



MOHANLAL SUKHADIA UNIVERSITY, UDAIPUR

FACULTY OF LAW

FIRST YEAR BACHELOR OF LAWS

(Effective from Session 2019-20)

PAPER – VI (PAPER CODE - 6005)

(PAPER NAME – **FAMILY LAW – II (MUSLIM LAW)**)

Max. Marks: 100

Min. Marks: 36

Note: A. In order to ensure that students do not leave out important portions of the syllabus, examiners shall be free to repeat the questions set in the previous examination.

B. Leading cases prescribed under this paper may be read whenever they are relevant.

1. **Muslim Law:** Origin, Development, Sources, Schools, Application, Interpretation and Conversion.
2. **Marriage:**
 - A. Nature of marriage, Essential of marriage, Khyar-ul-bulugh, Iddat, Khilwat-ul-sahiha, Matrimonial stipulations, Kinds of marriage and effects of marriage.
 - B. Mahr : Meaning, Nature, Kinds, Objects and Subject matter, Wife's rights on non payment of dower.
 - C. Dissolution of marriage: Talaq, Talaq-ul-Sunnat , Talaq-ul-Bidaat, Ila, Zihar, Talaq-e-tafweez, Mubarat, Khula, Lien, Faskh, The dissolution of Muslim Marriage Act, 1939- Section 2, Position of Triple Divorce in India, Legal effects of divorce, and rights and duties of parties.
 - D. Guardianship: Appointment of guardian, Kinds of guardianship
3. **A. Pre-emption:** Meaning, Nature and Classification of Haq Shufa (Pre-emption), Rights of pre-emption, conflict of laws, subject matter and formalities of preemption, legal effects of pre-emption, Devices for evading pre-emption.
- B. Gift:** Meaning and requisities of gift (Hiba); Gift of Musha, Conditional and future gifts, Life estate, Life interest, Hiba-bil-ewaz, Hiba-bil-Shartul-ewaz,
4. **A. Will (Vasiyat) :** Competence of testator and legatee valid subjects of will : Testamentary limitations, Formalities of a will and abatement of legatee. Legitimacy and acknowledgement: Legitimacy and legitimation Presumption of legitimacy under Muslim Law and Section 112 of the Indian Evidence Act, conditions of a valid acknowledgement.
Death Bed Transactions: Meaning and effect of Marj-ul-maut
- B. Maintenance:** Person entitled to maintenance, Principles of maintenance, The Muslim Women (Protection of Rights on Divorce) Act, 1986.
5. **A. Waqf:** Meaning, essentials and kinds, Beneficiaries of Waqf. The Waqf Validating Act, 1913 and 1939. Formalities for creation of Waqf. Waqf of musha, Muslim religious institutions and officers Administration of waqfs, Mutawally
- B. Inheritance :** General principles of law of inheritance, doctrine of Aul and Rudd under Hanafi and Shia Law.

LEADING CASES FOR EXAMINATION :

1. Maina Bibi v. Chaudhary Vakil Ahmed, 2, LA. 145
2. Shah Bano Begum v. Mohammad Ahmed Khan, 1985 SCR (3) 844
3. Danial Latifi v. Union of India, (2001) 7 SCC 740
4. Noor Saba Khatoon v. Mohd. Quasim, AIR 1997 SC 3280
5. Shayara Bano v. UOI & Ors., WP (C) No. 118 of 2016

CASES FOR READING:

1. Immambandi v. Mustsaddi (1918), 45, LA. 71
2. Jafree Begum v. Amin Mohammed Khan, 7, All 822
3. Saiyid Rashid Ahmed v. Mt. Anisa Khatun, AIR 1932 PC 25

SUGGESTED READINGS:

1. Mulla : Principles of Mohammedan Law
2. Paras Diwan : Muslim Law in Modern India
3. Fayzee. A.A.A. : Mohammedan Law
4. Akil Ahmed : Muslim Law (English & Hindi)
5. B.R. Verma : Islamic Law (English & Hindi)
6. Ameer Ali : The Principles of Mohammedan Law
7. के. पी. शर्मा –मुस्लिम विधि

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PAPER – VII (PAPER CODE - 6006)

(PAPER NAME – **CONSTITUTIONAL LAW OF INDIA**)

Max. Marks: 100

Min. Marks: 36

Note: A. In order to ensure that students do not leave out important portions of the syllabus, examiners shall be free to repeat the questions set in the previous examination.

