

Academic Year : 2023-2024

BALLB(Hons.)



Syllabus & Scheme

Semester – I & II

School of Legal Studies





GYANVEER UNIVERSITY, SAGAR (M.P.)

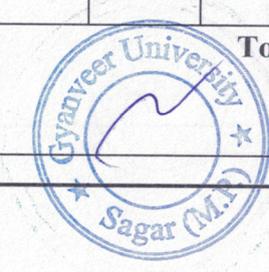
Scheme of Examination B.A. LLB - I Semester

School of Legal Studies (Academic Session 2023-24)

Subject wise distribution of marks and corresponding credits

S. No.	Paper Type	Subject	Subject Code	Paper Name	Maximum Marks Allotted									Total Marks	Contact Periods Per week			Total Credits
					Theory Slot				Practical Slot						L	T	P	
					End Term Exam	Internal Assessment Class test (Descriptive & Objective)/Assignment/Seminar			Internal Assessment			External Assessment						
						FINAL EXAM	Internal Assessment I	Internal Assessment II	Internal Assessment III	Class Interaction	Attendance	Practical/Presentation/Lab Record	Viva Voce					
1	Major	B.A. LLB	BALLB111T	General English – I	60	20	20	20	-	-	-	-	-	100	6	0	0	6
2	Major		BALLB112T	Political Science – I	60	20	20	20	-	-	-	-	-	100	6	0	0	6
3	Minor/ Elective		BALLB113T	Sociology – I	60	20	20	20	-	-	-	-	-	100	6	0	0	6
4	Minor/ Elective		BALLB114T	History – I	60	20	20	20	-	-	-	-	-	100	6	0	0	6
5	Minor/ Elective		BALLB115T	Law of Contract (General Principles of Contract and Specific Relief)	60	20	20	20	-	-	-	-	-	100	6	0	0	6
6	Minor/ Elective		BALLB116T	Law of Tort (Including M.V. Accident and Consumer Protection Laws)	60	20	20	20	-	-	-	-	-	100	6	0	0	6

Total of Credit is 6+6+6+6+6+6 = 36



Note*: Allotment of Marks for Internal Assessment for theory portion is Best of Two / either of two and addition of them.

**BALLB(Hons.)
SEMESTER – I
BALLB111T - GENERAL ENGLISH –I**

Max. Marks : 100
Time : 3 Hours

Objectives: This course will focus on enhancement of their thoughts, ideas and vision for practical application in their professional life. Combined with communication skills, the paper will help in developing critical and analytical skills among the students.

Course Content:

(Lecture- 12)

Unit-I :

Grammar & usage (communication skills) Parts of Speech: An Introduction to all.

Unit-II :

(Lecture- 12)

Sentences: Kinds, Types, Basic Transformation, Use of Connectives.

Unit-III :

(Lecture- 12)

Strong and weak verbs: The Infinitives, The Participle, Auxiliary Verbs. The Gerund. Active & Passive Voice

Unit-IV:

(Lecture- 12)

Use of Articles & Determiners, Use of punctuation.

Translation :

- (i) English to Hindi
(ii) Hindi to English.

Unit-V:

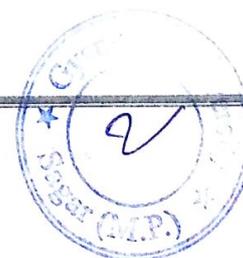
(Lecture- 12)

Classroom speech and Group discussion

Essay Writing- Essay Writing on different important topics specially on Dr. Harisingh Gour's thoughts on the following:- (i) Education (ii) Rights of Women. (iii) Humanism, (iv) Good Governance, (v) Environment

Learning Outcomes: Upon Successful completion of the course the student:

- Will get in depth Knowledge about the part of speech and learn basic grammar usage.
- Will be able to differentiate between all kind and types of sentences, learn their proper usage and transformation
- Will be able to use verbs in current forms and would be able to differentiate all kind of verbs
- Will Understand the correct usage of articles determiners and punctuation marks, also student will be able to translate sentences from English to Hindi & vice – versa
- Will be able to successfully participate in class room speech and group discussion displaying good rational skills and write essays in any given topic as well as about the through of Dr. Harisingh Gour.



