

University of Kalyani
Five year Integrated B.A. LL.B (Hons) Course
Detail Syllabus with Choice Based Credit System (CBCS)

Paper - 301
English- III

Full Marks: (Written 80+Internal 20) =100. Credit- 4

Group A (To be answered 4 questions of 15 Marks each= 60 Marks)

1) Introduction to legal language

- i) Necessity of Learning legal Language, legal Writing and General English
- ii) Scope and Domain of the legal language
- iii) Importance of language in law
- iv) Legal language in India
- v) Legal language vis a vis common language
- vi) Problems of language and law
- vii) Comparative study of Language and Law

2) Fundamental Principles of legal writing

Concision, Clarity, Cogency, Simplicity of Structure

3) Basic Rules of Legal Writing

- i) Preparation
- ii) Layout
- iii) Sentences and Paragraphs
- iv) Punctuation
- v) Sentence, Construction and Grammar
- vi) Words and Phrases
- vii) Avoid redundant words and phrases
- viii) Verbs- active and passive voices
- ix) Modifying words
- x) Repetition and Elegant Variations
- xi) Using the right words
- xii) References to Studies and Cases

5) Legal Terminology - Terms used in civil and criminal law

abandon, abet, abduction, abrogate, abscond, absolve, acid attack, accomplice, adjudge, affray, ambiguity, award, bail, bankruptcy, bench, breach, charge, claim, code, confession, contract, court, decree, disability, divorce, equity, estate, estoppels, execution, extradition, forgery, gift, infringement, injury, judge, judgment kidnapped, matrimonial, miscarriage, petition, redundant, retrospective, stalking suit, tribunal, violation, void, voyeurism, writ, wrong

6) Latin Words and Phrases

ab initio, ad hoc, , ad idem, alma mater, alibi, ad valorem, ambiguitas- patent, ambiguitas latens, amicus curiae, animus possidendi, bona fide, corpus juris, corpus delicti, coram non iudice, cy -

pres, de facto, de jure, de novo, ex abundanti cautela, ex officio, ex parte, ex post facto, factum valet, fait accompli, felo de se, functus officio, in pari delicto, in lieu, loco parentis, in personam, in rem, informa pauperice, inter se, inter alias, in situ, inter vivos, ipso facto, intra vivos, lis pendens, locus standi, mortis causa, mutatis and mutandis, onus probandi, obiter dictum, parens patriae, pari passu, prima facie, quid pro quo, sine qua non, status quo, suo motu, ultra vires

7) Maxims

actus non facit reum nisi mens sit rea, action personolis moritur cum personam, audi alteram partem, caveat emptor, donation mortis causa, Damnum Sine Injuria, delegatus non potest delegate, injuria sine damnum, ignorantia facti excusat, ignorantia juris non excuasat, qui d facit per alium facit per se, nemo dat quod non habet, nemo judex in causa sua, novus actus interveniens or novo causa interveniens, Respondent superior, res ipsa loquitor, Salus populi est supreme lex, Ubi jus ibi remedium, volenti non fit injuria

8) Use of Legal Language in Drafting

- a) Use of legal language and its significance in drafting (Sale Deed, Gift Deed, Release Deed, General Power of Attorney, and Will)
- b) Use of legal language in drafting of Legal Notices.

Group B (To be answered 2 questions of 10 Marks each=20 Marks)

Experience and affliction of Mahatma Gandhi as lawyer

Text: An Autobiography or The story of My Experiments with truth by M.K. Gandhi (Navajivan Publishing House)

Selected Chapters

1) Part I

Chapter XXIV: "called" – But then?

Chapter XXV: My Helplessness

2) Part II

Chapter III: The First Case

Chapter IV: The First Shock

Chapter V: preparing for South Africa

Chapter VIII: On the way to Pretoria

Suggested Readings:

Legal Language by Madabhushi Sridhar

Legal Language by P.M. Bakshi

Outlines of Legal Language in India by Dr. Anirudh Prasad

Paper - 302
Sociology- III

Full Marks: (Written 80+Internal 20) =100. Credit- 4
(To be answered 5 questions of 16 Marks each= 80 Marks)

1. Social Values and Ethics:

Social Values and Ethics- Definition and application in legal profession, Value crisis in contemporary Society.

Impact of Social Laws in Indian Society; Positive and Negative Implications of Social Laws; Social relationships in legal profession.