B. Leading cases prescribed under this paper may be read whenever they are relevant.

1. **Introductory:** Salient features of the constitution; Federalism: Preamble, Citizenship & State; Fundamental rights, directives principles and fundamental duties.
2. **Union and State Executive:** President, Governor - Election, appointment, powers, position, Prime Minister and Chief Minister and Council of ministers,
3. **Union and State Judiciary** - Supreme Court & High Court, Composition, Jurisdiction & Powers:
 - (I) Writs
 - (II) Judicial Independence
 - (III) Judicial Activism
 - (IV) Public Interest litigation
4. **Union - State Legislature** - Parliamentary system of Government, Lok Sabha, Rajya Sabha, Vidhan Sabha & Vidhan Parishad - Composition; Speaker, Chairman, Privileges, Legislative procedure.
Legislative Relationship - Distribution of Legislative Powers; Administrative & Financial Relationship, Importance of VII Schedule
5. **Services under the Union and the States** - Constitutional protection of civil servants (Article 311); Constitutional Bodies - Public Service Commission of the Union & States (Article 315 to 323)
6. (a) State Liability in contracts and torts, Suits by and against the State (Article 299-300)
(b) **Article 300-A** - Property Rights
(b) Freedom of trade, Commerce and Inter-course (Article 301 – 307)
7. **Constitutional Bodies in India**- Public Service Commissions (as above), Election Commission (u/a 324), Finance Commission (u/a 280), National Commission for Scheduled Castes (u/a 338), National Commission for Scheduled Tribes (u/a 388-A), Special officer for Linguistic Minorities (u/a 350-B), Comptroller and Auditor General of India (u/a 148), Attorney General of India (u/a 76), Advocate General of States (u/a 165)
8. **The Panchayats and the Municipalities** – 73rd and 74th Amendments- brief introduction
9. **Emergency provisions-**
 - (I) National Emergency
 - (II) State Emergency
 - (III) Financial Emergency
10. **Amendment of the Constitution –**
 - (I) Constitutionality of ordinary law and amendment laws,
 - (II) Judicial review of amendment and Basic Structure of Constitution
 - (III) Major amendments and their constitutional values.

LEADING CASES FOR EXAMINATION:

1. Menaka Gandhi v Union of India, AIR 1978 SC 597
2. Keshvanand Bharti v. State of Kerala, AIR 1973 SC 1461
3. Indira Sawheny v.UOI, AIR 1993 SC 1789
4. K. S. Puttaswamy (Retd.) v. UOI, W.P. (Civil) No. 494 of 2012
5. Common Cause (A Regd. Society) v. UOI, W.P. (Civil) 215 of 2005

CASES FOR READING:

1. S.R. Bommai v. UOI, AIR 1994 SC 1918
2. People Union Civil Liberties v. UOI, 2007 (12) SCC 135
3. Unnikrishnan v. UOI, AIR 1993 SC 2178
4. Air India v. Nargesh Mirza, AIR 1981 SC 1829
5. I.R. Coelho (Dead) Through L.Rs v. State of Tamil Nadu & ors, AIR 2007 SC 137
6. Supreme Court Advocates-on-Record Association and another v. Union of India, (2016) 5 SCC 1

BOOKS FOR STUDY:

1. Dayal : Constitutional Law of India
2. H. M. Seervai : Constitutional Law of India
3. D.D. Basu : An Introduction to the Constitution of India
4. M.P. Jain : Constitutional Law of India
5. Shukla, V.N. : Constitution of India
6. Paras Diwan : Constitution of India
7. M.C.J. Kagzi : Constitution of India (Hindi English) Constitution of India as Amended Up to date.
8. B.K. Sharma : Introduction of Constitution of India
9. B.K. Sharma : भारत का संविधान एक परिचय
10. गंगा सहाय शर्मा - भारत का संविधान
11. जय नारायण पांडे – भारत की संवैधानिक विधि



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PAPER – II (PAPER CODE - 6001): (PAPER NAME – **CONTRACT - I**)

(GENERAL PRINCIPLES OF CONTRACT (SECTION 1-75 & SPECIFIC RELIEF ACT, 1963))

COMPULSORY PAPER)

Max. Marks: 100

Min. Marks: 36

Note: A. In order to ensure that students do not leave out important portions of the syllabus, examiners shall be free to repeat the questions set in the previous examination.

