

University of Kalyani

Five year Integrated B.A. LL.B (Hons) Course

Detail Syllabus with Choice Based Credit System (CBCS)

SEMESTER - I

Paper - 101

English -I

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

1. GRAMMAR and USAGE (Communication Skills)

A. Simple Sentences (one clause): Their phrase structure

I. Tense and concord

II. Basic Transformation: a. Passive b. Negative c. Question

B. Compound and Complex Sentences: Use of connectives

C. Conditionals

D. Reported Speech

E. Some common errors in construction of sentences and sentence correction

F. Punctuation

2. VOCABULARY (Communication Skills)

A. Use of Legal Terms

B. Idiomatic expressions

3. COMPREHENSION SKILLS

A. Reading Comprehension (Principles and Practice)

B. Listening Comprehension (As far as possible short Legal Passages should be selected)

4. COMPOSITION SKILLS

A. Paragraph Writing

B. Précis Writing

C. Formal Correspondence:

I. Letters of Application for Jobs

II. Letters of Complaint

5. TRANSLATION: From English into Bengali or Hindi

Suggested Readings:

1. Pink, M. A. and Thomas, S. E.: English Grammar, Composition and Correspondence
2. Eekersley, C. E. and Kauf Mann, W.: English and American Business Letters
3. Dey Sarkar, P. K.: English Grammar
4. Wren & Martin: English Grammar & Composition
5. Nesfield, J. C.: English Grammar, Composition and Usage

NOTE-1. Questions are to be set taking from each unit of the syllabus of a paper

2. Number of Questions to be set- 12 questions x 2 marks (for answering 10 questions)
and 8 Questions x12 marks (for answering 5 questions).

Paper - 102

Sociology- I

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

1. Origin of Sociology (Industrial Revolution and other Intellectual Revolutions)
2. Definition, Nature and Scope of Sociology; Relationship between Law and Sociology
3. Basic Concepts-Society, Community, Association, Culture, Accommodation and Assimilation, Customs, Norms and Values, Folkways and Moors, Institution
4. Social Structure, Component of Culture, Diversity of Culture, Cultural lag, Diffusion etc.
5. Socialization: Concepts and Meaning: Stages of Socialization and Agencies
6. Social Stratification-Concepts, Types, and Theories
7. Social Control-Meaning, Types, and Agencies with emphasis on Law; significance of Social Control
8. Social Institution and Law:

Marriage (Meaning, Forms of Marriage and Function)

Kinship (Meaning, Types, Degrees, Kinship Terms and Usages)
9. Social Inequality, Gender Inequality in traditional and contemporary Society
10. Contemporary Social Changes & Law: Dowry, Child Marriage, Trafficking, Drug Abuse, Domestic Violence etc.

Suggested Readings:

1. Bhusan, Vidya and Sachdeva: Introduction to Sociology
2. Bhattacharya, D. C.: Sociology
3. Ahuja, Ram: Social Problems in India
4. Beteille, Andre: Social Inequality
5. Nadel, S. F.: The Theory of Social Structure
6. Panikkar, K. M.: Essential Features of Indian Culture

7. Singh, Yogendra: Modernisation of Indian Tradition
8. Rao, M. S. A.: Urban Sociology in India
9. Kapadia, K. K.: Marriage and Family in India
10. Madan: Indian Social Problem

NOTE-1. Questions are to be set taking from each unit of the syllabus of a paper

2. Number of Questions to be set- 12 questions x 2 marks (for answering 10 questions)
and 8 Questions x12 marks (for answering 5 questions).

Paper - 103

Economics-I

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

Microeconomics:

1. Demand Analysis: Determinants of Demand-Law of Demand-Exceptions to the Law of Demand-Demand Curve-Shift of Demand Curve-Elasticity of Demand-Different Types of Elasticity of Demand-Measurement and Importance of Elasticity of Demand
2. Consumer Behavior Theory: Total Utility and Marginal Utility-Law of Diminishing Marginal Utility-Consumer's Equilibrium-Definition and Properties of Indifference Curve-Budget Line-Consumer's Equilibrium in Two Commodity Model-Law of Equi-Marginal Utility-Income Effect and Substitution Effect-Inferior and Giffen Good.
3. Market: Concept of Total, Average and Marginal Cost-Concept of Total, Average and Marginal Revenue-Forms of Market-Price and Output in Perfect Competition and Monopoly-Concept of Oligopoly-Consumers' Surplus

Macroeconomics:

4. Circular Flow of Income-withdrawal and injections-National Income Accounting-Concept of GNP, GDP, NNP, NDP, Personal Income-Measurement of National Income.
5. Money and Banking-Definition, Different Forms and Functions of Money-Basic Idea of Supply of Money-Banking System-Central Bank-Role and Functions-Commercial Bank- Functions.
6. Basic Concepts of Inflation-Demand Pull Inflation and Cost Push Inflation-Effects of Inflation -Anti Inflationary Policies.
7. Public Finance-Budget-Sources of Government Revenue-Principles of Taxation-Direct and Indirect tax-Incidence of Tax-Public Debt-Deficit Financing.

Suggested Readings:

1. Lipsey & Chrystal: Economics
2. Ahuja, H. L.: Principles of Microeconomics
3. Sikdar, Soumyen: Principles of Macroeconomics
4. Samanta, Radhashyam: International Economics & Public Finance
5. Myneni, S. R.: Principles of Economics

NOTE-1. Questions are to be set taking from each unit of the syllabus of a paper

2. Number of Questions to be set- 12 questions x 2 marks (for answering 10 questions) and 8 Questions x 12 marks (for answering 5 questions).

Paper - 104

Political Science- I

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

1. Political Science: Nature and Scope, Relation of Politics with History, Sociology, Economics and Law
2. Concept of Sovereignty: Monism, Pluralism and New Development in the Era of Globalization
3. Law: Sources of Law- Classification of Law, Law and Liberty
4. Legislature, Executive, Judiciary
5. Forms of Government- Parliamentary and Presidential, Unitary and Federal
6. Political Parties and Interest Group
7. Rights, Duties, Liberty, Equality, Political Obligation
8. Theory of Justice :Plato
9. State and (Constitution): Aristotle
10. Social Contract Theory: Hobbes, Locke, Rousseau
11. Marxism with special reference to Dialectical and Historical Materialism
12. Theory of Separation of Power: Montesquieu
13. Satyagraha and Non-Violence: Gandhi
14. Concept of Socialism: Nehru
15. Liberalism: Ram Mohan Roy
16. Nationalism and Internationalism: Rabindranath Tagore
17. Social Justice: Ambedkar

Suggested Readings:

1. Mukherjee, Amal Kumar: Western Political Thought
2. Wayper, C. L.: Western Political Thought
3. Gauba, O. P.: Western Political Thought

4. Singh, M. P. and Roy, Himangshu: Indian Political Thought: Themes and Thinkers
5. Johari, J.C.: Principles of Modern Political Science
6. Bhargav, Rajib and Acharaya, Ashok: Political Theory
7. Heywoods, Andrew: Politics

NOTE-1. Questions are to be set taking from each unit of the syllabus of a paper

2. Number of Questions to be set- 12 questions x 2 marks (for answering 10 questions)
and 8 Questions x12 marks (for answering 5 questions).

