

# **FIRST YEAR LLB SYLLABUS**

## **PATTERN : 75-25**

### **75 MARKS THEORY, 25 MARKS INTERNAL ASSESSMENT.**

#### **SUBJECT: LAW OF TORTS**

##### **MODULE 1:**

###### **General Principles of Tort**

- 1.1 Tort: Definition, Nature, Scope and object of Tort, Tort in India.
- 1.2 Distinction from Crime, Breach of Contract etc., who may sue, who may not be sued.
- 1.3 Damnum Sine Injuria, Injuria Sine Damnum
- 1.4 Volenti non-fit Injuria, Ubi jus ibi remedium
- 1.5 Extinguishment of Liability in Tort
- 1.6 General Defenses and Discharge of Torts

##### **MODULE 2:**

###### **Torts against person, property, Freedom & Reputation**

- 2.1 Trespass to Person: Assault, Battery, Mayhem, False imprisonment.
- 2.2 Torts affecting Property (Movable & Immovable): Trespass, Trespass ab initio etc.
- 2.3 Torts related to Reputation (Defamation) & Personal Relations
- 2.4 Torts affecting person & Property: Nuisance, Negligence, Fraud
- 2.5 Joint Tort-Feasors, Nervous Shock and Malicious abuse of Legal Process.

### **MODULE 3:**

#### **Principles of Liability in Torts and Legal Remedies**

- 3.1 Vicarious Liability: Basis, scope, Justification, Different types.
- 3.2 Principle of Strict Liability: Ryland V. Fletcher case with exceptions.
- 3.3 Principle of Absolute Liability: Bhopal Gas Disaster case and Shree Ram Food Oleum Gas Leakage case and orientation to Public liability Insurance Act, 199.
- 3.4 Judicial and Extra Judicial Remedies.

### **MODULE 4:**

#### **Concept of Consumer & Consumer Protection Act 2019**

- 4.1 Consumer: Definition; Defect in goods.
- 4.2 Services: Types of services, Deficiency-meaning, Denial of Services, Commercial Professional Services, Medical Services.
- 4.3 Consumer Protection Councils.
- 4.4 Consumer Disputes Redressal Agencies: District Commission, State Commission & National Commission, Judicial Review.
- 4.5 Motor Vehicles Act, 1988- Motor Accidents Claims- Claims Tribunals.
- 4.6 Liability without fault and third-party risks under Motor Vehicles Act, 1988.

# **SUBJECT: LABOUR LAW**

Authorities under the various Acts.

## **MODULE 1:**

### **THE TRADE UNIONS ACT, 1926**

- 1.1 Evolution and growth of Trade Union in India.
- 1.2 International Labor Organization (ILO) – its influence in bringing changes in the Constitution and national legislation.
- 1.3 Definition, Registration and Recognition.
- 1.4 Immunities in trade disputes: Criminal and Civil.
- 1.5 Collective Bargaining – Purpose and its types.
- 1.6 Collective Bargaining Process, Advantages and Disadvantages.

## **MODULE 2:**

### **INDUSTRIAL DISPUTES ACT, 1947.**

1. Industry – Conceptual Analysis.
2. Concept – Industrial Dispute, Workman etc.
3. Authorities under the Act.
4. Strike and Lockout.
5. Lay off, Retrenchment and Closure.
6. Award and Settlement.

## **MODULE 3:**

### **MRTU & PULP, 1971**

1. Concept – Industry, Labour Courts, Unfair Labour Practices etc.
2. Authorities within the Act.
3. Recognition of Union and its rights with obligations.
4. Illegal Strikes and Lockouts.
5. Unfair Labour Practices.
6. Power of Courts and Penalties.

## **MODULE 4:**

## **FACTORIES ACT, 1948 AND APPRENTICES ACT, 1961**

1. Concept: Factory, Occupier, Hazardous Process, Apprentices etc.
2. Provision relating to health, safety and welfare of workers.
3. Provision relating to Hazardous Process and working conditions.
4. Penalties and Procedures.
5. Apprentices and their training with object and scope.
6. Authorities constituted and Penalties.