Reference-

- Communication Skill in English, Oxford University Press.
- Grammar in Application, Oxford University Press.
- M.K.Gandhi : The Law and the Lawyer, Navjivan Publications, Ahmedabad, 1962.
- Ishtiaque Abidi : Law and Language, University Publishers, Aligarh, 1978.
- G. Kumara Pillai : A Handbook of English Grammar and Composition.
- M.C.Setalvad : Common law in India, Himalyn Lectures, Stevens and Sons.
- N. Krishnamurthy : Guide to Modern English Grammer & Composition, Macmillan India
- Hindi – English Glossary, Vidhi Sahitya Prakashan, Ministry of Law.
- Material drawn from legal notices, petitions, appeals, court orders, statutes, bills, rules, etc.
- Any standard text book on Structural English and Grammar appropriate to the level of understanding of the students.
- English-I - S.R. Myneni
- English-II - S.R. Myneni
- English-III - S.R. Myneni
- Seven Lives – An Autobiography of Dr. Sir Harisingh Gour
- Hindi Translation of Seven Lives by Rajesh Shrivastava, Vishwavidyalaya Prakashan, Sagar, 1st Edition (2006)
- Dr. Harisingh Gour Commemoration Vol. (1957) 17. Writings of Dr. Harisingh Gour Ed. R. S. Pathak, 18. The Hindu Code (1919)
- Dr. Harisingh Gour ki Jiwani – S.A. Radho
- Viswa ki Dristi mein Sagar Vishwavidyalaya aur uskey sansthapak Dr. Sir Harisingh Gour – Dr. Laxmi Narayan Dubey
- Madhya Bharti (Journal of Humanities and Social Science) Issue 69 July- Dec, 2015 (pp 250 – 258)
- India and the New Constitution (1947)
- Michael Swan : Basic English Usage, Oxford University Press.
- Denning : Due Process of Law, Butterworth Publication.
- M.C.Chagla : Roses in December, Bhartiya Vidya Bhawan, Bombay.
- Wren & Martin : English Grammar.
- Ganguli and Wood : General English for Three Years Degree Course, Macmillan India.



**BALLB(Hons.)
SEMESTER – I
BALLB112T - POLITICAL SCIENCE - I**

Objectives: This paper focuses on understanding the forms that governments acquire along with the nature and conflicts encountered by different forms of governments. Students would get trained to look into centre-state conflicts and legislature-executive –judiciary conflicts. The design is to look into how emerging issues in international relations become important in the legal context and prepare the students to understand International Law.

Course Content:

(Lecture- 12)

Unit-I

The State:

Different theories about the origin of the state, Essential elements of the state, distinction between state, society, Government, Nation Nationality.

- The Justification and End of the state.
- Anarchistic, Religious, Individualistic, Idealistic and Marxist theories of the State.
- The concept of welfare State.
- Government and its classification
- Citizenship in globalizing world

Unit-II

(Lecture - 12)

Rights:

- Meaning, definition and classification
- Theories
- Understanding Political Theory
- The theory of natural rights
- The legal theory of rights
- The historical theory of rights
- The social welfare or social expediency theory of rights.
- The idealistic or personality theory of rights.
- Particular rights
 - Right to life- meaning and implications
 - Right to liberty- meaning, types, liberty and authority, liberty and equality, State regulation of liberty, right of personal security, liberty of thought, speech and expression, liberty of action, liberty of religious opinion and practice, The right to resist the State.
 - Right to property- The importance of property, evolution of property.



characteristics of property, theories of property, case for and against private property.

- Nature of Indian Constitution and democracy

Unit-III

(Lecture- 12)

Law, morality, sovereignty and punishment.

Law- Philosophy of law, schools of jurisprudence, the nature of law, definition and sources of Law, types of Law.

- Law and morality- relationship and difference
- Sovereignty- definition, characteristics, different meanings and location of sovereignty
- Theories of sovereignty
- The concept of political sovereignty, the notion of popular sovereignty, de jure and de facto sovereignty
- Punishment- The right of the State to punish; theories of punishment.

