

LL.B. 3 YEAR DEGREE COURSE
Proposed Syllabus effective from 2021-2022

Paper - III – LAW OF TORTS INCLUDING MV ACCIDENTS AND CONSUMER PROTECTION

Unit-1: Evolution of Law of Torts:, Its development by courts in England, Forms of Action, Emergence of specific remedies from case to case, Reception of Law of Torts in India, Principles of Equity, Justice and Good Conscience, Uncodified character-advantages and disadvantages.

Unit-2: Definition, Nature, Scope and Objects: A Wrongful act-violation of a duty (in rem) imposed by law, duty which is owed to people generally, Legal damage-Damnum sine injuria and Injuria sine damnum., Tort distinguished from Crime, Breach of Contract etc., The concept of unliquidated damages, Changing scope of Law of Torts: Expanding character of duties owed to people generally due to complexities of modern society-scientific and technological progress, industrialisation, urbanisation, specialization, occupational hazards, Objects-prescribing standards of human conduct, redressal of wrongs by payment of compensation, proscribing unlawful conduct by injunctions.

Unit-3: Principles of Liability in Torts: Fault, Wrongful intent, Negligence, Liability without fault, Violation of Ethical codes, Statutory liability, Fatal Accidents Act, Railway Act, Workmen's Compensation Act, Motor Vehicles Act, Carrier Act, Insurance Laws, Place of motive in Torts.

Unit-4: Justification in Torts: Volenti non fit injuria - What is free consent?: Informed consent, mere knowledge and knowledge coupled with assumption of risk, Necessity, Private and Public, Plaintiff's default, Act of God and Inevitable Accident, Private Defence, Statutory authorization, Judicial and Quasi-judicial Acts, Parental and quasi parental authority.

Unit-5: Extinguishment of Liability in Certain situations: Death, Actio personalis moritur cum persona Exceptions, Law Reform (Miscellaneous Provisions) Act. 1934, Waiver and acquiescence, Release, Accord and satisfaction, Limitation.

Unit-6: Standing: Who may sue in torts, Aggrieved individuals, Class Action, O 1 R 8, Social Action Groups, Statutes granting standing to certain persons groups, Who may not be sued, Ambassadors, Lunatics, Infants.

Unit-7: Doctrine of Sovereign immunity and its Relevance in India: Liability of States Sovereign and non-sovereign functions, Crown Proceedings Act of U.K., Federal Tort Claims Act of U.S.A. Constitution of India, Arts 299 and 300, Act of State.,

Unit-8: Vicarious Liability: Basis, scope and justification, Express authorization, Ratification, Abetment, Special Relationship, Master and servant-arising out of and in the course of 14 employment who is master? - Control test who is servant? Borrowed servant Independent Contractor, Principal and Agent, Corporation and Principal Officer.

Unit-9: Torts Against Persons and Personal Relations: Assault, Battery, Mayhem, False Imprisonment, Defamation-Libel, slander including law relating to privileges, Marital Relations, domestic Relations, parental Relations Master and Servant relations, Malicious prosecution, Shortened Expectation of life, Nervous shock, Defences.

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Unit-10: Wrongs Affecting Property: Trespass to land, Trespass ab initio, Dispossession, Movable Property-Trespass to goods, Detinue, conversion, Torts against Business interests Injurious falsehood, misstatements, passing off, Defences.

Unit-11: Negligence: Basic concepts, Theories of Negligence, . Standards of care, Duty to take care carelessness inadvertence, Doctrine of contributive negligence, Res ipsa loquitor and its importance, Professional liability due to negligence with special reference to consumer Protection Law.

Unit-12: Absolute/Strict Liability: The Rule in Ryland vs. Fletcher. Principle for application of these rules, Storing of dangerous things, . Escape of dangerous things - application of principles in concrete cases of damage arising out of industrial activity. (The Bhopal Disaster, Oleum Gas Escape, M.C. Mehta Case, Nuclear Installations and their hazards), Defences, Liability under Motor Vehicle Act, Railway Act etc.

Unit-13: Nuisance: Definition, Essentials, Types, Acts which constitute nuisance-obstructions of highways, pollution of air, water, noise, interference with light and air.

Unit-14: Legal Remedies: Legal Remedies, Award of damages-simple, special, punitive, Remoteness of Damages-Foreseeability and Directness tests, Injunction, Specific Restitution of Property, Extra-Legal Remedies-self-help, Re-entry in land, Recapture of goods, distress damage feasant abetment to nuisance.