Paper - 105

Law of Torts (including MV Accident and Consumer Protection Laws)

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

Torts and Tortious Liability:

1. Introduction-Definition and Nature of Torts and Tortious Liability, Constituents of Tort, Tort distinguished from Contract, Quasi-Contract and Crime
2. Principles of liability in Tort-Elements-Mental Elements–Malice, Negligence, Motive, Malfeasance, Fault –Damnum sine injuria and Injuria sine damnum
3. Justifications in tort-General Defenses
4. Liability for Torts committed by others-Vicarious Liability-Principal and Agent-Master and Servant–Partners- Liability of the State-Doctrine of Sovereign Immunity-Joint Torts-feasters
5. Specific Torts: Nuisance-Kinds of Nuisance-Essentials of Tort of Nuisance–Defenses
6. Negligence: Essentials of Tort of Negligence-Proof of Negligence: Res Ipsa Loquitur-Nervous Shock-Contributory Negligence
7. Trespass to reputation (Defamation)-Libel and Slander-Essentials of Defamation-Defenses
8. Rule of Strict and Absolute Liability-The rule of Strict Liability-Exception to the rule- the rule of Absolute Liability as developed by the Indian Judiciary.

MV Accident Law and Consumer Protection Act, 2019:

9. Liability without Fault under the Motor Vehicle Act, 1988-Sections 145, 146, 161, 164, 164A, 164B, 164C, 165, 166
10. Consumer Protection Act, 2019:
 - a. Definitions–Advertisement, Complainant, Complaint, Consumer, Consumer Dispute, Defect, Deficiency, E-Commerce, Goods, Person, Service, Unfair Trade Practice
 - b. Consumer Protection Councils-Central Consumer Protection Council, State Consumer Protection Councils, District Consumer Protection Council

- c. Central Consumer Protection Authority-Establishment, Appointment, Procedure, Power and Functions
- d. Consumer Disputes Redressal Commission–Establishment, Jurisdiction, Procedure, Appeal of District Consumer Dispute Redressal Commission, State Consumer Dispute Redressal Commission, National Consumer Dispute Redressal Commission
- e. Mediation–Establishment of Consumer Mediation Cell, Duty of Mediator, Procedure for and Settlement through Mediation

Suggested Readings:

- 1. Winfield and Jolowicz: Law of Torts
- 2. Singh, S.P.: Law of Torts
- 3. Basu, D.D.: Law of Torts
- 4. Sukla, N.M.: Law of Torts
- 5. Bangia, R.K.: Law of Torts
- 6. Bare Act: The Motor Vehicle Act, 1988
- 7. Bare Act: The Consumer Protection Act, 2019

NOTE- 1. Questions are to be set taking from each unit of the syllabus of a paper

- 2. Number of Questions to be set- 12 questions x 2 marks (for answering 10 questions) and 8 Questions x12 marks (for answering 5 questions).
- 3. Amendment of Law, if any, shall be deemed to revise the relevant syllabus automatically.

Paper - 106

Law of Contract

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

The Indian Contract Act, 1872

1. General-Definitions
2. Elements of Contract:
 - a. Agreement
 - i. Proposal and acceptance
 - ii. Offer and Invitation to an Offer
 - iii. Communication and Revocation of Proposal and Acceptance
 - b. Consideration
 - i. Definition
 - ii. Requirement of Consideration in a Contract
 - iii. Exceptions of Consideration under Section 25 of the Indian Contract Act, 1872
 - iv. Inadequacy of Consideration
 - v. Privity Contract and of Consideration
 - vi. Views of the Law Commission of India
 - c. Capacity to Contract
 - i. Minor
 - ii. Persons of Unsound mind
 - iii. Persons disqualified by Law
 - d. Free Consent
 - i. Factors vitiating Free Consent
 - ii. Coercion
 - iii. Fraud
 - iv. Undue influence
 - v. Misrepresentation
 - v. Mistake
 - e. Legality of object
3. Contingent Contract and Wagering Agreement

- 4. Discharge of Contract
 - a. By performance
 - b. By impossibility of performance
 - c. By agreement
 - d. By breach
- 5. Consequences of Breach of Contract
- 6. Damages for Breach
 - a. Remoteness of Damages
 - b. Measure of Damages
 - c. Section 73 of the Indian Contract Act, 1872

Suggested Readings:

- 1) Kapoor, S. K.: Contract I & II
- 2) Singh, Avtar: Contract Act I & II
- 3) Mitra, J. K: Commercial Law
- 4) Kapoor, N. D.: Mercantile Law
- 5) Bangia, R. K.: Contract Act I
- 6) Bare Act: The Indian Contract Act, 1872
- 7) Srivastava, S. S.: Law of Contract I & II

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- 2. Number of Questions to be set- 12 questions x 2 marks (for answering 10 questions) and 8 Questions x12 marks (for answering 5 questions).
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SEMESTER - III

Paper - 301

English- III

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

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

4. 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

5. Latin Words and Phrases:

ab initio, ad hoc, , ad idem, alma mater, alibi, ad valorem, ambiguitas- patent, ambiguitaslatens, amicus curiae, animus possidendi, bona fide, corpus juris, corpus delicti, coram non judice, cy - pres, de facto, de jure, de novo, ex abundanciautela, 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, informapaupe, 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, paripassu, prima facie, quid pro quo, sine qua non, status quo, suumotum, ultra vires

6. Maxims:

actus non facit reum nisi mens sit rea, action personolismoritur cum personam, audialterampartem, caveat emptor, donation mortis causa, Damnum Sine Injuria, , delegatus non potest delegate, injuria sine damnum, , ignronatiafactiexcusat, ignorantia juris non excuasat, qui d facit per aliumfacit per se, nemo dat quod non habet, , , nemo judex in causa sua, novusactusinterveniens or novo causa interveniens, Respondent superior, res ipsa loquitur, Salus populi est suprema lex, Ubi jus ibi remedium, volenti non fit injuria

7. 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.

