

**RAJESH PANDEY COLLEGE OF LAW**

*AKBARPUR AMBEDKAR NAGAR (U.P.)*

**AFFILIATED BY**

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

**SYLLABUS**

**OF**

**LL.B. (THREE YEAR COURSE)**

**LL.B.1<sup>St</sup> SEMESTER**

# **LL.B.1<sup>St</sup>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**

## 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

## **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

**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 DayabhagaLaw? 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

# 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)



# **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

## **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

# 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.

RPCE

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