B. Leading cases prescribed under this paper may be read whenever they are relevant.

1. (A) Meaning, Elements and Characteristics of contract.
(B) Basis of Contract.
(C) Classification of Contract, Including the standard form of contracts.
2. (A) **Proposal:** Meaning, Elements and Characteristics of Proposal, Distinction between Proposal and Invitation of Proposal.
(B) **Acceptance:** Meaning, Mode and Characteristics of Acceptance.
(C) Communication, Revocation & Termination of Proposal & Acceptance.
3. **Consideration:**
(A) Meaning, Definition and Elements of Consideration.
(B) Unlawful consideration and object.
(C) Concept of stranger to contract & exception of Privity of contract.
(D) Exceptions to consideration.
4. **Capacity to Contract:**
(A) Who cannot make a Contract, Who is minor and the place of minor under the law of Contract.
(B) Person of unsound mind, nature of contract by person of Unsound Mind.
(C) Person deprived of the capacity of contract.
5. **Free Consent:**
(A) Meaning of Consent and the free Consent.
(B) Factors rendering Consent not free and their effect upon the validity of Contract.
6. **Void Agreements:**
(A) Agreements in restraint of marriage:
(B) Freedom of trade and right to initiate legal proceedings.
(C) Agreements involving uncertainty.
(D) Wager and impossibility.
(E) Contingent contract.
7. **Doctrine of Frustration**
8. **Certain relations resembling to those created by Contract (Quasi -Contract).**
9. **Performance of Contract:**
(A) Who is liable to perform joint rights and joint liability and performance of reciprocal promises?
(B) Time, Place and Manner of Performance.
(C) Discharge from liability to perform the contract.
(D) Novation

10. Breach of Contract:

- (A) Concept.
- (B) Remedies for breach of contract-
- (C) Damages - Measure of damages and remoteness of damages

11. Specific Relief Act 1963.

- (A) Specific Relief
- (B) Specific Performance of Contract
- (C) Rescission of Contracts
- (D) Cancellation of Instruments
- (E) Declaratory Decree, Needs, objects
- (F) Injunctions

LEADING CASES FOR EXAMINATION:

1. Balfour v. Balfour, [1919] 2 KB 571
2. Lalman Shukla v. Gauri Dutt, (1913) 11, ALL L.J. 489
3. Carlill v. Carbolic Smoke Ball Co. (1843) I.Q.B. 256.
4. Mohri Bibee v. Dharmodas Ghose, 30 I.A. 116.
5. Krell v Henry, [1903] 2 KB 740

CASES FOR READING:

1. Harvey v. Facey (Bumper Hall Pen case), [1893] AC 552
2. Dunlop Pneumatic Tyre Co. Ltd. v. Selfridge & Co. Ltd., [1915] AC 847

SUGGESTED READINGS:

1. Anson's Law of Contract
2. Mulla : The Indian Contract Act (Student Edition)
3. Pollock & Mulla : Indian Contract Act
4. Atiyah P.S. : An Introduction to the law of Contract.
5. Pollock & Mulla : Indian Contract Act and Specific Relief Act.
6. V.G. Ramchandra : The Law of Contract in India.
7. Cheshire and Fifoot : The Law of Contract.
8. Chitty : Contracts (General Principles) Vol. - I
9. Avtar Singh: Law of Contract
10. Aqil Ahmed : Specific Relief Act
11. Avtar Singh : संविदा विधि
12. I.C. Saxena : संविदा विधि
13. S.K. Kapoor: संविदा विधि
14. Dr. R.L. Bhatt: संविदा विधि
15. Dr. Y.S. Sharma: संविदा विधि



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PAPER – III (PAPER CODE - 6002)

(PAPER NAME – **ENVIRONMENTAL LAW**)

Max. Marks: 100

Min. Marks: 36

Note:(A). In order to ensure that students do not leave out important portions of the syllabus, examiners shall be free to repeat the questions set in the previous examination.

(B). Leading cases prescribed under this paper may be read whenever they are relevant.

