negotiable Instruments act etc.

COURSE OUTCOMES

Students will be able to

CO 1 : Learn the concepts related to special contracts and their nature and scope as per the Indian Contract Act of 1872.

CO 2 : Identify and explain the rights, obligations and responsibilities of all persons involved in contracts of indemnity, guarantee, bailment, pledge and agency.

CO 3 : Apply the general legal rules governing special contract to practical and commercial situations.

CO 4 : Analyze current trends in contract law such as e-contracts and smart contracts.

CO 5 : Enhance legal reasoning, problem-solving and analytical skills in contractual matters.

Method of study: Lecture method and tutorial form of learning is the best method. Case study and research for self - learning may also be truly effective. Paper writing and presentation may be gainfully employed to maximize the teaching-learning devise. There are a lot of scope of innovation and new interpretation.

Syllabus

Unit I: Contact of Indemnity

- 1.1 Meaning and nature of indemnity
- 1.2 Types of indemnity
- 1.3 English law and Indian law comparison
- 1.4 Rights and liabilities of indemnifier
- 1.5 Rights and liabilities of indemnity-holder
- 1.6 Indemnity in modern legal practice

Unit II: Contact of Guarantee

- 2.1 Meaning and nature of guarantee
- 2.2 Essentials of a valid guarantee
- 2.3 Types of guarantee
- 2.4 Rights and liabilities of surety
- 2.5 Discharge of surety
- 2.6 Difference between indemnity and guarantee

Unit III: Contact of Bailment

- 3.1 Meaning and definition of bailment
- 3.2 Essentials of a valid bailment
- 3.3 Duties and rights of bailor
- 3.4 Duties and rights of bailee
- 3.5 Termination of bailment

Unit IV: Contact of Pledge

- 4.1 Meaning and definition of pledge
- 4.2 Essentials of a valid pledge
- 4.3 Duties and rights of pawnor and pawnee
- 4.4 Pledge by non-owner
- 4.5 Termination of pledge
- 4.6 Difference between Pledge, Bailment and Mortgage

Unit V: Sale of Goods

- 5.1 Meaning and definition of sale of goods
- 5.2 Essentials of a valid contract of sale
- 5.3 Conditions and warranties
- 5.4 Transfer of ownership and delivery of goods
- 5.5 Rights of unpaid seller
- 5.6 Performance of the contract of sale
- 5.7 Remedies for breach of contract of sale

Unit VI: Contact of Partnership

- 6.1 Meaning, Nature and Essentials of Partnership
- 6.2 Registration of Partnership Firm
- 6.3 Types of Partners and their roles
- 6.4 Rights, duties and liabilities of Partners
- 6.5 Dissolution of Partnership Firm

Unit VII: Contact of Agency – Part I (Concept and Authority)

- 7.1 Meaning and definition of agency
- 7.2 Essentials of a valid agency
- 7.3 Types of agents
- 7.4 Creation of agency
- 7.5 Authority of agent (express, implied and apparent authority)
- 7.6 Doctrine of ratification

Unit VIII: Contract of Agency – Part II (Rights, Liabilities and Special Situations)

- 8.1 Rights and duties of agent
- 8.2 Rights and duties of principal
- 8.3 Personal liability of agent

- 8.4 Liability of principal for acts of agent
- 8.5 Sub-agent and substituted agent
- 8.6 Termination of agency

References

1. Singh, A. (n.d.). *Law of contract and specific relief*. Eastern Book Company.
2. Pollock, F., & Mulla, D. F. (n.d.). *The Indian Contract Act, 1872*. LexisNexis.
3. Bangia, R. K. (n.d.). *Law of contracts*. Allahabad Law Agency.
4. Anson, W. R. (n.d.). *Law of contract*. Oxford University Press.
5. Government of India. (1872). *The Indian Contract Act, 1872: Bare act with latest amendments*.
6. Atiyah, P. S. (n.d.). *An introduction to the law of contract*. Clarendon Press.
7. Law Commission of India. (n.d.). *Reports on contract law and commercial obligations*. Government of India.

DSC- 602 CONSTITUTIONAL LAW - II

COURSE OBJECTIVES –

This Course is designated to impart an advanced and systematic understanding of the constitutional distribution of powers between the union and the States and the federal structure of the Indian Constitution. It undertakes a critical study of composition, powers, and functioning of Parliament, State Legislatures, the Judiciary, and other Constitutional & administrative institutions. This course contextualizes constitutional governance within its social, economic, and political context, fostering analytical competence and informed constitutional interpretation among students.

1. To provide in-depth knowledge about the Parliamentary form of government and also the functionaries working for the effective implementation of Constitutional provisions
2. Conceptual understanding about federalism and to learn its working and challenges in Indian scenario, also providing understanding of various vital aspects governance, and principles governing Legislative relations between Centre-State
3. To understand the principles administrative and financial relations between the center and state and its effect on federal structure.
4. To study other Constitutional Institutions / Authorities in India
5. To understand the value of freedom of Trade, Commerce and also the importance of services under state
6. To provide in-depth knowledge about judicial institutions their structure, powers and the independence of judiciary, judicial accountability and judicial activism etc.
7. To understand how the democratic structure, distribution of powers undergoes vital changes during emergency situations and its impact on freedom of individual and the state.

8. To understand constitutional process of adaptation and alteration and judicial approach in strengthening the constitutional aspirations.

