



# SYLLABUS

For

**LAW Programmes**

**(L.LB)**

**(For admission in 2022-23 and onwards)**



## L.L.B.- Model Curriculum Structure

### SEMESTER– I

Paper Code	Title of the Paper	Credit	L:T:P
LUG101	Law of Torts including MV accident and Consumer Protection Laws.	4	4:1:0
LUG102	Jurisprudence (Legal Method, Indian Legal System and Basic Theory of Law)	4	4:1:0
LUG103	Law of Contract including Specific Relief Act & Sale of Goods Act	4	4:1:0
LUG104	Constitutional Law-I	4	4:1:0
LUG105	English and Legal Language	4	4:1:0

### SEMESTER– II

Paper No.	Title of the Paper	Paper Code	L:T:P
LUG201	Law of Special Contract including Indian Partnership Act & Negotiable Instrument Act)	4	4:1:0
LUG 202	Constitutional Law-II	4	4:1:0
LUG203	Family Law–I(Hindu Law)	4	4:1:0
LUG204	Property Law (Transfer of Property Act and Easement Act)	4	4:1:0
LUG 205 And LUG 206	<u>Optional Papers</u> The student has to opt for any one optional Paper (subject to availability of expert Faculty in the Department) among the following :		
	Indian Legal And Constitutional History	4	4:1:0
	OR Law of Taxation	4	4:1:0



## Semester-I

### Syllabus

## Law of Torts Including Motor Vehicle Accident and Consumer Protection Act

### (LUG-101)

L:T:P:: 4:1:0

Credits-4

**OBJECTIVE OF THE COURSE:** Tort action is being used against service providers, manufacturers and industrial units for products which are injurious to human beings wherein the emphasis are placed on extending the principles of torts not only to acts which are harmful but also failed to comply with changing and cards and products specifications due to rapid advancements in science and technology. Product liability is now taking a new dimension in developed economies the world over.

#### OUTCOMES-

1. Learners will be able to understand the basic concept of the law of Torts.
2. Learners will be able to understand the defenses under the law of torts and be able to defend their clients.
3. Learners will be able to understand the Consumer's Rights and remedies under Consumer Protection Act, 2019
4. Learners will be able to understand the objectives of Motor Vehicle Law

#### UNIT-I: INTRODUCTION AND PRINCIPLES OF LIABILITY IN TORT.

12 Hours

- a) Nature and Definition of Tort.
- b) Development of Tort action in England and India- Tort distinguished from Contract, Quasi-Contract and Crime.
- c) Constituent of Tort- Wrongful Act, Damage and Remedy.
- d) Liabilities- Strict Liability and Absolute Liability. Vicarious Liability- scope and justification.
- e) Conditions of Liability including *damnum sine injuria*, *injuria sine damno*; Remoteness of Damages. Maxims: *Ubi jus ibi remedium*, *Res Ipsa loquitur*, *Volenti non fit injuria* etc.
- f) Doctrine of Sovereign Immunity.

#### UNIT-II: JUSTIFICATION IN TORT/GENERAL DEFENSES

12 Hours

- a) *Volenti non fit injuria*.
- b) Necessity,
- c) Plaintiff's default./Plaintiff the wrongdoer
- d) Act of God.
- e) Inevitable accidents.
- f) Private defences.
- g) Judicial and Quasi-Judicial Acts.
- h) Parental and Quasi-parental authority.

**UNIT-III:SPECIFIC TORTS****8 Hours**

- a) Defamation-Libel, Slander including Defenses in an action for Defamation.
- b) Negligence including Contributory Negligence and other defenses.
- c) Nuisance.
- d) Assault, Battery and mayhem.
- e) False imprisonment and malicious prosecution.
- f) Nervous Shock.
- g) Trespass to Person and Property.
- h) Domestic Violence as a crime and tort.
- i) Principles for the application of the rules and defenses- Enterprises engaged in hazardous activities. (M.C. Mehta v. Union of India)
- j) Salient features of Motor Vehicle Act, Accident Claims, Motor Vehicle Tribunal, Noise and Air Pollution and Safety, Health and Environment issues.

**UNIT-IV: CONSUMER PROTECTION ACT, 2019****8 Hours**

- a) Aims and objectives of the Consumer Protection Act, 2019
- b) Concept of a consumer and consumer dispute under the Consumer Protection Act, 2019.
- c) Shift from Caveat Emptor to Caveat Venditor.
- d) Consumer Protection Councils under the Consumer Protection Act, 2019
- e) Redressal mechanism under the Consumer Protection Act, 2019- District Forum, the State Commission, the National Commission.
- f) Initiation of Proceedings. Grievances Redressal Procedure of Consumer Disputes Redressal Agencies. Powers of CDRA's. Remedies available under the Consumer Protection Act, 2019

**UNIT- V: Motor Vehicle Act, 1988 as amended by the Motor Vehicle (Amendment) Act, 2019****8 Hours**

- a. Provisions related to Motor accidents, Accident claims and settlement
- b. Insurance of motor vehicles, the procedure of making motor vehicle insurance claim
- c. Motor accident claim Tribunal
- d. Rules regarding Hit and Run Motor Accident, Road Rage cases.

