

Syllabus for 3rd Year B.A. LL.B.
B.A. LL.B. PART III (3rd Year)
Paper I
Law of Torts 3rd Year Syllabus
LAW OF TORTS AND CONSUMER PROTECTION LAWS

100 Marks

A. Law of Torts

60

1. Evolution of Law of Torts – reception in India.
2. Definition, Nature, Scope of Tort Law.
3. Principles of Liability in Torts Fault and No Fault liability with reference to *Rylands Vs. Fletcher*. Absolute liability with reference to *M.C. Mehta Vs. Union of India*.
4. Justifications in Tort.
5. Vicarious Liability – By Ratification and by Relation.
6. Torts against persons – Assault, Battery, False Imprisonment, Malicious prosecutions, Nervous shock and Defamation & defences.
7. Torts affecting property – Trespass to land – Trespass to land – Trespass ab initio; Trespass to Goods – Detinue, Conversion, Defences.
8. Negligence – Basic concept, Theories of negligence, Standard of care, Duty to take care, Carelessness, inadvertence; Doctrine of contributory negligence, Product liability due to negligence with reference to *Donoghue Vs. Stevenson*.
9. nuisance – Definition, Essentials, Types, acts which constitute nuisances – Obstructions of highways, interference with light and air.
10. Remedies in Torts.

B. Consumer Protection Laws

40

1. Concept of consumer – historical perspectives – consumer and the constitution – UN Guidelines on Consumer Protection.
2. *The Consumer Protection Act, 1986*
Sec. 2 Definitions
Sec. 3 Act not in Derogation of any other law.
Sec. 9-27 – Consumer disputes Redressal Agencies.
3. *The Consumer justice in other statutes*
Sec. 36A Unfair Trade Practices – MRTPACT
Sec. 5, 7 the Prevention of Food Adulteration Act 1954.
4. Statutory Liability – Carriers Act (Sec. 2,3-7); Railway Act (Secs. 93, 99-102); Motor Vehicles Act (Sec. 161-163, 140-141, 165-176)

Books Recommended

1. Dr. Agarwal V.K. – Consumer Protection Laws and Practice.
2. Bangia – Law of Torts
3. Basu, .D. – Law of Torts
4. Ratanlal & Dhirajlal – Law of Torts
5. Salmond – Law of Torts
6. Sengupta, S.P. – Commentaries on Consumer Protection Act
7. Singh, Avtar – Consumer Protection Act.

PART II
Constitutional Law of India

100 marks

1. The Preamble – its importance, is it a part of constitution ? Can it be amended?
2. Fundamental Rights (Arts. 12-30, 31A to 35).
3. Directive Principles – its relation with fundamental rights (Arts. 36 to 50).
4. Fundamental duties (Arts. 51A).
5. The President of India, the Prime Minister and Council of Ministers (Arts. 52, 53, 72, 73, 74, 75, 77, 78).
6. Legislative procedure (Arts. 107-111). (UNION)
7. Legislative Powers of the President (Art. 123).
8. Union Judiciary (Arts. 124-144), (145-147)
9. Governors of States, their powers etc. (Arts. 153, 154, 160, 161, 162).
10. Council of Ministers (STATE) (Arts. 153, 154, 160, 161, 162).
11. Legislative Procedure of States (Arts. 196-201)
12. High Courts (Arts. 214-237).
13. Legislative Relations between the Union and the States (Arts. 245-255).
14. Emergency provisions (Arts. 352-360).
15. Amendment of the Constitution (Art. 368).

BOOKS RECOMMENDED

1. Basu, D.D. – Constitutional Law of India.
2. Pande, J.N. – Constitutional Law of India.
3. Shukla, V.N. – Constitution of India

PAPER III
PROPERTY LAW & EASEMENT

100 MARKS

- A. Transfer of Property Act, 1882.
80
Sections – 3, 5, 6, 7, 13, 14, 19, 21, 25, 26, 31, 35, 41, 42, 43, 44, 45, 46, 47, 52, 53, 53A, 54, 55, 56, 57, 58, 60, 60A, 60B, 64, 67, 67A, 68, 69, 70, 92, 93, 94, 95, 96, 100, 101, 105–107, 122–129, 130.
- B. Easement
20
Indian Easement Act, 1882.