- 1. The Environment (Protection) Act, 1986** –Objects and reasons of the Act, Definition - General Powers of the Central Government to issue directions, Prevention, control and Abatement of Environmental pollution ; Penalties and Procedure. Standards for emission or discharges of environmental pollutants.
- 2. The Air (Prevention & Control of Pollution) Act, 1981** – Application of the Act, Definitions - Constitution, Powers and Functions of Central and State Boards for Prevention and Control of Air Pollution. Powers of the State Government; Penalties and Procedures; Rules and Procedures.
- 3. The Water (Prevention and Control of Pollution) Act, 1974** – Application of the Act, Definitions - Constitution, Powers and Functions of Central and State Boards, Joint Boards for Prevention and Control of Water Pollution; Power of State Governments; Penalties and Procedures,
- 4. The Forest Conservation Act, 1980 and The Wildlife Protection Act 1972** - Salient Features
- 5. Judicial activism to protect environmental pollution and Constitutional provisions regarding Environment & Environment Protection.**
- 6. National Green Tribunal Act, 2010-** Accident, Tribunal, Workman, Composition of Tribunal, Jurisdiction, Powers, and Penalty

LEADING CASES FOR EXAMINATION:

1. Bhopal Gas Disaster Case - Union Carbide Corporation v. UOI, AIR 1990 SC 273
2. Rural Litigation & Entitlement Kendra Dehradun v. State of U.P., AIR 1985, SC 652.
3. Mehta, M.C. v. Union of India, AIR 1987 SC 965 (Shriram Fertilizer case)
4. Mehta, M.C., v. Union of India, AIR 1988 SC 1115 (Ganga Pollution case)
5. Indian Council for Enviro-Legal Action v. Union of India, AIR 1966 SC. 1446

CASES FOR READING:

1. M.C.Mehta v. Kamal Nath and Others, (1997) 1 SCC 388 (Public Trust Doctrine and Polluter Pay Principle)
2. Murli S. Deora V. Union of India, AIR 2002 SC 40 : (2001) 8 SCC 765

SUGGESTED READINGS:

1. The Water (Prevention & Control of Pollution) Act, 1974 as amended up- to-date
2. The Air (Prevention & Control of Pollution) Act, 1981 as amended up-to-date
3. The Environment (Protection) Act, 1986.
4. Indian Forest Act, 1927

5. Forest Conservation Act, 1980
6. The Wildlife Protection Act 1972 as amended up-to-date
7. National Green Tribunal Act, 2010
8. Goyal, Sunil ; Porwal, Sunil and Maheshwari. K.G. - Manual of Pollution control Laws in India, 1988.
9. Lal's Comments on Water and Air Pollution Laws, 1986
10. Jain, Suresh & Jain, Vimla - Environmental Law in India.
11. Gurbax Singh Karkara - Environment & Pollution Laws.

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V (PAPER CODE - 6004)

(PAPER NAME – **FAMILY LAW – I (HINDU LAW)**)

Max. Marks: 100

Min. Marks: 36

Note: A. In order to ensure that students do not leave out important portions of the syllabus, examiners shall be free to repeat the questions set in the previous examination.