**SUGGESTED READINGS**

1. The Law of Torts---Ratanlal & Dhirajlal
2. Tort---Winfield and Jolowicz.
3. Law of Torts---R.K. Bangia.
4. Law of Consumer Protection in India---Dr.D.N.Saraf.
5. Law of Consumer Protection in India---Dr.Avtar Singh.
6. The Law of Consumer Protection in India--- Dr.Gurjeet Singh.
7. Law of Torts---Salmond

### **ESSENTIAL CASE LAWS**

1. Bhim Singh v.StateofJ&Kand others.
2. RudulSahv.Stateof Bihar.
3. Rylandsv.Fletcher1868LRHL,330.
4. M.C.Mehtav.UnionofIndia 19871 SCC395.
5. UnionCarbideCorporationv. Unionof India AIR1989SC248.
6. Donoghuev. Stevenson1932 SC31.
7. StateofRajasthanv. Mst. Vidyawati&OthersAIR 1962 SC1039.
8. M/s.KasturilalRaliaRamJainv.StateofU.P.AIR1965SC1039.
9. Cassidyv. Daily Mirror Newspaper Ltd.
10. Birdv. Jones 1945 7 QB 742.
11. Lucknow Development Authority v.M.K.Gupta (19494) ISCC243.
12. A.C.Modagiv.cCrosswellTailor, (1991) IICPJ586.
13. IndianMedicalAssn.v.V.P.Shantha (1995)6SCC651.
14. ConsumerUnityand Trust societyv. St. of Rajasthan (1991)IICPJ56 Ra



## Semester-I

### Syllabus

#### **JURISPRUDENCE (LEGAL METHOD, INDIAN LEGAL SYSTEM AND BASIC THEORY OF LAW)**

#### **(LUG-102)**

**L:T:P:: 4:1:0**

**Credits-4**

**OBJECTIVE OF THE COURSE:** The concept of law is central to the legal enterprise. In the absence of a comprehensive understanding of this concept, neither legal education nor legal practice can be set towards attaining justice in society. Pedagogy is merely teaching of rules without the knowledge of cognitive and teleological foundations of the discipline and it would not be possible to present a synchronization of various statutes, cases, procedures, practices and customs in the form of a 'systematic body of knowledge nor it would be possible to show the interconnectivity among various branches of law.

A course in Jurisprudence should primarily induct students into a world of questions concerning law so as to enable the student to toy with their complexity and perplexity and is driven to seek answers for themselves such as questioning- "Who says what to whom under what circumstances and for what purpose" which shall, in turn, unfold mysteries of law before them.

**OUTCOME-** By the end of this course, successful students will be able to:

1. explain the differences between the major historical schools of jurisprudence concerning the nature of law;
2. identify the major and minor premises of legal arguments and analyze legal debates using appropriate rhetorical vocabulary;
3. invent and defend arguments about the requirements of justice in legal disputes that reference and extend the themes of the course.

#### **UNIT-I: Introduction**

**12 Hours**

- a) Meaning of Jurisprudence/Legal Theory, Nature, Need and Scope.
- b) Linkages between Jurisprudence and other sciences-
  - a. Law and Justice.
  - b. Law and Morality.
- c) Nature and definition of Law.
- d) Definition of State.
- e) Elements of State.

**UNIT-II: Schools of Jurisprudence****12 Hours**

- a) Analytical Positivism, Pure Theory.  
[Limits on legislative authority: There are no limits (Positivism)]  
These theories comprise of
- i. Command Theory of Law: Utilitarianism (John Austin).
  - ii. Normative Theory of Law: Pure Theory (Hans Kelsen).
  - iii. Rule theory of Law: Law as a system of rules- a combination of primary and secondary rules (H.L.A Hart).
- b) Natural Law
- a. Divine and prophetic theories of law e.g. Hebrew Law, Law of Manu and the Islamic Law.
  - b. Natural Law theories: An Overview
    - i. Natural Law as Virtue (dharma) --- Hindu.
    - ii. Natural Law as justice by nature--- Aristotle.
    - iii. Natural Law as Right reason--- Cicero.
    - iv. Natural Law as Law of God--- St. Thomas Aquinas.
    - v. Natural Law as inner morality of law--- Fuller
- c) Historical Jurisprudence: Historical theories arose out of revolt against Rationalism and the power of human will and tradition:
- d) Sociological Jurisprudence:
- a. Sociological Theory: Functions of law- Law as a means of social control. The jurisprudence of Interests- Roscoe Pound
  - b. Realist Movement.
- e) Indian Jurisprudence:
- a. Classical Approach.
  - b. Medieval Approach.
  - c. Modern Trends.

**UNIT-III: Sources of Law****8 Hours**

- a) Ancient: Customs etc.
- b) Modern: Precedents and Legislation.

**UNIT-IV: Concepts of Law.****8 Hours**

- a) Rights and Duties: Theories and Classification
- b) Legal Personality
- c) Possession, Ownership and Property

**UNIT-V: Principles of Liability****8 Hours**

- a) Liability and Negligence.
- b) Absolute Liability.
- c) Immunity.