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:

1. Sridhar , Madabhusi : Legal Language
2. Prasad, Anirudh: Outlines of Legal Language in India

NOTE-1. Questions are to be set taking from each unit of the syllabus of a paper

2. Number of Questions to be set- 12 questions x 2 marks (for answering 10 questions) and 8 Questions x12 marks (for answering 5 questions).

Paper - 302

Sociology- III

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

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. Theories of E. Durkheim: Division of Labour, Suicide

3. Theories of Max Weber: Religion, Bureaucracy

4. Theories of T. Parsons: Social Action, Pattern Variables

5. Theories of K. Marx: Surplus Value and Alienation

6. Theories of H. Spencer: Theory of Evolution

Suggested Readings:

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

NOTE-1. Questions are to be set taking from each unit of the syllabus of a paper

2. Number of Questions to be set- 12 questions x 2 marks (for answering 10 questions) and 8 Questions x12 marks (for answering 5 questions).

Paper - 303

Economics- III

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

1. Concept of Economic Growth and Economic Development-distinction between Growth and Development-broad features of Underdevelopment-Inequalities of Income
2. Gender and Development-Gender Issues and Development-Women Education in Developing Countries-Women in Labour Force-Women, Poverty and Development-Empowerment of Women- Gramin Bank-Missing Women in Developing Countries
3. Environment and Development-Environment and Economy Interface-Sustainable Development-Concept of Green GDP-Population and Environment
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
5. Introduction to various forms of Business Organization (basic concept)-Economic Advantages and Disadvantages of the different Forms
6. Introduction to the first generation Financial Instruments-Bills of Exchange, Promissory Notes, Securities, Bond, Debentures, Shares-Functions in Real Sector (basic concept)
7. 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 and Functions of SEBI

Suggested Readings:

1. Todaro&Smith: Economic Development
2. Khanka, S.S.: Entrepreneurial Development
3. Bhole, L.M.: Financial Institution and Markets - Structure Growth and Innovations

NOTE- 1. Questions are to be set taking from each unit of the syllabus of a paper

2. Number of Questions to be set- 12 questions x 2 marks (for answering 10 questions) and 8 Questions x12 marks (for answering 5 questions).

Paper - 304

Political Science- III

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

1. Fundamental Duties-relations between Fundamental Rights and Fundamental Duties.
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. Basu, D. D.: Introduction to the Constitution of India
2. Jain, M. P.: Indian Constitutional Law
3. Shukla, V. N.:Constitution of India
4. Pandey, J. N.:Constitution of India
5. Kashyap, Subhas: Our Constitution

NOTE- 1. Questions are to be set taking from each unit of the syllabus of a paper

2. Number of Questions to be set- 12 questions x 2 marks (for answering 10 questions)
and 8 Questions x12 marks (for answering 5 questions).

Paper - 305

Family Law-II

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

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
- Kharcha-e-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 BharatiyaNagarik Suraksha Sanhita, 2023
 - 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-bi-Shartul-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:**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

11. The Indian Succession Act, 1925:

- Intestate Succession: Christian and Parsi

Note: As Amended Up-to-date

Suggested Readings:

1. Ahmad, Aqil: Mohammedan Law
2. Sinha, R. K.: Muslim Law as applied in India
3. Mahmood, Tahir: Muslim Law in India and Abroad
4. Diwan, Paras: Muslim Law in Modern India
5. Rashid, Syed Khalid: Muslim Law
6. Qureshi, M. A.: Muslim Law
7. Mitra, B.B.: Indian Succession Act.
8. Basu, N.D.: Succession Act.

NOTE- 1. Questions are to be set taking from each unit of the syllabus of a paper

2. Number of Questions to be set- 12 questions x 2 marks (for answering 10 questions) and 8 Questions x 12 marks (for answering 5 questions).
3. Amendment of Law, if any, shall be deemed to revise the relevant syllabus automatically.

Paper –306
Land Laws including Tenure & Tenancy System
(Honours Paper - I)

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

1. The West Bengal Land Reforms Act, 1955:

- Introduction and 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.

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-Tenancies
- Essential Repairs
- Appeal, Revision and Review

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

4. West Bengal Real Estate Regulatory Authority:

- Objectives, Definitions, Registration, Provisions of Rights and Regulation.

Suggested Readings:

Bare Acts

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SEMESTER - V

Paper - 501

Political Science-V

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

Comparative Government and Politics (United Kingdom & United States of America)

1. Meaning, Nature and Scope of Comparative Government and Politics: Approaches to the study of Comparative Politics-Structural Functional Approach and Systems Approach
2. Basic features of the Constitution of the United Kingdom
3. Basic features of the Constitution United States of America
4. Comparative study of the Legislative Assemblies of the United Kingdom and the United States of America System (House of Commons and House of Representatives; Senate and House of Lords)
5. Comparative study of Executive Machinery of the United Kingdom and the United States of America(Prime Minister of the United Kingdom, Cabinet Dictatorship, President of United States of America, System of Checks and Balances)
6. Role of Political Parties in the United Kingdom and the United States of America
7. Judicial system of the United Kingdom and United States of America and their Comparative Discussion with special reference to the Judicial Review in the United States of America
8. Basic Features of the Constitution of Canada and France
9. Amendment of the Constitution of the United States of America, France and Canada

Suggested Readings:

1. Bhagwan, Vishnoo and Bhusan, Vidya: World Constitutions: A Comparative Study
2. Palekar, S. A.: Comparative Politics and Government
3. Chatterji, Rakhahari: Introduction to Comparative Political Analysis
4. Carawani, Daniel: Comparative Politics
5. Peter, Calvert: Comparative Government

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Paper- 502

Constitutional Law-II

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

1. The Union Executive-President: Power and Procedure for Impeachment; Council of Ministers and formation of the Government
2. Supreme Court of India: Constitution, Appointment of Judges and Jurisdiction
3. The State Executive-Governor: Power and Role of Governor; Council of Ministers and formation of the Government
4. High Courts: Constitution and Jurisdiction
5. Relations between the Union and the States:
 - i. Legislative Relations
 - ii. Administrative Relations
 - iii. Financial Relations
6. Trade, Commerce and Intercourse within the territory of India
Doctrines of Pleasure
Election Commission
7. Emergency Provisions
8. Amendment of the Constitution

Note: As Amended Up-to-date

Suggested Readings:

1. Sukla, V. N.: Constitutional Law
2. Basu, D. D.: Constitution of India
3. Jain, M. P.: Indian Constitutional Law
4. Seeravai, H. M.: Constitution of India
5. Tope, T. K.: Constitution of India
6. Kumar, Narendra: Constitutional Law of India

