



# Semester - I

# SOCIOLOGY--- I

*(The entire syllabus is divided into five units. Ten questions shall be set in all with two questions from each unit. The candidate shall be required to answer five questions in all selecting one from each unit. All questions carry equal marks)*

**Objective:** Sociology is the study of development, structure and functioning of human society. The course aims at making the student aware of the social settings and their systematic knowledge through the science of society with which law continues to bear important relationships.

## UNIT-I

### Sociology: An Introduction

- Definition, Nature and Scope of Sociology
- Origin and Growth of Sociology
- Relationship of Sociology with Law
- Law and Society-Significance of Law for the functioning of Society
- Contributions of founding figures of Sociology: August Comte, Herbert Spencer, Emile Durkheim, Max Weber, Karl Marx

## UNIT- II

### Sociological Concepts, Social Groupings and Social Processes

- Society and other Basic Concepts (Community, Association, Institution and Organization)
- Types of Societies
- Role and Status
- Culture and Civilization
- Socialization: Process, Stages, Factors and Agencies

## Unit III

### Social Institutions: Continuity and Change

- Family - Definition, Types of Family, Forms and Recent Trends in family system in India, functions and dysfunctions of family
- Marriage-Definition, Forms, Types and Trends

- Kinship - Definition and Forms, Types of Kinship, Kinship Usages, Kinship System in North and South India
- Religion – Origin, Meaning, and Theories, Functions and Dysfunctions, Morality Education (Meaning, Theoretical Perspectives)

### **Unit - IV**

### **Population and Social Control**

- Definitions, Importance of Demographic Study, Census, Population Theories and Population Problems
- Fertility, Mortality and Migration
- Social Control - Meaning, Formal and Informal Means of Social Control.

### **UNIT-V**

### **Social Stratification and Social Inequality**

- Social Stratification – Meaning and Forms of Social Stratification, Theories of Social Stratification
- Concept of Social Inequality – Caste, Class, Race and Tribe, Issue of Untouchability, Anti-Caste struggles, Dalit Movements and Adivasi Struggles in India.

#### **Suggested Readings**

1. Abraham Francis and J. H. Morgan (1985): *Sociological Thought from Comte to Sorokin*, Macmillan India.
2. Alex Inkeles (1964): *What is Sociology?* Prentice-Hall, London.
3. Andre Beteille (1965): *Caste, Class and Power: Changing Patterns of Stratification in a Tanjore Village*, University of California Press, Berkeley.
4. Anthony Giddens (2001): *Sociology*, Polity Press, Cambridge.
5. Asha A Bhende and Tara Kanitkar (2017): *Principles of Population Studies*, Himalaya Publishing House, New Delhi.
6. C.N. Shankar Rao (2001): *Sociology*, S.Chand, Delhi.
7. David Mandelbaum. G. (1983): *Society in India*, Vol.1 and Vol.2., Popular Prakashan, India.
8. Dipankar Gupta (1991): *Social Stratification*. Oxford University Press, Delhi.
9. Francis Abraham (1985), *Sociological Thought*, Macmillan Publishers, India.
10. Ghanshyam Shah (2002): *Social Movements and the State*, Sage Publications,

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New Delhi.

11. Imtiaz Ahmad (ed.) (1973): *Caste and Social Stratification Among the Muslims*, Manohar Book Service, Delhi.
12. Imtiaz Ahmad (ed.) (1976): *Family, Kinship and Marriage Among Muslims in India*, Manohar, New Delhi.
13. Iravati Karve (1968): *Kinship Organization in India*, Asia Publishing House, Bombay.
14. Krishna Chakraborty (2002): *Family in India*, Rawat Publications, New Delhi.
15. Krishna Iyer (1972): *Law and the People (A Collection of Essays)*, People's Publishing House, New Delhi.
16. Leela Dubey (1974): *Sociology of Kinship*, Popular Prakashan, Bombay.
17. M. Haralambos (1997): *Sociology: Themes and Perspectives*, Oxford University Press, New Delhi.
18. M. N. Srinivas (1987): *The Dominant Caste and other Essays*, Oxford University Press, New Delhi.
19. M. N. Srinivas (ed.).(2000): *Caste: Its Twentieth Century Avatar*, Penguin, India.
20. M. N. Srinivas.(1962): *Caste in Modern India and other Essays*, Asia Publishing House, Bombay.
21. Mabel Agnes Elliot and Francis Ellsworth Merrill (1961): *Social Disorganisation*, Harper Colins, New York.
22. MSA. Rao. (1978): *Social Movements in India*, Vol.1 and Vol.2. Manohar Publications. New Delhi.
23. Nicholas Sergeyvitch Timasheff (2002): *An Introduction to Sociology of Law*, Harvard University committee, USA.
24. Patricia Uberoi (ed.) (1994): *Family, Kinship and Marriage in India*, Oxford University Press, New Delhi.
25. Ram Ahuja (1999): *Society in India: Concepts, Theories and Recent Trends*, Rawat Publications, Jaipur.
26. Raymond Aron (1967): *Main Currents in Sociological Thought*, Vol. 1 & Vol. 2, Penguin Books, London.
27. Robert MacIver & Charles H. Page (1987): *Society: An Introduction*, Macmillan, India.
28. Satish Deshpande (2003): *Contemporary India: A Sociological View*, Viking Publishers New Delhi.
29. Srinivas M. N. (1986): *Indian Social Structure*, Hindustan Publishing Corporation, New Delhi.

