

FIRST SEMISTER - 3 YEARS LL.B. FIFTH SEMISTER - 5 YEARS LL.B.

- 1. Law of Contracts I**
- 2. Law of Contracts II**
- 3. Torts & Consumer Protection Act**
- 4. Constitutional Law**
- 5. Legal Language & Legal Writing**

Paper-I: CONTRACTS-I

General principles of law of contract:

Unit 1: History and nature of contractual obligations-writs of Debt, Covenant and account-actions on the case and on assumptionist consideration-moral basis for contractual obligations subjective and objective theories sanctity of contracts.

Unit 2. Agreement and contract definitions, elements and different kinds.

Unit3: Proposal and Acceptance: Their various forms -Essential elements, communication and revocation-proposal and invitations for proposal-floating offers-tenders-dumping of goods.

Unit 4Consideration:

Nudum pactum-its need, meaning, kinds, essential elements- privity of

Contact and considerations-its exception adequacy of consideration-present, past and adequate consideration, unlawful consideration and its effects-views of law commission of India on consideration-evaluation of the doctrine of consideration.

Unit 5: 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 affirmation-ratification in cases by a person of an agreement made by him while he was a minor-agreements and estoppels-evaluation of the law relating to minors agreements-other illustrations of incapacity to contract.

Unit 6: Free consent; Its need and dentition-factors vitiating free consent

6.1 Coercion-definition-factors elements-duress and coercion-various illustrations of coercion-doctrine of economic duress-effect of coercion-evaluation of sec. 15.

6.2 Undue influence-definition-essential elements-between which influence-independent advice-paradarhanash in women-unconscionable bargains effect of undue influence.

6.3 Misrepresentation-definition-misrepresentation of law and of fact-their effects and illustrations.

6.4 Fraud-definition-essential elements-suggestion-false suppressio veri-when does silence amounts to fraud? Active concealment of truth-importance of intention.

6.5 Mistake-definition-kinds-fundamental error-mistake of law and of fact-their effects-when does a mistake vitiate free consent and when does it not vitiate from consent?.

Unit 7: Legality of Objects

7.1 Void agreements-;awful and unlawful consideration and objects void. Voidable. Illegal and unlawful agreements and their effects.

7.2 Unlawful considerations and objects

7.2. 1 Forbidden by law

7.2.2 Defeating the provision of any law

7.2.3 Fraudulent

7.2.4 Injurious to person or property

7.2.5 Immoral

7.2.6 Against public policy

7.3 Agreements without consideration

7.3.1 Agreements without consideration

7.3.2 Agreements in restraint of marriage

7.3.3 Agreements in restraint of trade-its exceptions-sale of good will, sec.11 restrictions, under the partnership act, trade combinations exclusive dealing agreements, restraints on employees under agreements of service,

7.3.4 Agreements in restraint of Legal proceedings-its exceptions

7.3.5 Uncertain agreements

7.3.6 Wagering agreements-its exceptions

Unit 8: discharge of a contract and its various moods:

8,1 By performance-conditions of valid tender of performance-how? By whom? Where? When- in what manner? Performance of reciprocal promises-time essence of contract.

8.2 By breach-anticipatory breach and present breach. Impossibility of performance-specific grounds of frustration-application to leases-theories of frustration-effect of frustration-frustration and restitution.

8.4 By period of limitation.

8.5 By agreement rescission and alteration-their effect-remission and waiver of performance extension of time-accord and satisfaction.

Unit 9: Quasi contracts or certain relations resembling those created by contract.

Unit 10; Remedies in contractual relations,

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

10.2 Injunction-when granted and when refused-why?

10.3 Refund and restitution

10.4 Specific performance-why? When?

Unit 11 Government as a contracting party

11.1 Constitutional provisions-governments power to contract-procedural requirements-kinds of government contracts-their usual clauses performance of such contracts-settlement of disputes and remedies.

unit 12: Standard form contracts:

Nature, advantages, unilateral character, principles of protection against the possibility of exploitation-judicial approach to such contracts-exemption clauses-dash between two standard form contracts-Law Commission of India's views Unfair Contract terms Act 1977 and Supply of Goods (implied Terms) Act, 1973 (Both English Standard Form Contracts and consumer Protection.).