COURSE OUTCOMES –

The students, after learning this course, would be able to have understand the followings -

CO 1 : Clear understanding of the roles of three organs of the Indian federal structure and relationship inter-se

CO 2 : Understanding of the constitutional distribution of governmental powers between the union and the States and the federal structure of the Indian Constitution.

CO 3 : Understanding of different constitutional provisions in social, economic, political & legal perspectives and its application in reality.

CO 4 : Understanding the roles of various functionaries working under Constitution in fulfilling the Constitutional aspirations

CO 5 : Understanding the Judicial process and the role of Judiciary in preserving and protecting the various Constitutional values

CO 6 : Critical appreciation of the role of Emergency in federal Constitution, and the nature and scope of doctrine of judicial review and to understand the scope of amending power under the Constitution of India.

SYLLABUS

UNIT I. PARLIAMENTARY GOVERNMENT AND EXECUTIVE

- 1.1 Parliamentary form of government, Composition of Parliament, election, qualifications, disqualification and tenure and privileges of members of parliament
- 1.2 Union Executive - President of India - qualification, election, tenure, powers, and impeachment process and status & position of the President.
- 1.3 Council of Ministers, Prime Minister, cabinet system, Parliamentary Privileges, collective & individual responsibility.
- 1.4 Functions of Parliament & Legislative process of passing of bills.
- 1.5 State Executive - Governor of State- Qualification, appointment, tenure, powers- specifically- ordinance making power and pardoning power

UNIT II. FEDERALISM & LEGISLATIVE RELATIONS BETWEEN CENTER AND STATES

- 2.1 Concept, idea and essential characteristics of Indian Federalism
- 2.2 Working and challenges of Federalism in India.
- 2.3 Legislative relations between the Center and State.
- 2.4 Three lists- Principles and Doctrines Interpretation
- 2.5 Parliament's power to legislate on state subjects.

UNIT III. ADMINISTRATIVE AND FINANCIAL RELATIONS BETWEEN CENTRE AND STATES

- 3.1 Distribution of Executive Powers between the Union and States
- 3.2 Control of Union over states
- 3.3 Coordination between Centre & States and States *inter-se* cooperative federalism
- 3.4 Distribution and sharing of revenue between Centre and States
- 3.5 Finance commission

UNIT IV. CONSTITUTIONAL INSTITUTIONS AND AUTHORITIES

- 4.1 Public Service Commission

- 4.2 Election commission of India
- 4.3 National Commission for SC, ST and Backward classes
- 4.4 Attorney General, Advocate General
- 4.5 Comptroller and Auditor General of India.

UNIT V. FREEDOM OF TRADE COMMERCE AND SERVICES UNDER STATE

- 5.1 Freedom of trade & commerce and its relationship with Art 19
- 5.2 Freedom of trade and Commerce & restrictions upon it
- 5.3 Doctrine of Pleasure and Restriction upon them
- 5.4 Constitutional safeguards to civil servants

UNIT VI. JUDICIARY UNDER THE CONSTITUTION

- 1.1 Supreme Court – composition, appointment, collegium system, removal of judges
- 1.2 Jurisdiction- Supreme court as a court of record, original, appellate, advisory, etc.
- 1.3 High Court - Constitution, appointment, jurisdiction, writ jurisdiction, extra ordinary jurisdiction.
- 1.4 Doctrine of Judicial Review- Nature and scope

UNIT VII. EMERGENCY PROVISIONS

- 7.1 National emergency- grounds, declaration of emergency, effects of emergency
- 7.2 Failure of constitutional machinery in a state- grounds, effects
- 7.3 Financial emergency -grounds and implications
- 7.4 Constitutional amendments relating to emergency provisions

UNIT VIII. CONSTITUTIONAL PROCESS OF ADAPTATION AND ALTERATION

- 8.1 Amendment- necessity, meaning and methods of amendment
- 8.2 Constitutional limitations upon constituent powers
- 8.3 Doctrine of Basic Structure – emergence and expansion through judicial interpretations
- 8.4 Amendment of Fundamental rights

REFERENCE BOOKS

1. T.K. Tope: Constitutional of India.
2. G. Austin, History Democratic Constitution: The Indian Experience (2000) Oxford.
3. D.D. Basu : Shorter Constitution of India (1996) Prentice Hall of India, Delhi.
4. Constituent Assembly Debates Vol. 1 to 12 (1989)
5. H.M. Seervai: Constitution of India Vol. 1-3 (1992), Tripathi, Bombay.
6. M.P.Singh (ed) V.N. Shukla : Constitutional Law of India (2000) Oxford.
7. G. Austin : Indian Constitution : Cornerstone of a Nation (1972)
8. Dr. Pandey J.N. : Constitutional Law of India. (2024) 61 Edn Central Law Agency.
9. Dr. S.R. Myneni : 4th Edn 2022 Constitution -II Asia Law House Publication
10. D.D. Basu Introduction to The Constitution of India 22nd Edn Lexis Nexis 2015

DSC – 603: FAMILY LAW - II

Succession is an important way of transfer of property, of course after the life of the owner of the property. The study shall not only examine the law as it is and is interpreted by Courts in fact situation, it also shall aim at understanding the differences in the law of succession, both testamentary and intestate, amongst various religious groups.

Methodology of teaching-learning: Lecture method, Case study and presentation shall be dominant method. But research and paper-writing is also important. There shall be comparative studies in all presentations and lectures. Discussion and issue-based round table shall be emphasized instead of issue-based lecture.