Unit-15: Judicial Process in Tort: Dilatoriness, Complicated rules of procedures and evidence, Experts in trial process, Reports of Testing labs, Court fees, Problems of access.

Unit-16: Tort and Consumer Protection Law: Duty to take care and liability for negligence: Manufacturers and traders and providers of services such as lawyers, doctors and other professional, Caveat emptor and caveat venditor, Deceit and false advertisement, Liability for hazardous and inherently dangerous industrial activity, Product Liability - EEC directives, Right to Common Property Resources-right to pass and Trespass on pathways, Consumer Protection Act, 2019.

Unit-17: Motor Vehicles Act, 1988.

Books Recommended:

1. Achutan Pillai: The Law of Torts, Eastern Book Co., Lucknow
2. R.K. Bangia: The Law of Torts, Allahabad Law Agency, Allahabad, 1999
3. J.N. Panday: The Law of Torts, Central Law Publications, Allahabad, 1999
4. Durga Das Basu: The Law of Torts, X Edition Prentice Hall of India, New Delhi
5. Ratna Lal & Dhiraaj Lal: The Law of Torts, Wadhwa & Company, Nagpur, 1992
6. Winfield & Jolowicz: Tort, XII Edition, Sweet and Maxwell, London - 1994
7. Salmond and Heuston: Law of Torts, India Reprint Universal Books Traders, New Delhi - 1994.
8. Ramaswamy Iyer: The Law Torts

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9. Hepple & Mathews: Tort - cases and materials, Butterworth, London, 1980.
10. Vivienne Harpwood: The Law of Torts, Cavandish Publishing Ltd., London, 1993
11. D.N. Saraf, Law of Consumer Protection in India, MN Tripathi, Bombay.

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Paper - V - FAMILY LAW-I (Family Relations)

Unit -1: Concept of family, Nuclear family and Joint family, Joint Hindu Family (Mitakshara and Dayabhaga): Mitakshara joint family Mitakshara Coparcenary - formation and incidents, Property under Mitakshara law-Separate property and Coparcenary property, Dayabhaga coparcenary - Formation and incidents, Property under Dayabhaga Law, Karta of the joint family-his position, powers, privileges and obligations, Alienation of property-separate and coparcenary, Debts-doctrines of pious obligation and antecedent debt. Partition and Reunion Joint Hindu Family as a social security institution and impact of Hindu Gains of Learning Act and various tax laws on it.

Unit-2: Marriage And Kinship: Evolution and importance of institutions of Marriage and Family. Role of Religion, Indian Family Law, Impact of customs on marriage and family.

Unit-3: Applicability & Sources of Law: Who is a Hindu, Who is a Muslim, Who is a Christian, Sources of Hindu Law, Sources of Muslim Law, Schools of Law, Hindu and Muslim laws.

Unit-4: Essential Conditions of Marriage, State intervention through various legal measures, Essentials Conditions of valid Hindu Marriage Hindu Marriage Act, Essential conditions of valid Muslim marriage, Concept of Dower, Essential conditions of marriage for valid Christian Marriage, Indian Christian Marriage Act, 1882, Special Marriage Act, Kinds of marriages under Hindu and Muslim systems

Unit-5: Matrimonial Remedies: Annulment, RCR Judicial Separation, Divorce -Conditions for grant of matrimonial remedies under Hindu Marriage Act, Indian Divorce Act; Matrimonial Remedies for Muslims (Talaq, Ila, Zihar, Tafwiz, Khula, Mubara) Muslim wife's grounds of divorce u/ Dissolution of Muslim Marriage Act, 1939, Bars to Matrimonial Relief.

Unit-6: Maintenance: Maintenance of divorced wives, neglected wives, minor children and parents under Hindu Marriage Act & Hindu Adoptions and Maintenance Act; Maintenance of Muslims wives during and after divorce; Protection of Rights on Divorce Act, 1986 S.125 of Cr.P.C.

Unit- 7: Child and the Family: Legitimacy, Adoption, Custody and Maintenance u/ Hindu Law (HMA,1956) &, Guardianship law of Hindu and Muslims.

Unit-8: Costmary practices and the law: Dowry and Dowry Prohibition Act, 1961, The Prohibition of Child Marriage Act, 2006, Sati Act, 1987, New amendments

Unit-9: Family Courts, Need for UCC: Composition, Powers and Functions of Family Courts (Family Courts Act 1984) Article 44 of the Indian Constitution

Books Recommended:

1. Paras Divan, Modern Hindu Law, Central Law Agency
2. Paras Divan, Family Law, Central Law Agency.
3. Flavia Agnes, Marriage, Family Law I & II, OUP
4. Tyabji , N.M Tripathi Publications, N. Delhi
5. Mohammedan Law, Dr.Mohammed Nazmi Central Law Agency

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6. Marriage and Family Law Reforms in India, Archana Parasher Sage Publications.
7. Maine's Treatise on Hindu Law and Usage, Bharat Law House, Delhi
8. Vasudha, Towards Uniforms Civil Code, ILI, Delhi
9. Archana Parasher Marriage and Family Law Reforms in India, Archana Parasher Sage Publications.

