

**DR. RAM MANOHAR LOHIA AWADH
UNIVERSITY, AYODHYA (U.P.)**

SYLLABUS

OF

LL.B. (THREE YEAR COURSE)

LL.B. 1St SEMESTER

- I. LAW OF CONTRACT- -I**
- II. CONSTITUTIONAL LAW-I**
- III. FAMILY LAW-I (HINDU LAW)**
- IV. LAW OF TORTS-I**
- V. PUBLIC INTERNATIONAL LAW-I**
- VI. LAW OF CRIMES-I**
- VII. LEGAL LANGUAGE, LEGAL WRITING,
INCLUDING GENERAL ENGLISH**

LL.B. First Semester

PAPER-I

Maximum Marks: 100

LAW OF CONTRACT-I

UNIT-I

History and nature of contractual obligations

Agreement and Contract: Definitions, elements and Kinds

Proposal and Acceptance- their various forms, essential elements, communication and revocation- proposal and invitation to treat, standing offers.

Considerations- its need meaning kinds, essential elements- nudumpactum- privity of contract and of consideration- its exceptions –adequacy of consideration- present, past and adequate consideration- unlawful consideration and its effects.

Standard forms of contract.

UNIT-II

What agreement are contracts?

Capacity to contract-meaning- incapacity arising out of status and mental defect- minor's agreements- definition of 'minor'- accessories supplied to a minor, agreements beneficial and detrimental to a minor a minor – restitution in cases of minor's agreement.

Free Consent- Its need and definition- factors vitiating free consent.

Coercion- definition- essential elements- duress and coercion- doctrine of economic duress- effect of coercion.

Undue Influence- definition- essential elements- between which parties can it exit? Who is to prove it? Illustrations of undue influence- independence advice- pardanashin women- unconscionable bargains- effects of undue influence.

Misrepresentation- definition- misrepresentation of law and fact- their effect and illustration.

Fraud- definition- essential elements- When does silence amounts to fraud? Active concealment of truth- importance of intention.

Mistake- definition- kind- mistake of law and of fact- their effects.

UNIT-III

Legality of objects (Section 23, Indian Contract Act)

Void agreement- from Sections 24-30, Indian Contract Act

UNIT-IV

Performance of contracts

Discharge of contract and its various modes

Performance- Time and Place

Impossibility of performance- specific grounds frustration

Breach- anticipatory and present

Quasi- Contracts [Sections 68-72]

Remedies in contractual relations-

Damages- kinds-remoteness of damages- ascertainment of damages.

Injunction- When granted and when refused- why?

Refund and restitution

Specific Performance- When? Why?

UNIT-V

Specific Relief

Specific performance of contract

Contracts that can be specifically enforced

Persons against whom specific performance can be ordered

Rescission and cancellation

Injunction- Temporary, Perpetual

Declaratory orders

Acts

The Indian Contract Act, 1872

The Specific Relief Act, 1963

Books

Anson, Law of Contract

Avtar Singh, Law of Contract and Specific Relief

S.K. Kapoor, Law of Contract

P.S. Atiya, Introduction to the Law of Contract

S.C. Banerjee, Law of Specific Relief

Anand&Aiyer, Law of Specific Relief

LL.B. First Semester

PAPER-II

Maximum Marks: 100

CONSTITUTIONAL LAW-I

UNIT-I

Constitutional development since 1858-1947

Making of Indian Constitution

Nature and special features of the Constitution of India

Rule of law & Separation of powers

UNIT-II

State under Article 12 of the Constitution

Right of Equality (Articles 14-18)

Right to Freedom (Articles 19-22)

Right against Exploitation (Articles 23-24)

UNIT-III

Concept of secularism: historical perspective

Right to Freedom of Religion (Articles 25-28)

Cultural and Educational Rights (Articles 29-30)

Fundamental Duties (Articles 51-A)

UNIT-IV

Directive Principles- directions for social change- A new social order

Fundamental Rights and Directive Principles of State Policy, inter-relationship, judicial balancing

Constitutional amendment- to strengthen Directive Principles

UNIT-V

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

Judicial Review

Judicial activism and restraint

Acts

Constitution of India

Books

G. Austin, History of Democratic Constitution: The Indian Experience (Oxford)

Constituent Assembly Debates, Vol. 1-12

D.D. Basu, Shorter Constitution of India

H.M. Seervai, Constitution of India Vol. 1-3

M.P. Singh (Ed.), V.N Shukla, Constitutional Law of India

J.N. Pandey, Constitution of India

LL.B. First Semester

PAPER-III

Maximum Marks: 100

FAMILY LAW-I (HINDU LAW)

UNIT-I

Who are Hindus?