COURSE OBJECTIVES

1. To develop a conceptual understanding of personal laws governing inheritance, succession, joint family, gifts, wills, and religious endowments under Hindu, Muslim, Christian, and Parsi laws.
2. To analyze the principles of Hindu Joint Family and coparcenary systems, including Mitakshara and Dayabhaga schools, and their legal implications.
3. To examine statutory provisions for regulating succession and property rights.
4. To study women's rights to property, including Stridhan and comparative legal developments aimed at gender justice.
5. To understand testamentary and non-testamentary transfers, including wills, gifts, pre-emption, and religious endowments, with emphasis on legal formalities and validity.

COURSE OUTCOMES

After completing this course, students will be able to:

CO1 : To explain and differentiate between Mitakshara and Dayabhaga joint family systems, coparcenary rights, and modes of partition and alienation.

CO2 : To interpret and apply succession laws relating to Hindus, Muslims, Christians, and Parsis in cases of intestate and testamentary succession.

CO3 : To assess the legal status and rights of women in matters of property, inheritance, and Stridhan under different personal laws.

CO4 : To analyze the validity and execution of wills, gifts, and wasiyat, including competency, limitations, and legal consequences.

CO5 : To evaluate legal concepts related to pre-emption and religious endowments, including Wakf, Hindu religious trusts, and the powers and liabilities of trustees and Mutawalis.

SYLLABUS

UNIT -I: HINDU JOINT FAMILY

- 1.1 Mitakshara & Dayabhaga Joint Family
- 1.2 Mitakshara coparcenary – formation and incidents
- 1.3 Dayabhaga coparcenary – formation and incidents
- 1.4 Property under Mitakshara & Dayabhaga laws– separate property and coparcenary property
- 1.5 Karta– his position, powers, functions and liabilities
- 1.6 Alienation of property – separate and coparcenary
- 1.7 Partition and reunion

UNIT- II: INHERITANCE UNDER HINDU LAW

- 2.1 Application of Hindu Succession Act, 1956
- 2.2 Definitions under Hindu Succession Act, 1956
- 2.3 Devolution of Interest in Mitakshara coparcenary Section 6 Hindu Succession Act, 1956
- 2.4 Provisions relating to Succession to the property of a Hindu Male dying Intestate
- 2.5 Provisions relating to Succession to the property of a Hindu Female dying Intestate
- 2.6 Disqualification relating to Succession

UNIT- III: INHERITANCE OF MUSLIMS, PARSIS & CHRISTIANS

- 3.1 General rules of succession in pre-Islamic and post-koranic era
- 3.2 Inheritance under Hanafi Law (Sunni law)

3.3 Inheritance of Christians, Parsis under Indian Succession Act 1925

UNIT- IV: STRIDHAN & WOMEN'S RIGHT TO PROPERTY

4.1 Stridhan – concept and characteristics, and sources

4.2 Succession to Stridhan

4.3 Comparative analysis of right to property of women

UNIT - V: TESTAMENTARY SUCCESSION

1.1 Definitions- Will, Probate, Codicil, executor, administrator

1.2 Competence of the testator, limitation to testamentation

1.3 Execution of Privileged and Unprivileged will

1.4 Attestation, Alteration and Revival of will

1.5 Wasiyat under Muslim law-competency of testator, formalities

UNIT -VI: RIGHT OF PRE-EMPTION:

6.1 Pre-emption- meaning, nature, and constitutionality

6.2 Who can claim the right of pre-emption, its formalities and its legal effects

6.3 Evasion of right of pre-emption

6.4 Pre-emption under Hindu Law

UNIT- VII: GIFT UNDER THE MUSLIM LAW

7.1 Concept of Hiba and Gift under English Law

7.2 Essential Elements of valid Hiba

7.3 Types of Hiba

7.4 Death-bed gift, its Limitations and Acknowledgement of Debt

7.5 Revocation of Hiba

UNIT VIII: RELIGIOUS ENDOWMENTS

8.1 Wakf

8.1.1 Meaning, character, formalities for creation

8.1.2 Administration, power of Mutawali, Muslim Religious Institutions and offices

8.2 Hindu Religious Endowment

8.2.1 Traditional religious principles of creation, administration and offices

8.2.2 Statutory methods of creation of trust

8.2.3 Powers and functions of the trustees

REFERENCE BOOKS

1. Diwan, P. (n.d.). *Family law*. Allahabad Law Agency.
2. Gandhi, B. M. (n.d.). *Family law* (Vols. 1–2). Eastern Book Company.
3. Saxena, P. P. (n.d.). *Family law lectures: Family law I*. LexisNexis.
4. Saxena, P. P. (n.d.). *Family law lectures: Family law II*. LexisNexis.
5. Kusum. (n.d.). *Family law I*. LexisNexis.
6. Myneni, S. R. (n.d.). *Hindu law (Family law I)*. Asia Law House.
7. Bhargava, M. L. (n.d.). *Family laws in India*. Lawmann's.
8. Commercial Law Publishers. (n.d.). *Manual on marriage and divorce laws*. Commercial Law Publishers.
9. Central Law Publications. (n.d.). *Family law I*. Central Law Publications.
10. Goswami, S. (n.d.). *Family law II*. Central Law Publications.
11. Mahmood, T. (n.d.). *Family law in India: Family rights, relations, property and succession rights*.
12. Parashar, A., & Dhanda, A. (n.d.). *Redefining family law in India*. Routledge.
13. Mulla, D. F., & Desai, S. A. (n.d.). *Mulla's Hindu law*. LexisNexis.
14. Khan, I. A. (n.d.). *Principles of Mahomedan law* (Rev. ed. by D. F. Mulla). Central Law Agency.
15. Hidayatullah, M. (n.d.). *Mulla on Muslim law*.
16. Fyzee, A. A. A. (n.d.). *Outlines of Muhammadan law*. Oxford University Press.
17. Misra, R., & Kumar, V. (n.d.). *Hindu law and usage* (Rev. ed.). LexisNexis.
18. Derrett, J. D. M. (n.d.). *Introduction to modern Hindu law*.
19. Derrett, J. D. M. (n.d.). *Critique of modern Hindu law*.
20. Government of India. (n.d.). *Family laws: Bare acts compilation*. Government of India.

