

DATE : 20TH JAN 2018

DAY 1

TOPIC 1 :General principles of criminal liability: Mensrea and actusreus, mensrea in statutory offences.

1) Definition of crime :

- Given by various eminent authors & approaches.
- How the Indian courts have defined the crime.

2) Stages of Crime:Intention, Preparation, Attempt &Commission - Meaning.

3) Elements of Crime:**Fundamental Principle of Criminal Liability :Act without criminal intention cannot be a crime.**

- *Actus Reus* – Meaning, Definition under sec. 33 of IPC with expanding scope of Sec.32 & other requirement of law.
- *MensRea* - Meaning, *Mensrea* Under IPC, **Meaning of Intention**& its difference with Motive, Knowledge & Negligence.
- Criminal Liability of a Corporation.

SOURCES

KD Gaur – Chapter 1-4 ; Also refer - Ratanlal&Dhirajlal's.

DATE : 21ST JAN 2018

DAY 2

TOPIC 1 :General principles of criminal liability: Mensrea and actusreus, mensrea in statutory offences.

4) Preparation under IPC.

5) Attempt Under IPC :

- What is an attempt?
- Attempt under Indian Penal Code.
- When does Preparation end & Attempt begin.
- **Tests** : 1. Proximity rule. 2. Doctrine of Locus Poenitentiae 3. Equivocality Test

SOURCES

KD Gaur – Chapter 15 ; Also refer - Ratanlal&Dhirajlal's

DATE : 22ND JAN 2018

DAY 3

TOPIC 1 :General principles of criminal liability: Mensrea and actusreus, mensrea in statutory offences.

6) Mensrea in statutory offences

SOURCES | Lawxpertsmv Notes : Module 1.3 of IPC

DATE : 23RD JAN 2018 TOPIC 2 : Kinds of punishment and emerging trends as
DAY 4 to abolition of capital punishment

SCOPE : Sections 53 to 75 of Indian Penal Code

TO DO : to get an Holistic Idea about Kinds of Punishment

- Understand the theories of Punishment
- Theories acceptable by Indian Courts.

DIFFERENT TYPES OF PUNISHMENT UNDER SECTION 53 :

1) Death Sentence (DS):

- Offences for which death sentence has been awarded under IPC – What are all the Sections?
- Procedure to be followed – when DS is awarded.
- Constitutional Validity of DS – Cases to be referred :
 - *Bachan Singh V. State of Punjab*
 - *Macchi Singh V. State of Punjab*
- Parameters so far evolved by **SC** for Imposition of DS Including “ Rarest of the rare” doctrine.
- Argue *for & Against* - DS
- Current Affairs : Alternative to Hanging.

2) Imprisonment of Life (IOL)

- Differentiate between *IOL V. Rigorous imprisonment V. Simple Imprisonment*.
- Scope of Second Clause - Section 53
- Is IOL equivalent to 20 years imprisonment ? Section 57 & Godse Case.
- Commutation of IOL by Appropriate Government. Section 55 of IPC & Sec. 433 of CrPC.

3) Imprisonment:

- Fourth clause* of Section 53.
- Principles differentiating *Rigorous V. Simple Imprisonment*.

4) **Forfeiture of Property:** *Fifth clause* of Section 53.

5) **Fine :** *Sixth Clause* of Section 53.

6) **Solitary Confinement :**

- Section 73 & 74
- SC remarks on Solitary Confinement in *Sunil Batra V. Delhi Administration*

7) **Proposal of Reform :** Inputs of Law Commission Reports : 5th, 14th, 42nd, 165th & Other committees.

SOURCES | KD Gaur – Chapter 3 & 4 ; Also refer - Ratanlal & Dhirajlal's.

DATE : 24TH JAN 2018

DAY 5

TOPIC 3 : Nature and formation of contract/Econtract.

LAW OF CONTRACTS

1. Agreement and Contract

- Definition : Agreement - Sec.2(e) ; Contract - Sec. 2(h)
- Types of agreement : Contract, void, voidable & illegal.

2. Proposal or Offer - Essentials of Offer.

- What is a proposal under Sec. 2(a)
- Differentiate Offer & Invitation to offer
- Communication of offer : Sec. 2(a) + 3 .
 - ✓ Express & Implied - Sec.9.
 - ✓ When completes - Sec.4
 - ✓ Various kinds of offer : General & Specific, cross etc...

3. Acceptance – Essentials of Valid Acceptance

- What is acceptance - Section 2(b) & its effect.
- Essentials of valid Acceptance - 4 conditions.

4. Revocation of Offer and Acceptance :

- When an offer can be revoked? Section 5.
- Modes of revocation of offer? Section 6

SOURCES | Avtar Singh : Chapter 1-4 ; R.K. Bangia Chapter 1.

DATE : 25TH JAN 2018

DAY 6

TOPIC 3 :Nature and formation of contract/Econtract.

5. Consideration :

- Understand the definition under Sec.2(d)
- Essential requirements of Valid Consideration
- Learn about Doctrine of Privity of contract.

6. Capacity to Contract :

- Who can and cannot enter into contractual relationship. **Sec.11**
- Position of a minor :
 - ✓ Who is a minor
 - ✓ Nature of minor's contract
 - ✓ Doctrine of restitution / Compensation by a minor – Under English & Indian law.
- Position of an unsound mind: **Sec.12.**

SOURCES

R.K. Bangia Chapters 2-3 ;Avtar Singh :Chapters 1-4.

DATE : 26TH JAN 2018

DAY 7

TOPIC 4 :Law of Torts : Nature and definition.

- What is a tort? Its purpose & function.
- Definition of tort given by eminent authors. Any two. Preferably *Salmond, fraser& Limitation act.*
- Essentials of a tort along with “ *ubi jus ibiremedium*”
- Distinction between Tort & Crime, Breach of Contract, Quasi-Contract, Breach of Trust, Bailment.
- **Indispensable two maxims** : Damnum sine Injuria&Injuria sine Damnum
- **Two theories of Liability** : Utility and Pigeon-Hole theory.
- **Learn about** : Malice, Motive, Malfeasance, Intention & Recklessness, Fault.

SOURCES

R.K. Bangia Chapter - 1 ; B.M. Gandhi – Chapter 1-2 ; PSA Pillai – Chapter 1.

DATE : 27TH JAN 2018

DAY 8

TOPIC 5 : Competition Law- Concept, purpose/ prospects.

CONTEMPORARY LEGAL DEVELOPMENTS:

- Objectives of Competition Act,2002 - Compare it with MRTP Act 1969.
- Prohibition of Anti-competitive Agreement. Sec.3.*Horizontal& Vertical*.
- Definition of Anti-competitive Agreement. Sec.4
- Abuse of Dominance. Sec.4 including *Predatory Pricing*.
- Regulation of Combinations. Sec.5
- Competition commission of India & COMPAT.

SOURCES

T.Ramappa on Competition Law ; Avtar Singh on Competition Law ;