## **SUGGESTED READINGS**

1. Legal Theory--- W. Friedmann.
2. Salmand on Jurisprudence--- Fitzgerald (ed.).
3. Jurisprudence--- Dias R.W.N
4. The Concept of Law--- H.L.A. Hart.
5. Introduction to the Philosophy of Law--- Roscoe Pound.
6. Jurisprudence: A Study of Indian Legal System--- S.N. Dhyani.
7. Jurisprudence: Paton G.W.
8. Jurisprudence and Legal Theory--- V.D. Mahajan.
9. B.N. Maini Tripathi--- Legal Theory.
10. N.V. Paranjape: Legal Theory.





## Syllabus

### LAW OF CONTRACT INCLUDING SPECIFIC RELIEF ACT & SALE OF GOODS ACT (LUG 103)

**L:T:P:: 4:1:0**

**Credits-4**

**OBJECTIVE:** Man enters into a variety of contracts from dawn to dusk and this activity increases with the increasing trade, commerce and industry. Modern living would be impossible if the law does not recognize this contract-making power of man. Roscoe Pound made his famous observation-“Wealth, in a commercial age, is made up largely of Promises”. The conferment and protection by law of this contract make the power of man to regulate and define their relations in the best possible manner. However, the contours of contractual relations in pre- and post-independence eras cannot necessarily be the same. In any society, contractual relations are governed by certain basic and general principles which are standardized in the form of the Indian Contract Act, 1872.

#### OUTCOMES:

5. Learners will be able to understand the basic concept of the Law of Contract.
6. Development of learners’ skills to draft valid Contracts for their clients.
7. Learners will be able to understand the basic concepts of the Sale of Goods.
8. Learners will be able to find that what contracts can be specifically enforced by law.

#### Unit-I: Formation of Contract (SECS:2-22)

**12 Hours**

- a) Meaning and Nature of Contract
- b) Offer/Proposal
  - i. Definition.
  - ii. Communication.
  - iii. Revocation.
  - iv. General/Specific offer.
  - v. Invitation to treat.
- c) Acceptance
  - i. Definition.
  - ii. Communication.
  - iii. Revocation.
  - iv. Tenders/Auctions.
- d) Consideration
  - i. Definition.
  - ii. Essentials.
  - iii. Privity of Contract.
- e) Capacity to enter into a contract
  - i. Minor’s position in Mercantile Law.
  - ii. Nature/effect of minor’s agreements.

**Unit-II: Validity, Discharge and Performance of Contract****12 Hours**

- a) Free consent.
- b) Coercion, undue influence, Misrepresentation, Fraud, and Mistake.
- c) Unlawful consideration and object.
- d) Effect of void, voidable, valid, illegal, unlawful and uncertain agreements contract.
- e) Discharge of Contracts.
- f) Performance.
- g) Time and Place of Performance.
- h) Impossibility of Performance and Frustration.
- i) Breach-Anticipatory & Present.

**Unit-III: Legality of Objects(SECS:23-30,56.)****8 Hours**

- a) Contingent Contract (SEC-31-36).
- b) Quasi-Contracts (SECS:68-72,168&169).

**Unit-IV: Specific Relief Act, 1963****8 Hours**

- a) Recovering possession of property (Section 5 to 8)
- b) Contracts which cannot be specifically enforced (Section 10 to 14 A)
- c) Injunctions (Section 36 to 42)
- d) Judicial Mandate-redressal forum, remedies.

**Unit-V: Sales of Goods Act****8 Hours**

- i. Sale and Agreement to sell
- ii. Conditions and Warranties
- iii. Caveat Emptor
- iv. Suits for Breach of the Contract

**SUGGESTED READINGS**

1. Law of Contract---Avtar Singh.
2. Law of Contract and Specific Relief---Mulla.
3. Principles of Mercantile Law---R.K. Bangia.
4. Law of Contract and Specific Relief---R.K. Bangia.
5. Law of Contract---Anson.
6. Contracts---Tata McGraw Hill.
7. Akil Ahmed---Equity, Trust and Specific Relief.
8. Law of Contracts and Partnerships and Sale of Goods Act---T.R. Desai.
9. Law of Contract---Treitel.
10. Law of Contract---Cheshire, Fifoot and Firmstone.

**ESSENTIAL CASE LAWS**

1. Balfour v. Balfour
2. Simpkins v. Pays
3. Carlill v. Carbolic Smokeball Co.
4. Pharmaceutical Society of Great Britain v. Boots Cash Chemists Ltd.,
5. Harvey v. Facey
6. Lalman v. Gauri Dutt
7. Houa v. Fire Insurance Co., v. Grant



## Semester-I

### Syllabus

#### CONSTITUTIONAL LAW-I (LUG-104)

**L:T:P:: 4:1:0**

**Credits-4**

**OBJECTIVE:** Constitution of India is the highest norm of public law. It embodies the main principles of the Democratic Government. Understanding of the Constitution and law is imperative for law students such as how it came into being, what are its powers, functions, responsibilities, and obligations and how power is limited and distributed. The referee's deep understanding of the Constitution of India which developed through constitutional amendments, judicial decisions, constitutional practice and conventions is essential for law students. Students should know the evolution of the Constitution of India, the philosophy of federalism especially Centre-State relations, and the Constitutional process of adoption and alteration and services under the Constitution. Constitutional law highlights its never-ending growth in above-mentioned areas. Students are also expected to know myriad interpretations of the Constitution and why particular interpretation was adopted by the Supreme Court. A critical analysis is of prime importance for the study of the Constitution

#### OUTCOMES-

1. Learners will be able to understand the Philosophy of Constitutional Law.
2. Learners will understand the concept of a State against whom fundamental rights have been protected.
3. Learners will be able to analyze the concept of Right to life, personal liberty and due process of law.
4. Learner will be able to understand the New concept of Right to Equality
5. Learner's will be able to understand the concept of federal and unitary system of government.