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Paper- 503

Labour and Industrial Law-II

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

1. The Trade Unions Act, 1926:

Objects

Definitions: Trade Dispute, Trade Union

Registration of Trade Unions

Rights and Liabilities of registered Trade Unions

Penalties and Procedure

2. The Employee's Compensation Act, 1923:

Object

Definitions:

Dependent, Employee, Employer, Partial Disablement, Total Disablement, Wages

Employee's Compensation

Accident arising out of and in the Course of Employment, National Extension of Employer's Premises

3. The Factories Act, 1948:

Object

Definitions:

Manufacturing Process, Worker, Factory, Occupier

Provisions relating to Health, Safety, Welfare and Working Hours of Adults

Provisions relating to Employment of Young Persons

Penalties and Procedure

Power and functions of the Inspectors

4. The Payment of Wages Act, 1936:

Objects

Definitions:

Appropriate Government, Industrial or other Establishment, Wages

Responsibility for payment of Wages

Fixation of Wage Periods

Time of payment of Wages

Deductions which may be made from Wages

Fines

Deductions for absence from duty, damage or loss, services rendered, recovery of advances, recovery of loans, payments to Co-Operative Societies and Insurance Schemes

Inspector

Penalty

5. Employees' Provident Funds & Miscellaneous Provisions Act, 1952

Definition

Scheme

Central Board

Appointment of officers

Contribution

Determination of PF Amount

Appeal and Tribunal

Suggested Readings:

1. Mishra, S. N.; Labour and Industrial Laws
2. Goswami, V. G.: Labour and Industrial Law
3. Singh, Avtar: Introduction of Labour and Industrial Law
4. Padni, P. K.: Labour and Industrial Law
5. Pai, G. B.: Labour law in India

NOTE- 1. Questions are to be set taking from each unit of the syllabus of a paper

2. Number of Questions to be set- 12 questions x 2 marks (for answering 10 questions) and 8 Questions x12 marks (for answering 5 questions).

3. Amendment of Law, if any, shall be deemed to revise the relevant syllabus automatically.

Paper - 504

Jurisprudence-I: Legal Method, Indian Legal System and Basic theory of Law

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

1. Nature, Scope, Definition, Significance and Utility of Jurisprudence
2. Analytical Positivisms:
 - i. Jeremy Bentham
 - ii. John Austin
3. Historical School of Law:
 - i. Karl Von Savigny
 - ii. Henry Maine
4. Sociological School of Law:
 - i. Ihering
 - ii. Ehrlich
 - iii. Roscoe Pound
 - iv. Duguit
5. Natural Law School:
 - i. Evolution
 - ii. Reformist Phase: Thomas Aquinas
 - iii. Social Contract: Grotius, Hobbes, Locke, Rousseau
 - iv. Modern Natural Law: Fuller, Rawls
6. Realist School:
 - i. Gray
 - ii. Holmes
 - iii. Frank
7. Pure Theory of Law:

Kelsen
8. Primary and Secondary Rules:

Hart

Suggested Readings:

1. Fitzgerald, P. J.: Salmond on Jurisprudence:
2. Dias, R W M: Jurisprudence
3. Mahajan, V. D.: Jurisprudence and Legal Theory
4. Dhyan, S. N.: Jurisprudence and Indian Legal Theory
5. Agarwala, Nomita; Jurisprudence
6. Jayakumar, N. K. J.: Lectures in Jurisprudence
7. Tripathi, B. N.: Jurisprudence (Legal Theory)

NOTE- 1. Questions are to be set taking from each unit of the syllabus of a paper

2. Number of Questions to be set- 12 questions x 2 marks (for answering 10 questions) and 8 Questions x12 marks (for answering 5 questions).

3. Amendment of Law, if any, shall be deemed to revise the relevant syllabus automatically.

Paper- 505

Interpretation of Statutes and Principles of Legislation (Honours Paper -III)

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

1. Statute-Meaning and Nature: Classification of Statutes-Object and Purpose of Interpretation, distinction between Interpretation and Construction
2. Internal and External Aids to Construction
Basic Rules of Interpretation
3. General Principles of Interpretation-Literal or Grammatical Rule, the Golden Rule, the Mischief Rule
Interpretation of Construction:
Contemporanea Exposition, Ut res magis valet quampereat, Noscitur a sociis, Ejusdem Generis, RaddendoSingulaSingulis, Expression unis est exclusion alterios, Generaliaspecialibus non derogant, BonamPartem
4. Construction with reference to other statutes-(i) Statutes in *pari material* (ii) construction with reference to earlier statutes (iii) construction with reference to subsequent statutes
5. Harmonious Construction and Beneficial Construction
6. Test of constitutionality of statutes-Doctrine of Eclipse, Pith and Substance, Doctrine of Severability, Colourable Legislation
7. Presumptions in Interpretation, Construction of Penal Statutes and Taxing Statutes
8. Principles of Legislation, Theory of Legislation, Law and Morality
9. General Clauses Act(must be specific)

Suggested Readings:

1. Sarathi, V: Interpretation of Statutes
2. Chakraborty, K. P.: Interpretation of Statutes
3. Singh, G. P.: Principles of Statutory Interpretation
4. Mathur, D. N.: Interpretation of Statutes

NOTE- 1. Questions are to be set taking from each unit of the syllabus of a paper

2. Number of Questions to be set- 12 questions x 2 marks (for answering 10 questions) and 8 Questions x12 marks (for answering 5 questions).

3. Amendment of Law, if any, shall be deemed to revise the relevant syllabus automatically.

Paper-506A
Right to Information
(Optional Paper - I)

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

1. History of Development of Right to Information in India
2. Shifting of the Freedom of Information Act, 2002 to the Right to Information Act, 2005
3. Object and Salient Features of the Right to Information Act, 2005
4. Definitions:
Right to Information and Obligations of Public Authorities
5. Information Commissions under RTI:
The Central Information Commission
The State Information Commission
Composition, Powers and Functions of the Information Commissions
6. Appeal and Penalties and Bar of Jurisdiction of Courts
7. Right to information and Fundamental Right in India
8. Development of Right to Information in the light of decisions of Central Information Commission and Supreme Court in India

Suggested Readings:

1. Mallick, K. P.: Right to Information
2. Acharya, N. K.: Right to Information
3. Das, P. K.: The Right to Information Act
4. Jain, Anshu Jain: The Right to Information Act
5. Barowalia, J. N.: The Right to Information Act

- . NOTE-** 1. Questions are to be set taking from each unit of the syllabus of a paper
2. Number of Questions to be set- 12 questions x 2 marks (for answering 10 questions) and 8 Questions x12 marks (for answering 5 questions).
 3. Amendment of Law, if any, shall be deemed to revise the relevant syllabus automatically.