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Paper- XV - COMPANY LAW

Unit-1: Meaning of Company, essential characteristics, corporate personality and lifting the corporate veil, Forms of Corporate and non-Corporate Organisations; Corporations, partnerships and other associations of persons, state corporations, government companies, public sector private sector, their-role, functions and accountability of companies, Company Act, 2013.

Unit-2: Incorporation, Memorandum of Association - various clauses - alteration therein doctrine of ultra vires, Articles of Association - binding force alteration - its relations with memorandum of association - doctrine of constructive notice and indoor management exceptions, Prospectus - issue - contents - liability for misstatements -statement in lieu of prospectus, Promoters - position - duties and liabilities

Unit-3: Shareholders: Shares - general principles of allotment statutory restrictions – share certificate its objects and effects - transfer of shares - restrictions on transfer - procedure for transfer - refusal of transfer - role of public finance institutions - relationship between transferor and transfers - issue of shares at premium and discount, Shareholder - who can be and who cannot be a shareholder modes of becoming a shareholder calls on shares - forfeiture and surrender of shares - lien on shares rights and liabilities of shareholder, Share capital – kinds alteration and reduction of share capital - further issue of capital - conversion of loans and debentures into capital duties of court to protect the interests of creditors and shareholders.

Unit-4: Directors - position - appointment - qualifications, vacation of office - removal, resignation - powers and duties of directors -meeting, registers, loans remuneration of directors - role of nominee directors-compensation for loss of office - managing directors and other managerial personnel, Meetings - kinds procedure – voting.

Unit-5: Dividends, Debentures, Borrowing Powers: Dividends - payment - capitalization of bonus shares, Audit and accounts, Borrowing - powers - effects of unauthorised borrowing charges and mortgages - loans to other companies investments - contracts by companies, Debentures - meaning- floating charge - kinds of debentures - shareholder and debenture holder - remedies of debenture holders.

Unit-6: Majority rule: Protection of minority rights, Prevention of oppression and mismanagement, who can apply - when can he apply, powers of the court and of the Central Government.

Unit-7: Other Allied Aspects: Private companies - nature advantages conversion into public company foreign companies, government companies, holding and subsidiary companies, Investigations– Powers, Reconstruction and amalgamation, Defunct Companies. National company Law Tribunal, powers and functions.

Unit-8: Law and Multinational Companies: Collaboration agreements for technology transfer, Control and regulation of foreign companies taxation of foreign companies, share capital in such companies.

Unit-9: Winding Up: Winding up - types - by court - reasons - grounds - who can apply procedure, powers of liquidator - powers of court consequences of winding up order- voluntary winding up by members and creditors winding up subject to supervision of court.

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Unit-10: Winding up proceedings: appointment of liquidator, powers and duties of official liquidator; Liability of past members - payment of liabilities - preferential payments, unclaimed dividends - winding up of unregistered company.

Books Recommended:

1. Avatar Singh: Company Law, Eastern Book company, Lucknow
2. Anantha Raman, lectures on company Law, Wadhwa and Company
3. Kailash Rai, Company Law , Allahabad Law Agency, Allahabad
4. Majumdar, Company Law, Taxman Publications
5. Tandon M.P. ,Company Law, Allahabad Law Agency, Allahabad
6. Palmer, Company Law
7. Gover, Company Law
8. Ramaih, A Guide to Companies Act, Wadhwa Publications

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Paper – XXI: PRINCIPLES OF TAXATION LAW

Unit-1: Constitutional Provisions- Arts. 265 to 289 - Scope of Tax Laws: b. Tax and Fee. Capital Receipt and Revenue Receipt distinguished.

Unit-2: Direct Tax Laws : Income Tax Law: Historical out line, Definitions-‘Income’ ‘Agriculture Income’ Previous Year’ and Assessee’ Incidence of Tax and Residential Status. Statutory exemptions (Ss 10 to 13A) classification of Income and Heads of Income (Ss 14 to 59): b. Assessment (Ss.109 to158) Collection and Recovery of Tax (ss19A-234) Double Taxation Relief Clubbing of Incomes Ss50-66).

