

**SYLLABUS FOR B.A., LL.B.,(GENERAL) UNDER CBCS MODE OF UNIVERSITY OF GOUR BANGA,
MALDA, 2019-2020**

SEMESTER-I

SL. NO	SUBJECT	SUBJECT CODE	CREDIT	FULL MARKS
1.	LAW OF TORTS	DC-101	04	100
2.	ENGLISH	DC-102	04	100
3.	POLITICAL SCIENCE- I	CF-103	04	100
4.	SOCIOLOGY -I	CF-104	04	100
5.	ECONOMICS-I	CF-105	04	100
6.	LEGAL WRITING	AEC-106	04	100

SEMESTER-II

SL. NO	SUBJECT	SUBJECT CODE	CREDIT	FULL MARKS
1.	LAW OF CONTRACT-I	DC-201	04	100
2.	FAMILY LAW	DC-202	04	100
3.	POLITICAL SCIENCE- II	CF-203	04	100
4.	SOCIOLOGY -II	CF-204	04	100
5.	ECONOMICS-II	CF-205	04	100
6.	LEGAL WRITING- II	AEC-206	04	100

SEMESTER-III

SL. NO	SUBJECT	SUBJECT CODE	CREDIT	FULL MARKS
1.	CONTRACT-II	DC-301	04	100
2.	LEGAL METHOD	DC-302	04	100
3.	POLITICAL SCIENCE- III	CF-303	04	100
4.	SOCIOLOGY -III	CF-304	04	100
5.	ENGLISH-II	CF-305	04	100
6.	CONTRACT DRAFTING	AEC-306	04	100

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SEMESTER- IV

SL. NO	SUBJECT	SUBJECT CODE	CREDIT	FULL MARKS
1.	CONSTITUTIONAL LAW - I	DC-401	04	100
2.	JURISPRIDENCE	DC-402	04	100
3.	FAMILY LAW- II	DC-403	04	100
4.	LAW OF CRIMES- I	DC-404	04	100
5.	POLITICAL SCIENCE- IV	CF-405	04	100
6.	RESEARCH METHODOLOGY AND PROJECT WRITING	AEC-406	04	100

SEMESTER- V

SL. NO	SUBJECT	SUBJECT CODE	CREDIT	FULL MARKS
1.	CONSTITUTIONAL LAW - II	DC-501	04	100
2.	ADMINISTRATIVE LAW	DC-502	04	100
3.	LAW OF CRIMES -II	DC-503	04	100
4.	POLITICAL SCIENCE- V	CF-504		100
5.	SERVICE LEARNING UNDER CONSUMER PROTECTION ACT	AEC-505		100
6.	I. INTERPRETATION OF STATUES OR II. LEGAL HISTORY	I. EC-506 OR II. EC-507	04	100

SEMESTER- VI

SL. NO	SUBJECT	SUBJECT CODE	CREDIT	FULL MARKS
1.	LABOUR AND INDUSTRIAL LAW- I	DC-601	04	100
2.	LAW OF PROPERTY	DC-602	04	100
3.	CITIZENSHIP AND EMIGRATION LAW	DC-603	04	100

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4.	POLITICAL SCIENCE- VI	CF-604	04	100
5.	SERVICE LEARNING UNDER MOTOR VEHICLES ACT	AEC-605	04	100
6.	I. COMPETITION LAW OR II. RIGHT TO INFORMATION	I. EC-606 OR II. EC-607	04	100

SEMESTER- VII

SL. NO	SUBJECT	SUBJECT CODE	CREDIT	FULL MARKS
1.	CIVIL PROCEDURE CODE AND LIMITATION ACT	DC-701	04	100
2.	LABOUR AND INDUSTRIAL LAW- II	DC-702	04	100
3.	COMPANY LAW	DC-703	04	100
4.	LEGAL AID IN SURROUNDING VILLAGES	AEC-704	04	100
5.	PROFESSIONAL ETHICS AND PROFESSIONAL ACCOUNTING SYSTEM (PRACTICAL)	SEC-705	04	100
6.	I. CORPORATE GOVERNANCE OR II. PRIVATE INTERNATIONAL LAW	I. EC-706 OR II. EC-707	04	100