Unit 13: Specific Relief Act 1969:

13.1 Definition

13.2 Recovering possession of property

13.3 Specific performance of contracts

13.4 Rectification of instruments

13.5 Rescission of contracts

13.6 Cancellation of instruments

13.7 Declaratory decrees

13.8 Preventive relief

Paper-II: SPECIAL CONTRACTS-II

Unit 1; indemnity and guarantee:

1.1 Indemnity and Guarantee (Sec. 134, 127) Indian Contract Act 1872

1.2 Contract of indemnity (A) Definition (B) Rights of indemnity holder (C) Liability of indemnifier.

1.3 Contract of guarantee

a. Definition

b. Essential characteristics of contract of guarantee

c. Distinction between contract of indemnity and contract of guarantee

d. Kinds of guarantee

e. Rights and liabilities of surety

f. Discharge of surety

g. Contract of Bailment and (sec. 148-181 of Indian contract Act 1872).

Unit 2: Bailment

2.1 Definition

2.2 Essential requisites of Bailment

2.3 Kinds of Bailment

2.4 Rights and Duties of Bailor and Bailee

2.5 Terminations of Bailment

2.6 Pledge

a) Definition

b) Rights and Duties of Pawnor and Pawnee

c) Pledge by Non Owners.

Unit 3: Contract of Agency (Sec. 182-233 of the Indian contract Act 1872)

3.1 Definition of Agent

3.2 Creation of Agency

3.3 Rights and Duties of Agent

3.4 Delegation of authority

3.5 Personal liability of agent

3.6 Relations of Principal with third parties

3.7 Termination of Agency.

Unit 4: contract of sale of goods (The Indian sale of goods Act 1930).

- 4.1 Formation of Contract
- 4.2 Subject matter of Contract of Sale
- 4.3 Conditions and Warrantees
- 4.4 Express and Implied conditions and Warranties
- 4.5 Caveat Emptor
- 4.6 Properly, Possession and Risk
- 4.7 Passing of Property
- 4.8 Sale of non-owners
- 4.9 Delivery of goods
- 4.10 Rights and Duties of seller and buyer before and after sale.
- 4.11 Rights of unpaid seller.

Unit 5: Contracts of partnership (the Indian partnership Act 1932),

- 5.1 Definition and nature of partnership
- 5.2 Formation of Partnership
- 5.3 Test of Partnership
- 5.4 Partnership and other Associations
- 5.5 Registration of Firms
- 5.6 Effect of non-registration
- 5.7 Relation of Partners
- 5.8 Rights and Duties ^Partners
- 5.0 Properties of the Firm
- 5.10 Relation of Partners to third parties
- 5.11 Implied authority of a partner
- 5.12 Kinds of Partners
- 5.13 Minor as Partners
- 5.14 Reconstitution of a Firm
- 5. 15 Dissolution of firm.

Unit 6: Negotiable instruments Act 1881.

Paper-III; LAW OF TORTS AND CONSUMER PROTECTION LAWS

Unit 1; evolution of law of torts: I.I Its development by courts in England-1.2 Forms of Action.

- 1.3 Emergence of specific remedies from case to case.
- 1.4 Reception of Law of Torts in India.
- 1.5 Principles of Equity Justice and good conscience
- 16 Uncodified character-advantages and disadvantages.

Unit 2: definition, nature, scope and objects:

- 2.1 A wrongful act-violation of a duty (in/rem) imposed by Law, duty which is owed to people generally, legal damages-damnum sine injuria and injuria sine damno.
- 2.2 Tort distinguished from crime- Breach of contract etc,,
- 2.3 The concept of unliquidated damages.
- 2.4 Changing scope of Law of torts: Expanding character duties owed to people generally due to complexities of modern society scientific and technological progress, industrialization organization, specialization, occupational hazards.
- 2.5 Objects-Prescribing standards of human conduct, redressal of wrongs by payment of compensation, prescribing unlawful conduct by injunctions.

Unit 3: principles of liability in torts:

- 3.1 fault
- 3.1.2 Wrongful intent
- 3.1.3 Negligence
- 3.2 Liability without fault
- 3.3 Violation of Ethical codes
- 3.4 Statutory liability
- 3.4.1 Fatal Accidents Act
- 3.4.2 Railway Act
- 3.4.3 Workmen's compensation Act
- 3.4.4 Motor vehicles Act.
- 3.4.5 Carrier Acts
- 3.4.6 Insurance Laws
- 3.5 Place of motive in Torts.

Unit 4: Justification in tort:

- 4.1 Volenti non fit injuria-What is free consent?
Informed consent, mere knowledge and knowledge coupled with assumption of risk.
- 4.2 Necessity, Private and Public.