DSC – 604: LAW OF CRIMES I- (Bhartiya Nyaya Sanhita (BNS))

Crime and Punishment has been the one of the most important task of rule of law of the State. This course is designed with a prime object to familiarize students with the principles of criminal liability and other concepts of substantive criminal law. So proper understanding of these offences & criminal behaviors, methods of controlling them has now become extremely important in the larger context of Indians development & to build a just and humane society. The curriculum outlined here attempts to seek these objectives.

COURSE OBJECTIVES –

- To familiarize students with the structure, philosophy, and major reforms introduced by the Bhartiya Nyaya Sanhita (BNS), replacing the Indian Penal Code, 1860.
- To develop a comprehensive understanding of substantive criminal law under BNS, including general principles of criminal liability, categorization of offences, and statutory definitions.
- To enable students to critically analyze the shift from colonial to contemporary criminal law, focusing on victim-centric reforms, technological integration, and India-centric jurisprudence.
- To equip students with the ability to interpret and apply BNS provisions to factual situations through case studies, problem-solving, and hypothetical scenarios.
- To encourage comparative study between IPC and BNS to understand changes in offence definitions, new offences, enhanced punishments, and procedural linkages with the BharatiyaNagarikSurakshaSanhita (BNSS).
- To prepare students for legal practice, judicial service examinations, and advanced research in Indian criminal law.

COURSE OUTCOMES –

Students will able to

CO1 : Recall the structure, chapters, and key definitions under the Bharatiya Nyaya Sanhita (BNS).

CO2 : Interpret provisions related to general principles of criminal liability.

CO3 : Describe the elements of offences and punishment schemes under BNS.

CO4 : Use statutory interpretation techniques to determine liability under BNS.

CO5 : Engage in case-based reasoning, using precedent, hypothetical analysis, and statutory interpretation skills.

Methods of teaching-learning: Lecture method shall be the main method of learning to be followed. Dialectic method of mootng and argumentation plays a very convincing procedure of learning. The information sharing and flow of information among the teacher and taught has to work as bonding of the entire course. Case comment can also be a method of research writing in this paper.

Pedagogy of Teaching:

- The pedagogy for teaching BNS-2023 requires a blended learning of theoretical principles with practical applications.
- Interactive lectures and discussion methods may be used.
- Guest lectures from the legal field provide insight to the Subject.
- Tutorials, assignments and hypothetical problem solving may be the best method of study.
- Continuous assessment through quizzes, presentations, case studies, real time problem solving etc. ensures a comprehensive understanding of the Subject.
- The course may be taught in association with practicing lawyers to get real time experience.

SYLLABUS

UNIT-I-Concept of Crime and introduction to BNS

- 1.1 Nature, concept of Crime
- 1.2 Elements of Criminal Liability and stages of crime
- 1.3 Salient features of BNS-2023
- 1.4 Important Definitions under BNS-2023 (sec. 2)
- 1.5 Punishments under BNS-2023 (sec 4 to 13)

Unit -II General Exceptions (Sec. 14 to 44)

- 2.1 Mistake of fact,
- 2.2 Judicial act, and Accident
- 2.3 Act in good faith and consent
- 2.4 Act of child, act of person of unsound mind and intoxication
- 2.5 Right of private defense

Unit-III Inchoate offences (sec. 45 to 62 and 189 to 191)

- 3.1 Attempt
- 3.2 Criminal conspiracy
- 3.3 Abetment

3.4 Unlawful assembly

3.5 Rioting

Unit-IV Offences against woman (sec. 63 to 86)

4.1 Rape (Sec. 63-71)

4.2 Sexual Harassment, Voyeurism, Stalking (Sec. 75, 77 and 78)

4.3 Outraging Modesty of women (Sec. 74, 76, 79)

4.3 Dowry death and Bigamy (Sec. 80 and 82)

4.4 cruelty by husband and relatives (sec. 85 to 86)

Unit-V offences Affecting Human Body (Sec.100 to 146)

5.1 Culpable Homicide and Murder

5.2 Organised Crimes

5.3 Hurt and Grievous Hurt

5.4 Criminal force and Assault

5.5 Kidnapping and Abduction

Unit-VI Offences relating to State, Election and of public servants

6.1 Waging war against Government of India (sec. 147 to 150)

6.2 [Act endangering sovereignty, unity and integrity of India.](#) (Sec. 152)

6.3 Offences relating to election (sec. 169 to 177)

6.4 Offences by or relating to Public Servants (Sec. 198 to 205)

Unit VII Offense against property (sec 303 to 334)

7.1 Theft and extortion,

7.2 Robbery and Dacoity

7.3 Misappropriation of property and criminal breach of trust

7.4 Cheating and mischief

7.5 Criminal trespass, house trespass and house breaking

Unit VIII- Offences relating to Evidence, Reputation and Safety

8.1 Giving and Fabricating of False Evidence (Sec. 227 to 229)

8.2 Forgery and making of false documents (Sec. 335 to 337)

8.3 Defamation

8.4 Offences affecting the public health, safety, convenience, decency and morals
(Sec.270 to 297)

REFERENCE BOOKS -

1. Ratanlal, & Dhirajlal. (2023). *The Bhartiya Nyaya Sanhita, 2023* (37th ed.). LexisNexis.
2. Gaur, K. D. (2023). *Textbook on the Bhartiya Nyaya Sanhita, 2023* (9th ed.). LexisNexis Universal.
3. Swamyraj, K. (2023). *Textbook on the Bhartiya Nyaya Sanhita, 2023*. Central Law Publications.
4. Mishra, S. N. (2023). *Bhartiya Nyaya Sanhita, 2023*. Central Law Publications.