2. Sociological Theories:

1. E. Durkheim: Division of Labour, Suicide
2. Max Weber: Religion, Bureaucracy.
3. T. Parsons: Theory of Social action, Pattern Variables.
4. K. Marx: Theory of Surplus Value & Alienation.
5. H. Spencer: Theory of evolution.

3. Social Research Methods:

Social Research- Concept, Hypothesis, Technique of data collection--Questionnaire, Observation, Interview and Schedule.

Suggested Readings:

1. Sociological Theory-G. Ritzer
2. Main Currents in Sociological Thought—R.Aron
3. Sociological Theory -Abraham
4. Social Research Methods-R. Ahuja
5. Research Methods-- Goode & Hatt
6. Research Methods-- R. Kumar
7. Research Methods-- C.R.Kothari

Paper - 303
Economics- III

Full Marks: (Written 80+Internal 20) =100. Credit- 4

Group- A: Economics of Development

(To be answered 3 questions of 16 Marks each= 48 Marks)

Unit-1: Concept of economic growth and economic development - Distinction between growth and development - Broad features of underdevelopment - Inequalities of income.

Unit-2: Gender and Development - Gender issues & development - Women education in developing countries - Women in labour force - Women, poverty and development - Empowerment of women - Grameen Bank - Missing women in developing countries.

Unit-3: Environment and Development - Environment and Economy interface - Sustainable development - Concept of Green GDP - Population and environment.

Unit-4: Rural development - Concept of Rural development - Concept of NGO - Role of NGO in rural development - Concept of Micro Credit - Self Help Group (SHG) - SHG in India.

Group-B: Basic Financial Economics

(To be answered 2 questions of 16 Marks each= 32 Marks)

Unit-1: Introduction to various forms of business organization (basic concept)- Economic advantages and disadvantages of the different forms.

Unit-2: Introduction to the first generation Financial Instruments - Bills of exchange, Promissory Notes, Securities, Bond, Debentures, Shares - Functions in real sector (basic concept).

Unit-3: Indian Financial System - Financial Markets (basic ideas) - Financial institutions- Commercial banks and their functions- Reserve Bank of India – Credit Control - Monetary policy of RBI. Capital Market- SEBI - Objectives - Role & Functions of SEBI.

Suggested Readings:

- 1) Todaro & Smith -- Economic Development
- 2) S.S. Khanka -- Entrepreneurial Development
- 3) L.M.Bhole -- Financial Institution and Markets - Structure Growth and Innovations (Tata McGraw Hill).

Paper - 304

Political Science- III

Full Marks: (Written 80+Internal 20) =100. Credit- 4
(To be answered 5 questions of 16 Marks each= 80 Marks)

INDIAN CONSTITUTION:

- 1. Fundamental Rights and Directive Principles of State Policy. Relations between Fundamental Rights and Directive Principles**
- 2. Union Territories and Tribal Areas**
- 3. Local-self Government**
- 4. Doctrine of Pleasure**
- 5. Election Commission (Constitution, Function and Power)**
- 6. The Emergency Provisions in the Constitution**
- 7. The Amendment of the Constitution**

Suggested Readings:

1. Introduction to the Constitution of India - Durga Das Basu.
2. Indian Constitutional Law - M.P. Jain
3. Constitution of India -V.M.Shukla
4. Constitution of India - J.N Pandey
5. Our Constitution- Subhas Kashyap

Paper - 305
Family Law-II

Full Marks: (Written 80+Internal 20) =100. Credit- 5

Group-A (To be answered 3 questions of 16 Marks each= 48 Marks)

1. Concept and Background of Muslim Law

- Advent of Islam & development of Muslim Law
- Sources of Muslim Law
- Schools of Muslim Law
- The Shariat Act, 1937

2. Marriage (Nikha)

- Pre-Islamic Background of Marriage
- Concept of Marriage: Definition, Object, Nature, Essential
- Formalities Requirements of a Muslim Marriage
- Classification or kinds of Marriage
- Legal effects of valid, void and irregular Marriage – Muta Marriage
- Legal Disability or Prohibition of Marriage
- Polygamy in Islam

3. Dower (Mahr)

- Concept and Nature of Dower
- Classification or Kinds of Dower
- Maximum and minimum amounts of Dower
- Wife's rights and remedies on non-payment of dower
- Kharche - Pandan