- 4.3 Plaintiffs default
- 4.4 Act of good and Inevitable Accident
- 4.5 Private defense
- 4.6 Statutory Authorization
- 4.7 Judicial and Quasi-Judicial Acts
- 4.8 Parental and Quasi Parental Authority

Unit 5: extinguishments of liability in certain situations:

- 5.1 Death. Actio peisonalis moritum cumpersona- Exceptions-Law reform (Miscellaneous Provisions) Act, 1934.
- 5.2 Waiver and Acquiescence
- 5.3 Release
- 5.4 Accord and satisfaction
- 5.5 Limitation

Unit 6: standing:

- 6.1 Who may sue in torts
 - 6.1.1 Aggrieved individuals
 - 6.1.2 Class action 0 1 R 8
 - 6.1.3 Social Action Groups
 - 6.1.4 Statutes granting standing to certain persons or groups
- 6.2 Who may not be sued
 - 6.2.1 Ambassadors
 - 6.2.2 Lunatics
 - 6.2.3 Infants

Unit 7: doctrine of sovereign immunity and its relevance in India.

- 7.1 Liability of state-sovereign and non-sovereign functions, crown Proceedings Act of U,K,, Federal Tort Claims Act of U,S,A. Constitution of India (Arts 294 and 300).
- 7.2 Act of state.

Unit 8: vicarious liability:

- 8.1 Busia, Scope and Justification
 - 8.1.1 Express Authorization
 - 8.,1.2 Ratification
 - 8.1.3 Abetment
- 8.2 Special Relationships
 - 8.2.1 Master and servant-arising out of and in the course of employment who is master? Control test who is servant Borrowed servant Independent contractor.
 - 8.2.2 Principal and Agent
 - 8.2.3 Corporation and Principal Officer

Unit 9: Torts against persons and personal relations:

- 9.1 Assault, Battery, Mayhem
- 9.2 False Imprisonment
- 9.3 Defamation-Libel, slander including law relating to privileges
- 9.4 Marital Relations, Domestic Relations, Parental Relations, Master and Servant Relations.
- 9.5 Malicious prosecution
- 9.6 Shortened Expectation of life.
- 9.7 Nervous shock.
- 9.8 Defences.

unit 10: wrongs affecting property:

- 10.1 Trespass lo land, Trespass ab initio, dispossession
- 10.2 Movable property-Trespass to goods, Detinue, Conversion
- 10.3 Torts against Business interests-Injurious Falsehood, Misstatements passing off.
- 10.4 Defences.

Unit 11: absolute/strict liability:

- 11.1 Basic concepts
 - 11.1.1 Theories of Negligence
 - 11.1.2 Standards of care. Duty to take care, carelessness inadvertence
 - 11.1.3 Doctrine of ccmIributive Negligence.
 - 11.1.4 Rcsipsa liquitor and its due to Negligence with special reference lo consumer protection law,
- 11.2 Professional liability due lo Neghgcnc with special reference to consumer protection law.

Unit 12: absolute/strict liability

- 12.1 The rule in Ryland Vs Fletcher Principle for application of these rules.
 - 12.1.1 Storing of dangerous things
 - 12.1.2 Escape of dangerous things-application of

Principles in concrete cases of damage arising out of industrial activity. (The Bhopal Disaster, Delem, Gas Escape. Machua Dam Burst. M.C. Mehta sace, Nuclear Installations and their hazards).

12.2 Defences

12.3 Liability under Motor Vehicle Act, Railway Act etc.

Unit 13: Nuisance

13.1 Definition. Essentials. Types

13.2 Acts which constitute nuisance-obstructions of highways, pollution of air. water, noise, interference with light and air.

Unit 14: Legal Remedies:

14.1.1 Legal remedies

14.1.2 Award of damages-simple, special, punitive

14.1.3 Remoteness of damages-foreseeability and directness tests

14.1.4 Injunction

14.1.5 Specific restitution of property

14.1.6 Extra-legal remedies-self help, re-entry inland, recapture of goods, distress damage feasant abatement to nuisance

Unit 15: Judicial process in Tort

15.1 Dilatoriness

15.2 Complicated rules of procedures and evidence

15.3 Experts in trial process, reports of testing labs

15.4 Court fees, problems of access

Unit 16: Common Law and the Consumer:

16.1 duty to take care and liability for negligence: Manufacturers and traders and providers of services such as lawyers, doctors and other professionals

16.2 Caveat emptor and Caveat Venditor

16.3 Deceit and false advertisement

16.4 Liability for hazardous and inherently dangerous industrial activity.

16.5 *Product* liability-EEC directives

16.6 Right to common property resources-right to pass and repass on pathways

Unit 17: Consumer Protection Act, 1986

Paper-IV CONSTITUTIONAL LAW

Unit 1; historical perspective:

1.1 Constitutional Development since 1868 to 1947 Morle Mi mo Reform Dyarchy-Monlague-Chelmsford Reforms. Indian National Congress 1885-Variou trends of opinion-social Reform Vs. Political Independence. Protest against British Repression. Jalianwala Baag. Rowlett Act-Sedition Trials of Tilak.

