

UNIVERSITY COLLEGE OF LAW
KAKATIYA UNIVERSITY, WARANGAL, TELANGANA
LL.B. (5YDC) COURSE SYLLABUS (WITH EFFECT FROM 2024-2025)
LL.B (5YDC) III Year: Semester – V
Paper – I
LAW OF CONTRACT – I

Theory

6 Hours/Per Week

Marks:100 (External-80;Internal 20)

Unit-I:

Definition and essentials of a valid Contract - Definition and essentials of valid Offer - Definition and essentials of valid Acceptance - Communication of Offer and Acceptance - Revocation of Offer and Acceptance through various modes including electronic medium - Consideration - salient features - Exception to consideration - Doctrine of Privity of Contract - Exceptions to the privity of contract – Standard form of Contract – e-contracts – Formation and Issues.

Unit-II:

Capacity of the parties - Effect of Minor's Agreement - Contracts with insane persons and persons disqualified by law - Concepts of Free Consent - Coercion - Undue influence - Misrepresentation - Fraud - Mistake - Lawful Object - Immoral agreements and various heads of public policy - illegal agreements - Uncertain agreements - Wagering agreements - Contingent contracts - Void and Voidable

Unit-III:

Discharge of Contracts - By performance - Appropriation of payments - Performance by joint promisors - Discharge by Novation - Remission - Accord and Satisfaction - Discharge by impossibility of performance (Doctrine of Frustration) - Discharge by Breach - Anticipatory Breach - Actual breach.

Unit-IV:

Quasi Contract - Necessaries supplied to a person who is incapable of entering into a contract - Payment by an interested person - Liability to pay for non-gratuitous acts - Rights of finder of lost goods - Things delivered by mistake or coercion - Quantum meruit - Remedies for breach of contract - Kinds of damages - liquidated and un-liquidated damages and penalty - Duty to mitigate.

Unit-V:

Specific Relief - Recovering possession of property - Specific performance of the contract - Rectification of instruments - Rescission of contracts - Cancellation of instruments - Declaratory Decrees - Preventive Relief - Injunctions - Generally - Temporary and Perpetual injunctions - Mandatory & Prohibitory injunctions - Injunctions to perform negative agreement - *Specific Relief (Amendment) Act, 2018 and its Implications.*

Suggested Readings:

1. Anson: Law of Contract, Clarendon Press, Oxford, 1998.
2. Krishnan Nair: Law of Contract, S.Gogia & Co., Hyderabad 1995.
3. Avtar Singh: Law of Contract, Eastern Book Company, Lucknow, 1998.

PAPER-II

FAMILY LAW-I (Hindu Law)

Theory

6 Hours/Per Week

Marks:100 (External-80; Internal-20)

Unit-I:

Sources of Hindu Law – Scope and application of Hindu Law – Schools of Hindu Law - Mitakshara and Dayabhaga Schools – Sub-Schools – Concept of Joint Family, Coparcenary – Joint Family Property and Coparcenary Property – Institution of Karta – Recent Changes – Powers and Functions of Karta - Pious Obligation - Debts and alienation of property.

Unit-II:

Marriage - Definition - Importance of institution of marriage under Hindu Law – Monogamy – Polygamy- Polyandry – Hindu Marriage Act, 1955 - Conditions of Hindu Marriage - Ceremonies and Registration –Recent Trends in the institution of marriage – Live-in Relationship.

Unit-III:

Matrimonial Remedies under the Hindu Marriage Act, 1955 - Restitution of Conjugal Rights – Nullity of marriage – Judicial Separation – Divorce –Maintenance *pendente lite* – Permanent Alimony – Live-in Relationship with special reference to right of maintenance - Importance of Conciliation- Role of Family Courts in Resolution of Matrimonial Disputes.

Unit-IV:

Concept of Adoption – Historical perspectives of adoption in India –Law of Maintenance - The Hindu Adoption and Maintenance Act, 1956 – Law of Guardianship –The Hindu Minority and Guardianship Act ,1956 – Concept and meaning of Surrogacy – The Law/Regulations relating to Surrogacy in India.

Unit-V:

Succession – Intestate succession – Succession to the property of Hindu Male and Female – The Hindu Succession Act, 1956 as amended by the Hindu Succession (Andhra Pradesh Amendment) Act, 1986 & the Hindu Succession (Amendment) Act, 2005 – Notional Partition – Classes of heirs –Enlargement of limited estate of women into their absolute estate.