SEMSETER VIII

SL. NO	SUBJECT	SUBJECT CODE	CREDIT	FULL MARKS
1.	LAW OF EVIDENCE	DC-801	04	100
2.	HUMAN RIGHTS	DC-802	04	100
3.	LAND LAWS	DC-803	04	100
4.	HUMAN RIGHTS IN SCHOOLS AND ENVIRONMENTAL PROTECTION ORIENTATION	AEC-804	04	100
5.	ARBITRATION AND ALTERNATIVE DISPUTE	SEC-805	04	100

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	RESOLUTION (PRACTICAL)			
6.	I. INSURANCE LAW OR II. BANKING LAW	I. EC-806 OR II. EC-807	04	100

SEMESTER- IX

SL. NO	SUBJECT	SUBJECT CODE	CREDIT	FULL MARKS
1.	PUBLIC INTERNATIONAL LAW	DC-901	04	100
2.	HUMANITARIAN AND REFUGEE LAW	DC-902	04	100
3.	INTELLECTUAL PROPERTY LAW	DC-903	04	100
4.	SERVICE LEARNING UNDER PERSONS WITH DISABILITIES ACT AND JUVENILE JUSTICE ACT	AEC-904	04	100
5.	DRAFTING OF PLEADINGS AND CONVEYANCING (PRACTICAL)	SEC-905	04	100
6.	I. HEALTH LAW OR II. EQUITY AND TRUST	I. EC-906 OR II. EC-907	04	100

SEMESTER- X

SL. NO	SUBJECT	SUBJECT CODE	CREDIT	FULL MARKS
1.	PRINCIPLES OF TAXATION LAW	DC-1001	04	100
2.	PENALOGY AND VICTIMOLOGY	DC-1002	04	100
3.	SERVICE LAW	DC-1003	04	100
4.	EXPERIENTIAL LEARNING AND FIELD WORK (SPECIAL FOCUS ON DISABILITY, ENVIRONMENT, HEALTH, INFRASTRUCTURE AND DEVELOPMENT)	AEC-1004	04	100

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5.	MOOT COURT EXERCISE, COURT VISIT AND INTERNSHP (PRACTICAL)	SEC-1005	04	100
6.	I. FOREIGN TRADE OR II. GENDER JUSTICE AND FEMINIST JURISPRUDENCE	I. EC-1006 OR II. EC-1007	04	100

SEMESTER I

LAW OF TORTS

Subject Code- DC-101

Marks-100 Credit: 04

OBJECTIVE OF THE COURSE: There is a twilight zone between contract and crime where there is only the concept of wrong and not offence and breach. Law of Torts along with other enactment introduces the student to this unique world of wrongs.

MODULE-I: Origin of Tort Theory, Development of Law of Torts in England and in India
Definition, Nature and Scope of Torts

MODULE-II: GENERAL PRINCIPLES OF TORTS

1. Essentials of Torts- Act or Omission, mental element, Damages (Injuria Sine Damnum and Damnum Sine Injuria)
2. Damages - (Remoteness of Damage, Causation)
3. General Defences – Capacity, Vicarious liability, Joint and Several Tortfeasors, Extinction of Liability etc.
4. General Exception to Liability- Act of State, Judicial and Quasi-Judicial Acts, Parental & Quasi Parental Act, Necessity, Inevitable Accident, Mistake, Leave & License, Act of God, Self Defence.

MODULE-III: SPECIFIC TORTS

1. Torts based on intentional wrong-doing
 - a. Trespass to Person- Assault, Battery, False Imprisonment
 - b. Trespass to Land and chattel
 - c. Deceit.
 - d. Malicious Prosecution.
2. Negligence-Torts based on negligent wrongdoing.
3. Nervous shock,
4. Nuisance,
5. Defamation.
6. Torts based on Strict and Absolute liability.

ENGLISH I

Subject Code- DC-102

Marks-100 Credit: 04

OBJECTIVE OF THE COURSE: Every Profession has its own language. This language is adapted from another prevalent language with which common communication takes place. Literature is also a means of reflecting social strengths and weaknesses which evoke legal response. In law English has thus far been the language of communication. All important legal materials are in English. It is therefore important to learn English and this course intends to give you an insight into the language.