Unit-IV:

(Lecture- 12)

Ideologies-

- Liberalism - origin, meaning, definition, principles
- Idealism - meaning and basic principles
- Marxism - meaning and essential features, dialectical and historical materialism
- Fascism - meaning and essential features, totalitarian State concept
- Utilitarianism- origin and meaning, basic principles

Unit-V

(Lecture- 12)

Foundation of political obligation:

- Meaning, nature and different theories of political obligation.
- Concept of power, authority and legitimation.
- Examination of classic (Hobbes, Locke, Rousseau) and modern (Max Weber, Marx, Durkheim) approaches to the notion of political obligation.
- Gandhi and the Contemporary World.

Professional Skill development Activities (PSDA)

- Mock Cabinet Meeting
- Parliamentary Debates on Current Political International affairs

Learning Outcomes: Upon Successful completion of the course the student:

- Will be familiar to the constitution and constitutionalism
- Will gain knowledge about all forms of government
- will gain information about parliamentary sovereignty
- will be able to understand the concept of Democracy
- will gain detailed Knowledge about political parties as National and Regional Parties and major issues in Indian Politics



Reference:

1. G.N.Singh : Fundamental of Political Science and Organisations, Allahabad, Kitab Mahal, 1966.
2. K.R.Bombawall : Indian Politics and Government since 1985. Delhi AtmaRam and Sons York, 1955.
3. Hans Morgenthau : Politics among Nations. The Struggle for Power and Peace, 2nd Ed., New York, 1955.
4. G.W.Bowett : International Institutions, London, Methuen, 1964.
5. D.D.Raphel : Problems of Political Philosophy (Macmillan).
6. Roscoe Pound : An Introduction to the Philosophy of Law (Yale Uni-Press 1954)
7. Upendra Baxi : The Crisia of Indian Legal System (Vikas 1982).
8. S.E.Finer : Comparative Government (pelican 1970).
9. Pre Law Series- Political Science (E.B.C.)
10. Political Obligation – S.R. Myneni
11. Political Science - S.R. Myneni
12. Leslie Lipeon : Great Issues of Politics : An Introduction to Political Science. New York, Printice Hall, 1954.
13. Quincy Wright : Study of International Relations, New York, Appleton:Century Crafts, 1955.
14. Dens Loyd ; The idea of Law (Pelican 1946)
15. .H.L.S. Hart Essay on Punishment & Responsibility (Oxford 1958).5.Percy Cohen : Modern Social Theory (Arnold Heinman 1976).



**BALLB(Hons.)
SEMESTER – I
BALLB113T - SOCIOLOGY – I**

Objectives: This paper is designed to familiarize the student with the historical background subject and certain relevant basic concepts.

Course Content: (Lecture- 12)

Unit-I:

Definition and Scope :

- Origin, Development, Meaning, Definition, Scope and importance of Sociology.
- Schools- Formalistic School and Synthetic school.
- Relation of sociology with other science like history, political science, anthropology, economics and law.
- medieval Indian and Social reforms

Unit-II:

(Lecture- 12)

Family:

- Meaning and definition
- Features of family
- Types of families, functions of family
- Features of modern family
- Joint family system, merits and demerits of joint system.

Unit-III:

(Lecture- 12)

Human Collectivities:

- Society, community, group
- Meaning, Definitions.
- Theories of origin of society
- Characteristics of Society
- Types of societies – Tribal, Agrarian, Industrial etc.
- Culture and society
- Community- Meaning, definition and characteristics
- Groups- Meaning, definition and classification

Unit-IV:

(Lecture- 12)

Major concepts:

- Association
- Institution
- Values and norms
- Social structure, Social system and Social organization.



- modernisation and post modernisation

Unit-V:

(Lecture- 12)

Personality :

- Definition, meaning of personality, Human personality. Environment and heredity interrelationship.
- Types of personality.
- Development of self and personality
- Typologies and personality in complex societies, psychoanalysis and personalities
- Marxism and personality, Weberian Theory of personality, Schumpeter's view of personality.

Professional Skill development Activities (PSDA)

- Symposium of Judicial activism and Social Action Litigation
- Study of any Popular group such as
- Debate on changing trends in marriage and marriage such as, single parent, live-in, Surrogacy etc.