## **SUBJECT : LAW OF CONTRACT AND SPECIFIC RELIEF ACT**

### MODULE 1:

Sections 1 – 9, 30 – 37 and 68 – 72 of the Indian Contract Act 1872

#### **1.1 INTRODUCTION**

History and nature of a contractual obligation

Contemporary Relevance

#### **1.2 OFFER, ACCEPTANCE AND ITS COMMUNICATION**

#### **1.3 Types of Contracts**

Including – Contingent Contract, Quasi Contracts, Standard Form Agreements and E-Contracts

( Includes Legal Recognition to E-Contracts as per the Information Technology Act ( Section 2 – 16) )

Definitions, Digital Signatures, Electronic Governance, Attribution, Acknowledgment and Despatch of electronic records, Clickwrap and Shrink Wrap Contracts)

**MODULE 2:**

**Section 10-30**

- 2.1 Essential Ingredients for Enforceability (Sections 10 – 30)
- 2.2 Competency of Parties
- 2.3 Free Consent
- 2.4 Consideration
- 2.5 Unlawful Object and Consideration
- 2.6 Void Agreements

**MODULE 3:**

**Sections 36 – 67 and 73-75**

- 3.1 Performance of Contract
- 3.2 Discharge of contract
- 3.3 Breach of Contract
- 3.4 Types of Damages & Remedies for Breach

**MODULE 4:**

- 4.1 Origin of Specific Relief as Equitable Relief**
- 4.2 KINDS OF RELIEF IN Specific Relief Act 1963**
  - 4.2.1 Possessory Remedies
  - 4.2.2 Specific Performance of Contracts
  - 4.2.3 Contracts that cannot be specifically performed
  - 4.2.4 Substituted Performance of Contract
  - 4.2.5 Rectification of Instruments
  - 4.2.6 Rescission of Contract
  - 4.2.7 Cancellation of instrument
  - 4.2.8 Declaratory Decree
  - 4.2.9 Injunctions

# **SUBJECT: LEGAL LANGUAGE**

## **MODULE 1:**

### **1. Legal Concepts -**

Law, Custom, Justice, Right, Duty, Wrong, Remedy, Fact, Person, Offence, State, Plaintiff, Complaint, Suit, Affidavit, Judgment, Appeal, Review, Revision, Reference, Writ, Stay Order, Injunction, Adjournment, Cause of Action, Issue, Charge, Bail, Ex-Parte, Discharge, Acquittal, Conviction, Legal heirs, Legal Representative, Power of Attorney, International Law, Arbitration, Jurisdiction, Amicus Curiae.

### **1.2 Legal Maxims -**

Actus de nemini facit injuriam  
Salus Populi Est Suprema Lex  
Nemo Tenetur Sepsum Accusare  
Leges postpriores priores contrarias abrogant  
Nova constituto futris formam imponere debet non praetertis.  
Noscitur a sociis  
Expressio unis est exclusio alterius  
Vigilantibus, non domentibus, jura subveniunt  
Quod ab initio non valet in tractu temporis non convalescit  
Nullus commodum capere potest de injuria sua propria  
Cessante retione legis cessat ipsa lex  
Acta exteriora indicant interiora secreta  
Domus sua cuique est tutissimum refugium  
Nemo est haeres viventis  
Ignorantia facti excusat, ignorantia lex non excusat

## **MODULE 2:**

### **2.1 Law Reports, Magazines and References to Case Laws**

Law Reports  
Law Magazines  
Explanation of citations  
The search of a case law  
Abbreviations of law Reports

### **2.2 Statutes (Enactments) - Meaning and Classification**

**2.3 Commencement of Statutes-** Prospective application, Retrospective effect, Repeal of Statutes, Provisions dealing with repeal under the General Clauses Act.

### **2.4 General English: Essay writing, comprehension, and rules of grammar**

Active-passive, direct and indirect speech, degrees of comparison, kinds of sentences-interrogative, exclamatory, imperative, assertive, positive, and negative

Question tags.