#### UNIT-1 General Introduction:

**12 Hours**

1. Concepts of the Constitution, Constitutional Law and Constitutionalism
  - a) Definition and Classification of Constitution
  - b) Constitutional Law- Rules of the Constitution, Organic Laws, Rules of Procedure, Judicial Decision, Constitutional Conventions
  - c) Concept of Constitutionalism-Supremacy of the Constitution, System of Representative and responsible government, Dispersal of Powers, Protection of Individual Right
  - d) Constitutional Morality and Societal Morality

## **2. Brief View of the Indian Constitution and its Preamble**

**a. Salient Feature of the Constitution of India, Nature of the Indian Constitution, Preamble**

### **b. Law of Citizenship in India**

- a) Constitutional Provisions (Article 5 to 11)
- b) Citizenship under the Indian Citizenship Act, 1955 as amended by the Citizenship Amendment Act, 2019
- c) Overseas Citizenship

## **UNIT-2**

**12 Hours**

1. Definition of the term 'State' in context to Fundamental Rights(Article 12)
2. Laws in consistent with Fundamental Rights (Article13)
3. Right to Equality(Article 14to 18)
4. Fundamental Freedoms(Article19)

## **UNIT-3**

**8 Hours**

1. Protection in the respect of conviction for offences(Article 20)
2. Right to life and personal liberty(Article21)
3. Protection against arrest and detention(Article22)
4. Right against exploitation(Article23-24)
5. Right to freedom of religion (Article 25-28)
6. Cultural and educational rights (Article29-30)
7. Exception on-violability of Fundamental rights( Article31-B)

## **UNIT-4**

**8 Hours**

1. Rights to constitutional remedies(Article32)
2. Directive principles of State Policy(Article 37-51)
3. Fundamental Duties(Article51A)

## **UNIT-5**

**8 Hours**

1. President and Vice President of India(Article52-70)
2. Powers of President and Governor to grant pardons etc.(Article72&161))
3. Central Executive(Article73-75)
4. The Governor (A153-154 )
5. Promulgation Ordinance by President and Governor(Art.123-213)

### **SUGGESTED READINGS**

1. Constitution of India----- Dr.V.N.Shukla
2. Indian Constitutional Law ----- M.P.Jain
3. Constitutional and Administrative Law in ----- Nutsels.
4. Constitutional Law of India Vol.1-3(1986)----- M.Hidayatullah
5. Constitutional Law of India –M.V.Pylee
6. Shorter Constitution of India ----- D.D. Basu
7. Constitutional Law of India—H.M.Seervai



## Semester-I

### Syllabus

## ENGLISH AND LEGAL LANGUAGE (LUG-105)

L:T:P:: 4:1:0

Credits-4

**OBJECTIVE:** Human beings transmit their expressions through language. The choice of right words at right time is the art of perfect communication. Command over language is an essential quality of lawyers. The efficiency of advocacy depends upon communication skills to a large extent. Lawyers are expected to be conversant with legal terminologies. Hence this course on legal language aims at equipping students with legal and linguistic skill for effective advocacy.

### OUTCOMES-

1. Learners will be able to understand the importance of Legal Language in legal practice.
2. Development of learner's skill to write Plaint and written statements using legal language.
3. Learners will be able to find the importance and role of Latin and legal Maxims in the legal profession.
4. Learners will be able to understand the concept of legal counseling.
5. Learners will be able to draft Minutes of Meetings, Abstract etc

### UNIT-I: Legal Language-I

8 Hours

- a) Introduction to Legal Language.
- b) Characteristics of Legal Language.
- c) History of Legal Language and Legal Language in India.
- d) English as a medium of communication for legal transactions in India.

### UNIT-II: Grammar and Usages

12 Hours

- a) Sentence: Subject and Predicate; phrase and clause.
- b) Number, Person and Gender.
- c) Parts of Speech.
- d) Preposition and usages.
- e) Degrees of Comparison, Gerund and Infinitives.
- f) Time and Tense.
- g) Articles.
- h) Direct and Indirect Speech.
- i) Transformation of different types of sentences.
- j) Voice: Active and Passive.
- k) Sentences- Simple, Compound and Complex.
- l) Vocabulary building- homophones, word-formation, one word substitution, synonyms, homonyms.