Learning Outcomes: Upon Successful completion of the course the student:

- will be able to understand the concept of social order, social structure and social function.
- will gain knowledge about culture and civilization
- will be familiar with the basic concept of socialization
- will gain knowledge about social deviance and social control
- will understand about different methods of the research for sociology

Reference:

1. T.B. Bottomora, Sociology, A guide to problems and literature, Allon and Unwin, 1962.
2. M. Haralambus, Sociology, Thomas and perspectives, Oxford University Press, 1981, Delhi.
3. Romesh Thapper Ed. Tribal Caste and Religion in India, a Macmillan, 1977, New Delhi.
4. Sociology - S.R. Myneni
5. Sociology-I - S.R. Myneni
6. Sociology-II - S.R. Myneni
7. Peter Worsley, Introduction to Sociology, Harmandowrth, Penguin Books, 1970.
8. N.K. Bond, The Structure of Hindu Society, Orient Longman, New Delhi. Andre Bataille, Inequality and Social Change, Oxford University Press, 1977, Delhi.
9. Andre Bataille, The Backward Classes and The New Social Order, Oxford University Press, 1982, Delhi.



**BALLB(Hons.)
SEMESTER – I
BALLB114T – History - I**

Objectives: The primary objective of this paper is to answer the question how and why the present has evolved from the past in the manner it has. There is another reason which makes history so important. The way we perceive our past constructs our identity in the present and also builds our vision of the future. For this reason it is important to understand both historiography and historical methodology.

Course Content:

Unit-I: (Lecture- 10)

Meaning, Nature and Scope :

- Sources of Indian History.
- Administrative Institutions during the Ancient Period
- Main features of Judicial Administration and Law during the Ancient period
- Relevance of History and Law, inter disciplinary approach.

Unit-II: (Lecture- 12)

Polity in Ancient India :

- State formation in Ancient India
- The Polity in Rigvedic Period
- Tribal Assemblies, Vidatha, Sabha, Samiti.
- Later vedic developments
- Kingship, The Royal function, councillors and officials
- Oligarchies and Republic
- Jainism and Buddhism
- Kings and their Court in ancient India and medieval India

Unit-III: (Lecture- 12)

State and Government in Ancient India :

- The Mauryan Polity
- The Satavahana Polity
- The Kaushana Polity
- The Gupta Polity
- Peninsular India (AD 550 to 1300)- Administration in kingdoms of Rashtrakuta, Chola and Chalukya

Unit-IV: (Lecture- 12)

Polity during Delhi Sultanate, Vijaynagar Empire and Mughals

- Nature of Polity during Sultanate Period, Balban's theory of Kingship
- Turko-mongol theory of kingship, nature of polity in mughal period



- Polity Vijay nagar empire, Ayanger and Nayankar System

Unit-V:

Social Organisation in Ancient India :

(Lecture- 12)

- Varna System
- Gotra and Parvara
- Varna and Jati
- Untouchables (Panchamas)
- The family
- The asharams (The four stages of life)
- The system of slavery
- The status and position of women in ancient India.
- The status and position of women in Ancient and Medieval Period.

Professional Skill development Activities (PSDA)

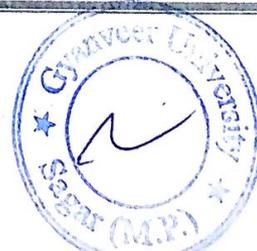
- Visit to National Museum
- Visit to Local Museum

Learning Outcomes: Upon Successful completion of the course the student:

- The students will be able to know source of Indian Legal History and administrative institution during the ancient period.
- Students will get to know about the polity of Ancient India i.e. state formation, the Political structure and development of Ancient Indian
- Students will come to know the polity of different dynasties in Ancient India i.e. the Mughals.
- We will be able to know the varna system, gotra jati system ashrams and status of women in Ancient India.