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30. T.B.Bottomore (1971): *Sociology: A Guide to Problems and Literature*, S. Chand, New Delhi.
31. Upendera Baxi (1986), *Towards the Sociology of Law*, Satvahan Publications, New Delhi
32. Vidya Bhushan (2008), *Text Book of Sociology for Law Students*, Kitab Mahal, Allahabad.
33. Vidya Bhushan and D.R.Sachadev (2014), *An Introduction to Sociology*, Kitab Mahal, Allahabad.
34. Virginius Xaxa (2003): 'Tribes in India' in Veena Das (ed.), *The Oxford Companion to Sociology and Social Anthropology*, Oxford University Press, Delhi.
35. Yogendra Singh (1999): *Social Stratification and Change in India*, Manohar Publishers and Distributors, India.

# ECONOMICS-I

## (ECONOMIC THEORY)

*(The entire syllabus is divided into five units. Ten questions shall be set in all with two questions from each unit. The candidate shall be required to answer five questions in all selecting one from each unit.)*

**Objective:** The course is specifically designed for students with no formal background or a little acquaintance with Economics. A good grasp of Economics is vital for decision making, for designing and understanding public policy from a legal perspective. The main objective of the course is to give the students with a clear understanding of the basic concepts, tools of analysis and terminologies used in Economics, which will facilitate their understanding of various legal phenomena and their economic implications.

### UNIT- I

#### INTRODUCTION TO ECONOMICS

- **Definition of Economics:** Positive v. Normative Economics-Micro v. Macro Economics
- **Problem of Scarcity:** Choice and Opportunity Cost-Concept of Equilibrium
- **Economics Types of Economics System:** Capitalism-Socialism-Mixed Economy- Relevance of Economics in Law

### UNIT- II

#### MICRO-ECONOMICS, PRODUCTION & MARKET STRUCTURE

- **Micro Economics:** Law of Demand and Supply-Determination of Demand and Supply-Shifts and Movements in Demand and Supply Curve-Equilibrium Price Determination-Price Elasticity-Cross Elasticity and Income Elasticity of Demand-

Types of Goods-Substitutes, Compliments-Normal-Inferior Goods-Giffen Goods-  
Concept of Utility-Laws of Diminishing and Equal Marginal Utility.

- **Production:** Production Function-Total Product-Average Product-Marginal Product-Law of Variable Proportion and Returns to Scale-Concept of Total Cost-Average Cost- Average Fixed Cost-Average Variable Cost-Marginal Cost-Total Revenue-Marginal Revenue and Profit-Normal and Abnormal Profit
- **Market Structure:** Types of Market-Features of Different Markets-Perfect Competition; Monopoly-Oligopoly-Monopolistic Competition-Practical Relevance of Different Market Structures-Concept of Firm and Industry-Equilibrium of the Firm and Industry under Perfect Competition-Theory of Distribution-Micro & Macro Dimensions of Distribution-Marginal Productivity Theory of Distribution

### UNIT- III

#### INCOME, EMPLOYMENT AND INFLATION

- **Circulation of Flow of National Income**
- **Concept of Stocks and Flows:** Intermediate & Final Products-Concepts of Gross National Product-Net National Product-Gross Domestic Product-Net Domestic Product-Personal Disposable Income-Introduction of Classical and Keynesian Theory of Income Determination
- **Inflation:** Causes of Inflation-Unemployment-Concept of Investment Multiplier

## UNIT- IV

### MACRO ECONOMICS CONCEPTS, ISSUES & POLICIES

- **Basis of International Trade:** Ricordo-Heckser-Ohlin and Modern View-Concept of Terms of Trade-Balance of Payment-Rate of Exchange-Tariff and Non-Tariff Barriers-Role of World Trade Organization
- **Taxes:** Types of Taxes-Tax Shifting-Characteristics of Good Tax System-Principles of Public Expenditure
- **Economic Policies:** Types of Credit by Commercial Banks-Functions of Reserve Bank of India (RBI)-Instrument of Monetary Policy and Fiscal Policy

## UNIT- V

### WELFARE ECONOMICS

- **Welfare and Competition**
- **Social Welfare Function:** Pareto Optimality-Consumer's Surplus
- **Concept of Equity:** Equity v. Efficiency-Market v. State