BOOKS RECOMMENDED

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|----------------------|---|--------------------------|
| 1. Agarwal, Dr. S.K. | – | Easement Act |
| 2. Dayal, R. | – | Transfer of Property Act |
| 3. Joshi | – | Indian Easement Act |
| 4. Mitra, B.B. | – | Transfer of Property Act |
| 5. Mulla | – | Transfer of Property Act |
| 6. Dr. Shukla, S.N. | – | Transfer of Property Act |

PART - IV
LAW OF CRIMES

100 marks

Concept of Crime and Crime Causation

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| 1. | Concept of Offence | – | Actus non-fecit reum nisi mens sit rea. |
| 2. | Chapter 1 Sections | – | 1-5 (Introduction & Jurisdiction). |

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| 3. | Chapter II Sections | – | 6-34 and 39-53 (General Explanations) |
| 4. | Chapter IV Sections | – | 76-106 (General Exceptions) |
| 5. | Chapter V Sections | – | 107-111 and 114, 116 (Abetment) |
| 6. | Chapter VB Sections | – | 120B |
| 7. | Chapter VI Sections | – | 121-122, 124A (Offences against the State i.e. Waging work, sedition). |
| 8. | Chapter VIII Sections | – | 141-148, 159-160 (Offences against the Public Tranquility i.e. Unlawful Assembly, Rioting, Affray) |
| 9. | Chapter XVI Sections | – | 299-326, 339-344, 349-351, 359-377 (Offences affecting the Human Body i.e. Culpable Homicide, Murder, Suicide, Hurt, Grievous Hurt, Wrongful Restraint, Wrongful Confinement, Assault, Criminal Force, Kidnapping, Abduction, Rape etc.) |
| 10. | Chapter XVII Sections | – | 378-384, 390-395, 403-406, 415-420, 425-426, 441-448 (Offences against property i.e. theft, Extortion, Robbery, Dacoity, Misappropriation of Property, breach of trust, Cheating, Mischief and Criminal Trespass) |
| 11. | Chapter XX Sections | – | 494-498 (Offences relating to marriage). |
| 12. | Chapter XXA Sections | – | 498A (Cruelty by Husband or relatives of husband). |
| 13. | Chapter XXI Sections | – | 499-502 (Defamation). |
| 14. | Chapter XXIII Sections | – | 511 – Attempt |

BOOKS RECOMMENDED

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|----|----------------------|---|-------------------|
| 1. | Bhattacharyya, T. | – | Indian Penal Code |
| 2. | Gaur, K.D. | – | Indian Penal Code |
| 3. | Nigam | – | Indian Penal Code |
| 4. | Pillai | – | Indian Penal Code |
| 5. | Ratanlal & Dhirajlal | – | Indian Penal Code |

PAPER - V

LAND LAWS INCLUDING CEILING AND OTHER LOCAL LAWS

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| | | | | | | 100 marks |
| 1. | The West Bengal Land Reforms Act, 1955 | | | | | |
| | 40 | | | | | |
| 2. | The West Bengal Premises Tenancy Act, 1997 | | | | | |
| | 40 | | | | | |
| 3. | The West Bengal Apartment act, 1972 | | | | | |
| | 20 | | | | | |

BOOKS RECOMMENDED

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|----|-----------------|---|------------------------------------|
| 1. | Justice Mallick | – | West Bengal Land Reforms Act, 1955 |
| 2. | Saha, A.N. | – | West Bengal Land Reforms Act |
| 3. | Saha, A.N. | – | Premises Tenancy Act |
| 4. | Sen, S.K. | – | West Bengal Premises Tenancy Act. |

PAPER - VI

ARBITRATION, CONCILIATION AND ALTERNATIVE DISPUTE RESOLUTION SYSTEM

- 100 marks
- A. The Arbitration and Conciliation Act, 1996
80
- B. Alternative Dispute Resolutions : –
Lok Adalat
The Legal Services Authority Act, 1987
20

BOOKS RECOMMENDED

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| 1. | Chawla | – | Arbitration and Conciliation |
| 2. | Desta, Sunil | – | Lok Adalats in India – Genesis and Functioning |
| 3. | Johari, S.C. | – | Arbitration and Conciliation Act, 1996 |
| 4. | Rao, P.C. | – | Alternative Dispute Resolution |
| 5. | Tiwari | – | Arbitration and Conciliation Act. |

PAPER - VII ADMINISTRATIVE LAW

100 marks

1. Nature, Scope and Definition of Administrative Law – Distinction between Constitutional Law and Administrative Law – Sources of Administrative Law – Growth of Administrative Law.
2. Rule of Law – its application in India, rule of law vis-a-vis Droit Administratif, Administrative Law vis-a-vis Doctrine of Separation of power.
3. Concept of Delegated Legislation, Reasons for its growth – merits and demerits – its application in India, Sub-delegated legislation, conditional legislation, control of delegated legislation.
4. Concept of Natural Justice – its application in India.
5. Administrative Tribunal – its growth and importance.
6. Judicial control of administrative actions – nature and extent of prerogative Writs.
7. Ombudsman and Scope of Lokpal Remedy.
8. Public Corporations.

BOOKS RECOMMENDED

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| 1. | Basu, D. | – | Administrative Law |
| 2. | Indian Law Institute | – | Cases and Materials on Administrative Law |
| 3. | Massey, I.P. | – | Administrative Law |
| 4. | Sathe, S.P. | – | Administrative Law |
| 5. | Takwani | – | Administrative Law |
| 6. | Jain & Jain | – | Administrative Law. |