Reference:

1. History and Culture of Indian People Ed.by R.C.Majumdar, Vols.1-10, relevant chapters.
2. A.R.Desai : Social Background of India Nationalist, Popular prakashan, Bombay 1948
3. R.C.Majumdar, History of the Freedom Movement in India.
4. Tara Chand, History of Freedom Movement in India.
5. V.P.Menon, The Story of Integration of Indian States, OrientLongman, Calcutta.
6. D.P.Mishra, Living in an era
7. R.P.Tripathi, History
8. Iswari Prasad, History
9. Indian History - S.R. Myneni V.P.Menon : The Transfer of Power in India, Bombay, OrientLongman, Bombay.
10. B. Shivarao : India"s Freedom Movement, New Delhi, OrientLongman, 1982, New Delhi.
11. Pattabhi Sitaramaya : History of Indian National Congress, PadmaPublications, Bombay



BALLB(Hons.)
SEMESTER – I
BALLB115T - LAW OF CONTRACT
(General Principles of Contract and Specific Relief)

Objectives: To introduce the students to the basic principles governing contracts and lay a powerful foundation for their study of other transactional and related laws

Course Content:

UNIT – I:

(Lecture- 12)

1. General Principles of Law of contract

- History and nature of contractual obligations.
- Agreement and contract: definitions, elements and kinds.
- Proposal and acceptance-their various forms, essential elements, communication and revocation- proposal and invitations for proposal.

2. Standard Form of Contracts

- Nature, advantages

UNIT – II:

(Lecture- 12)

1. Consideration

- Its need, meaning, kinds, essential elements- nudum pactum, privity of contract and of consideration-its exceptions, adequacy of consideration present. past and future consideration, unlawful consideration and its effects.

2. Capacity to Contract

- Capacity to contract-meaning-incapacity arising out of status and mental defect-minor's agreements- definition of „minor“- accessories supplied to a minor- agreements beneficial and detrimental to a minor – affirmation – restitution in cases of minor's agreements – fraud by a minor - agreements made on behalf of a minor-minor's agreements and estoppel- evaluation of the law relating to minor's agreements- other illustrations of incapacity to contract.

UNIT – III

(Lecture- 12)

1. Consent

- Its need and definition-factors vitiating free consent.
- Coercion-definition-essential elements- duress and coercion-various illustrations of coercion- doctrine of economic duress-effect of coercion.
- Undue influence- definition-essential elements- between which parties can it exist? Who is to prove it? Illustrations of undue influence-



- independent advice-pardahanshin women-unconscionable bargains-effect of undue influence.
- Misrepresentation- definition- misrepresentation of law and of fact- their effects and illustration.
 - Fraud- definition- essential elements- suggestion falsi-suppressio veri-when does silence amounts to fraud? Active- concealment of truth- importance of intention.
 - Mistake- definition- kinds- fundamental error- mistake of law and of fact- their effects- when does a mistake vitiate free consent and when does it not vitiate free consent?

2. Legality of object

- Void agreements- lawful and unlawful consideration, and objects- void, voidable, illegal and unlawful agreements and their effects.
- Unlawful considerations and objects:
 - Forbidden by law
 - Defeating the provisions of any law
 - Fraudulent
 - Injurious to person or property
 - Immoral
 - Against public policy
- Void Agreements:
 - Agreements without consideration
 - Agreements in restraint of marriage
 - Agreements in restraint of trade- its exception- sale of goodwill, section 11 restrictions under the partnership Act, trade combinations, exclusive dealing agreements, restraints on employees under agreements of service.
 - Agreements in restraint of legal proceedings- its exceptions.
 - Uncertain agreements
 - Wagering agreement- its exception.
 - Discharge of a contract and its various modes.

UNIT – IV

(Lecture- 12)

1. Discharge of Contract

- By performance- conditions of valid tender of performance- How? By whom? Where? When? In what manner? Performance of reciprocal promises- time as essence of contract.
- By breach- anticipatory breach and present breach.
- Impossibility of performance- specific grounds of frustration- application to leases, theories of frustration- effect of frustration- frustration and restitution.
- By period of limitation
- By agreement- rescission and alteration- their effect- remission and waiver



- of performance- extension of time- accord and satisfaction.
- Quasi-contracts or certain relations resembling those created by contract
- Remedies in contractual relations:
- Damages-kinds-remoteness of damages-ascertainment of damages
- Injunction-when granted and when refused- Why?
- Refund and restitution
- Specific performance- When? Why?

2. **Certain Relations resembling those created by Contract**

- Theory of Unjust Enrichment
- Theory of „implied – in – fact“ contract
- Provisions of the Indian Contract Act

UNIT – V

(Lecture- 12)

1. **Specific relief**

- Specific performance of contract
- Contract that can be specifically enforced
- Persons against whom specific enforcement can be ordered
- Rescission and cancellation
- Injunction
- Temporary
- Perpetual
- Declaratory orders
- Discretion and powers of court.