4. Talaq (Divorce)

- Pre-Islamic Background of Talaq
- Different modes of Talaq
- Husband's unilateral power to Divorce
- Right of Muslim women to dissolve her marriage
- Iddat- its rationale, utility and periods
- Divorce under the Dissolution of Muslim Marriage Act, 1939
- Present trends of Talaq in India
- Constitutional validity of Talaq in India
- Divorce by Mutual consent
- Judicial Divorce (Faskh)
- Legal effects of Divorce

5. Maintenance (Nafaqa)

- Concept of Maintenance
- Liability and Principle of Maintenance
- Maintenance of the Divorced women
 - Maintenance of the Divorced women under Muslim Personal Law
 - Maintenance of the Divorced women under the Code of Criminal Procedure Code, 1973
 - Maintenance of the Divorced women under the Muslim Women (Protection of Rights on Divorce) Act, 1986
 - Maintenance of the Widow, Children and Parents
- Judicial Approach on Maintenance

6. Gift (Hiba)

- Concept of Gift
- Essentials Requisites of a valid Gift
- Who can make Gifts?
- In whose favour gift can be made
- Revocation of Gift
- Conditional, contingent and future Gift
- Distinction between Hiba-bil-iwaz and Hiba-biShartul-Iwas
- Doctrine of Mushaa

7. Will (Wasiyat)

- Nature and Object of Will
- Essentials Requisites of a valid Will
- Conditional and contingent Wills
- Revocation of Will
- Doctrine of Consent

8. Inheritance

- General Principles of Inheritance
- Sunni Law of Inheritance
- Shia Law of Inheritance

9. Law Related to Wakf

Group – B (To be answered 1 question of 16 Marks= 16 Marks)

10. The Divorce Act, 1869

- Jurisdiction of the Divorce Act
- Dissolution of Marriage
- Nullity of Marriage
- Judicial Separation

- Restitution of Conjugal Rights
- Custody of Children

Group – C (To be answered 1 question of 16 Marks= 16 Marks)

11. The Indian Succession Act, 1925

-Intestate Succession: Christian and Parsi

Suggested Readings:

1. Aqil Ahmad- Mohammedan Law, Central Law Agency.
2. R. K. Sinha- Muslim Law as applied in India, Central Law Agency.
3. Tahir Mahmood- Muslim Law in India and Abroad, Universal Law Publishing Co. Pvt. Ltd.
4. Paras Diwan- Muslim Law in Modern India, Allahabad Law Agency.
5. Syed Khalid Rashid- Muslim Law, Eastern Book Company.
6. Dr. M A Qureshi- Muslim Law, Central Law Publications.
7. B.B. Mitra- Indian Succession Act.
8. N.D. Basu- Succession Act.

Paper – 306
(Honours Paper I)

Land Laws including Tenure & Tenancy System

Full Marks: (Written 80+Internal 20) =100. Credit- 5

Group A (To be answered 2 questions of 16 Marks each= 32 Marks)

1. The West Bengal Land Reforms Act, 1955

- Introduction & definitions
- Rights of Raiyat in respect of land
- Permission for change of Area, character or use of land
- Bar to Registration
- Transferability of plot of land of a Raiyat
- Limitations on mortgage of Raiyat plot of land.
- Right of Purchase by co-sharer or contiguous tenant
- Restriction on alienation of land by Scheduled Tribes
- Ceiling on land held by a Raiyat.
- Bargadars
- Principles of distribution of vested lands.

Group B (To be answered 2 questions of 16 Marks each= 32 Marks)

2. The West Bengal Premises Tenancy Act, 1997

- Definitions
- Obligations of landlord and tenant
- Control of eviction of Tenants
- Provisions regarding Rent- Fixation of Fair Rent, Revision of Fair Rent, Deposit of Rent by tenant
- Sub-tencies
- Essential Repairs
- Appeal, Revision and Review

Group C (To be answered 1 question of 16 Marks= 16 Marks)

3. The West Bengal Apartment Ownership Act, 1972

- Application of the Act
- Definition- Apartment, Association of Apartment Owners, Common areas and facilities, Declaration, Promoter, Owner.
- Apartment as a Heritable and transferable property
- Common areas and facilities
- Declaration- Contents of declaration, Submission before the competent authority,

Registration of declaration

-Withdrawal from the provisions of the Act

-Bye-laws

-Penalty

Suggested Readings:

Bare Acts.