Unit-3: Income Tax Authorities, Settlement of cases (S.245). Appeals and Revisions (Ss 246-269), Penalties, offences and prosecution (Ss 270-280).

Unit-4: Wealth Tax Act and Amendments - Definitions of Asset, Net Wealth. Valuation Date Deemed Assets, Exempted Assets, Surcharges

Unit-5: Indirect Tax Laws: a) Goods and Services Tax Act, 2017 - Historical outline- Definitions-A detailed study of Ss. 4 to 6A-Registration of Dealers-Liability in special cases (Ss 16 to 18): b) A.P. General Sales Tax Act, 1957, Definitions: Business-Dealer-Casual Dealer-Total turn-over-Registration of dealers (S. 12) Sales Tax Authorities (Ss 3 and 4).

Unit-6: VAT, Scope of VAT, problems and prospects in its application.

Books Recommended:

1. Dr. Vinod K. Singhania, Student Guide to Income Tax, Taxman.
2. Dr. Vinod K. Singhania, Direct Taxes Law & Practice, Taxman Allied Service Pvt. Limited.
3. Myneni S.R., Law of Taxation, Allahabad Law Series.
4. Kailash Rai, Taxation Laws, Allahabad Law Agency.
5. Dr. Gurish Ahuja, Systematic Approach to Income Tax, Bharat Law House Pvt. Limited, Delhi
6. V.S. Datey: Law and Practice Central Sales Tax Act, 2003, Taxman Publications.
7. Nani Palkivala: Income Tax, Butterworths Publications.
8. Dr. GK Pillai, VAT- A Model for Indian Tax Reforms
9. Naidu's Sales Tax Act

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Paper – XXIII LAND LAWS INCLUDING TENURE AND TENANCY SYSTEM
(Optional Paper-I)

Unit- 1: Ownership of land - Doctrine of eminent domain -doctrine of Escheat.

Unit-2: Movement of Law reforms: Pre-Independence position - Zamindari Settlement - Ryotwari Settlement -Mahalwari System - Intermediaries - Absentee Landlordism – Large holdings. Post-dependence Reforms: Abolition of Zamindari Laws relating to abolition of Intermediaries.

Unit-3: Land Ceiling: Urban Land Ceiling and Agrarian Land Ceiling.

Unit-4: Laws relating to acquisition of property and Governmental control and use of land - Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

Unit-5: Laws relating to tenancy reforms: Land to the Tiller, Rent control and protection against eviction, AP (Andhra Area) Tenancy Act, 1956.

Unit-6: Laws relating alienation / assignment in scheduled areas: A.P. Schedule Areas Land Transfer regulation 1959. (Samatha Case), A.P. Assigned Lands (Prohibition of Transfer) Act, 1977.

Unit-7: Laws relating to Grabbing. A.P. Land Encroachment Act, 1905, AP Land Grabbing (Prohibition) act, 1982.

Unit-8: Forest Laws - Conservation of Forest Act, 1980, A.P. Forest Act, 1967.

Unit-9: Tribal Right to Land (Recent Act) and A.P. Land Revenue Code.

Books Recommended:

1. P. Rama Reddi and P. Srinivasa Reddy: Land Reform Laws in A.P., Asia Law House. 5th Ed. Hyderabad..
2. P.S. Narayana: Manual of Revenue Laws in A.P., Gogia Law Agency, 6th Ed. 1999.
3. Land Grabbing Laws in A.P.: Asia Law House, 3rd Ed. 2001, Hyderabad.
4. G.B. Reddy: Land Laws in A.P., Gogia Law Agency, Hyderabad, 1st Edition, 2001.

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Paper - XXVI – LAW OF CRIMES – II (Criminal Procedure Code, Juvenile Justice Act)

Unit 1: Criminal justice system: Inquisitorial and Adversary\Accusatorial; International norms regarding the basic principles of criminal justice system; Constitutional perspectives - Articles 14, 20, 21 & 22; The rationale of criminal procedure; Salient features of the Criminal Procedure Code, 1973; The organization of police, prosecution & defense and prison authorities – duties, functions and powers; Constitution of criminal courts and the significance of the segregation of magistrates into judicial and executive magistrates categories under the code; Important definitions: Investigation, first information, cognizable and non-cognizable offence, bailable and non bailable offences, complaint, inquiry, charge, trial, summons and warrant cases, compoundable and non-compoundable offences, discharge and acquittal, appeal, revision and reference.