DSC – 605: Professional Ethics and Professional Accountancy for Lawyers and Bar-Bench Relations

Advocates have the dual responsibility of upholding the interests of the client fearlessly while conducting themselves as officers of the court. Accordingly, they are expected to adhere to the highest standards of probity and honor. An advocate's conduct should reflect their privileged position in society which derives from the nobility of this profession.

The service of an advocate to the common man should be compassionate, moral and lawful. Indian Legal System can write up the next big success story in professional legal education and consequently higher efficiency in Justice Delivery System if it succeeds in facilitating high professional skills, building up of human resource with proper integration of knowledge to match the growing world standard.

Legal Profession is one of the Nobel Professions in India. The advocates are the officers of the Court of justice and must follow certain norms and standards of conduct. The subject Professional Ethics and Professional Accounting System in law includes a moral code that governs how advocates should behave within and outside the court. Legal professionals must conduct themselves honorably, responsibly to help the court, and foster public trust in the legal system. They are under the obligation to conduct themselves with dignity, decency, honesty and morals when performing their duty toward other advocates and to the court. Being experts in the fields of law their involvement in the administration of justice is necessary. Advocates have the dual responsibility of upholding the interests of the client fearlessly as well as protect rule of law in the society by protecting legal interest of general public.

Creating legal awareness among the society and providing legal aid is one of the pious obligations of the legal professionals. The study of professional ethics shall stive the legal professionals towards maintain the dignity and respect for legal profession.

This is a Compulsory Clinical Course as prescribed under the Bar Council of India – Rules of Legal Education, 2008. The very object of the course is that every law student must not only become good lawyer, but also a good human being and should render his service to the society.

COURSE OBJECTIVES –

1. To understand the background of the development of legal profession in India.
2. To understand the concepts of professional ethics in advocacy and duties of advocate.
3. To understand the process involved in the admission and enrollment of advocates, their disqualifications and rights of the advocates.
4. To understand the relationship between bar and bench and the concepts of contempt of Courts.
5. To understand the basic concepts of professional accounting system for lawyers.

COURSE OUTCOMES –

The students shall-

CO1 : Understand and apply the professional ethics and ethical norms of legal profession.

CO2 : Understand the contempt law in India and the classifications of contempt, the punishments and remedies etc.

CO3 : Analysis of extent of ethical norms and develop the skills to decide a course of action in professional life.

CO4 : Apply the concept of professional accountability and knowledge of professional accounting system in day-to-day functioning.

Pedagogy of Teaching:

- The pedagogy for teaching professional ethics and accounting systems requires a blended learning of theoretical principles with practical applications.
- Interactive lectures and discussion methods may encourage active participation and critical thinking, and exploring ethical values and legal principles and accountability.
- Guest lectures from the legal and accounting fields provide insights into professional practices and real-life challenges.
- Tutorials, assignments involve analyzing ethical codes and developing solutions to complex ethical issues.

- Continuous assessment through quizzes, presentations, case studies, real time problem solving etc. ensures a comprehensive understanding of professional ethics and accounting systems.
- The course will be taught in association with practicing lawyers to get real time experience.

Evaluation methods:

- a. Theory Examination: 70 Marks
- b. Journal : 20 Marks
- c. Viva Voce : 10 Marks

- Format of Journal (Internal Assessment: Journal work) (but not limited to -)

Sr. No	Particulars	Page No	Remark
1.	Duties of Advocate		
2.	Meaning and Types of Contempt		
3.	Supreme Court Cases (5 Cases)		
4.	Disciplinary Committee Opinion (5 Cases)		

SYLLABUS

Theory Syllabus

Theory Syllabus

Unit I Professional Ethics.

- 1.1. Development of Legal Profession in India.
- 1.2. Importance of Legal Profession and difference between Business and Profession
- 1.3. Concept, need and importance of Professional Ethics for lawyers
- 1.4. Seven Lamps of Advocacy
- 1.5. Bar and Bench Relations

Unit II Standards of professional Conduct and Etiquettes for Advocates

- 2.1 Duties of Advocate
- 2.2 Restrictions on other employments.
- 2.3 Senior Advocates and Restrictions on Senior Advocates.
- 2.4 Form of Dresses or Robes to be worn by Advocate.
- 2.5 Vakalatnama.