Paper-506B
Law on Education
(Optional Paper-I)

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

1. Historical background of Indian Education System
2. Right to education as a Human Rights
3. Constitutional Provision relating to Education:
 - i. Articles 21A, 45, 246 read with Seventh Schedule
 - ii. Union List Entries No. 64, 65 and 66
 - iii. Concurrent List Entry No. 25
 - iv. Transfer of Education from State List to Concurrent List
4. Minority Right to conserve distinct scripts and culture (Article 29), Right to establish and administer Educational Institutions of their own choice (Article 30)
5. A brief idea about University Grant Commission (UGC), Bar Council of India (BCI)
6. Different Commissions on Education formed by GoI
7. National Education Policy (NEP), 2020
8. Dispute settlement mechanism for Educational Institution:
Educational Tribunals, Role of High Courts and Supreme Court
9. The Salient Features of the Educational Tribunal Act, 2010
10. The Salient Features of the Right to Education Act, 2009

Suggested Readings:

1. Basu, D. D.: Commentary on the Constitution of India

2. Jain, M. P.: Indian Constitutional Law
3. Sankhdher, B. M.: Encyclopedia of Education System in India
4. Agarwal, R. D.: Law of Education and Educational Institutions
5. Sharma, G. S.: Educational Planning: its Legal and Constitutional Implications in India

NOTE- 1. Questions are to be set taking from each unit of the syllabus of a paper

2. Number of Questions to be set- 12 questions x 2 marks (for answering 10 questions) and 8 Questions x12 marks (for answering 5 questions).
3. Amendment of Law, if any, shall be deemed to revise the relevant syllabus automatically.

SEMESTER - VII

Civil Procedure Code and Limitation Act

Paper - 701

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

Civil Procedure Code

1. General

Basic Concepts

Definitions- Judgment, Decree, Order, Mesne Profit, Foreign Judgment, Legal Representatives, Public Officer, Cause of Action, Interpleader Suit.

2. Jurisdiction of Civil Courts and Res judicata

Stay of suit and Res judicata

Pecuniary and Territorial Jurisdiction

3. Institution of Suits

Institution of Suit

Issue and Service of summons

Summons to defendants

Mode of service of summons

4. Pleadings

Plaint and Written Statement

5. Interim Orders and Interlocutory Orders

6. Appearance of Parties and Consequences of Non-Appearance

7. Judgment and Decree

Limitation Act

1. Definitions- Applicant, Bond, Easement, Good Faith, Promissory Note.
2. Extension of period in certain cases.
3. Computation of Period of Limitation.
4. Acquisition of Ownership by Possession.

Suggested Readings:

1. Civil Procedure Code- C. K. Takwani
2. The Code of Civil Procedure- Sukumar Ray
3. The Code of Civil Procedure - Dr. J. K. Das
4. The Key to Indian Practice -Mulla
5. The Limitation Act, 1963- J. D. Jain
6. The Limitation Act- Srinivas Gupta
7. The Limitation Act- Dr. MedhaKolhatkar

NOTE- 1. Questions are to be set taking from each unit of the syllabus of a paper

2. Number of Questions to be set- 12 questions x 2 marks (for answering 10 questions) and 8 Questions x 12 marks (for answering 5 questions).

3. Amendment of Law, if any, shall be deemed to revise the relevant syllabus automatically.

Paper - 702

Environmental Law

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

1. General:

I) Concept of Environment and Pollution

II) Environmental Policy in India

- i. Ancient Indian approach to Environment
- ii. Environmental protection in Mediaeval India.
- iii. Environment in British period.
- iv. Environmental concern in Post-Independent era.

2. International Perspective:

I) Rio Conference

II) Stockholm Declaration

III) United Nations latest Guidelines

2. Constitutional Perspective:

I) Fundamental Rights and Directive Principles of State Policy

II) Right to clean and wholesome Environment.

III) Public Interest Litigation and Judicial approach towards protecting the Environment.

3. The Environment Protection Act, 1986:

Object, Definitions, Control and Abatement of environmental pollution

4. The Air (Prevention and Control of Pollution) Act, 1981:

Object and background of the Act, Definition, Central and State Boards for prevention and control of water pollution, Joint Boards, power and functions of boards, powers of Government relating to prevention and control of Water Pollution

5. The Water (Prevention and Control of Pollution) Act, 1974:

Object and background of the Act, Definition, Central and State Boards for prevention and control of Air pollution, Powers and Functions of Boards, Prevention and control of Air Pollution

6. The Wildlife Protection Act, 1972:

Object and background of the Act, Definitions, Authorities and Committees under the Act (National Board for Wildlife, Central Zoo Authority, National Tiger Conservation Authority), Hunting of Wild animal, Protected Areas, Trade or commerce in Wild / Scheduled Animals, Animal Articles and Trophies, Prevention and Detention of Offences

7. The Forest (Conservation) Act, 1980

8. National Green Tribunal Act, 2010:

Object and background of the Act, Definition, Composition of Tribunal, Appointment and Qualification of members, Removal and Suspension of members, Relief compensation and restitution, Procedure and powers of Tribunal, Offenses by companies, Offenses by Government Department

9. Sustainable Development:

- I) Inter-Generational Equity
- II) Precautionary Principle
- III) Polluter Pays Principle
- IV) Public Trust Doctrine
- V) Absolute Liability

Suggested Readings:

1. Rosencranz, Divan, S : Environmental Law
2. Leelakrishnan, P.: Environmental Law

3. Khan, I. A.: Environmental Law
4. Tiwari, A. K.: Environmental Law
5. Shastri, S. C.: Environmental Law

NOTE- 1. Questions are to be set taking from each unit of the syllabus of a paper

2. Number of Questions to be set- 12 questions x 2 marks (for answering 10 questions) and 8 Questions x12 marks (for answering 5 questions).

