

PAPER – 6
JURISPRUDENCE - I
(Legal Theory)
(Paper Code : K-1001)

The course shall comprise of the following :

- (1) **Introduction** : Definition, Nature and Scope of Jurisprudence, Importance of the Study of Jurisprudence
- (2) **Natural Law School** : Classical Natural Law, Revival of Natural Law : Rudolf Stammler and Kohler.
- (3) **Analytical School** : John Austin, Hans Kelsen, And H.L.A. Hart.
- (3) **Historical School** : Frederick Karl Von Savigny, Sir Henry Sumner Maine.
- (5) **Sociological School** : Background and Characteristics, Roscoe Pound, Leon Dugit.
- (6) American Modern Realism.
- (7) **Economic Approach of Law** : Marxist Economic Approach on Law.

BOOKS RECOMMENDED

Bodenheilmer : *Jurisprudence*.
Dias, *Jurisprudence*.
Friedman, *Law in Changing Society*.
Llyoyd, *Introduction of Jurisprudence*.
Mahajan V.D., *Jurisprudence*.
Paton : *Jurisprudence*.
Salmond : *Jurisprudence*.

CONSTITUTIONAL LAW OF INDIA - I
(Nature of The Constitution And Fundamental Rights)
(Paper Code : K-1002)

The course shall comprise of the following :

- (1). Nature of the Indian Constitution. Special emphasis shall be placed on
 - (a) Federal Structure and
 - (b) Form of the Government.
- (2). Preamble of the Constitution
- (3). Fundamental Rights –
 - (a) General :** Scheme of Fundamental Rights, Who can claim Fundamental Rights : Against whom Fundamental Rights are available ? Suspension of Fundamental Rights.
 - (b) Specific Fundamental Rights-**
 - Right to Equality (Articles 14 to 18)
 - Right to Freedom of Speech and Expression (Article 19(1)(a))
 - Protection in respect of Conviction for offences (Article 20)
 - Right to Life and Personal Liberty (Article 21)
 - Right to Education (Article 21A)
 - Right against Exploitation (Articles 23 to 24)
 - Right to Freedom of Religion (Articles 25 to 28)
 - Cultural and Educational Rights of Minorities (Articles 29 to 30)
 - Right to Constitutional Remedies (Article 32)
- (5) Directive Principles of State Policy, their importance and relationship with Fundamental Rights.
- (6) Fundamental Duties

BOOKS RECOMMENDED

Chander Pal, *Centre State Relations and Indian Cooperative Federalism*.
Chander Pal, *State Autonomy in Indian Federation: Emerging Trends*.
Hidayatullah M., *Constitutional Law of India*.
Jain M.P., *Constitutional Law*.
Pandey J.N., *Constitutional Law of India*.
Seervai H.M., *Constitutional Law of India*.
Shukla V.N., *Constitutional Law of India*.
Tope T.R., *Constitutional Law of India*.

LAW OF TORTS AND CONSUMER PROTECTION LAWS **(Paper Code : K-1003)**

The course shall comprise of the following :

1. Torts and Tortious Liability Introduction

- Definition, Nature and Characteristics of Torts
- Constituents of Tort
- Fault – Damnum sine injuria, Injuria sine damnum
- Mental element – Malice, Negligence, Motive
- Who may sue, who may not be sued ?
- Strict and Absolute Liability

2. Justification in Tort

- Volenti non fit injuria
- Necessity
- Inevitable accident and Act of God
- Statutory authority

3. Liability for Torts Committed by Others

- Vicarious Liability
- Liability of the State – Doctrine of sovereign Immunity
- Joint Tort- feasers

4. Specific Torts

- Negligence
- Nuisance
- Trespass
- Defamation

5. Consumer Protection Act

- Consumer definition and concept
- Contract of service and contract for service
- Enforcement of Consumer rights.

BOOKS RECOMMENDED

Aggarwal V.K., *Law on Consumer Protection* (students edition).

Bangia R.K., *The Law of Torts*.

Kapoor S.K., *Law of Torts*.

Lal Rattan & Lal Dhiraj, *The Law of Torts*.

Paranjape N.V., *Law of Torts*.

Salmond W.G., *Law of Torts*.

Winfield and Jolowicz, *Torts*.

PAPER – IV

LAW OF CRIMES

(Bharatiya Nyaya Sanhita, 2023 (BNS))

[Paper Code: K-1004(New)]

- **General Principles of Crime:** Concept of crime; Elements of crime; Stages of crime; Concept of Strict Liability, Constructive Liability, common Intention and Common Object.
- **Inchoate Crime/ Preliminary offences:** Abetment, conspiracy and attempt.
- **General Exception:** Mistake, accident, necessity, young age, unsoundness of mind, drunkenness, Right of Private Defence.
- **Specific Offences:**
 1. **Offences Affecting Human Body:** Culpable Homicide, Murder, Homicide by Rash and Negligent Act, Hurt and Grievous Hurt; Kidnapping and Abduction, Wrongful Restraint and Wrongful Confinement, Assault, Criminal Force.
 2. **Offences Against Property:** Theft Extortion; Robbery; Dacoity; Dishonest Misappropriation of Property; Criminal Breach of Trust; Cheating.
 3. **Offences Against State and Public Tranquillity:** Act Endangering Sovereignty, Unity and Integrity of India; Unlawful Assembly; Rioting and Affray.
 4. **Offences Against Woman and Child:** Rape; Sexual Harassment; Voyeurism; Stalking; Dowry Death and Offences against Child.

BOOKS RECOMMENDED

Gaur Hari Singh (Dr.), *Penal Law of India*.

Gaur K.D., *Criminal Law cases and materials*.

Lal Rattan Lal Dhiraj, *Indian Penal Code*.

Misra S.N., *Indian Penal Code*.

Nigam R.C., *Principles of Criminal Law*.

CONTRACT - I
(General Principles of Contract)
(Paper Code : K-1005)

The course shall comprise of the following :

- (1) Purpose, Evolution and Scope of Law of Contracts
- (2) Proposal and Promise Including Communication of Proposal, Acceptance and Communication of the Revocation of Proposal and Acceptance.
- (3) Consideration and Doctrine of Privity of Contract.
- (4) Lawful Object and Consideration.
- (5) Capacity to Contract : Minors, Persons of Unsound Mind and Others Disqualified by Law ; Nature and Effects of Minor's Agreements; Doctrine of Restitution.
- (6) Consent and Free Consent.
- (7) Standard Form of Contracts
- (8) Agreements Declared Void and Voidable Under the Contract Act.
- (9) Contingent Contracts
- (10) Law Relating to Certain Relations Resembling those Created by Contracts, viz., Quasi-Contracts.
- (11) Discharge of contracts with special reference to the doctrine of frustration.
- (12) Remedies in the form of compensation

BOOKS RECOMMENDED

Anson's *Law of Contract*.
Bangia R.K. (Dr.), *Indian Contract Act*
Desai S.T., *The Indian Contract Act*
Kapoor S.K., *Contract*
Moitra A.C., (Dr.), *Principles and Digest of Indian Contract Act*.
Pollock and Mulla, *Indian Contract and Specific Relief Act*
Singh Avtar (Dr.), *Law of Contract*