Professional Skill development Activities (PSDA)

- Contract Formation exercise – Impact of IT & E-contract
- Judgement Analysis
- Drafting a Contract
- A Class Based moot-court Competition in Contract Law



Learning Outcomes: Upon Successful completion of the course the student:

- After the completion of this until student get to know the General Principles of Law of contract, History Nature, agreement and Contract, Proposal and Acceptance etc.

- will get to know the concept consideration Its, need, meaning, Kinds essential elements – nudum pactum , privity of contract and of consideration etc.
- After the completion of this unit student get to know the concept of consent, coercion Undue influence, Misrepresentation fraud etc.
- After the completion of the Unit student get the know the concept of Discharge of contract by Performance by breach, by agreement, Quasi contracts etc.
- After the completion of this unit student get to know the concept of specific performance of contract, contract that can be specifically enforced, Persons, against whom specific enforcement can be ordered, Rescission, and cancellation etc.

Reference:

1. Avtar Singh – Merchantile Law
2. Avtar Singh – Law of Contract –I
3. Kailash Rai – Law of Contract – I
4. Shri Ram Singh – Law of Contract – I
5. Aslam M.J. - Law of Contracts (2 Vol.)
6. Prabhat K. Gupta - Contract-I with Specific Relief (2th Edn.)
7. DR. S.K. KAPOOR - CONTRACT-I
8. R.K. Bangia - Contract-I (Hindi)
9. Samvida Vidhi evam Vinirdist Anutosh Adhinyam-Ek Parichay (Law of Contract and Specific Relief Act) (An Introduction)in Hindi, 2th Edi. 2013 (P/B) - Singh, Avtar
10. The Indian Contract Act, 14/e – Mulla
11. Banking Law & Negotiable Instruments - R.K. Bangia
12. Pollock and Mulla – Indian Contract Act
13. T.R. Desai – Contract, Sale of Goods and Partnership
14. .Rega Surya Rao (Dr.) - Contract-I (2nd Edn.) 4.Regas Surya Rao (Dr.) - Contract-II (2nd Edn.)Narender Kumar - Indian Contract Act
15. Law of Contract-includes the Specific Relief Act, 1963 - Ritu Gupta7.Law Relating to Electronic Contracts - R.K. Singh
16. 8.Insights into E-Contracts in India - Sachin Rastogi



**BALLB(Hons.)
SEMESTER – I
BALLB116T - LAW OF TORT
(INCLUDING M.V. ACCIDENT AND CONSUMER PROTECTION LAWS)**

Objectives: To study the principles of Tortious liability, the defences available in an action for torts, the capacity of parties to sue and be sued and matters connection there with, further, this course is designed to study specific torts against the individual and property. With rapid industrialization, inadequacy of the law to protect the individual is exposed. An attempt shall be accorded to the individuals against mass torts and industrial torts. Keeping in the expensive character of judicial proceedings the students should reflect on the alternative forms, and also the remedies provided under the Consumer Protection Act, 2019

Course Content:

Unit-I

(Lecture- 12)

1. Evolution of Law of Torts

- England- forms of action- specific remedies from case to case.
- India- principles of justice, equity and good conscience- uncodified character-advantages and disadvantages

2. Definition, Nature, Scope and Objects

- A wrongful act- violation of duty imposed by law, duty which is owed to people generally (in rem)- damnum sine injuria and injuria sine damnum.
- Tort distinguished from crime and breach of contract
- 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.
- Objects- prescribing standards of human conduct, redressal of wrongs by payment of compensation, prescribing unlawful conduct by injunction.

Unit-II

(Lecture- 12)

1. Principles of Liability in Torts:

- Fault:
- Wrongful intent
- negligence
- Liability without fault
- Statutory liability



- Place of motive in torts

2. Justification in Tort

- Volenti non fit injuria
- Necessity, private and public
- Plaintiff's default
- Act of God
- Inevitable accident
- Private defense
- Statutory authority
- Judicial and quasi-judicial acts.
- Parental and quasi-parental authority.