3. Amendment of Law, if any, shall be deemed to revise the relevant syllabus automatically.

Paper - 703

Public International Law

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

1. General:

Definition, Nature and Basis of International Law

Relationship between International Law and Municipal Law–Theories

2. Sources of International Law

3. Subjects of International Law:

State, Individual, Non-State Entities

Place of Individual in International Law

4. Recognition:

Meaning and Definition–Theories

Modes of Recognition

Legal Effect of Recognition and Non-Recognition

Duty of a State to give Recognition

5. State Succession:

Definition and Meaning

Kinds of State Succession

Consequences of State Succession

State Succession and India

6. Extradition and Asylum:

Meaning and Definition

Basis of the principle of Extradition and Right to Asylum

Essential conditions of granting Extradition

Forms of Asylum

Asylum and Extradition are mutually exclusive

7. Neutrality:

Definition and kinds

Rational basis of Neutrality

Rights and Duties of Neutral States and Belligerent States

8. Settlement of International Disputes:

Pacific Means of Settlement

Compulsive Means of Settlement

9. Intervention:

Meaning and Definition

Kinds of Intervention

Grounds/Justification of Intervention by a State

Monroe Doctrine, Drago Doctrine

10. Treaties:

Definition and meaning

Kinds of Treaties

Formation and Termination of Treaties

General principles of Treaties:

- i) Pacta Sunt Servanda
- ii) Pacta Tertis Nec Nocent Nec Prosunt
- iii) Jus Cognes
- iv) Rebus Sic Stantibus

Suggested Readings:

1. Agarwala, H. O.: International Law
2. Kapoor, S. K.: International Law
3. Starke: International Law

- NOTE-** 1. Questions are to be set taking from each unit of the syllabus of a paper
2. Number of Questions to be set- 12 questions x 2 marks (for answering 10 questions) and 8 Questions x12 marks (for answering 5 questions).
3. Amendment of Law, if any, shall be deemed to revise the relevant syllabus automatically.

Paper - 704
Human Rights Law & Practice
(Honours Paper-V)

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

1. General:

Meaning, Nature, Origin and Development of Human Rights, Classification

Three Generations of Human Rights

Civil and Political Rights

Economic, Social and Cultural Rights

Solidarity Rights

2. International Instruments:

UN Charter

Universal Declaration of Human Rights

International Covenant on Civil and Political Rights

International Covenant on Economic, Social and Cultural Rights including two Optional Protocols
and their impact on the Constitution of India.

3. Human Rights of Specific Vulnerable Groups:

Refugees, Displaced Person, Migrants

Minorities

AIDS patients

Prisoners

Disable person

4. The Protection of Human Rights Act, 1993:

Definitions

National Human Rights Commission

State Human Rights Commissions, Human

Their Constitution, Functions and Power

Suggested Readings:

1. Agarwala, H. O. : International Law and Human Rights
2. Kapoor, S. K. : International Law and Human Rights
3. Jaiswal, Paramjeet, Jaiswal, Nista: Human Rights
4. Basu, Polok: Human Rights

NOTE- 1. Questions are to be set taking from each unit of the syllabus of a paper

2. Number of Questions to be set- 12 questions x 2 marks (for answering 10 questions) and 8 Questions x 12 marks (for answering 5 questions).
3. Amendment of Law, if any, shall be deemed to revise the relevant syllabus automatically.

Paper - 705A
Banking Law
(Optional Paper–III)

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

1. Evolution and Development of Banking System: The Banking Company Regulation Act, 1949; Nationalization of Banks

2. Systems of Banking: Unit Banking, Branch Banking, Group Banking, Chain Banking, Commercial Bank, Merchant Banking, Indigenous Banking, Co-operative Banking, Regional Rural Bank, Land Development Bank, NABARD, Core Banking System and Digital Banking; UPI Payment System.

3. General Structure and Method of Banking in India:

(i) RBI- Management and Organizational structure, Functions of RBI, Credit Control by RBI

(ii) SBI and its Functions

(iii) Commercial Banks and services rendered by them

(iv) Non-Banking Financial Companies (NBFCs)

4. Banker and Customer Relationship; special types of customers:

Lunatics, Minors, Partnership Firms, Hindu Undivided Family, Trustees, Married Woman; Types of Accounts of Customers: Savings, Current, Recurring, Fixed, Joint, Demat.

5. Banking Ombudsman in India

6. Contract of Guarantee as Security

7. The Negotiable Instruments Act, 1881:

Promissory Note, Bill of Exchange, Cheque, Holder, Holder in due course, Letters of Credit, Dishonour of Cheque and Liability of Banker/Drawer

Suggested Readings:

1. Taxman: Banking Law and Practice in India
2. Gupta, R. K.: Banking Law & Policy

- NOTE-** 1. Questions are to be set taking from each unit of the syllabus of a paper
2. Number of Questions to be set- 12 questions x 2 marks (for answering 10 questions) and 8 Questions x12 marks (for answering 5 questions).
3. Amendment of Law, if any, shall be deemed to revise the relevant syllabus automatically.

Paper - 705B
Dispute Resolution and Legal Aid
(Optional Paper–III)

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

1. Introduction to Alternative Dispute Resolution:

Overview and Historical Development of ADR Processes and Legal Aid

Constitutional Provision of Legal Aid

Arbitration Law before 1996 and Arbitration Law after 1996

2. Law of Arbitration under Arbitration and Conciliation Act, 1996:

Arbitration Agreement and Appointment of Arbitrator

Conduct of Arbitral Proceeding

Power of Courts to interfere in Arbitral Proceeding

Places of Arbitration, International Commercial Arbitration

3. Law of Mediation:

Meaning and Scope and Importance of Mediation

Adjudication vs. Mediation

Technique of Mediation

4. Law of Conciliation:

Appointment of Conciliator and Role of Conciliator

Commencement and Termination of Conciliation proceeding

Principle of Confidentiality

5. Negotiation:

Meaning, Nature, Merits and Demerits, Principles, Difference between Negotiation and Conciliation

6. Dispute Resolution at grass root Level:

Lok Adalat

Nyaya Panchayat

Preventive and Strategic of Legal Aid

Legal Aid Clinic, Legal Aid Camp, Role of Law Institute

7. Legal Aid and relevant Provision of the Legal Services Authority Act, 1987

Suggested Readings:

1. Singh, Avatar: Law of Arbitration
2. Ray, Sukumar : Alternative Dispute Resolution

- NOTE-** 1. Questions are to be set taking from each unit of the syllabus of a paper
2. Number of Questions to be set- 12 questions x 2 marks (for answering 10 questions) and 8 Questions x12 marks (for answering 5 questions).
 3. Amendment of Law, if any, shall be deemed to revise the relevant syllabus automatically.