Unit III Advocates Act 1961

- 3.6 Definitions Sec. 2
- 3.7 Bar Councils Sec. 3 to 15
- 3.8 Admission and enrollment of advocates Sec. 16 to 28
- 3.9 Rights and Privileges of Advocate Sec. 29 to 34
- 3.10 Comparative study of The Advocates (Amendment) Bill, 2025

Unit IV Professional and Other misconduct by the Advocates

- 4.1 Meaning of Misconduct
- 4.2 Misconduct by Advocates
- 4.3 Punishment for misconduct
- 4.4 Power and Procedure to be followed by Disciplinary committee
- 4.5 Appeal Review and Revision

Unit V Contempt of Courts Act 1971

- 5.1 Meaning, essentials and types of Contempt
- 5.2 Constitutional validity of contempt law
- 5.3 Defences in Civil and Criminal Contempt

5.4 Jurisdiction for Contempt of Court

5.5 Punishment and remedies available in contempt of Court

Unit VI Accountancy for Lawyers

6.1 Need of Accountancy for Lawyers

6.2 Definition, object, Importance and Utility of Book Keeping.

6.3 Principles of Book-keeping and Accountancy, Accounting concepts and conventions.

6.4 Meaning and Advantages of Double Entry Bookkeeping.

6.5 Classification of accounts and Rules for debiting and crediting the accounts.

Practical Syllabus

Unit VII Major Judgments of Supreme Court on Misconduct and Contempt

1. In re : Arundhati Roy AIR 2002 SC 1375
2. Pallav Sheth Versus Custodian AIR 2001 SC 2763
3. District Bar Association, Dehradun through its Secretary Versus Ishwar Shandilya & Ors. AIR 2020 SC 1412
4. In Re: Prashant Bhushan & Anr (2020)6 MLJ 319, AIR 2020 SC 4074
5. R.K. Anand Versus Registrar, Delhi High Court (2013)1 SCC 218, AIR 2020 SC 670
6. Dhanraj Singh Choudahry Versus Nathulal Vishwakarma 2012(1) SCC 741, AIR 2012 SC 628
7. Noratanmal Chouraria Versus M.R. Murli and another AIR 2004 SCW 2894, AIR 2004 SC 2440
8. Harish Chandra Tiwari Versus Baiju AIR 2002 SC 548
9. Bhupinder Kumar Sharma Versus Bar Association, Pathankot AIR 2002 SC 47
10. Shambhu Ram Yadav Versus Hanuman Das Khatri AIR 2001 SC 2509

Unit VIII Opinions of the Disciplinary Committee of Bar Council of India on misconduct by Advocates.

1. BCI DC Appeal No- 13/2006 - Amanjot Singh v. Meena Arora –IBR, Vol. XLI (4)2014 P. 243
2. BCI DC Appeal No- 40/2012 - A v. R– IBR, Vol. XL (1)2013 P. 117
3. BCI TR Case No- 38/2011 - C v. R– IBR, Vol. XL (2)2013 P. 187
4. BCI DC Appeal No- 46/2011 - A v. R– IBR, Vol. XXXIX (1)2012 P. 223
5. BCI DC Appeal No- 42/2010 - B v. A– IBR, Vol. XXXIX (4)2012 P. 235

6. BCI TR Case No- 62/2008 - C v. R– IBR, Vol. XXXIX (2) 2012 P. 211
7. BCI DC Appeal No- 52/2008 - A v. R– IBR, Vol. XXXVIII (1&2)2011 P. 209
8. BCI TR Case No- 157/2006 - A v. R– IBR, Vol. XXXVIII (4) 2011 P. 195
9. BCI TR Case No- 88/1999 - C v. R– IBR, Vol. XXXVIII (3) 2011 P. 161
10. BCI TR Case No- 24/2005 – Ashok Singhal v. Kanwar Sangram Singh– IBR, Vol. XXXII (3&4) 2005 P. 581

REFERENCE BOOKS

1. Row, S. (n.d.). *Sanjiva Row's Advocates Act, 1961*.
2. Iyer, V. R. K. (n.d.). *Law of contempt of courts*.
3. Bar Council of India Trust. (n.d.). *Selected judgments on professional ethics*.
4. Bar Council of India. (n.d.). *Bar Council of India rules on standards of professional conduct and etiquette*.
5. Rai, K. (n.d.). *Legal ethics, accountancy for lawyers and bench-bar relations*.
6. Gupta, S. P. (n.d.). *Professional ethics, accountancy for lawyers and bench-bar relations*.
7. Patkar, M. G. (n.d.). *Book keeping and accountancy*.
8. Kotibhaskar, J. (n.d.). *Book keeping and accountancy*.
9. Iyer, K. (n.d.). *Advocacy*.
10. Shukla, M. C., & Grewal, T. S. (n.d.). *Advanced accountancy*.
11. Gupta, R. L. (n.d.). *Advanced accountancy*.
12. Maheshwari, S. N. (n.d.). *Introduction to accountancy*.
13. Indian Bar Review. (n.d.). *Indian Bar Review (Journal)*.
14. Jain, M. P. (n.d.). *Outline of Indian legal history (Chapter: Development of the legal profession)*.
15. Iyer, K. V. K. (n.d.). *Professional conduct and advocacy (Chapters 10–17)*.
16. Mallick, M. R. (n.d.). *Advocates Act, 1961 with professional ethics, advocacy and bar-bench relationship*.
17. Mehta, P. L., & Gupta, S. (n.d.). *Legal education and legal profession in India*.
18. All India Reporter. (n.d.). *All India Reporter (A.I.R.)*.
19. Supreme Court Cases. (n.d.). *Supreme Court Cases (S.C.C.)*.
20. Sirohi, J. P. S. (n.d.). *Professional ethics, accountancy for lawyers and bar-bench relations*.