Sources and schools of Hindu law

Evolution of the institution of marriage and family

Hindu Marriage (Sections 5-8)

Restitution of conjugal rights and judicial separation (Section 9-10)

Nullity of marriage and divorce (Section 11-18)

UNIT-II

Adoption- definition and conditions of valid adoption, effect of invalid adoption

Capacity of a male Hindu to take in adoption

Capacity of a female Hindu to take in adoption

Persons capable of giving in adoption

Persons who may be adopted

Maintenance-dependents

Maintenance of dependents

Amount of maintenance

Transfer of family property and its effect

UNIT-III

Meaning of guardian

Kinds of guardian- natural guardian, testamentary guardian, guardian appoint by the court, de facto and ad hoc guardian

Natural guardian of a Hindu minor, its qualifications and disqualifications

Natural guardian of adopted son

Power of natural guardian

Intestate succession

Order of succession among heirs

Property of a female Hindu to be her absolute

General rules of succession and exclusion from succession

UNIT-IV

Joint family

Coparcenary property- Mitakshara and Dayabhaga

Karta of the joint family- his position, powers, privileges and obligations

Alienation of property-Separate and coparcenary property

Debts- doctrine of pious obligations and antecedent debts

UNIT-V

Partition- meaning of partition; partition how effected

Gifts- definition and subject-matter of gift

Gifts when complete

Gifts to unborn persons

Revocation of gift

Will-definition

Meaning of 'Codicil'

Persons capable of making will

What property may be disposed of by will- Mitakshara and Dayabhaga Law?

Revocation and alteration of will when void

Acts

The Hindu Marriage Act, 1955

The Hindu Adoption and Maintenance Act, 1956

The Hindu Minority and Guardianship Act, 1956

The Hindu Succession Act, 1956

Books

ParasDiwan, Hindu Law

J.D.M. Derrett, Hindu Law: Past and Present

P.V. Kane, History of Dharmashastras, Vol.2 Part 1

ParasDiwan, Family Law: Law of Marriage and Divorce in India

S.T. Desai (ed.) Mulla's Principles of Hindu Law

S.K. Singh (ed.) R.K. Agarwala's Hindu Law, C.L.A., Allahabad

N.D. Basu, Law of Succession

ParasDiwan, Law of Adoption, Minority, Guardianship and Custody

LL.B. First Semester

PAPER-IV

Maximum Marks: 100

LAW OF TORTS-I

UNIT-I

Evolution of the law of torts

Definition, Nature, Scope and Objects

Wrongful act- violation of duty imposed by law, duty which is owed to people generally (in rem)-damnum sine injuria and injuria sine damnum

Tort distinguished from crime and breach of contract

The Concept of unliquidated damages

UNIT-II

Volenti non fit injuria

Necessity- private and public

Plaintiff's default

Act of God

Inevitable accident

Private defense

Statutory authority

Judicial and quasi-Judicial acts

Mistake

UNIT-III

Vicarious liability- Meaning, Scope and Justification

Master and servant- arising out of and in the course of employment. Who is master?- The control test. Who is servant? Borrowed servant; independent contractor and Servant distinguished

Principal and agent

Partners

Vicarious liability of the State

UNIT-IV

Assault, battery, mayhem

False imprisonment

Malicious prosecution

Nervous shock

UNIT-V

Strict/Absolute liability

The rule in Ryland v. Fletcher

Liability for harm caused by inherently dangerous industries

Position in India- Bhopal Gas Leak Disaster case, (Air 1990 SC 273); MC Mehta V. Union of India, (Air 1987 SC 1086)

Books

Salmond and Heuston, Law of Torts

D.M. Gandhi, The Law Of Torts

RatanlalDhirajlal, The Law of Torts

Winfield and Jolwiz on Tort

R.K. Bangia, The Law of Torts, M.V. Accident and Consumer Protection Act

LL.B. First Semester

PAPER-V

Maximum Marks: 100

PUBLIC INTERNATIONAL LAW-I

UNIT-I

Nature, definition, origin and basics of International Law

Source of International Law

Subjects of International Law

Relationship between International Law and Municipal Law

UNIT-II

Recognition- definition, theories of recognition, kinds of recognition, legal effects of recognition, withdrawal of recognition