MODULE-I: BASIC GRAMMAR

- (i) Tense and Concord
- (ii) Basic Transformations: Positive and Negative Sentences
- (iii) Simple, Complex and Compound Sentences
- (iv) Change of Voice
- (v) Change of Narration
- (vi) Wh-questions
- (vii) Question Tag and Short Responses
- (viii) Preposition and Determiners
- (ix) Some Common Errors in English

RECOMMENDED READING

****** All books are to be read in current edition.**

1. David Bolton and Noel Goodey -English Grammar in Steps
2. John Eastwood - Oxford Practice Grammar
3. Martin Hewings - Advanced Grammar in Use
4. Raymond Murphy - Essential Grammar in Use
5. Randolph Quirk and Sidney Greenbaum - A University Grammar of English
6. Michael Swan and Catherine Walter - The Good English Grammar Book
7. Michael Swan - Basic English Usage
8. Michael Swan - Practical English Usage
9. A.J.ThomsonandA.V.Martinet(eds.) - A Practical English Grammar
10. Scott Thornbury - Natural Grammar
11. F.T. Wood - A Remedial English Grammar for Foreign Students

MODULE-II: READING COMPREHENSION AND WRITING SKILL

- (i) Reading Comprehension (Practice of Unseen Passages)
- (ii) Essay on Literal, Cultural and Legal Topics
- (iii) Formal and Informal Correspondence
- (iv) Précis Writing
- (v) Report Writing: Status and Policy Reports
- (vi) Writing Proposals

RECOMMENDED READING

****** All books are to be read in current edition.**

1. A.Ashley - The Oxford Handbook of Commercial Correspondence
2. Folens - Core Skills in English: Grammar, Comprehension, Creative Writing
3. Nilanjana Gupta - Communicate with Confidence
4. John Seely- The Oxford Guide to Writing and Speaking
5. R. Vandana Singh - The Written Word

MODULE-III: BASIC COMMUNICATION SKILL

(For the purpose of Project Work/ Group Discussion only)

- (i) Oral Communication—Introducing oneself, Greeting, Making Requests, Asking for and Giving Permission, Offering Help, Giving Instructions and Directions
- (ii) Professional Communication—Public Speaking, Seminars and Conferences, Interviews, Group Discussion

RECOMMENDED READING

****** All books are to be read in current edition.**

1. P. KiranmaiDutt and GeethaRajeevan - Basic Communication Skills
2. T.M. Farhathullah - Communication Skills for Technical Students
3. E. Suresh Kumar and P. Sreehari - Communicative English
4. Pamela Rogerson, and Judy B Gilbert - Speaking Clearly
5. KamleshSadanand, and SusheelaPunitha - Spoken English: A Foundation Course (Part-I & II)
6. V. Sasikumarand P.V. Dhamija - Spoken English: A Self-Learning Guide to Conversation Practice

POLITICAL SCIENCE – I

Subject Code- CF-103

Marks-100 Credit: 04

OBJECTIVE OF THE COURSE: Political Science has a very close relationship with law and legal system. A political system cannot exist without a legal system and vice versa. In this course the students will be introduced to the basic elements of political science and also the various schools of thought that grapple with issues of political Science

POLITICAL THEORY

MODULE-I: Political Science: Nature and Scope and it's relation to law

MODULE-II: Approaches to Political Science

- a. Traditional Approach
- b. Modern Approach
- c. Behaviouralism

d. Marxian Approach

MODULE-III: Concept of State and Government

MODULE-IV: Theories of the origin of State

MODULE-V: Modern Political thought

- a. Liberalism,
- b. Socialism,
- c. Marxism

MODULE-VI: Indian Political thoughts

- a. Classical Hindu Conceptions of State
- b. Islamic Conceptions of State

MODULE-VII: Gandhism

RECOMMENDED READINGS

****** All books are to be read in current edition.**

1. S. P. Varma - Modern Political Theory
2. F. Thakurdas- Essays on Political Theory
3. H. J. Laski, Allen &Unwin- Grammer of Politics
4. B. Held - Political Theory & Modern State
5. S. E. Finer - Comparative Government
6. A. S. Altekar - State & Government in Ancient India
7. J. V. Bondurant - Conquest of Violence: The Gandhian Philosophy of Conflict
8. R. Iyer- The Moral and Political Thought of M. Gandhi

SOCIOLOGY - I

Subject Code- CF-104

Marks-100 Credit: 04

OBJECTIVE OF THE COURSE: Law cannot exist in vacuum. The canvas on which law operates is the society. Therefore law and society complement each other and are intimately related as they shape each other. So it is very important for a law student to understand the society in which one lives and hopes to make a difference. This course of sociology is the first step in that direction.