B. Leading cases prescribed under this paper may be read whenever they are relevant.

- 1. Introduction to Hindu Law** - Nature and Origin of Hindu Law, Hindu by religion, Hindu by birth, Hindu by declaration, Migration, domicile and change of religion, Schools of Hindu Law- (I) Mitakshra School (II) Dayabhaga School, Application of Hindu Law, who are governed by Hindu Law, Conversion.
- 2. Sources of Hindu law**-Ancient sources, Modern sources of Hindu Law and Codification of Hindu law.
- 3. Hindu family** - Definition, Characteristics of family, Types of family, Joint family and Coparcenary, **Karta** - who can be Karta, his position, powers, duties and liabilities.
- 4. Marriage** - Marriage under the **Hindu Marriage Act, 1955**, Concept of Hindu Marriage, Inter caste and Inter-sub caste Marriage, Different among Sagotra, Sapinda and Prohibited Degrees, Full-Blood, Half-Blood and Uterine-Blood, Conditions for Valid Marriage, Restitution of Conjugal Rights, Judicial Separation, Distinction between Judicial Separation and Divorce, Voidable Marriage, Dissolution and Nullity of Marriages, Grounds of Divorce, Jurisdiction of Foreign Court Judgments in Family Matters.
Rights and duties of husband and wife, legitimacy of child under valid, voidable and void Marriage, Registration of Marriage and its effect, Live in relation and its effect on society. Maintenance – “pendente lite” and permanent alimony
- 5. Adoption and Maintenance**- Adoption in Hindu Law, Origin and objects of adoption, Customary adoption, Concepts of adoption, Debts, its types and father’s power of alienation for antecedent debts.
Changes introduced by the Hindu Adoptions and Maintenance Act, 1956, Requisites of a valid Adoption, Capacity of male Hindu & female Hindu to take in adoption, Persons capable of giving in adoption, Persons who may be adopted, Other conditions of valid adoption, Effects of adoption, Right of adoptive parents to dispose of their properties
Maintenance Under Hindu Law- Maintenance of wife, widowed daughter-in-law, children, aged parents and other dependants, Amount of maintenance,
- 6. Minority and Guardianship** - The Hindu Minority and Guardianship Act, 1956, Objects, Definitions of ‘Minor’ and ‘Guardian’, Kinds of Guardian, Natural Guardians and their powers, Testamentary Guardians and their powers, Incapacity of Minor to act as guardian of property, De-facto Guardian, Guardian not to be appointed for minor's undivided interest in joint properties, Welfare of minor and Guardian appointed by court.
- 7. Succession** – The Hindu Succession Act 1956, General rules of succession, Kinds and sources of property in Hindu Law, coparcenary and separate property, Devolution of Mitakshara property under the Act, General principles of inheritance, classification of Heirs, Succession to Mitakshara Coparcener’s, intestate and testamentary succession, women’s property right in

coparcenary property, Succession to the Property of Female Hindu , Succession to the Property of a Male Hindu

8. Partition and its incidents and alienation of coparcenary property.

LEADING CASE:

1. Githa Hariharan v. Reserve Bank of India (1999) 2 SCC 228
2. Lily Thomas v. Union of India, AIR 2000 SC 1650
3. N.G. Dastane v. S. Dastane, AIR 1975 SC 1534
4. Naveen Kohli v. Neelu Kohli, AIR 2006 SC 1675
5. Seema v. Ashwani Kumar, (2006) 2 SCC 578

CASES FOR READING:

1. Amardeep Singh v. Harveen Kaur, 2017 SCC OnLine SC 1073
2. Guru Nath v. Kamla Bai, A.I.R. 1955, S.C. 280.
3. Hirachand Srinivas Managaonkar v. Sunanda, AIR 2001 SC 1285
4. Samar Ghosh v. Jaya Ghosh, 2007 (3) SCJ 253
5. Saroj Rani v. Sudarshan Kumar, AIR 1984 SC 1562

SUGGESTED READINGS :

1. Shrinivas, M.M. : Principles of Hindu Law
2. Raghavacharya : Hindu Law – Principles & Precedents.
3. Mulla : Principles of Hindu Law
4. Derrett. J.D.M. : Modern Hindu Law
5. P. Dewan : Modern Hindu Law
6. Tahir Mohmood : Hindu Law
7. केसरी यु.पी.डी.- हिन्दू विधि
8. पारस दीवान – आधुनिक हिन्दू विधि
9. UPD Kesari : Hindu Law



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PAPER – XI (PAPER CODE - 6010) : (PAPER NAME – **GENERAL HINDI**)

Max. Marks: 100

Min. Marks: 36

Note: The marks of this paper will not be added in computing the percentage of the LL.B. Exam.

This paper is compulsory and has to be qualified only with at least 36 marks out of 100.

QUALIFYING PAPER

1. शब्द रचना : सन्धि एवं सन्धि विच्छेद समास, उपसर्ग, प्रत्यय।
2. शब्द प्रकार : (क) तत्सम, अर्द्धतत्सम, तद्भव, देशज, विदेशी।
(ख) संज्ञा, सर्वनाम, विशेषण, क्रिया, अव्यय (क्रिया विशेषण, सम्बन्ध सूचक, विस्मयबोधक निपात)
3. शब्द ज्ञान : पर्यायवाची, विलोम, शब्द युग्मों का अर्थ भेद, वाक्यांश के लिए सार्थक शब्द, समश्रुत भिन्नार्थक शब्द, समानार्थी शब्दों का विवेक, उपयुक्त शब्द चयन, सम्बन्धवाची शब्दावली।
4. शब्द शुद्धि।
5. व्याकरणिक कोटियों : परसर्ग, लिंग वचन, पुरुष, काल, वृत्ति (**Mood**), पक्ष (**Aspect**) वाच्य (**Voice**)
6. वाक्य रचना।
7. वाक्य शुद्धि।
8. विराम चिन्हों का प्रयोग।
9. मुहावरे/ लोकोक्तियाँ।
10. पारिभाषिक शब्दावली : प्रशासनिक, विधिक (विशेषतः)
11. अंग्रेजी गद्यांश का हिन्दी अनुवाद
12. हिन्दी से अंग्रेजी में अनुवाद
13. निबंध लेखन।