Suggested Readings:

1. Paras Diwan : *Modern Hindu Law*, Allahabad Agency, Delhi.
2. Paras Diwan : *Family Law*, Allahabad Agency, Delhi.
3. Mayne: *Hindu Law - Customs and Usages*, Bharat Law House, New Delhi.
4. Sharaf: *Law of Marriage and Divorce*, 1999.

PAPER-III:
CONSTITUTIONAL LAW-I

Theory

6 Hours/Per Week

Marks:100 (External-80; Internal-20)

Unit-I

Constitution-Meaning and Significance - Evolution of Modern Constitutions -Classification of Constitutions-Indian Constitution - Historical Perspectives - Government of India Act, 1919 - Government of India Act, 1935 - Drafting of Indian Constitution - Role of Drafting Committee of the Constituent Assembly.

Unit-II

Nature and Salient Features of Indian Constitution - Preamble to Indian Constitution - Union and its Territories-Citizenship - General Principles relating to Fundamental Rights (Art.13) - Definition of State.

Unit-III

Right to Equality (Art.14-18) – Freedoms and Restrictions under Art.19 - Protection against Ex-post facto law - Guarantee against Double Jeopardy - Privilege against Self-incrimination - Right to Life and Personal Liberty - Right to Education – Protection against Arrest and Preventive Detention.

Unit-IV

Rights against Exploitation - Right to Freedom of Religion - Cultural and Educational Rights - Right to Constitutional Remedies - Limitations on Fundamental Rights (Art.31-A, B and C).

Unit-V

Directive Principles of State Policy – Significance – Nature – Classification - Application and Judicial Interpretation - Relationship between Fundamental Rights and Directive Principles - Fundamental Duties – Significance - Judicial Interpretation.

Suggested Readings:

1. M.P.Jain, *Indian Constitutional Law*, Wadhwa & Co, Nagpur
2. V.N.Shukla, *Constitution of India*, Eastern Book Company, Lucknow
3. Granville Austin, *Indian Constitution-Cornerstone of a Nation*, OUP, New Delhi
4. H.M.Seervai, *Constitutional Law of India* (in 3 Volumes), N.M.Tripathi, Bombay
5. G.C.V.Subba Rao, *Indian Constitutional Law*, S.Gogia & Co., Hyderabad
6. B.Shiva Rao: *Framing of India's Constitution* (in 5 Volumes), Indian Institute of Public Administration, New Delhi
7. J.N.Pandey, *Constitutional Law of India*, Central Law Agency, Allahabad

PAPER- IV:

LAW OF TORTS AND CONSUMER PROTECTION LAWS

Theory

6 Hours/Per Week

Marks:100 (External-80; Internal-20)

Unit-I:

Nature of Law of Torts - Definition of Tort - Elements of Tort - Development of Law of Torts in England and India - Wrongful Act and Legal Damage - *Damnum Sine Injuria* and *Injuria Sine Damnum* - Tort distinguished from Crime and Breach of Contract - General Principles of Liability in Torts - Fault - Wrongful intent - Malice - Negligence - Liability without fault - Statutory liability - Parties to proceedings.

Unit-II

General Defences to an action in Torts – Vicarious Liability - Liability of the State for Torts – Defence of Sovereign Immunity – Joint Liability – Liability of Joint Torfeasors – Rule of Strict Liability (*Rylands V Fletcher*) – Rule of Absolute Liability (*MC Mehta vs. Union of India*) – Occupiers liability – Extinction of liability – Waiver and Acquiescence – Release – Accord and Satisfaction - Death.

Unit-III

Specific Torts - Torts affecting the person - Assault - Battery - False Imprisonment - Malicious Prosecution - Nervous Shock - Torts affecting Immovable Property - Trespass to land - Nuisance - Public Nuisance and Private Nuisance - Torts relating to movable property.

Unit-IV

Defamation - Negligence - Torts against Business Relations - Injurious falsehood - Negligent Misstatement - Passing off - Conspiracy - Torts affecting family relations - Remedies - Judicial and Extra-judicial Remedies – Damages – Kinds of Damages – Assessment of Damages – Remoteness of damage - Injunctions - Death in relation to tort - *Actio personalis moritur cum persona*.

Unit-V

Common Law and the Consumer –Caveat emptor – Consumerism and Unfair Trade practices – Evolution of Consumer Protection Laws in India – Consumer Protection Act, 2019 – Definition of Consumer – Rights of Consumer – Defect in Goods and Deficiency of Services – e-filing – Consumer Protection Councils – Central Consumer Protection Authority – Consumer Disputes Redressal Commissions – Mediation under the Act – Product liability – Offences and Penalties.