Paper - 706
Drafting, Pleading and Conveyance
(Clinical Paper-I)
(To be assessed internally)

Full Marks: (Written Submission 80+ Viva 20) = 100. Credit-5
(Written Submission 90+ Viva 10) As per BCI Rule

1. Drafting:

General Principles of Drafting and relevant substantive Rules

2. Pleadings:

Civil: Complaint, Written Statement, Affidavit, Execution Petition, Interlocutory Application, Original Petition, Memorandum of Appeal and Revision, Petition under Articles 32 and 226 of the Constitution of India, Public Interest Litigation (PIL) Petition

Criminal: Complaint, Criminal Miscellaneous Petition, Bail Application, Memorandum of Appeal and Revision

Constitutional Remedies: Petition under Articles 32 and 226 of the Constitution of India, Public Interest Litigation (PIL) Petition

3. Conveyance:

Sale Deed, Mortgage Deed, Lease Deed, Gift Deed, Promissory Note, Power of Attorney, Will, Trust Deed

NOTE- 1. Apart from teaching the relevant provisions of Law, the Course to include not less than 15 Practical Exercises in Drafting, carrying a total of 45 Marks (3 Marks for each Exercise) and 15 Exercises in Conveyance carrying another 45 Marks (3 Marks for each Exercise); remaining 10 marks will be given for Viva-Voice.

3. Amendment of Law, if any, shall be deemed to revise the relevant syllabus automatically.

NOTE for Semesters VI, VII, VIII, IX and X:

Students will have to put in 4 (Four) Weeks of Internship Compulsorily in each of the Semesters VI, VII, VIII, IX and X and obtain a Certificate of Internship from the following Institutions or

Organisations, without which the Bar Council may not Enroll them. The Students must maintain a Diary. They will be evaluated in the Xth Semester along with Moot Court Practical.

1. NGO
2. Trial and Appellate Advocates (Compulsory)
3. Judiciary
4. Legal Regulatory Authorities
5. Legislatures and Parliament
6. Market Institutions
7. Law Firms
8. Companies
9. Local Self-Government
10. Other Legal Functionaries
11. Any Other Body approved by the University

SEMESTER -IX

Paper - 901

Law of Evidence

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

The Bharatiya Sakshya Adhiniyam, 2023

1. Short Title, Application and Commencement:

Section 1: (Part-1 and Chapter-1)

2. Definitions:

Section 2 (including Electronics and Digital Record)

3. Relevancy of Facts:

Of what purpose the evidence may be given (Section3)

4. Relevancy of Facts:

- i. Closely connected facts (Sections 4 to 14)
- ii. Admissions (Sections 15 to 21 and 25)
- iii. Confessions(Sections 22 to 24)
- iv. Dying Declaration (Sections 26 and 27)
- v. Statements made under special Circumstances (Sections 28 to 33)
- vi. Relevancy of Judgments of Courts (Sections 34 to 38)
- vii. Relevancy of the opinion of Third Persons (Sections 39 to 45)
- viii. Character when Relevant (Section 46 to 50)

5. On Proof, Facts which need not be Proved (Section 51 to 53)

6. Of Oral Evidence (Sections 54 and 55)

7. Of Documentary Evidence (Sections 56 to 73)

8. Public Documents (Sections 74 to 77)

9. Presumptions as to Documents (Sections 78 to 93)

10. Exclusion of oral evidence by Documentary Evidence (Sections94 to 103)

11. Burden of Proof (Sections 104 to 120)

12. Estoppel (Sections 121 to 123)

13. Of Witnesses (Sections 124 to 139)

14. Of examination of Witnesses (Sections 140 to 168)

15. Of improper Admission and Rejection of Evidence (Section 169)

Suggested Readings:

1. Lal, Batuk: Law on Evidence
2. Singh, Avtar: Law on Evidence

NOTE- 1. Questions are to be set taking from each unit of the syllabus of a paper

2. Number of Questions to be set- 12 questions x 2 marks (for answering 10 questions) and 8 Questions x12 marks (for answering 5 questions).

3. Amendment of Law, if any, shall be deemed to revise the relevant syllabus automatically.

Paper - 902

Principles of Taxation Law – II (Indirect Taxation)

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

GOODS & SERVICES TAX (70 Marks)

1. Introduction:

Concept & Features of Indirect Tax

Pre-GST Indirect Taxation System

Amendment of Indian Constitution to enable GST & Formation of GST Council

Goods and Services outside the Purview of GST

Types of GST- CGST, SGST/UTGST, IGST

Date of Applicability of various Acts of GST

2. Central GST Act, 2017:

(A) Basis of Charge-Supply; Definition of Supply; Negative list of Supply; Mixed and Composite Supply; Time of supply of Goods and Services; Value of Supply.

(B) Levy of tax; Reverse Charge; Tax on E-commerce; Composition Levy; Power to grant exemption from tax.

(C) Input Tax Credit and Blocked Credit

(D) Registration-Persons liable for Registration and not liable for Registration; Compulsory Registration in some cases; Procedure for Registration

(E) Furnishing of E>Returns–Different categories of Assesses and their E>Returns; Time of furnishing different E>Returns Procedure (theoretical only) of E-Filing of GSTR 1 (E-Filing practical is encouraged)

3. Integrated GST Act, 2017:

(A) Levy of tax; Reverse Charge; Tax on E-commerce; Power to grant exemption from Tax.

(B) Inter-State/Intra-State supply of Goods and Services; Supplies in territorial waters; Place of supply; Zero rated supply; Deemed Export; Refund in case of Zero Rated Supply; Transfer of Input Credit Tax; Application of provisions of Central Goods and Services Tax Act.

4. Assessment:

Assessment and Assessment Rules-Audit-Inspection-Search & seizure and arrest-Demand-Recovery Proceeding-other aspect demand and recovery-liability to pay in certain cases-Advance Rulings and its Rules-Administration-Appeals-Revision-Offences and Penalties-Anti profiteering measures and its rules-E Way Bill and its Rules-TDS-TCS.

CUSTOMS DUTY (30 Marks)

The Customs Act, 1962:

Definitions- Assessment, Baggage, Bill of Entry, Bill of Export, Board, Customs Station, Duty, Export, Goods, Import, Stores, Warehouse.

Import Procedure-Export Procedure-Charging section-Relevant Date-Remission

Import & Export Rules (Rule 4 to 8)-Export Valuation Rules 2007

Assessment and Provisional Assessment of Duty

Types of Customs Duty

Warehousing, Warehousing Rules

Duty Drawback

Baggage, Import & Export by Post, Stores

Coastal Goods

Confiscation and Penalty

Note: As Amended Up-to-date

Suggested Readings:

1. Goenka, Gadia, Mishra & Maheswari: Students' Guide to GST
2. Agarwal, Vivek Kumar: GST Guide for Students
3. Meherotra, H. C. and Agarwal, V. P.: Goods & Service Tax and Customs Duty

NOTE- 1. Questions are to be set taking from each unit of the syllabus of a paper

2. Number of Questions to be set- 12 questions x 2 marks (for answering 10 questions) and 8 Questions x 12 marks (for answering 5 questions).
3. Amendment of Law, if any, shall be deemed to revise the relevant syllabus automatically.