संदर्भ पुस्तकें :

1. सामान्य हिन्दी - सं. डा. केदार शर्मा, प्रकाशन : जैन प्रकाशक मंदिर, चौडा रास्ता, जयपुर
2. शैक्षिक व्याकरण और हिन्दी भाषा - सं. कृष्ण कुमार गोस्वामी, प्रकाशक : आलेख प्रकाशन, दिल्ली
3. हिन्दी भाषा प्रयोग (भाग - 1,2,3) - सं. प्रो. कृष्ण कुमार शर्मा, रामकमल पाण्डे, डॉ. बालगोविन्द मिश्र, मध्यप्रदेश



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PAPER – VII (PAPER CODE - 6007)

(PAPER NAME – **INTERPRETATION OF STATUTES & PRINCIPLES OF LEGISLATION**)

Max. Marks: 100

Min. Marks: 36

Note: A. In order to ensure that students do not leave out important portions of the syllabus, examiners shall be free to repeat the questions set in the previous examination.

B. Leading cases prescribed under this paper may be read whenever they are relevant.

A. INTERPRETATION OF STATUTES

- 1) Meaning, Object and Nature of Interpretation:
- 2) **Basic principles of interpretation:** Intention of the Legislature: Statute should be read as a whole, Literal or grammatical interpretation Harmonious Construction, Golden and Mischief Rule - Utres magis quam valeat quam pereat.
- 3) **Aids to Interpretation–**
 - (I) **External** - Parliamentary - Legislative debates, Statement of objects and reasons Dictionary, Statutes in Peri-materia, Contemporanea expositio
 - (II) **Internal**- Title, Preamble, Heading, Marginal Notes, Proviso and Punctuation.
- 4) **Principle of Interpretation of Constitution and Penal and Fiscal Statues** - Delegatus non-protest delegate, Ejusdem Generis, Pith and Substance Rule. Expression uniuestet exclusion alterius. Non-obstance clause, Mandatory and Directory provision Noscitur a Sociis, Redendo do Singula Singulis Operation, Expiry and Repeal of Statutes.

B. PRINCIPLES OF LEGISLATION

- Essentials of Legislation
- Basis of Legislation
- Law and Public Opinion
- Principles of Utility
- Law and Morality

LEADING CASES FOR EXAMINATION:

1. Ramavtar Budhaiprasad v. Assistant Sales Tax Officer, AIR 1961 SC 1325
2. M/s. Motipur Zamindary Co. (Private) Ltd. v. State of Bihar, AIR 1962 SC 660
3. Heydon's case, (1584) 3 Co. Rep. 7
4. Bengal Immunity Co. v. State of Bihar, AIR 1955 SC 661
5. The Empress Mills, Nagpur v. The Municipal Committee, Wardha, AIR 1958 SC 341

CASES FOR READING:

1. R.M.D.C. v. Union of India, AIR 1957 SC 628
2. Corporation of Calcutta v. Liberty Cinema, AIR 1965 SC 661
3. All India Reporter Karamchari Sangh v. All India Reporters Ltd., AIR 1988 SC 1325
4. Bowers v. Gloucester Corporation, (1963) 1 Q.B.881
5. M/s. Hiralal Rattanlal v. State of U.P., (1973) 1 SCC 216

SUGGESTED READING:

1. P. B. Maxwell : On the Interpretation of Statutes
2. G.P. Singh: Interpretation of Statutes
3. Swarup J.: Interpretation of Statutes
4. Bindra : Interpretation of Statutes
5. Sarathi : Interpretation of Statutes
6. Bhattacharya T. : Interpretation of Statutes (English & Hindi)
7. A. V. Dicey : Lectures on the relation between law and public opinion in England during the nineteenth century
8. Lon L. Fuller : The Morality of Law
9. Jeremy Bentham : An Introduction to the Principles of Morals and Legislation

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PAPER – IV (PAPER CODE - 6003)

(PAPER NAME – **LAW OF TORTS INCLUDING CONSUMER PROTECTION AND M. V. ACCIDENT LAWS**)

Max. Marks: 100

Min. Marks: 36

Note: A. In order to ensure that students do not leave out important portions of the syllabus, examiners shall be free to repeat the questions set in the previous examination.