**UNIT-III: Comprehension and Composition****12 Hours**

- a) Reading Comprehension of preferably legal texts.
- b) Comprehension of Legal Texts.
- c) Paragraph and précis writing.
- d) Formal Correspondence.
- e) Note Taking.
- f) Drafting of Reports and Projects.
- g) Drafting of Abstracts.
- h) Etiquettes and Manners for Law Professionals. (Teaching methodology will include Role play, reading and discussion).

**UNIT-IV: Legal Language-II****8 Hours**

- a) Legal maxims.
- b) Legal Terms/ Foreign words.
- c) Drafting of Moot Memorials.
- d) Brief writing.

**UNIT-V: Translation.****8 Hours**

- a) Common Hindi and Urdu words used in Courts.
- b) Translation from Hindi to English and vice-versa.

**SUGGESTED READINGS**

1. Legal Language and Legal Writing--- P.K. Mishra.
2. Legal Language--- S.C. Tripathi.
3. Outlines of Legal Language in India--- Anirudha Prasad.
4. Legal Language, Writing and General English--- J.S. Singh.
5. Law and Language--- R.P. Bhatnagar and R. Bhargava. New Delhi, Macmiillan.
6. Grammar--- Wren and Martin
7. Grammar--- Nesfield.
8. Correct Etiquette & Manners for all occasions--- Seema Gupta.



## Semester–II

### Syllabus

#### LAW OF SPECIAL CONTRACT INCLUDING INDIAN PARTNERSHIP ACT & NEGOTIABLE INSTRUMENT ACT

#### (LUG-201)

**L:T:P:: 4:1:0**

**Credits-4**

**OBJECTIVE:** This is a follow-up course on contract. When students are familiarized with the general principles of contracts, special contracts are studied in light of statutory provisions and decisional law. Some of the growing sectors of the economy such as petroleum, mining, transportation and power etc. today require specialized legal professionals to handle growing contractual requirements, joint ventures etc. Special contracts justify special statutory provisions for some kinds of contracts.

#### OUTCOMES-

1. Learners will be able to understand the concept of special contracts.
2. Learners will be able to make the difference between Indemnity and Guarantee contracts.
3. Learners will equip their skills to practice in the field of N I Act.
4. Learners will be able to understand the Law of Partnership and be able to write partnership deeds.

#### **MODULE-I: Indemnity & Guarantee/Bailment & Pledge.**

**12 Hours**

- a) Meaning, Distinction between Indemnity and Guarantee.
- b) Indemnity in cases of MNC and new industrial transactions such as Power and Energy. (SECS: 124-125).
- c) Rights/Duties of Indemnifier, Indemnified and Surety.
- d) Discharge of Surety.
- e) Kinds of Guarantee. (SECS: 126-147)

#### **MODULE- II Bailment(SECS:148-171, 180)&Pledge(SECS:172-179)**

**12 Hours**

- i. Meaning and Distinction.
- ii. Rights and Duties of Bailor/Bailee, Pawnor/Pawnee.
- iii. Lien.
- iv. Termination of Bailment.

#### **MODULE-III: Agency**

**8 Hours**

- a) Definition of Agent and Principal.
- b) Essentials of Relationship of Agency.
- c) Creation of Agency: By agreement, Ratification and Law.
- d) Relation of Principal/Agent, Subagent and Substituted Agent.
- e) Termination of Agency. (SECS:182-210 &226-238).



**MODULE-III: The India Partnership Act, 1932.****8 Hours**

- a) Nature and concept of Partnership firm and limited partnership.
- b) Relations of partners to one another and outsiders.
  - i. Rights/Duties of partners in terse.
  - ii. Partnership Property.
  - iii. Relations of Partners to Third parties: the doctrine of holding out.
  - iv. Liability for holding out minors as a partner.
- c) Incoming and outgoing partners.
- d) Dissolution of the firm: Modes and consequences.
- e) Registration of firms and effects on non-registration.

**MODULE-IV: Negotiable Instrument Act.****8 Hours**

- a) Definitions.
- b) Types.
- c) Crossing of Cheques
- d) Dishonor of cheques and Penalties.

**SUGGESTED READING**

1. Indian Contract Act---Pollock and Mulla
2. Indian Contract Act---Avtar Singh.
3. Principles of Mercantile Law---R.K. Bangia.
4. Law of Contracts and Partnerships and Sale of Goods Act--- T.R. Desai.
5. Equity, Trust and Specific Relief---G.P. Singh.
6. Equity, Trust and Specific Relief---Akil Ahmed.
7. Contract---Tata McGraw.
8. Sales of Goods Act, 1930---Avtar Singh.
9. Indian Partnership Act, 1930---Avtar Singh.
10. Pollock and Mulla on Contracts and Specific Relief Act(1999)---R.K. Abhichandani(ed.).
11. Law of Contract(1999)---Krishnan Nair.
12. The Negotiable Instrument Act---Bhashyam and Adiga.
13. The Negotiable Instrument Act---M.S. Parthasharthy(ed.), J.S. Kheragaamvala.
14. The Sales of Goods Act---Saharay, H.K.
15. Anson's Law of Contract(1998)---Beatson(ed.).