1.2 Making of India's Constitution-Concept of constitution and Constitutionalism-Salient features-Constitution Assembly-Sovereignty.

1.3 Preamble-status and its goals.

Unit 2: parliamentary government:

2.1 West minister Model-Indian experience before Independence-Choice of Parliamentary Government.

2.2 President of India-Election, Qualifications, Impeachment salary

2.3 Council of Ministers-President's constitutional position.

2.4 Governor and State Government-Constitutional Relationship

2.5 Legislative Process-Privileges, freedom of speech. Practice of law making etc.,

2.6 Legislative Privileges Vs Fundamental Rights. In re. Art. 143 of the Constitution of India,

2.7 Prime Minister-Cabinet System-Collective responsibility Individual responsibility. President-Prime minister relation ship.

2.8 Party system-Ami -defection law. Freedom of an A,P./ML.A to dissent.

Unit 3: federalism:

3.1 Federalism-Principles-Comparative study of other Federations. Why India has a Federal Government.

3.2 Indian Federalism-President of India-Council of state-Process of constitutional Amendment. Identification of Federal features.

3.3 Legislative relations between the Centre and the State

3.4 Administrative Relations-Centre States.

3.5 Financial Relations-centre-states

3.6 Governor's position from the Perspective of Federalism.

3.7 Center's Powers-over the States-Art. 356.

3.8 I&K-Special status.

3.9 Critical problems of Indian Federalism. Sarkaria Commission-Greater Autonomy vs. Central Control. One party domination. Emergence of Political Federalism. Growth of Regional Parties.

Unit 4: constitutional process of adaptation and alteration:

4.1 Methods of Constitutional Amendments-Written-Unwritten, Rigid-flexible Constitutions. Provisions which can be amended by ordinary procedure-Special procedure. Review of Constitutional Amendments.

4.2 Limitations upon Constitutional amendments Shankari Prasad, Sajjari Singh.

4.3 Golaknath Vs Punjab-Why should federal Rights be immune from the process of Constitutional Amendment.

4.4 Basic structure doctrine as a limitation-Kesavanand Bharathi.

4.5 Development of the Basic Structure Doctrine-Constituent Power of the Supreme Court. Vaman Rao Vs Minerva Mills.

4.6 Indira Gandhi Vs Raj Narain; Judicial Consensus on Basic Structure Doctrine

4.7 Legislative and Judicial Attempts to bury the Basic Structure Doctrine; Legitimation of the Basic

Structure Doctrine. Special Bench to Reconsider the Basic Structure Issue. Forty-second Constitutional Amendment. Forty-fourth Constitutional Amendment.

4.8 Minerva Mills and subsequent developments of the Basic Structure Doctrine- Responsibility of the

Court; Activism Vs Restraint

Unit 5: secularism:

5.1 Concept of Secularism-Indian Constitutional Provisions Historical perspective of Indian Secularism.

5.2 Religion and State-in India-state control and non interference with Religion. Concept of Secularism; American Model-Separation of State-Church-Is it relevant to India Tradition in India-Equal respect for all Minority-

5.3 Minority Rights Why? Scope-Meaning of Minority.

5.4 Minority Rights in Educational Institutions,

Unit 6: equality and social justice:

6.1 Equality before the law and equal protection of laws-meaning constitutional Provisions-Total Conspectus-Art. 14,15, 17, 29(2), 325.

6.2 Classification for Differential Treatment.

6.3 Gender Justice. Art. Nos. 15(1), (2), (3), 16,29(2).

6.4 Administrative discretion and Equality.

6.5 Compensatory Discrimination for Backward Classes/SC & ST.

Unit 7: freedoms and social control:

7.1 Freedom of Speech and Expression,

7.2 Freedom of the Press.

7.3 Freedom of Speech and Contempt of Court.

7.4 Freedom of Assembly.

7.5 Freedom of Association

7.6 Freedom of Movement-

7.7 Freedom of Reside and Settle.

7.8 Freedom of Profession/Business, etc.,

7.9 Property and Social Control 1950 to 1978. 7,10 Property and Social Control-After 1978.

Unit 8: personal liberty:

8.1 Rights of an accused-Double jeopardy

8.2 Rights against self incrimination

8.3 Rights against Retroactive Punishment

8.4 Rights to life and Personal Liberty-Meaning of Art. 21 Gopalan case.

8.5 "Personal Liberty"-meaning of -Maneka Gandhi, Sunil Batra, etc..