### **MODULE 3:**

#### **3.1 Legislative Material -**

**Internal Aids** -Parts of a statute and their function in interpretation of a statute – Short and long titles, preamble, schedules, marginal headings, parts, and their captions, chapters and their captions, marginal and section-headings, Definition's clause and types of definitions, Explanations, exceptions, illustrations, and provisos, Language, and punctuation, non-obstante clause and saving clause.

**External Aids** - External Aids to the interpretation of a statute – Dictionaries, Translations, Travaux Preparatoires, Statutes in pari materia, Contemporanea Exposito, Debates, and Reports.

#### **3.2 Judicial material – Ratio and guidelines of courts in the following cases, minority, and majority judgements:**

D.K. Basu v. State of West Bengal - AIR1997 SC610

M.C. Mehta V. Union of India - AIR1987SC965

Vishakha v. State of Rajasthan - AIR1997SC3011

Joseph Shine v. Union of India - AIR2018SC4898

Aruna Shanbaug v. Union of India – AIR2011SC1290

Young Lawyers Association v. the State of Kerala – AIR2018SC1690

### **MODULE 4:**

#### **4.1 Rules of interpretation of Statutes – Literal, Mischief and Golden rule of interpretation Secondary Rules or Subsidiary Rules of Interpretation- Noscitur a Sociis, Ejusdem Generis, Reddendo Singula Singulis, Interpretation with reference to the subject matter and purpose – Restrictive and beneficial construction, Taxing statutes, Penal statutes and Welfare legislation, Interpretation of directory and mandatory provisions, Interpretation of substantive and adjunctively statutes.**

#### **4.2 Presumptions in Statutory interpretation – Statutes are valid, Statutes are territorial in operation, Presumption as to jurisdiction, Presumption against what is inconvenient or absurd, Presumption against intending injustice, Presumption against impairing obligations or permitting advantage from one's own wrong.**

#### **4.3 General Clauses Act, 1897**

# **SUBJECT: PRACTICAL TRAINING-I**

## **Module 1**

- 1.1 Enrolment of Lawyers- Qualifications prescribed u/s 24 of the Advocates Act 1961 and procedure
- 1.2 Common Terminology: Solicitor, Advocate, Lawyer, Senior Counsel, Junior Counsel, Legal Practitioners, Barrister, AOR, Amicus Curie
- 1.3 Seven Lamps of Advocacy: Honesty, Courage, Industry, Wit, Eloquence, Judgment and Fellowship
- 1.4 The Bar Council of India and the State Bar Council- Constitution, Powers and Functions
- 1.5 Privileges of a lawyer- Salient features of the Advocates Act, 1961
- 1.6 Right to Practice
- 1.7 Designation as Senior Counsel: Indira Jaising v/s SC of India (SC 2017)

## **Module II**

- 2.1 Professional Ethics- Power of Bar Council of India, Meaning and Standards of professional conduct and etiquette
- 2.2 Duties
  - A. Duty to the court

- B. Duty to the client
- C. Duty to the opponent
- D. Duty to the profession
- E. Duty to the colleagues
- F. Duty to public, state and society

2.3 Duty to Render Legal Aid

### **Module III**

- 3.1 Professional Misconduct
- 3.2 Punishment for misconduct
- 3.3 Remedies against the order of punishment
- 3.4 Review by the State Bar Council of its own order
- 3.5 Disciplinary Committee of the State Bar Council- Organisation and powers and procedure
- 3.6 Disciplinary Committee of the Bar Council of India- Organisation and powers and procedure
- 3.7 Transfer of proceedings from the State Bar Council to the Bar Council of India
- 3.8 Selected opinions of the Disciplinary Committee of Bar Councils and Major Judgments of the Supreme Court on the subject.

### **Module IV**

- 4.1 The Contempt Law and Practice- Articles 129 and 215 of the Constitution of India, Contempt of Courts Act, 1971
- 4.2 Bar Bench relations - Role of the Bar to Strengthen Bar-Bench Relations
- 4.3 Accountancy for Lawyers

- i. Amount due to the client or amount due by the client;
- ii. Penalty for not keeping Account Books;
- iii. Bar council Rules relating to accounting.
- iv. Basic principles of accounting, financial statements, balance sheet, income statement