## Semester–II

### Syllabus

#### CONSTITUTIONAL LAW-II (LUG-202)

**L:T:P:: 4:1:0**

**Credits-4**

**OBJECTIVE:** Founding fathers of the Constitution of India through “we the people of India” constituted India into a Sovereign, Democratic, Socialist, Secular, Republic to secure equality, justice, liberty, fraternity and dignity of the individual. Against this backdrop, it is imperative for law students to know the genesis of fundamental rights and duties and the Directive Principle of State Policies and their interpretation from the right perspective. The concept of secularism must be interpreted progressively in a pluralistic society like India. Constitutional interpretation is influenced by one’s social, economic and political bearings and hence a law student must learn how a different interpretation of the Constitution is possible and why a particular interpretation was adopted by the Supreme Court. A critical analysis is sine qua non for a better understanding of the Constitutional Law.

Judicial review is an important aspect of the Constitutional Law of India and it monitors Legislative and Executive anomie. In India judiciary has the power to review even judicial amendments.

#### OUTCOMES:

1. Learner will be able to understand the composition of Parliament, function and privileges of Parliament and state legislative assembly.
2. Learner will equip their skill’s to find out what constitution amendment destroy the basic structure of Indian Constitution.
3. Learner will be able to understand the center-state relationship and distribution of legislative power.
4. Students will learn the Constitution Amendment procedure.
5. Students will be able to understand the composition, power and jurisdiction of the Supreme Court and High Court.

#### UNIT- I: Legislative Body

**12 Hours**

1. Parliament ( Article 73-88)
2. Parliamentary privileges ( Article 105 and 194)
3. Legislative Procedure in Parliament and States Assemblies (Article 107-111 and A117, A196 -201)

**UNIT- II: Judiciary****12 Hours**

1. Union Judiciary
  - a) Composition and Qualification of Judges (Art. 124)
  - b) Jurisdiction and Powers (Art 129, Art.131 – 137, Art. 141- 143, Art 32, Art 129)
2. High Courts
  - a) Composition and Qualification of Judges ( Art. 214,216, 217)
  - b) Jurisdiction and Powers ( Art 226, 227, 230, 231)

**UNIT-III: Centre-State Relationship****12 Hours**

1. Legislative relations between Union and State (Art 245-255)
2. Administrative relation between Union and State Art (256 -261)
3. Financial relations (Art 268--276)
4. Indian co-federalism and GST

**UNIT-IV: Trade and Commerce****6 Hours**

1. Trade, Commerce and intercourse within the territory of India ( Art. 301- 307)
2. Constitutional safeguards to Civil Servants ( Art.308-311)

**UNIT-V Emergency****6 Hours**

1. Emergency Provisions ( Art.352- 360 )
2. Protection of President and Governors ( Art. 361)
3. Amendment of the Constitution and amenability of Fundamental Rights ( Art. 368)

**SUGGESTED READINGS**

1. Constitution of India ----- Dr. V.N. Shukla
2. Indian Constitutional Law -----M.P. Jain
3. Constitutional and Administrative Law in -----Nutsels.
4. Constitutional Law of India Vol. 1-3(1986) -----M. Hidayatullah
5. Constitutional Law of India –M.V. Pylee
6. Shorter Constitution of India-----D.D. Basu
7. Constitutional Law of India—H.M. Seervai



## Semester–II

### Syllabus

#### FAMILY LAW-I (LUG-203)

**L:T:P:: 4:1:0**

**Credits-4**

**OBJECTIVE:** The main objective of this course is to provide adequate sociological perspectives to expound concepts relating to the family in their social settings. It also highlights some of the current problems arising out of foundational inequalities in different family concepts. Another objectives to view family law not merely as a separate system of personal laws based upon religions but as the one system cutting across the religious lines and eventually enabling us to fulfill the constitutional directive o uniform civil code at jurisprudentially at the academic study by identifying the core concepts in marriage laws of all communities to evolve a Uniform Civil Code devoid of the political nest. Women and children have special family relations and hence in family law administration students are expected to develop insight so that they could protect the constitutional rights of women and children. Conversion is another problematic area. It affects the family and whether it is compatible with the concept of secularism and to what extent such problem would stand resolved with the enactment of a Uniform Civil Code etc. are some of the issues that need proper examination.

#### OUTCOMES

1. Will comprehend codified and un codified portions of Hindu civil law
2. Learners Shall be able to apply legal provisions relating to marriage, Divorce, maintenance, succession
3. Learners will be able to understand the relevancy of the Family courts Act and the Special Marriage Act

#### UNIT-I: General and Law of Marriage

**12 Hours**

- a) Personal Law and Constitution of India
- b) Nature of Hindu Law
- c) Application of Hindu Law
- d) Sources of Hindu Law
- e) School of Hindu Law
- f) HinduMarriageAct,1955:(Sec.5-23)

#### UNIT-II : Law of Maintenance

**8 Hours**

Maintenance under Hindu Marriage Act(Sec.24 &25)

Maintenance under Hindu Adoption and Maintenance Act,1956 (Sec.18,19&20)

Maintenance under section 125-128 Cr.P.C

Adoption: Essential & Effect(Sec.6to12ofHA&MA,1956)

Kinds and Powers of guardianunderHinduMinority&GuardianshipAct,1956(Sec.6-13)