8.6 procedure established by law-Gopalan, Kharak Singh.

8.7 Procedure established by law-Due process-Maneka Gandhi & after

8.8 Preventive Detention-Constitutional Policy Art. 22

8.9 Preventive Detention-Safeguards under the constitution.

Unit 9: fundamental rights and directive principles'

9.1 Directive Principles-Reasons for incorporation.

9.2 Directive Principles-Directions of social change-A new social order.

9.3 Fundamental Rights and directive Principles-Inter relationship-Judicial balancing.

- 94 Constitutional Amendments-Arts. 31-A, 31-B and 31-C to strengthen Directive Principles.
- 9.5 Judicial Policy towards directive Principles from Champakam to Minerva Mills.
- 96 What is "State"? Art. 12
- 9.7 Naresh Vs. Maharashtra-Is Judiciary "State".

Unit 10: emergency:

- 10.2 Emergency-need for such a provision. Types of Emergencies, Experience in other democracies
- 10.3 Proclamation of emergency-conditions-Art, 352-Effect of Emergency on Centre-State Relations.
- 10.4 Emergency and suspension of Fundamental Rights Arts, 358, 359- Makhan Singh Tarasikha to A.D.M. Jabalpur.
- 10.5 Financial emergency.

Unit 11: judicial process under the constitution.

- 11.1 Judicial Review-Art. 32, 226, 227,
- 11.2 Nature of Judicial Review.
- 11.3 Court system in India: Backlogs, Arrears, Alternatives, Lok Adalats, etc.,
- 11.4 Judges, Appointments, Conditions of service etc.,
- 11.5 Subordinate Judiciary.
- 11.6 Jurisdiction of Supreme Court and High court.
- 11.7 Advisory Jurisdiction of the Supreme Court.
- 11.8 Public interest Litigation.

Unit 12: services under the constitution.

- 12.1 Doctrine of Pleasure (Art. 310)
- 12.2 Protection against Arbitrary Dismissal, Removal or Reduction in Rank (Art. 311).
- 12.3 Tulsirani Patel-Exceptions to Art. 311,

Paper-V: LEGAL LANGUAGE AND LEGAL WRITING

Part-A

Unit 1: fundamental principles of legal writing:

- 1.1 Concision-clarity, cogency
- 1.2 Simplicity of structure.
- 1.3 Attention and awareness of practical, legal import of sentences,
- 1.4 Communicative skills.

Unit 2: generally used legal terms and explanations in Telugu/English

Part-B

Unit 3: The student shall be explained about reading for understanding the contents and organization of the text, reading for details and language study. Vocabulary, identification of source of law and case law. Use of legal dictionaries. For the above purpose a passage from a referred law book, journal or judicial decision may be given from the passage "[the student may be asked to-

- i) Identify "legal terms";
- ii) Explain those terms;
- iii) Use equivalent other terms;
- iv) Identify case law;
- v) Analyze the point of law involved
- vi) Precise
- vii) Answer the question put based on that passage.

Part-C

Unit 4: constitution: salient features of Indian constitution

Unit 5: contracts: Essentials of valid contract-Indemnity] Guarantee, bailment. Pledge, Partnership Negotiable instruments. Hindu marriage ground of divorce.

Unit 6: transfer of property: Classification of movable and immovable properties, essentials of gift, lease] mortgage, sale of agreement to sell, will,

Unit 7: Evidence: Definition of Evidence-Fact. Fact *in* issue. Relevance of facts.

Unit 8: crimes: Essentials of Crime-Variety of crimes,

Unit 9: torts: Definition of Torts-Variety of Torts.

Unit 10: criminal procedure Code; Cognizable, non-cognizable offences arrest, warrant, bail, FIR-Hierarchy of Courts.

Unit 11: civil procedure code: Meaning of Order, Rule, Decree Judgment-Hierarchy of Courts.

Part-D Unit 12: Translation of legal forms-English to Telugu or

Writing of Legal terms in English. (Unit 13: pleadings and convincing in Telugu/English

Plaint, Written Statement, Sale and Agreement to sell. Gift Lease, Mortgage, Will.

Note: Those whose mother tongue is not Telugu they may be permitted to write in English