Unit-2: Investigation proceedings: Initiation of investigation proceedings (sec.154-157); Interrogation powers of police officer (Secs.160& 161); evidentiary value of FIR and statements made to police officer (Sec.162 of Cr.P.C. and Sec.145 & 157 of Evidence Act); Arrest with and without a warrant : exercise of power and execution rules (Secs.41-60 & 70-80); Preventive powers of the Police (Sec.149-153); Rights of arrested person (Secs.50,50A,54-57,75,76,303,304 of Cr.P.C & Art.22); 2.3 Search and Seizure (Secs.51,93-103, 165,166 & 166A,166B); Proclamation and attachment (sec.82-89) Recording of confessions and statements (sec.164); Special remand order (Secs.167); Police diary (Secs.172); Police report (Sec.173); Inquest proceedings (Secs.174-176).

Unit-3: Jurisdiction of Courts, Inquiry proceedings & Bail provisions: General principle of jurisdiction of criminal courts (Sec.177); Exceptions to the principle (sec.178-188); Initiation of Inquiry proceedings (Sec.190-194); Exceptions to the general principle of moving criminal courts (Secs.195-199); Complaint to magistrates (Secs.200-203); Inquiry proceedings before magistrates (Secs.204-209); Bail provisions (Secs.436-450).

Unit-4: Security and Maintenance proceedings: Security for keeping peace and for good behavior (Secs.106-124); 4.2 Maintenance of Public order and tranquility: Unlawful Assemblies (Secs.129-132); Public Nuisance (Secs.133-144); Disputes as to immovable property (Secs.145- 148); Maintenance of wives, children and parents: Order of maintenance (Secs.125); The Muslim Women (Protection of Rights on Divorce) Act,1986; Procedure, alteration and enforcement (Secs.127&128).

Unit-5: Trial Proceedings: Concept of fair trial: Presumption of innocence, right of silence & right to speedy trial; Charge: Content and form (Secs.211-217); General principle to be tried separately for every charge and its exceptions (Secs.218-224); Trial before a court of session (Secs.225-237); Trial of warrant cases before magistrates (Sec.238-250); Trial of summons cases (Sec.251-265); Summary trials (Secs.260-265); Pleas and limitations to bar trial: Principle of Autrefois acquit and autrefois convict (Secs.300& Art.20); Compounding of offences (Sec.320); Withdrawal from prosecution (Secs.321); Irregular proceedings (Secs.461,462 & 479); Limitations to take cognizance of offences 42 (Secs.467-473); Evidence in inquires and trials Secs.272-283; Tender of pardon (Secs.307-309); Provisions as to Accused persons of unsound mind (Secs.328-339).

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Unit-6: Judgment, Appeals, Reference, Revision and Execution: Judgment: Mode and other provisions (Sec.353-365); Confirmation of death sentence (Secs.366-371); Appeals (Secs.372-394); Reference and Revision (Sec.395-405); Transfer of criminal cases (Secs.406-412); Execution, suspension, remission and commutation of sentences (Secs.413-435).

Unit-7: Juvenile Justice System: Concept of juvenile justice; Historical perspective of juvenile justice system; Provisions relating to juvenile offenders under IPC (Secs.82&83) and Criminal Procedure Code (Secs.27&260); Juvenile Justice (Care and Protection) Act, 2015 – Distinction between juvenile offender and neglected juvenile; Constitution of Child welfare boards and juvenile courts; Observation and juvenile homes; Powers of the State Government to constitute Advisory Boards and release the juvenile from juvenile or special home; Juvenile Justice (Amendment) Act, 2000 & 2015 – major changes made to the JJ Act.

Unit-8: Probation of offenders and Parole: Concept of probation; Development of probation system in India; Probation of Offenders Act 1958: Salient features; Role of probation officers; Role of Judiciary in the implementation of the Act; Parole system: Concept and distinction with the probation system.

Unit-9: Reforms in Criminal Procedure: Major recommendations made in the Mall Math Committee, 2002 in relation to Criminal Procedure Code; The Code of Criminal Procedure Code (Amendment) Act, 2005 – important changes; The Code of Criminal Procedure Code (Amendment) Act 2006 – significant changes.

Books Recommended:

1. R.V. Kelker, Lecturers on Criminal Procedure Code
2. S.N. Mishra, Criminal Procedure Code
3. Achutan Pillai: Criminal Law, Butterworth Co.
4. Ratan Lal and Dhiraj Lal: Indian Penal Code, Wadhwa & Co.
5. Gour K.D.: Criminal Law - Cases and material, Butterworth Co. 6. Kenny's: Outlines of Criminal Law.