Extradition- definition, purpose of extradition, legal duty, extradition of political offenders, doctrine of double criminality, rule of specialty

Asylum- meaning, right of asylum types of asylum

Intervention- definition and its prohibition, grounds of intervention

UNIT-III

State Territory- concept, modes of acquisition, international rivers

State Jurisdiction- territorial jurisdiction and its limitation

State Succession- definition, kinds of succession, and consequences of State succession

State Responsibility- kinds of State responsibility, consequences of State responsibility, nationality

UNIT-IV

Law of War- legal effects of war, commencement of war, termination of war enemy character and belligerent occupation

War crime, genocide, blockade, doctrine of continuous voyage

Law of Sea- maritime belt, contiguous zone, continental shelf

UNIT-V

United Nations- origin objects, principles and membership

Main organs of United Nations- General Assembly, Security Council, International Court of Justice

Treaties

Diplomatic agents

Books

Starke, Introduction to International Law

S.K. Kapoor, International Law

S.K. Verma, Public International Law

H.O. Agrawal, International Law and Human Rights

LL.B. First Semester

PAPER-VI

Maximum Marks: 100

LAW OF CRIMES-I

UNIT-I

Conception, nature and definition of crime

Distinction between crime and other wrongs

Elements of criminal liability- physical element (actusreus) and element (mensrea)

Mensrea under statutory offences

I.P.C.: a reflection of defferent social and moral values

Applicability of I.P.C.

UNIT-II

Stages of crime

Guilty intention- mere intention not punishable

Preparation- preparation not punishable, exceptions

Attempt- attempt when punishable, specific provisions of I.P.C., tests for determining what constitutes attempt- proximity, equivocality and social danger, impossible attempt

Punishment- types of punishment

Death, social relevance of capital punishment, alternatives to capital punishment

Imprisonment

Forfeiture of property

Fine

UNIT-III

General Exceptions

Mistake of fact and of law

Mental incapacity- minority; insanity- medical and legal insanity

Intoxication- involuntary

Accident

Necessity

Private defense- justification and limits

UNIT-IV

Joint/ Group liability

Common intention, distinction between common intention and common object

Abetment- instigation, conspiracy and aiding

Unlawful assembly- basic of liability

Criminal conspiracy

UNIT-V

Constructive liability (Section 149, IPC)

Rioting

Vicarious liability

Affray

Sedition

Acts

The Indian Penal Code, 1860

Books

K.D. Gaur, A Text Book on the Indian Penal Code

K.D. Gaur, Criminal Law: Cases and Materials

RatanlalDhirajlal's, Indian Penal Code

P.S. AchuthanPillai, Criminal Law

T.Bhattacharya, The Indian Penal Code

M.D. Chaturvedi, BharatiyaDandSamhita

S.N. Mishra, Indian Penal Code

LL.B. First Semester

PAPER-VII

Maximum Marks: 100

LEGAL LANGUAGE, LEGAL WRITING, INCLUDING GENERAL ENGLISH

UNIT-I

Sentence, kinds of sentences

Subject and predicate

Parts of speech

Gender/ Number

Uses of Articles

Tenses and structural rules of translation

UNIT-II

Narration

Transformation

Degree change

Analysis and synthesis

Syntax

Synonyms and antonyms

UNIT-III

Terms used in civil and criminal laws

Latin words and maxims

Case analysis

One word substitution

UNIT-IV

Essay writing on topics of Legal interest (for example) : Fundamental rights, Secularism, Status of women, Terrorism, Law and Environment, Consumerism, LokAdalat, Independence of judicial, Criminals in election, etc.....

UNIT-V

Precise writing

Composition skills

Letter/ Application writing

Books

Bhatnagar&Bhargava, Law and Language

R.P. Sinha, How to write correct English

R.P. Sinha, How to translate into English

Kelkar, Ashok R, 'Communication and style in Legal Language', Indian Bar Review, Vol 10(3), 1993

Blacks Law Dictionary

Latin for Lawyers, (1997), sweet and Maxwell, University, New Delhi