B. Leading cases prescribed under this paper may be read whenever they are relevant.

1. Definition, Nature, Scope, Objects and elements of Tort, Maxims, Extinction or discharge of tortious Liability,
2. General defences of Tortious Liability.
3. Vicarious Liability, Doctrine of Common Employment, State Liability,
4. Remedies, Kinds and Measures of damages - Remoteness of damages.
5. **Torts to person-**. Assault, Battery, False Imprisonment, Nervous shock, malicious prosecution, defamation.
Torts in relation to property- Negligence, Nuisance, Interference with contract or business, intimidation, conspiracy, deceit or fraud, Trespass by humans or cattle
6. **Liability -**
 - (A) Strict Liability and its exceptions
 - (B) Absolute Liability in India
 - (C) Public Liability Insurance Act 1991 – Objects and silent features of Act and procedure for claims.
7. **The Consumer Protection Laws** - Latest Consumer Protection Act, Definitions, Concept, Authorities, Jurisdiction, Powers, Consumer Rights
8. **Motor Vehicles Laws** - M.V. Accident Protection Law; Liability without fault in certain cases (Chapter 10)• Insurance of Motor Vehicles against third party risk (Chapter 11)• Claim Tribunals (Chapter 12)•

LEADING CASES FOR EXAMINATION:

1. Ashby v. White, (1703) 2 Lord Raym 938
2. State of Rajasthan v. Ms. Vidhyawati, A.I.R., 1962 S.C. 983
3. Rylands v. Fletcher, 1868, L.R. 3, H.L. 330
4. Donoghue v. Stevenson (1932), A.C. 562
5. National Insurance v. Swaran Singh & Ors., 2004 3 SCC 297

CASES FOR READING:

1. Wagon Mound's Case (1961), W.L.R. 121
2. Smith v. Charles Baker and Sons, (1891) AC 325 (HL)
3. M. C. Mehta v. Union of India, AIR 1987 SC 1086 (Absolute Liability)
4. King v. Phillips, (1953) 1 QB 429

SUGGESTED READINGS:

1. Ratan Lal : The Law of Torts.
2. R. K. Bangia : Law of Torts
3. Winfield and Jolowicz: Tort
4. Ramaswami Iyer : Law of Torts
5. Salmond : Law of Torts
6. Street : Law of Torts
7. G.S. Karkara : Contributory Negligence
8. Gurbax Singh : Law of Consumer Protection
9. P. Leelakrishnan : Consumer Protection and Legal Control
10. Avtar Singh : Law of Consumer Protection
11. जय नारायण पांडे : अपकृत्य विधि
12. एम्. एन . शुक्ल अपकृत्य विधि

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MOHANLAL SUKHADIA UNIVERSITY, UDAIPUR

FACULTY OF LAW

FIRST YEAR BACHELOR OF LAWS

(Effective from Session 2019-20)

PAPER – XI (PAPER CODE - 6008)

(PAPER NAME – **SPECIAL LEGISLATIONS - I**)

Max. Marks: 100

Min. Marks: 36

Note: A. In order to ensure that students do not leave out important portions of the syllabus, examiners shall be free to repeat the questions set in the previous examination.

B. Leading cases prescribed under this paper may be read whenever they are relevant.

The Paper consists of following Acts:

1. The Protection of Women from Domestic Violence Act, 2005
2. The Protection of Children from Sexual Offences Act, 2012
3. **The Information Technology Act, 2000** – Important Definition, Digital Signature, Electronic Governance, Electronic Record, Digital Signature Certificate, Certified Authority, Offences and Penal Provisions, Cyber Registration Appellate tribunal.

SUGGESTED READING: Bare Acts with Leading cases

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