## ACTS

1. HinduMarriageAct,1955
2. Hindu AdoptionandMaintenanceAct,1956
3. HinduMinorityandGuardianshipAct,1956

### **UNIT-III: Joint Hindu Family**

**12 Hours**

Origin, Nature of Joint Family and Coparcener, Characteristic features of Coparcener, Distinction between Coparcener and Joint Family, Classification of Property: Joint Family Property and Separate Property, Karta: Position, Powers and Liabilities, Debts

### **UNIT-IV**

**8 Hours**

Partition: Definition, Persons entitled to demand Partition, Re opening and Reunion

HinduSuccessionAct,1956 and **Hindu Succession (Amendment) Act,**

**2005**:Features,DevolutionofinterestinCoparcenerProperty(Sec.6),ListofheirsinClass-I & II of the Schedule, Hindu Women's Right to Property

### **UNITV : Special Marriage Act**

**8 Hours**

Marriage

Divorce

Maintenance

Inheritance

### **SUGGESTED READINGS**

1. J.D.M.Derrett-HinduLaw1.Mulla,D.N.HinduLaw.
2. Paras Diwan,ModernHinduLaw.
3. MullaD.N.HinduLaw
4. Dr.B.K.Sharma,HinduLaw



## Semester–II

### Syllabus

#### PROPERTY LAW (TRANSFER OF PROPERTY ACT AND EASEMENT ACT)

#### (LUG-204)

**L:T:P:: 4:1:0**

**Credits-4**

**OBJECTIVE:** Course on property law conventionally deals with the Transfer of Property Act 1882. Since then fundamental changes have taken place in the field of property laws due to changed social circumstances. The irony is that old rules enacted by colonial masters such as rule against perpetuities find a place and post-Independence developments such as control and use of agricultural land don't find a place. In the matter of leases of immovable property this law is virtually outdated. Keeping these deficiencies in mind this course outline attempts at overcoming these deficiencies and imbalances.

#### OUTCOMES

1. Learners will be able to understand that immovable property is precious and transactions in connection with the immovable property are to be authenticated by the government via registration
2. After studying the subject, students shall be able to appreciate that the law requires that immovable property must remain in circulation for the benefit of society
3. Property law does not deal with all varieties of transfer. It is concerned with transfer between living persons.

#### UNIT-I: Jurisprudential contours of Property and Principles relating to Transfer of Property 12 Hours

- i. Concept and Meaning of Property.
- ii. New property and Kinds of Property.
- iii. Distinction between movable and immovable property.
- iv. Tangible and Intangible Property- Intellectual Property.
- v. Transferability of Property.
- vi. Compartment Transfer.
- vii. Conditions restricting transfer.
- viii. Definition of Transfer of Property.
- ix. Transfer and non-transfer property.
- x. Transfer to an unborn person and the rule against perpetuity.
- xi. Vested and Contingent interest.
- xii. Rule of Election.

**UNIT-II: General Principles Governing Transfer of Immovable Property.****12 Hours**

- a) Transfer by Ostensible owner.
- b) Rule of feeding grant by *estopple*.
- c) Rule of *Lis pendens*.
- d) Fraudulent Transfer.
- e) Rule of Part performance.

**UNIT-III: Specific Transfer-I****8 Hours**

- a) Sale and Gift.
- b) Leases (Secs. 105-117).
- c) Exchange.
- d) Charges.

**UNIT-IV: Specific Transfer-II****8 Hours**

- a) Mortgages of Immovable Property (Secs. 58-77)- Kinds of Mortgages.
- b) Rights and Liabilities of the Mortgagor and Mortgagee.
- c) Marshalling and Contribution (Secs. 81-82); Redemption (Secs. 91-96).
- d) Registration of Document & Law of Registration.

**UNIT-V: The Easement Act****8 Hours**

- a) Creation of Easement (Secs. 4-7).
- b) Nature and Characteristics.
- c) Extinction, Suspension and Revival of Easements (Secs. 37-51); Reparation Rights.
- d) Licenses.

**SUGGESTED READINGS**

1. Transfer of Property--- D.F. Mulla.
2. Transfer of Property Act--- H.N. Tiwari.
3. Transfer of Property Act--- S.M Shah.
4. Lectures on Indian Easement Act--- Tripathi.
5. Indian Easement Act--- J.D. Jain.
6. Transfer of property--- T.P. Tripathi

**ESSENTIAL LAWS**

Specific Transfers -

Sale, Mortgages, Gift, Lease -

1. BaiDosabai v. MathurdasGovinddas, AIR 1980 SUPREME COURT 1334
2. Videocon Properties Ltd., v. Bhalchandra Laboratories, AIR 2004  
SUPREME COURT 1787
2. Krishna PillaiRajasekharan Nair v. Padmanabha Pillai, Air 2004
3. SUPREME COURT 1206
4. Mangal Prasad Tamili v. Narvedshwar Mishra, AIR 2005
5. SUPREME COURT 1964



## Semester–II

### Syllabus

#### INDIAN LEGAL AND CONSTITUTIONAL HISTORY (LUG-205)

L:T:P:: 4:1:0

Credits-4

**COURSE OBJECTIVE:** History is the laboratory of the law, and the efforts of constitutional reforms in British time prepare the foundation of the constitution of the 1950s. Most currents have been taken from the regulations of 1935 in the Constitution of India. The objective of the study of this course is to introduce the scholars to the background of the Constitution and Law of India so that students can understand the elements of the Indian Constitution and the law properly.