3. Extinguishment of liability in certain situations:

- Actio personalis moritur cum persona- exceptions
- Waiver and acquiescence
- Release
- Accord and satisfaction
- Limitation

4. Standing

- Who may sue- aggrieved individual- class action- socialaction group
- Statutes granting standing to certain persons or groups
- Who may not be sued?

Unit-III

(Lecture- 12)

1. Doctrine of sovereign immunity and its relevance in India

2. Vicarious Liability

- Basis, scope and justification
- Master and servant- arising out of and in the course of employment- who is master? the control test.
- who is servant?- borrowed servant- independent contractor and servant, distinguished.
- Principal and agent Express authorization
- Ratification

Unit-IV

(Lecture- 12)

1. Nuisance

- Definition, essential and types
- Acts which constitute nuisance- obstructions of highways, pollution of air



water, noise, and interference with light and air.

2. Absolute/Strict liability

- The rule in Rylands v. Fletcher
- Liability for harm caused by inherently dangerous industries

3. Legal remedies

- Legal remedies:
- Award of damages- simple, special, punitive
- Remoteness of damage-foreseeability and directness
- Injunction
- Specific restitution of property
- Extra-legal remedies-self-help, re-entry on land, re-capture of goods, distress damage feasant and abatement of nuisance.

Unit-V:

(Lecture – 12)

1. Consumer movements: historical perspectives

- Common law protection: contract and torts
- Consumerism in India: food adulteration, drugs and cosmetics-essential Commodities.
- Criminal sanction: Sale of noxious and adulterated substances, false weights and measures. Use of unsafe carriers.

2. Consumer, the concept

- General Perspectives
- Statutory and government services: to be included or not?
- Definition and scope: the consumer Protection Act 1986(CPA)
- Who is not a consumer?

3. Unfair Trade Practices

- Misleading and false advertising
- Unsafe and hazardous products
- Disparaging competitors
- Business ethics and business self- regulation
- Falsification trade marks.

4. Consumer of goods

- Meaning of defect in goods.
- Standards of purity, quality, quantity and potency
- Statutes: food and drugs, engineering and electrical goods.
- Common law: decision of courts
- Price control



5. Service

- Deficiency- meaning
- Professional services
- Medical Services
- How to determine negligence
- Violation of statute
- Denial of medical service: violation of human rights
- Lawyering services: duty-towards-court and duty-to-client dilemma. of confidentiality-negligence and misconduct.
- Public Utilities Supply of electricity
- Supply of Electricity
- Telecommunication and postal services
- Housing
- Banking

6. Commercial Services

- Hiring Financing
- Agency services

7. Enforcement of consumer rights

- Consumer forum under CPA: jurisdiction; powers and functions
- Execution of orders
- Judicial review
- Remedies

8. No fault liability under the motor vehicle Act, 1988.

Professional Skill development Activities (PSDA)

- Consumer Literacy Camp

Learning Outcomes: Upon successful completion of the course, the student:

- Will be familiar with the basic understanding of the importance of Law of tort law for general understanding of legal principles
- Will analyse various maxims, doctrines, principles under tort law
- Will analyse and interpret consumer protection laws and judicial decisions
- Will gain the knowledge and analyse and interpret motor vehicle legislations and decisions. Also gain knowledge about the Consumer Protection Act.



Reference :

1. Salmond : Law of Torts
2. Winfield : Law of Tort R. K. Bangia : Law of Torts and Consumer Protection
3. B.M. Gandhi : Law of Torts and Consumer Protection
4. S.K. Singh : Law of Torts
5. Ratanlal Dheerajlal : Law of Torts
6. Avtar Singh : Law of Consumer Protection
7. Gurubax Singh : Consumer Protection Act 1986
8. Avtar Singh : Law of Torts
9. 10.G.S. Pandey : Law of Torts
10. Torts, including Motor Vehicles Accidents & Consumer Protection Laws
(2nd Edn.) - Rega Surya Rao (Dr.)
11. LAW OF TORTS ALONGWITH CONSUMER PROTECTION ACT - DR.
S.K.KAPOOR
12. CONSUMER PROTECTION ACT - DR. S.S. SRIVASTAVA
13. Consumer Protection Act - R.K. Bangia

