



B.A. LL.B. (5 YEAR) COURSE

SYLLABUS AT A GLANCE

Semester - VII

Semester VII

Civil Procedure Code and
Limitation Act 04 100

Labour and Industrial Law II 04 100

Land Laws including Tenure and
Tenancy System 04 100

Professional Ethics and Professional accounting
System – PRACTICAL 04 100

SEMESTER – VII

LAW OF CIVIL PROCEDURE AND LIMITATION

OBJECTIVE OF THE COURSE : All substantive law find expression in procedure. This module teaches the procedure for trial in civil cases.

Marks – 100 (Written – 80 + Project – 20)

Credit : 04

MODULE – I: History, Object and Purpose of the Code of Civil procedure, 1908

MODULE – II: Definitions

MODULE – III: Jurisdiction of Civil Courts

MODULE – IV: Res Sub Judice and Res Judicata

MODULE – V: Foreign Judgement

MODULE – VI: Place of Suing

MODULE – VII: Institution of Suits, parties to Suits, Suits in Particular Cases (By or against governments or Public Officers; Substantial questions of Law; By or against Corporations; By or against Firms; By or against Trustees, Executors and administrators ; By or against Monirs and Lunatics ; Matters concerning family; By Indigent Persons; Mortgages; Interpleader Suits)

MODULE – VIII: Issue and Service of Summons

MODULE – IX: Pleadings

MODULE – X: Plaint and Written Statement

MODULE – XI: Set- off and Counter – Claim

MODULE – XII: Discover and Inspection

MODULE – XIII: Production, Impounding and Return of Documents

MODULE – XIV: Interim Orders : Commissions, Arrest before judgement, Attachment before judgement, Temporary Injunctions, Interlocutory Orders, Receivers, Costs and Security for Costs.

MODULE – XV: Withdrawal and Compromise of Suits

MODULE – XVI: Death, Marriage and Insolvency of Parties

MODULE – XVII: Framing and Settlement of Issues

MODULE – XVIII: Appearance and Non-appearance of Parties, Summoning and Attendance of Witnesses, Hearing of the Suit and Examination of Witnesses

MODULE – XIX: Judgement and Decree

MODULE – XX: Execution of Decrees and Orders

MODULE – XXI: Appeals, Reference, Review and Revision

MODULE – XXII: Restitution, caveat and Inherent Powers of Courts

MODULE – XXIII: The Limitation Act, 1963 – Sections 1 to 27

******* Students are expected to read current case laws. Only the current enactments and enactments as a amended up to date will be taught.**

RECOMMENDED READINGS :

***** Only current editions are to be read.

1. C.K. Thakker (Takwani) Civil Procedure
2. Mulla-Civil procedure Code
3. Sarkar- Code of civil Procedure Code (2 Volumes)
4. Ganguly – Civil Court Practice and Procedure
5. Nandia- Code of civil Procedure Code
6. A.N. Saha – Code of Civil Procedure Code
7. P.K. Majumder – Code of Civil Procedure Code
8. B.B. Mitra- Limitation Act

LABOUR AND INDUSTRIAL LAW -II

OBJECTIVE OF THE COURSE : The students are already familiar with labour and the law that relate to them. This is another aspect of the same law.

Marks – 100 (Written – 80 + Project – 20)

Credit : 04

MODULE – I: The Indian Trade Unions Act, 1926

Object and Reason; Definitions; Registration of Trade Union; Right and Liabilities of Registered Trade Unions; Recognition of Trade Unions; Penalties

MODULE – II: The Employees State Insurance Act, 1948

Object and Reason; Definition ; Corporation Standing Committee and Medical benefit Council; Contribution, benefits; Adjudication of disputes and claims; Penalties

MODULE – III: Minimum Wages Act, 1948

Object and Reason; Definitions; Fixation of Minimum rate of wages' Working weeks and determination of Wages and claims etc; Penalties

MODULE –IV:

Object and Reason; Definitions; Employees' Provident Fund Scheme and Authorities; Penalties

MODULE –V: Child Labour (Prohibition and Regulation) Act, 1986

Object and Reason; Definitions; Prohibition of employment of children in certain Occupations and Processes; regulation of Conditions of Work of Children; Penalties & Procedures .