Paper - 903
Legislative Drafting
(Honours Paper-VII)

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

1. Principles of Legislation:

Definition, Nature and Scope, Advantages and Disadvantages

History of Legislation

Types of Legislation

Main parts of Legislation–Long Title, Preamble, Short Title, Parts, Heading, Definition/Interpretation Clause, Marginal Notes, Section/Sub-Section/Clause, Proviso, Explanation, Illustration, Schedule

2. Legislative Drafting:

Basic Techniques

Responsibility of the Draftsmen

Draftsman's present difficulties

3. Legislative Process:

Preparatory Process, Drafting Process, Parliamentary Process

General Rules of Legal Drafting

4. Forms of Legislative Instruments:

Bills, Acts, Order, Rules, Schedule

5. Use of Words, Syntax and Punctuations in Legislative Drafting

6. Common Phrases and their significance in Legislative Drafting:

As he deems fit; thinks necessary

Any other sufficient cause

Non-obstante clause: notwithstanding anything in any other law or notwithstanding anything contained in this Act

Or any other public purpose

Subject to a contrary context

Except where otherwise expressly enacted

Record its reasons in writing

In pursuance of any enactment

Safeguards against common errors

Suggested Readings:

1. Atre, B. R.: Legislative Drafting: Principles and Techniques
2. Chakraborty, N. K.: Principles of Legislation and Legislative Drafting

NOTE- 1. Questions are to be set taking from each unit of the syllabus of a paper

2. Number of Questions to be set- 12 questions x 2 marks (for answering 10 questions) and 8 Questions x12 marks (for answering 5 questions).

3. Amendment of Law, if any, shall be deemed to revise the relevant syllabus automatically.

Paper - 904A
Penology and Victimology
(Optional Paper-V)

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

1. Concept of Crime, Nature and Scope of Criminology

2. Penology and Theories of Punishment:

Definition and Theories of Punishment

Types of Punishment

Relation between Crime and Punishment

3. Capital Punishment:

Constitutional Provision of Capital Punishment

Problem related to Capital Punishment

Judicial attitude in India towards Capital Punishment

4. Approaches to Imprisonment:

a) Corrective Labour

b) Fine, Collective Fine

c) Reparation by the offender /by the Court

5. Sentencing:

a) Types of Sentences: under the Bharatiya Nyaya Sanhita, 2023 and
Special Laws

b) Sentencing on White Collar Crime

c) Pre-Sentencing Hearing

d) Sentencing for Habitual Offender

e) Plea-Bargaining

6. Imprisonment:

Right of Prisoners and Duties of Custodial Staff

State Correctional Home (Jails) in India, Disciplinary regime of India

Open Prison system

7. Function of Judiciary:

Judicial Approaches towards Crimes and Punishment

Role of Judiciary in Crime Control in India

8. Victimology:

Concept of Victims of Crime

Compensation to Victims under the Bharatiya Nagarik Suraksha Sanhita, 2023 and other Statutes

Compensatory Jurisprudence

Suggested Readings:

1. Paranjape, N.V.: Criminology and Penology
2. Srivastava, S.S.: Criminology and Criminal Administration

NOTE- 1. Questions are to be set taking from each unit of the syllabus of a paper

2. Number of Questions to be set- 12 questions x 2 marks (for answering 10 questions) and 8 Questions x 12 marks (for answering 5 questions).

3. Amendment of Law, if any, shall be deemed to revise the relevant syllabus automatically.

Paper - 904B
Prison Administration
(Optional Paper-V)

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

1. **Prison System in India:** an Overview, History and Development of Prisons with special reference to State of West Bengal, Major Problems in Prisons/Correctional Homes in India
2. **Prison Reforms-** Law Commission of India on Prison Reforms; Mulla Committee Report; Krishna Iyer Committee Report
3. **New Prison Manual, 2016**
4. **Classification of Prisoners:** Pre-Trial Prisoners, Under-Trial Prisoners, Convicted Prisoners and Detenues under Preventive Detention Laws
5. **Prisoners' Rights:** Constitutional Provisions-Articles 14, 19, 20, 21, 22, 32 39A, Presumption of Innocence, Grounds of Arrest to be informed; Access to Counsel; Protection against Arbitrary Arrest; Right to Speedy Trial; Prohibition of applying *ex post facto* Law; Protection against Double Jeopardy; Self-Incrimination; Rights of Women Prisoners in India
6. **Relevant Provisions of International Rights, 1948:**
The Third Geneva Convention, 1949
Declaration on Protection of All Persons from Being Subjected to Torture
International Covenant on Civil and Political Rights, 1976
Standard Minimum Rules for Treatment of Prisoners
7. **Organization and Setup of Department of Correctional Administration in West Bengal**
8. **The West Bengal Correctional Services Act, 1992:** Correctional Homes (Categories, Functions and Administration); Administration of Prisoners; Delivery of Prisoners; Care and Treatment of Prisoners: Educational Facilities for Prisoners; Hygiene and Sanitary Arrangement; Medical Care of Prisoners; Recreation; Letter, Interview and Interrogatories; Labour and Wages; Transfer of Prisoners; Division of Prisoners: Open Correctional Homes; Prisoners Panchayat

9. **Reformative Measures:** Probation; Parole; Suspension, Commutation, Remission; Pardon.

Suggested Readings:

1. Paranjape, N.V.: Criminology and Penology
2. Srivastava, S.S.: Criminology and Criminal Administration
3. Das, P.K.: International Law Documents
4. Jain, M.P.: Indian Constitutional Law
5. Bare Act: The West Bengal Correctional Services Act, 1992

NOTE- 1. Questions are to be set taking from each unit of the syllabus of a paper

2. Number of Questions to set- 12 questions x 2 marks (for answering 10 questions) and 8 Questions x 12 marks (for answering 5 questions).
3. Amendment of Law, if any, shall be deemed to revise the relevant syllabus automatically.

Paper - 905
Alternative Dispute Resolution
(Clinical Paper-III)

(To be assessed internally)

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

(Written Submission 90+ Viva 10) =100. As per BCI Rule

1. Negotiation Skills to be learnt through simulated Programme and Case Studies
2. Conciliation Skills to be learnt through simulated Programme and Case Studies
3. Arbitration Law and Practice including International Arbitration and Arbitration Rules