Suggested Readings:

1. Winfield & Jolowicz : *Law of Tort*, Sweet and Maxwell, London , 1984.
2. Salmond and Heuston : *Law of Torts*, 2nd Indian reprint, Universal Book Traders, New Delhi,1994.
3. Ramaswamy Iyer: *The Law of Torts*, (Bombay, 1995).
4. Achutan Pillai: *Law of Tort*, Eastern Book Company, Luncknow, 1987.
7. R.K.Bangia: *Law of Torts*, Allahabad Law Agency, Allahabad, 1999.
8. J.N.Pandey: *Law of Torts*, 1st edition Central Law Publications, Allahabad, 1999.
9. D.N.Saraf: *Law of Consumer Protection in India*, Tripathi, Bombay

PAPER – V:
ENVIRONMENTAL LAWS

Theory

6 Hours/Per Week

Marks: 100 (External-80; Internal-20)

Unit – I:

Meaning, Definition and Concept of Environment - Environmental Protection in Ancient Indian Tradition and Culture - Protection of Environment in Ancient India and During Medieval Period - Components of Environment – Biosphere and Ecosystem–Ecology – Types of Environment - Concept of Pollution – Sources of Pollution, Types of Pollution, and Effects of Pollution – Ozone Depletion – Global Warming – Climate Change.

Unit –II:

History and Development of Environmental Protection under International Law - Fundamental Principles of International Environmental Law – Ramsar Convention, 1971 - United Nations Conference on Human Environment, 1972 (Stockholm Conference) - Aims and Objectives of the Conference -Stockholm Declaration, 1972 - Impact of Stockholm, UNEP – The Brundtland Commission, Brundtland Report 1987 - Rio Declaration, 1992 - Convention on Biological Diversity, 1992 - Earth Summit Plus Five - Kyoto Protocol, 1997 - Millennium Development Goals - Johannesburg Conference 2002 (WSSD) - Johannesburg Declaration & Major Outcomes.

Unit –III:

Protection of Environment under the Indian Constitution - 42nd Constitution Amendment Act, 1976 - Directive Principles of State Policy - Fundamental Duties - Judicial Role, Expansion of *Locus Standi*, PIL - Dynamic Interpretation of Article 21, 14 & 19 of the Constitution - Right to Clean and Pollution-free Environment– Sustainable Development - Precautionary and Polluter Pays Principles - Absolute and Strict Liability - Doctrine of Public Trust - Environmental Protection and Law of Torts – Tort of Nuisance: Public and Private– Tort of Negligence – Tort of Trespass – Environmental Torts - Provisions under the Bharatiya Nyaya Sanhita, 2023 (BNS) & Under The Bharatiya Nagarik Suraksha Sanhita,2023 (BNSS).

Unit –IV:

Protection of Water, Air and Environment in India - The Water (Prevention and Control of Pollution) Act of 1974 - The Framework of the Act - Regulatory Mechanism: Its Powers and Functions - Offences and Penalties under Water Act, Role of Judiciary in Prevention of Water Pollution –The Air (Prevention and Control of Pollution) Act of 1981 - The Framework of the Act - Regulatory Mechanism: Its Powers and Functions - Offences and Penalties under Air Act - Role of Judiciary in Prevention of Air Pollution –The Environment Protection Act (EPA) of 1986 - Main Aims and Objectives of the Act - Importance of Section 3 and 5 of EPA - Penalties under the Act – National Environment Tribunal.

Unit –V:

Protection of Forest, Wild Life and Biodiversity - Importance of Forest and need for its Conservation, Indian Forest Act, 1927 and its Salient Features - Forest Conservation Act, 1980 and its Salient Features –Judicial Approach for Forest Conservation - The Wildlife Protection Act 1972 - Sanctuaries and National Parks - Licensing of Zoos and Parks - Offences against Wild Life - Biodiversity Conservation - Biological Diversity Act, 2002 and its Salient Features - National Green Tribunal Act ,2010- An Appraisal.

Suggested Readings:

1. Paras Diwan: *Studies on Environmental Cases*.
2. S.N. Jain (ed.): *Pollution Control and the Law*.
3. Armin Rosencranz and Shyam Divan: *Environmental Law and Policy in India*.
4. A. Agarwal (ed.): *Legal Control of Environmental Pollution*
5. Chetan Singh Mehta: *Environmental Protection and Law*
6. V.K. Krishna Iyer: *Environment Pollution and Law*
7. Shah : *Environmental Law*
8. Paras Diwan : *Environmental Law and Policy in India*,1991
9. Dr. N. Maheshwara Swamy, *Environmental Law*, Asia Law House, Hyderabad.