#### Suggested Readings

1. S. K. Misra & V. K. Puri: *Indian Economy*, Himalaya Publishing House, Mumbai.
2. Ruddar Datt & K. P. M. Sundharam: *Indian Economy*, S. Chand & Company Ltd., New Delhi.
3. I. C. Dhingra: *The Indian Economy: Environment & Policy*, Sultan Chand & Sons, New Delhi.
4. Kalpana Rajaram (ed.): *Indian Economy*, Spectrum Books Pvt. Ltd., New Delhi.
5. R. R. Barchwal: *Industrial Economics*, New Age Publisher, New Delhi.
6. V. B. Jugal (ed.): *Globalization, Growth and Poverty*, Serials Publisher, New Delhi.
7. N. Vinayaken (ed.): *Globalization of Indian Economy*, Kanishka Publisher, Delhi.



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8. K.E. Saksena: *Economic Reforms: The Indian Experiences*, Shipra Publication, New Delhi.
9. G. S. Batra & R. C. Dangwal (ed.): *Liberalization, Globalisation and International Business*, Deep & Deep Publishers, New Delhi.
10. Peter Isard: *Globalisation and the International Financial System*, Cambridge University Press, Cambridge.
11. Raj Kapila and Uma Kapila (ed.): *Decade of Economic Reforms in India*, Academic Foundation, New Delhi.
12. M. Y. Khan: *Indian Financial System*, Tata McGraw Hill Publisher, New Delhi.
13. Vasant Desai: *Indian Financial System and Financial Market Operation*, Himalaya Publishing House, Mumbai.

# POLITICAL SCIENCE-I

## (FUNDAMENTALS OF POLITICAL SCIENCE)

*(The entire syllabus is divided into five units. Ten questions shall be set in all with two questions from each unit. The candidate shall be required to answer five questions in all selecting one from each unit.)*

**Objectives:** Political Science and Law are organically interwoven and leave profound impact on the society, both in their individual domains as well as when they work in unison. While Political Science could be seen as a larger domain that leads to the creation of the legal system, the Laws regulate the various players and processes in the political sphere. This paper is designed with the objective of initiating law students into the basic concepts, ideas and theoretical frameworks that would facilitate their understanding in legal subjects such as Jurisprudence and Legal System. The paper approaches the subject more from conceptual perspective rather than purely case-study based approach, so that the students can utilize and implement these learning even while dealing with the legal system in different countries.

### UNIT- I

#### INTRODUCTION

- Definition, Meanings, Aims and Scope
- Nature of Political Science
- Relationship between Political Science and other social sciences
- Relationship between Political Science and Law

### UNIT- II

#### IDEOLOGIES

- Meaning and Spectrum of Political Ideologies; **Liberalism:** Concept, Elements, and Criticism; Developmental Phases: Classical, Modern and Neo-liberalism, Conservatism

- **Socialism:** Concept, Elements and Criticism; Schools of Socialism: Fabianism, Syndicalism and Guild Socialism; **Marxism:** Class Identity, Dialectical Materialism, Historical Materialism, Scientific Socialism, Forms: Classical, Orthodox and Modern
- **Totalitarianism:** Concept, Elements and Criticism, Fascism and Nazism; **Secularism:** Meaning, Political Secular, Western and Indian Secularism
- **Feminism:** Origin and Development, Public-Private Debate, Patriarchy, Sex and Gender, Equality and Difference, Forms: Liberal Feminism, Socialist Feminism, Radical Feminism, New Feminist Traditions

### UNIT- III STATE

- Definitions and Elements of the State
- Salient Features & Functions
- Theories of State: Divine and Force Theory, Organic Theory, Idealist and Individualist Theory, Theory of Social Contract, The Saptang Theory of State
- Classification of the State: Minimal, Monarchical, Developmental, Social Democratic, Collectivized, Totalitarian

### UNIT- IV CONCEPTS-I

- Liberty: Meaning and Definition, Evolution of the Concept, Negative-Positive
- Equality: Meaning and Definition, Evolution of the Concept, Rationale and Scope of the Concept
- Justice: Meaning and Nature, Theories of Justice, Kinds of Justice, Views of John Rawls and Nozick
- Sovereignty, Nationalism and Supranationalism

### UNIT- V CONCEPTS-II

- Power, Authority and Legitimacy
- Rights, Obligations and Citizenship
- Law: The Rule of Law, Natural and Positive Law, Law and Liberty
- Property: Concept of Property, Property under Socialism, Welfarism and Libertarianism