**COURSE LEARNING OUTCOMES:** After studying the course, the learner would-

- With the focus of this course, the student will be familiar with the constitutional history of India.
- The study of constitutional history will enable the scholar to solve future constitutional and legal problems.

#### UNIT-I: The East India Company and its early settlements

12 Hours

- a. The early Charters (Charters of 1600 and 1687)
- b. Administration of Justice in Madras, Bombay and Calcutta before 1726
- c. Charter of 1726 and Establishment of Mayor's Court
- d. Distinction between the Charter of 1687 and 1726
- e. Charter of 1753

#### UNIT- II: The Government of India Act(Only Constitution provisions)

12 Hours

- a. The Government of India Act,1858
- b. Indian Councils Act,1861
- c. Indian Councils Act, 1892
- d. Indian Councils Act,1909 (MorelyMinto Reforms)
- e. Government of India Act, 1919
- f. Government of India Act, 1935

#### UNIT- III: Adalat System

8 Hours

- a. The Judicial Plans of 1772 and 1774 were introduced by Warren Hastings
- b. Adalat System under Lord Cornwallis, Judicial Plans of 1787, 1790, 1793



**UNIT- IV: The Supreme Court at Calcutta****8 Hours**

- a. The Regulating Act, 1773 and the Establishment of Supreme Court at Calcutta
- b. Conflict between Supreme Court & Governor General and his Council
- c. Cases:
  - (a) Trial of Raja Nand Kumar
  - (b) Patna Case, and
  - (c) Cossijurah Cases
- d. The Act of Settlement, 1781

**UNIT-V: The High Court****8 Hours**

- a. Dual Judicature before 1861
- b. Indian High Courts Act, 1861
- c. Codification of Law: First,
- d. Second and Third Law Commissions
- e. The Lex Loci Report

**SUGGESTED READINGS**

1. Legal & Constitutional History of India: Ancient Legal, Judicial and Constitutional System by Justice M. Rama Jois, Universal Law Publishing Co.
2. Outlines of Indian Legal & Constitutional History by M.P. Jain, Lexis Nexis
3. Legal & Constitutional History of India: An essential revision aid for law student by Universal law series
4. V.D. Kulshrestha's Landmark in Indian Legal & Constitutional History by B.M.Gandhi, Eastern Book Company
5. Indian Legal & Constitutional History, Prof. Kailash Rai, Central Law Agency
6. Indian Legal & Constitutional History, Dr. N.V. Paranjape; Central Law Agency
7. Indian Legal & Constitutional History, J.K. Mittal, Allahabad Law Agen



## Semester-II

### Syllabus

#### PRINCIPLES OF TAXATION LAW (LUG-206)

**L:T:P:: 4:1:0**

**Credits-4**

**Objectives\_** To make learners able to understand the tax system in India. Students will be well-versed with Income Tax, sale tax and other taxes.

**Outcomes:**

1. Learners shall be able to differentiate old tax system and the new regime
2. Learners will be able to understand the application of GST in the taxation system and its working condition in the whole nation
3. Learners will be able to know the fundamentals of taxation, income tax, customs tax, etc. • Shall be able to file returns and make self-assessments of tax.

**UNIT-I :Principle of Taxation**

**12 Hours**

- a. Definitions.
- b. Basis of income
  - Charge of Income Tax
  - Scope of Total Income
  - Resident status of an assesses
  - Dividend Income
  - Income deemed to accrue or arise in India
  - Foreign income and its taxability

**UNIT –II :Incomes which do not form part of total Income**

**12 Hours**

- a. Income not included in Total Income
- b. Special provision in respect of newly established industrial undertaking in free trade zone.
- c. Special provision in respect of newly established hundred per cent export oriented undertaking.
- d. Income from property held for charitable or religion purpose.
- e. Income of trust or institution from contributions.
- f. Condition as to registration of trusts, etc
- g. Section 11 is not to apply in certain cases
- h. Special provision relating to income of political Parties

**UNIT-III: Head of Income8 Hours**

- a. Salaries
- b. Income from House property
- c. Profit and gain of business or profession
- d. Capital gain
- e. Income from other sources

**UNIT-IV: Tax Authorities****8 Hours**

- a. Power
- b. Procedure for Adjudication and Settlement
- c. Collection and recovery of taxes
- d. Appeal, Reference and revision

**UNIT- V- GST****8 Hours**

- a. Direct Tax
- b. Indirect Tax
- c. Constitutional Provisions related to GST
- d. GST Council- Composition, Functions and Powers
- e. GST and Federal Indian Federal system
- f. Penalties under GST system

**Suggested Reading:**

Dinesh Ahuja and Ravi Gupta, Systematic approach to Income Tax, (Latest Edition)

Singhania, Student guide to Income Tax

Taxation Law – Kailash Rai

Taxmann- (Latest Edition).