******* Students are expected to read current case laws. Only the current enactments and enactments as amended up to date will be taught.**

RECOMMENDED READINGS :

***** Only current editions are to be read.

1. K.D. Srivastava – The Industrial Disputes Act.
2. S.N. Mishra – Labour and Industrial Laws
3. Indian Law Institute – Labour Law and Labour Relations
4. O.P. Mishra – The Law of Industrial Disputes
5. V.V. Giri- Labour Problems in Indian Industry
6. S.C. Srivastava- Social Security and Labour Laws
7. S.K. Puri- Labour and Industrial Law
8. R. Dayal- Labour and Industrial Law

LAND LAWS INCLUDING TENURE & TENANCY SYSTEM

OBJECTIVE OF THE COURSE : the three factors of production are land, labour and capital. The students have already been exposed to the issues relating to labour; this module discusses the issues relating to land.

Marks – 100 (Written – 80 + Project – 20)

Credit : 04

MODULE – I: Concept of land reform; Land reforms and India

MODULE – II: Land Reforms in West Bengal; Operation Barga

MODULE – III: THE WEST BENGAL LAND REFORMS ACT, 1956

1. Definitions. [Section 2]
2. Raiyats: Various rights; restrictions on rights [Section 4-7]
3. Pre-emption (Section -8)
4. Powers of revenue Officer (Section 9, and powers under other provisions under the Act)
5. Diluvated Land (Section 11)

6. Partition of holding among Co-Sharer Raiyats (Section 14)
7. Restrictions on alienation of Land by Schedule tribes (Section 14 A – 14I)
8. Ceiling on Holding (Sections 14J – 14 Z)
9. Bargadars (Section 15-21E)
10. Principles of Distribution of Land (Section 49-49A)

MODULE – IV: THE LAND ACQUISITION ACT, 1894

1. DEFINITIONS. (Section 3)
2. Acquisition (Sections 4-10)
3. Reference to Court and Procedure thereon (Sections 18-28A)
4. Acquisition of land for Companies (Section 38A – 44B)

MODULE – V: THE WEST BENGAL PREMISES TENANCY ACT, 1997

1. Definitions (Section 2)
2. Eviction: (Section 6-7)
3. Fair rent : (Sections 17-22)
4. Appointment of Controller, Additional and Deputy Controller and Registrar ; (Section 39)
5. Final Hearing of certain applications (Section 42)
6. Appeal, Revision and Review: Fair Rent : (Section 43)

******* Students are expected to read current case laws. Only the current enactments and enactments as a amended up to date will be taught.**

RECOMMENDED READINGS :

********* Only current editions are to be read.

1. The West Bengal Land Reforms Act: A.N. Saha
2. The West Bengal Land Reforms Act: Susanta Sen
3. The West Bengal Land Reforms Act: D.P. Chatterjee
4. The West Bengal Land Reforms Act: Asutosh Mukherjee

PRACTICAL – I

(Professional Ethics and Professional Accounting System)

OBJECTIVE OF THE COURSE: The lawyers, like other professionals have a code of conduct and basic knowledge of professional accounting. This module deals with them.

Marks – 100 (Written Submission– 90 + Project – 10)

Credit : 04

MODULE – I: Krishnamurty Iyer’s book on ‘ADVOCACY’

MODULE – II: The Contempt Law and Practice

MODULE – III: The Bar Council Code of Ethics

MODULE – IV: 50 selected opinions of the Disciplinary Committees of Bar Councils.

MODULE – V: 10 major judgements of the Supreme Court on above subjects.

Written submissions : Marks – 90

Viva voce : Marks – 10

NOTE: Students will have to put in four weeks of internship compulsorily in Semesters VI, VII, VIII, IX, X , and obtain a certificate of internship without which the Bar Council may not enroll them. The students must maintain diary. They will be evaluated in the **X Semester along with Moot Court Exercise and Internship Practical Paper.** The internship should be in the following Institutions or Organizations:

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 College.