**Suggested Readings**

1. A. C. Kapur: *Principles of Political Science*, S. Chand & Company Ltd., Delhi.
2. Andrew Heywood: *Political Ideologies*, Palgrave Macmillan, New York.
3. Andrew Heywood: *Political Theory: An Introduction*, Palgrave-Macmillan Education, London.
4. H. Dillon: C. Leiden & P. Stewart: *Introduction to Political Science*, D. Van Nostrand Company, INC, New York.
5. E. Asirvatham & K. K. Misra: *Political Theory*, S. Chand Co. Ltd., New Delhi.
6. E. Whittington, R. D. Kelemer & G. A. Calberia: *Law & Politics*, Oxford University Press, Oxford.
7. Eddy Asirvatham and K. K. Misra, *Political Theory*, S. Chand & Company Ltd., Delhi.
8. J. C. Johari: *Contemporary Political Theory: New Dimensions, Basic Concepts and Major Trends*, Sterling Publishers, India.
9. J. C. Johari: *Principles of Modern Political Science*, Sterling Publications Pvt. Ltd. Delhi.
10. J. R. Strayer: *On the Medieval Origins of the Modern State*, Princeton University Press, NJ.
11. John S. Dryzek et al.: *The Oxford Handbook Political Theory*, Oxford University Press, New York.
12. M. Hawkesworth: 'The Science of Politics and the Politics of Science' in M. Hawkesworth & M. Kogan (ed.) *The Encyclopedia of Government & Politics* (Vol. I), Routledge, London.
13. M. P. Jain: *Political Theory (Liberal & Marxian)*, Authors' Guild Publications, Delhi.
14. M. S. Rao: *Political Obligation*, New Era Law Publication Delhi.
15. N. Kant: *An Introduction to Political Science*, Central Law Publications, Allahabad.

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16. N. Linda: *Political Sociology: Social Post-Modernism, Beyond Identity Politics*, Cambridge University Press, Cambridge.
17. O. P. Gauba: *An Introduction to Political Theory*, Mayur Paperbacks, New Delhi.
18. Rajeev Bhargava and Ashok Acharya (eds.): *Political Theory: An Introduction*, Pearson, Delhi.
19. Rathore&Haqqi: *Political Theory*, Eastern Book Company Lucknow.
20. S. P. Verma: *Modern Political Theory*, Vikas Publishing House, New Delhi.
21. Samuel H. Beer: 'Why Political Science' in R.A.W. Rhodes, S. Binder & B. A. Rockman (ed.), *The Oxford Handbook on Political Institutions*, Oxford University Press, Oxford.

## LAW OF TORTS – I

*(The entire syllabus is divided into five units. Ten questions shall be set in all with two questions from each unit. The candidate shall be required to answer five questions in all selecting one from each unit.)*

**Objectives:** The law of tort is a field of law that applies and regulates our day to day affairs. The course introduces major area of tort law such as intentional torts, negligence and strict liability as well as damages issues in tort actions. The course structure explores the underlying objectives and functions of tort law, the basis for imposing liability and a number of intentional torts and applicable defences. The centuries old tort-law stands substituted by the new enactment especially the Consumer Protection Act, 1986 and the Motor Vehicles Act, 1988.

### UNIT- I

#### GENERAL PRINCIPLES, EVOLUTION, MEANING AND SCOPE OF TORTS

- **Introduction:** Importance and Significance of Law of Torts; **Evolution of Law of Torts in England and India:** Application of the Principles of Equity, Justice and Good Conscience; **Nature of Torts:** History-Definition of Torts-Distinction between Torts and Crime, Breach of Trust & Contract
- **General Principles:** Constituents of torts, *damnum sine injuria*, *injuria sine damno*, *ubi jus ibi remedium*; **General Elements in Torts:** Act and Omission, Voluntary Act; **Requirement of Mental Element:** Malice Intention or Negligence and Recklessness, Fault, Motive, Malfeasance, Misfeasance and Non-Feasance as Conditions of Liability **Foundation of Tortious liability:** Pigeon-Hole and General Principle of Liability Theories-Critical Evaluation; **Personal Capacity:** Convict-Alien Enemy-Husband and Wife-Corporation-Trade Unions-Insolvent-State and its Subordinates-Minor-Lunatic-Foreign Sovereigns.

- **New & Emergent Torts:** Strict Liability/ No Fault liability – Statutory Liability, Vicarious Liability, Doctrine of Sovereign Immunity.

## UNIT- II

### JUSTIFICATION IN TORT

- **General Defences**
- **Consent as Defence**-Leave and Licence- *Volenti non fit injuria*-Necessity-Mistake-Plaintiff's default; **Act of God**-Force Majeure or *Vis Major*-Inevitable Accident-Private Defence; **Act of State**-Statutory Authority; **Judicial Acts**-Judicial & Quasi-Parental Authority.
- **Extinguishment of Liability: Discharge of Torts**-Death-Waiver-Acquiescence-Release-Accord and Satisfaction-Limitation.