21. Agarwal, A. N. (n.d.). *Practical aspects of higher accountancy*.
22. Anand. (n.d.). *Professional ethics of the bar*.
23. Chandra, S. C. J. (n.d.). *Selected judgments on professional ethics*.
24. Myneni, S. R. (n.d.). *Professional ethics, accountancy for lawyers and bench-bar relations*.
25. Reddy, G. B. (n.d.). *Practical advocacy for lawyers*.

AECC – 606 PUBLIC INTEREST LAWYERING AND PARA LEGAL SERVICES

Unit – I Public Interest Litigation

- 1.1 PIL- Meaning and object
- 1.2 Locus Standi
- 1.3 Merits and demerits of Public Interest Lawyering
- 1.4 PIL and writ jurisdiction
- 1.5 Social Revolution through P.I.L. with Cases
- 1.6 Legal Services- Meaning, Object and Importance
- 1.7 Constitutional Provisions
- 1.8 Legal Services Authorities Act, 1987
- 1.9 Legal Aid and Legal Profession

Unit – II LokAdalat

- 2.1 Meaning of LokAdalat
- 2.2 Organisation of LokAdalat
- 2.3 Permanent LokAdalat
- 2.4 Composition of LokAdalat
- 2.5 Functioning of LokAdalats

Unit – III Para-Legal Training and Importance

- 3.1 Meaning, Objects and Importance
- 3.2 Role of DALSA, TALSA
- 3.3 Legal Literacy Campus
- 3.4 Negotiation
- 3.5 Counselling

Unit – IV Lok-Nayalaya and Gram Nyayalaya

- 4.1 Meaning, Objects and Importance
- 4.2 Features of the Gram Nyalaya Act, 2008
- 4.3 Jurisdiction of Gram Nyayalaya
- 4.4 Appellate Provisions
- 4.5 Mobile Court

Books Recommended

1. Rai, K. (n.d.). *Public interest lawyering, legal aid and para-legal services.*
2. Gupta, J. G. (n.d.). *Public interest litigation.*
3. Sharma, S. S. (n.d.). *Legal aid to the poor.*

B.A. LL.B. III Semester – V

**CEP - 507 Compulsory English Paper
(for opting Marathi Medium students)**

**Communicative English-II
PERSONAL AND PROFESSIONAL COMMUNICATION SKILLS**

Course Outcomes

By the end of this module, students will be able to:

- Communicate effectively in personal and professional contexts
- Use appropriate English for legal and workplace communication
- Demonstrate confidence in speaking, listening, reading, and writing
- Apply communication skills ethically and professionally

Syllabus

Unit I: Fundamentals of Personal Communication

1.1 Meaning and Process of Communication

- 1.1.1 Definition and elements of communication
- 1.1.2 Verbal and non-verbal communication
- 1.1.3 Importance of communication in personal and academic life

1.2 Self-Awareness and Communication

- 1.2.1 Understanding self-concept and identity
- 1.2.2 Role of emotions and attitudes in communication
- 1.2.3 Developing empathy and emotional intelligence

1.3 Listening and Speaking Skills

- 1.3.1 Types of listening: active, selective, and empathetic
- 1.3.2 Barriers to effective listening
- 1.3.3 Speaking with clarity, confidence, and coherence

1.4 Personal Communication Etiquette

- 1.4.1 Politeness strategies in English
- 1.4.2 Appropriate tone and register
- 1.4.3 Cultural sensitivity and interpersonal respect

Unit II: Professional Communication in Legal Contexts

2.1 Nature and Importance of Professional Communication

- 2.1.1 Professional vs. personal communication
- 2.1.2 Role of English in the legal profession
- 2.1.3 Ethical and responsible communication

2.2 Verbal Communication Skills for Law Students

- 2.2.1 Professional introductions and greetings
- 2.2.2 Client interaction and counselling language
- 2.2.3 Telephone and virtual communication skills

2.3 Non-Verbal Communication in Professional Settings

- 2.3.1 Body language, facial expressions, and posture
- 2.3.2 Professional appearance and first impressions
- 2.3.4 Interpreting non-verbal cues in legal contexts

2.4 Overcoming Barriers in Professional Communication

- 2.4.1 Language anxiety and fear of speaking
- 2.4.2 Mother tongue influence and pronunciation issues
- 2.4.3 Strategies for improving fluency and accuracy

Unit III: Written Communication for Personal and Professional Use

3.1 Basics of Effective Written Communication

- 3.1.1 Clarity, coherence, and conciseness
- 3.1.2 Formal and informal writing styles
- 3.1.3 Common grammatical and lexical errors

3.2 Personal Writing Skills

- 3.2.1 Writing emails, messages, and personal statements
- 3.2.2 Expressing opinions, feelings, and experiences
- 3.2.3 Reflective and descriptive writing

3.3 Professional Writing Skills

- 3.3.1 Professional emails and letters
- 3.3.2 Curriculum vitae and statements of purpose
- 3.3.3 Notices, reports, and brief summaries

3.4 Tone, Style, and Register in Writing

- 3.4.1 Politeness and formality in written English
- 3.4.2 Avoiding ambiguity and inappropriate language
- 3.4.3 Proofreading and editing techniques

Unit IV: Interpersonal and Workplace Communication Skills

4.1 Interpersonal Communication Skills

- 4.1.1 Building rapport and trust
- 4.1.2 Assertive communication techniques
- 4.1.3 Conflict management and resolution

4.2 Group Communication

- 4.2.1 Group discussions and meetings
- 4.2.2 Role of leadership and teamwork
- 4.2.3 Language for agreement, disagreement, and persuasion