## UNIT- III

### NEGLIGENCE

- **Basic Concepts of Negligence:** Meaning and Definition of Negligence-**Essentials of Negligence:** Standard of Care-Duty to Take Care-Breach of Duty, Damage
- **Burden of Proof:** Doctrine of Contributory Negligence-*Res Ipsa Loquitur*-Nervous Shock and Psychiatric Suffering
- **Professional Liability Due to Negligence:** Liability of Manufacturers & Business Houses.

## UNIT- IV

### NO FAULT LIABILITY

- **Strict Liability:** Meaning and Essentials-Scope of the Rule in *Ryland v. Fletcher*-Exceptions to the Rule
- **Application of Rule in India:** Absolute Liability-Rule in *M.C. Mehta v. UOI*

- **Bhopal Catastrophe:** Liability of MNCs and National Government for Mass Torts-Toxic Torts and Protection of Environment-Development of Statutory Torts in U.K., USA and India

## UNIT- V

### VICARIOUS LIABILITY

- **Vicarious Liability:** Its Basis & Reasons-Liability by Ratification-Liability by Special Relationship and Abetment
- **Doctrine of Sovereign Immunity:** Liability of the State-Sovereign and Non-Sovereign Functions-Crown Proceedings Act 1947, Federal Torts Claims Act 1946 and Article 300 of the Indian Constitution
- **Joint Tortfeasors:** Distinction between Joint and Several Liability-Contribution between Tortfeasors

#### Suggested Readings

1. Avtar Singh: *P. S. A. Pillai's Law of Tort*, Eastern Book Company, Lucknow.
2. J. N. Pandey: *Law of Torts*, Central Law Publications, Allahabad.
3. Kumud Desai: *Law of Torts (An Outline with Cases)*, N.M. Tripathi, Bombay.
4. R. F. V. Heuston & R. A. Buckley: *Salmond & Heuston on the Law of Torts*, Sweet & Maxwell, London.
5. R. K. Bangia: *A Handbook of Consumer Protection Laws & Procedure for the Lawman & the Layman*, Asian Offset Press, Faridabad.
6. R. K. Bangia: *Law of Torts (Including Compensation under The Motor Vehicles Act and Consumer Protection Laws)*, Allahabad Law Agency, Allahabad.
7. Ratanlal & Dhirajlal (Revised by Akshay Sapre): *Ratanlal and Dhirajlal's The Law of Torts*, LexisNexis, Gurgaon.
8. S. K. Kapoor: *Law of Torts*, Central Law Agency, Allahabad.
9. W. V. H. Rogers: *Winfield and Jolowicz on Tort*, Sweet & Maxwell, London.



**Relevant Case law**

1. *Allen v. Flood*, (1898) AC 1.
2. *Ashby v. White*, (1703) 2 LR 930.
3. *Henderson v. Merrett Syndicate Ltd.*, (1994) 3 ALLER 506.
4. *Gloucester Grammar School Case* (1410).
5. *Acton v. Blundell*, (1848) 12 M&W 324.
6. *Bradford Corporation v. Pickles*, (1865) AC 587.
7. *Town Area Committee v. Prabhu Dayal*, AIR 1975 All 132.
8. *Khorasandjian v. Bush*, (1993) 3 ALL ER 669.
9. *Wilkinson v. Downton*, (1897) 2 Q.B. 57
10. *Hall v. Brooklands Auto-Racing Club*, (1993) 1 KB 205.
11. *T.C. Balakrishnan v. T.R. Subramanian*, AIR 1968 Ker 151.
12. *South Indian Industries Ltd., Madras v. Alameh Ammal*, AIR 1923 Mad 565.
13. *Haynes v. Harwood*, (1932) 1 KB 146.
14. *Cutler v. United Dairies*, (1933) 2 KB 297.
15. *Baker v. T. E. Hapkins & Son*, (1959) 1 WLR 968.
16. *Padmavati v. Dugganika*, (1975) 1 Karn LJ 93.
17. *Dann v. Hamilton*, (1939) 1 KB 509.
18. *Smith v. Baker*, (1891) AC 325.
19. *Vaughan v. Taff Vale Railways Co.*, (1860) 5 H&N 679.
20. *Smith v. London & South Western Railway Co.* (1870) LR 6 CP 14
21. *Ramchandra Ram Ngaram Rice & Oil Mills Ltd., Gaya v. The Municipal Commissioner of the Purulia Municipality*, (1943) 22 Pat 359.
22. *Manindra Nath Mukherjee v. Mathuradass Chaturbhuj*, AIR 1946 Cal 175.
23. *Nicholas v. Marshland*, (1876) 2 Ex. D. 1.
24. *Kallulal v. Hem Chand*, AIR 1958 MP 48.
25. *Donogue v. Stevenson*, (1932) AC 562.

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26. *White v. Jones*, (1995) 1 ALL ER 691.
27. *Rural Transport v. Bezlum Bibi*, AIR 1950 Cal 165.
28. *Municipal Corporation of Delhi v. Sushila Devi*, (1999) 4 SCC 317.
29. *P. A. Kulkarni v. State of Karnataka*, (1999) Kent 284.
30. *Chairman, Grid Corporation of Orissa Ltd. v. Sukamani Das*, (1999) 7 SCC 37.
31. *Pashchim Banga Khet Mazdoor Society v. State of West Bengal*, (1996) 4 SCC 37.
32. *Pushpaleela v. State of Karnataka*, AIR 1999 Kant 119.
33. *Cates v. Mongini Bros*, (1917) 19 Bom LR 778.
34. *Hedley Byrne & Co. v. Heller & Partners Ltd.*, (1963) 2 All ER 575.
35. *M.C.D. v. Subhagwanti*, AIR 1966 SC 1750.
36. *State of Punjab v. Modern Cultivators*, AIR 1965 SC 17.
37. *Shyam Sunder v. State of Rajasthan*, (1974) 1 SCC 690.
38. *Rylands v. Fletcher*, (1868) LR 1 Ex 265.
39. *Madras Railways Co. v. Zamindar of Carvatenagram*, (1874) I.A. 364.
40. *M.C. Mehta v. Union of India*, AIR 1987 SC 1086.
41. *UCC v. Union of India*, 1992 AIR 248, 1991 SCR Supl. (1) 251.
42. *UCC v. Union of India (Order of Settlement)*, 1989 3 SCC 38.
43. *UCC v. Union of India (Reasons for Settlement)*, 1989 3 SCC 38.
44. *Charanlal Sahu v. Union of India (Validity of 1985 Act)* (1990) 1 SCC 613.
45. *Consumer Education & Research Centre v. Union of India*, (1995) 3 SCC 42.
46. *Bakshi Amrik Singh v. Union of India*, (1974) SCJ 105.
47. *State of Rajasthan v. Ms. Vidyawati*, AIR 1962 SC 933.
48. *Kasturilal v. State of U.P.*, AIR 1965 SC 1039.
49. *Lucknow Development Authority v. M.K. Gupta*, AIR 1994 SC 787.
50. *Rudal Shah v. State of Bihar*, AIR 1983 SC 1086.
51. *Jay Laxmi Salt Works (P) Ltd. v. State of Andhra Pradesh*, (1994) 4 SCC 1.
52. *N. Nagendra Ram & Co. v. State of Andhra Pradesh*, (1994) 6 SCC 205.
53. *Jasbir Kaur v. State of Punjab*, AIR 1995 P&H 278.

54. *Tabassum Sultana v. State of UP*, AIR 1997 All 177.

## LAW OF CONTRACT-I

### (GENERAL PRINCIPLE OF CONTRACT & SPECIFIC RELIEF)

*(The entire syllabus is divided into five units. Ten questions shall be set in all with two questions from each unit. The candidate shall be required to answer five questions in all selecting one from each unit.)*

**Objective:** Contract law provides the framework within which all commercial transactions, from the smallest consumer purchase to the most complex business deal, take place. The Indian Contract Act occupies the most important place in the Commercial Law. Without contract Act, it would have been difficult to carry on trade or any other business activity and in employment law. It is not only the business community which is concerned with the Contract Act, but it affects everybody. The objective of the Contract Law is to ensure that the rights and obligations arising out of a contractual relation are honoured and that legal remedies are made available to those who are affected. The course structure of Contract-I is designed to acquaint students with the conceptual and operational parameters of various general principles relating to conceptual and practical principles of rules for formation of contract, performance and enforcement of contract remedies.

### UNIT- I

#### INDIAN CONTRACT ACT, 1872

- **General:** Literal Concept-Utility and Purpose.
- **Indian Contract Act, 1872:** Scheme of the Act and its Salient Features-Definition of Contract-Void Contract and Voidable Contract
- **Formation of Contract:** Offer-General and Specific Offer-Cross and Counter Offer; Acceptance-Mode of Acceptance-Communication and Revocation of Offer and Acceptance-Contract through Electronic Medium.
- **Intention to Create Legal Relationship/Obligations**

**UNIT- II**  
**INDIAN CONTRACT ACT, 1872**

- **Consideration:** Definition and Essential Elements-Privity of Contract and Privity of Consideration-Exceptions-Adequacy of Consideration-Past, Executed and Executor Consideration.
- **Capacity to Contract:** Meaning-Incapacity arising out of Status & Mental Defects; Nature of Minor's Agreement-Effect of Minor's Agreement as regard to Estoppel-Liability, Restitution and Notification-Accessories Supplied to a Minor-Agreements Beneficial and Detrimental to a Minor.
- **Principle of Free Consent:** Coercion-Undue Influence-Misrepresentation-Fraud-Mistake; Unlawful Consideration and Object
- **Void Agreement:** Meaning-Agreement without Consideration-Agreement in Restraint of Marriage-Agreement in Restraint of Trade-Agreement in Restraint of Legal Proceedings-Unmeaning Agreement-Wagering Agreement