4.3 Presentation and Public Speaking Skills

- 4.3.1 Structuring oral communication
- 4.3.2 Voice modulation and audience engagement
- 4.3.3 Use of visual aids and supporting materials

4.4 Practical Activities and Skill Development

- 4.4.1 Role-plays, simulations, and case-based activities
- 4.4.2 Group discussions and presentations
- 4.4.3 Continuous assessment through communicative tasks

References:

- Dr. Rao, Nageshwar & Dr. Das Rajendra P. *Communication Skills*, Delhi, Himalaya Publishing House, 2005.
- Kariya, Rajesh *Professional Communication*, Jaipur, Paradise Publishers, 2012.
- Rayadu, C.S. *Media and Communication Management*, Mumbai Himalaya Publishing House, 2000.
- Sinha, K.K. *Business Communication*, New Delhi, Goltotia Publishing Company, 2002

B.A. LL.B. III Semester – VI

CEP - 607 Compulsory English Paper

(for opting Marathi Medium students)

Communicative English-II

INTERVIEW AND PRESENTATION SKILLS

Course Outcomes

After completing this module, students will be able to: Communicate effectively in English in interviews and presentations Use appropriate legal and professional vocabulary Speak with clarity, fluency, and confidence Perform successfully in academic and professional communication situations

Syllabus

Unit I: Communication Skills in Legal English

- 1.1 Communication and Its Role in Legal Profession
 - 1.1.1 Meaning and process of communication
 - 1.1.2 Importance of English in legal education and practice
 - 1.1.3 Formal and informal communication contexts
- 1.2 Components of Communicative Competence
 - 1.2.1 Linguistic competence (grammar and vocabulary)
 - 1.2.2 Sociolinguistic competence (appropriateness and politeness)
 - 1.2.3 Discourse competence (coherence and cohesion)
- 1.3 Verbal and Non-Verbal Communication
 - 1.3.1 Spoken English for professional settings
 - 1.3.2 Body language, eye contact, gestures, and posture
 - 1.3.3 Paralinguistic features: tone, pitch, and stress
- 1.4 Barriers to Effective Communication
 - 1.4.1 Language anxiety and lack of confidence
 - 1.4.2 Mother tongue influence and pronunciation issues
 - 1.4.3 Strategies for improving clarity and fluency

Unit II: Interview Skills for Law Students

2.1 Understanding Interviews

2.1.1 Meaning and purpose of interviews

2.1.2 Types of interviews: academic, internship, job, and viva voce

2.1.3 Interview formats: face-to-face, panel, and online interviews

2.2 Language Skills for Interviews

2.2.1 Self-introduction and personal profiling

2.2.2 Answering questions clearly and concisely

2.2.3 Using appropriate vocabulary and sentence structures

2.3 Common Interview Questions and Responses

2.3.1 Personal, academic, and situational questions

2.3.2 Describing skills, strengths, and achievements

2.3.3 Handling difficult and unexpected questions

2.4 Pronunciation and Fluency Development

2.4.1 Word stress and sentence stress

2.4.2 Intonation patterns in spoken English

2.4.3 Practice through role-play and mock interviews

Unit III: Presentation Skills in Academic and Legal Contexts

3.1 Nature and Purpose of Presentations

3.1.1 Academic presentations and seminars

3.1.2 Case presentations and moot court speaking

3.1.3 Client-oriented presentations

3.2 Structure of an Effective Presentation

3.2.1 Introduction, body, and conclusion

3.2.2 Organizing ideas logically

3.2.3 Use of signposting language and transitions

3.3 Language for Presentations

3.3.1 Formal and semi-formal expressions

3.3.2 Persuasive and descriptive language

3.3.3 Avoiding common grammatical and lexical errors

3.4 Delivery and Visual Support

3.4.1 Voice modulation and clarity

3.4.2 Effective use of visual aids (PowerPoint, charts)

3.4.3 Engaging the audience and maintaining confidence

Unit IV: Practical Communication and Performance Skills

- 4.1 Group Discussions and Interactive Speaking
 - 4.1.1 Turn-taking and polite interruption
 - 4.1.2 Expressing agreement and disagreement
 - 4.1.3 Language for discussion and debate
- 4.2 Handling Questions and Feedback
 - 4.2.1 Responding to audience questions
 - 4.2.2 Clarifying and defending viewpoints
 - 4.2.3 Using polite and professional language
- 4.3 Confidence Building and Stress Management
 - 4.3.1 Overcoming stage fear and interview anxiety
 - 4.3.2 Techniques for improving self-confidence
 - 4.3.3 Developing a positive speaking attitude
- 4.4 Practical Activities and Evaluation
 - 4.4.1 Mock interviews and presentations
 - 4.4.2 Role-plays and peer evaluation
 - 4.4.3 Continuous assessment through speaking tasks

References for further study:

- Rai, Urmila and S. M. Rai. *Effective Communication*. Himalaya Publishing House, Mumbai. 2001.
- Kumar, Varinder and Bodh Raj. *Business Communication*. Kalyani Publishers, New Delhi. 2000.
- Jain, A. K., Pravin S. R. Bhatia and A. M. Sheikh. *Professional Communication Skills*. S. Chand & Company Ltd. New Delhi. 2001.
- Ganguly, Anand. *The Art of Business Communication*. Goodwill Publishing House, New Delhi.
- Mathew, M. J. *Business Communication: Theory and Practice*. RBSA Publishers, Jaipur. 2002.
- Kaul, Asha. *Business Communication*. Prentice-Hall of India Private Limited, New Delhi. 2007.