**UNIT- III**  
**INDIAN CONTRACT ACT, 1872**

- **Contingent Contract:** Performance of Contingent Contract
- **Discharge of Contract:** Performance-Impossibility of Performance-Doctrine of Frustration-By Agreement-By Breach-Anticipatory Breach-Breach during Performance
- **Appropriation of Payment**
- **Quasi-Contract**

**UNIT- IV**  
**INDIAN CONTRACT ACT, 1872**

- Damages
- Remoteness of Damages & Measures of Damages
- Penalty Clause

- *Quantum Meruit*

## UNIT- V

### SPECIFIC RELIEF ACT

- **Specific Performance of Contract:** Contract that can be Specifically Enforced, Persons against whom Specific Enforcement can be ordered.
- Rescission and Cancellation
- **Injunction:** Temporary-Perpetual
- **Declaratory Orders:** Discretion and Power of the Court

#### Suggested Readings

1. Dr. Avtar Singh: *Law of Contract & Specific Relief*, Eastern Book Company, Lucknow.
2. Dr. R.K. Bangia: *Contract*, Allahabad Law Agency, Allahabad.
3. H. K. Saharay: *Dutt on Contract-The Indian Contract Act, 1872*, Eastern Law House, Kolkata.
4. G. H. Treitel: *The Law of Contract*, Sweet & Maxwell, London.
5. H. G. Beale and Joseph Chitty: *Chitty on Contracts: General Principles*, Sweet & Maxwell, London.
6. J. Beatson, Andrew Burrows & John Cartwright: *Anson's Law of Contract*, Oxford University Press, London.
7. M. Krishnan Nair: *Indian Contract Law*, Orient Longman, Hyderabad.
8. Michael P. Furmston: *Cheshire, Fifoot & Furmston's Law of Contract*, Oxford University Press, London.
9. N. C. Seddon, R. A. Bigwood & M. P. Ellinghaus: *Cheshire and Fifoot-Law of Contract*, Butterworths, London.

10. Pollock & Mulla (revised & edited by Nilima Bhadbhade): *Indian Contract Act, 1872*, Lexis Nexis, Gurgaon.
11. T. S. Venkatesa Iyer: *Lectures on Law of Contract*, Asia Law House, Hyderabad.
12. Venkoba Rao (revised by S. C. Srivastava): *Law of Agency*, LexisNexis, Gurgaon.

### **Relevant Cases**

1. *Carlill v. Carbolic Smoke Ball Co.*, (1893) 1 QB 256.
2. *Lalman Shukla v. Gauri Dutt*, (1913) 11 All 486.
3. *Balfour v. Balfour*, (1919) 2 KB 571.
4. *Weeks v. Tybald*, (1605) 75 ER 982.
5. *Harvey v. Facey*, (1893) AC 552.
6. *Powel v. Lee*, (1908) 24 LTR 606.
7. *Bhagwandas Govardhandas Kedia v. Girdhari Lal Parshotamdas & Co.*, AIR 1966 SC 543.
8. *Dutton v. Poole*, (1672) KB Lev 210.
9. *Tweddle v. Atkinson*, 30 LJ QB 218.
10. *Durga Prasad v. Baldeo*, (1880) 3 All 221.
11. *Kedar Nath v. Gorie Mohamed* (1886) 1 LR 14 Cal 614.
12. *Chinnaya v. Ramayaa*, (1882) 4 Mad 137.
13. *Mohori Bibee v. Dharmodas Ghose*, 30 Cal 539.
14. *Khan Gul v. Lakha Singh*, ILR (1928) 9 Lah 711.
15. *Madhub Chandra v. Raj Coomar*, (1874) XIV Bengal Law Rev. 76.
16. *Nordenfelt v. Maxim Nordenfelt Gun & Ammunition Co., Ltd.* (1894) AC 535.
17. *Krell v. Henry*, (1903) 2 KB 740 CA.
18. *Satyabrata Ghose v. Mugneeram*, AIR 1954 SC 44.
19. *Hadley v. Baxendale*, (1854) 9 Exch 341.
20. *Simpson v. London North Rly. Co.*, (1876) QBD 274.
21. *Victoria Laundry (Windsor) Ltd. v. Nowman Industries Ltd.*, (1949) KB 528.

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22. *Ardeshir H. Mama v. Flora Sassoon*, IP 1928 PC 208.
23. *Devender Singh v. Syed*, AIR 1973 SC 2457.
24. *Thomas v. Hanuman Prasad*, AIR (1983) A 202.
25. *American Cyanamid v. Ethican*, (1975) 1 All ER 504.

## ENGLISH & LEGAL LANGUAGE

*(The entire syllabus is divided into five units. Ten questions shall be set in all with two questions from each unit. The candidate shall be required to answer five questions in all selecting one from each unit.)*

**Objective:** The course is designed with the objective to familiarize the students with the correct pronunciations of words and to acquaint them with the role of meanings of words and their interpretation in law. This paper also intends to give the students more exposure to the nature of legal language and the issues related to it in drafting legislations and legal documents. It aims to acquaint the students with advocacy skills so much so to bridge the gap between theoretical and practical knowledge and to strengthen and enhance their critical thinking. It also introduces the students to logical reasoning and its use in law to set up good arguments. This paper also intends to strengthen the students' listening, speaking, reading and writing skills by using literature and to enable the students to analyse the case laws from the perspective of language.

### UNIT- I

#### ESSENTIAL GRAMMAR, COMPREHENSION SKILLS AND VOCABULARY

*(The unit will strength the understanding and clarity of grammar items listed below which will be taken rigorously vide a series of close/gap-filling passages for practice. The unit will also aim at bringing about clarity of words, identifying ambiguities and building a legal English vocabulary. Unseen passages will be administered for comprehension practice and testing).*

- Articles-Prepositions-Conjunction and Connectors-Tenses-Voices
- Prefixes/Suffixes-Synonyms and Antonyms
- Common Errors-Legal Vocabulary (Comprising of Legal Maxims and Maxims of Equity)-Unseen Passages



## **UNIT- II**

### **COMPOSITION SKILLS**

*(This unit is devoted to enhancing legal writing skills and familiarity with formats of legal documentation)*

- Paraphrasing-Drafting-Précis/Briefs
- Reports & Recitals (Para-Writing)-Legal Correspondence (Letters, Application, Reports and Press Release)
- Legal Essay Writing , Ethics in Legal Writing

## **UNIT- III**

### **STUDY OF THEORY**

*(This course will focus on enhancement of their thoughts, ideas and vision for practical application in their professional life. Because law is deeply implicated in our economic, political, and social worlds, pursuit of change invariably involves an understanding of the deep structures of the society)*

- Traditional Gender Roles and Feminist Criticism. (With an Overview of Gay, Lesbian and Queer Theory)
- Psychoanalysis and the Origin of the Unconscious
- Post-colonial Identity

## **UNIT- IV**

### **STUDY OF TEXT**

*(The prescribed chapters in this unit illustrates to law students the clarity of thought and language as well as familiarizes them with use of Satire)*

- Trials of Gandhiji-M.K. Gandhi
- Play Justice-John Galsworthy
- Animal Farm- George Orwell

## UNIT- V

### PRESENTATION AND COMMUNICATION SKILLS

*(A unit aimed at practical communication where the students are helped to make presentation before an audience, articulate and argue an interpretation. This final unit combines comprehension and oral-written output. Combined with communication skills, the paper will help in developing critical and analytical skills among the students)*

- **Meaning of Communication:** Approaches-Directions and Challenges-Formal & Informal Communication-Barriers to Communication
- Evaluating and Interpreting Issues
- Enhancing Argumentative Skills by enactment of Selective readings from Act IV - Merchant of Venice by Shakespeare.

#### **Suggested Readings**

1. Bryan Garner: *A Dictionary of Modern Legal Usage*, Oxford University Press, USA.
2. F. T. Wood: *A Remedial English Grammar*, Macmillan and Mahatma Gandhi University, Kottayam.
3. George Orwell: *Politics and the English Language*, available at [http://www.orwell.ru/library/essays/politics/english/e\\_polit](http://www.orwell.ru/library/essays/politics/english/e_polit).
4. Hartin Hewings: *Advanced English Grammar*, Cambridge University Press, Cambridge.
5. Interpretations: William Shakespeare's *The Merchant of Venice*, Harold Bloom, New York.
6. John Rodden, *Understanding Animal Farm: A Student Casebook to Issues, Sources and Historical Documents*, Greenwood Publishing Group.
7. Lorna Gilmour: *Collins Thesaurus: The Ultimate Wordfinder*, Harper Collins, New York.
8. M. L. Tickoo and A. E. Subramanian: *A Functional Grammar with Usage and Composition*, Frank Bros. & Co. (Publisher) Ltd. Noida.

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9. Michael McCarthy: *English Vocabulary in Use*, Cambridge University Press, Cambridge.
10. P. C. Wren and H. Martin: *High School English Grammar and Composition*, S. Chand, New Delhi.
11. Pamela Samuelson: Good Legal Writing: of Orwell and Window Panes 46  
University of Pittsburgh Law Review 149 (Fall 1984)
12. Raymond Murphy: *Essential English Grammar*, Cambridge University Press, Cambridge.
13. T. J. Fitikides: *Common Mistakes in English*, Pearson Education Limited, England.
14. W. S. Allen: *Living English Structure*, Pearson Education Limited, England.