MODULE-I: Sociology and Law

Definition, Nature, and Scope of Sociology; Relationship between Law and Sociology

MODULE-II: Sociological Concepts

1. Basic Concepts- (Definition, Functions, Inter- relationships) Community, Institution, Association, Norms and Values, Status and Role, Culture, Socialisation.
2. Social Stratification: Concepts, Theories (Marx & Weber), Types.

3. Social Change: Concept; Types- (Evolution, Progress, Revolution, Transformation, Change in Structure, Change of Structure), Social Change in India, Factors of Social Change in India.
4. Marriage: Definitions, Concept, Functions, Types.
 - a. Hindu Marriage: Features, Conditions, Changes in Marriage System and Hindu Marriage Act 1955.
 - b. Muslim Marriage: Features, Dower, Various forms of Marriages, and Talaq.
 - c. Christian Marriage: Features, Conditions, Rituals and Christian Marriage Act, 1872
5. Family: Definitions, Concept, Functions, Types, Changes- Structural and Functional, Factors of Changes.
6. Social Control: Definitions, Concept, Agencies of Social Control.

RECOMMENDED READINGS

****** All books are to be read in current edition.**

1. P. Gisbert- Fundamentals of Sociology
2. D.C. Bhattacharya - Sociology
3. MakhanaJha- An Introduction to Social Anthropology
4. T.B. Bottomore – Sociology
5. Ram Ahuja - Social System in India
6. M Haralambos and R. M. Herald - Sociology
7. Vidyabhushan- An introduction to Sociology

ECONOMICS – I

Subject Code- CF-105

Marks-100 Credit: 04

OBJECTIVE OF THE COURSE: The present era is the era of economics. An efficient legal system and good government cannot ignore the nuances of economics. Every person has a concern with economics and the progress of the nation. In this course of economics the students will be introduced to the basic elements of economics.

MODULE-I: General Principle

- 1) General Concepts: Value and Price, Economic Agents, Equilibrium, Equation And Identity, Functional Relation, Elasticity of a Function.
- 2) Economics as a Science and its relevance to Law.
- 3) Economics as a basis of Social Welfare and Social Justice.

MODULE-II: Micro Economics

- 1) Fundamentals of Consumer Behaviour: Demand and Supply Functions, Elasticity of Demand and Supply, Consumers' Equilibrium.
- 2) Market Determinants: Production, Cost, Market Types – Determination of Equilibrium Price and Output in different market types.

MODULE-III:Indian Economy-I

- 1) Introduction to Indian Economy: Population, Agriculture, Industry and Service Sectors.
- 2) National Income in India: National Income Estimates in India, Trends in National Income – Growth and Structure.
- 3) Poverty: Concept of Poverty, International Comparison of Poverty, Five Year Plans and Removal of Poverty, Causes of failure to remove poverty.
- 4) Demographic Profile of Indian Economy: Rapid Growth of Population, Population and Economic Development.
- 5) Unemployment in India: Causes, Effects and Govt. Policies of Generating Employment Opportunities.
- 6) Privatization in India: Comparison of the Public and Private Sector, Meaning and Scope of Privatization, Attempts of Privatization in India.

RECOMMENDED READINGS

****** All books are to be read in current edition.**

1. H. L. Ahuja - Modern Economics
 2. SampadMukharjee- Contemporary Economics
 3. R. Datt& K. P. M. Sundharam- Indian Economy
 4. S. K. Misra& V. K. Puri- Indian Economy
- K. K. Dewett, J. D. Varma and M. L.Sharma- Indian Economics

LEGAL WRITING - I

Subject Code- AEC-106

Marks-100 Credit: 04

1. Put up Petition
2. Hajeera Petition
3. F. I. R.
4. Petition for birth Certificate
5. Affidavit
6. Adjournment Petition
7. Money Receipts
8. Promissory Note
9. Bonds
10. Simple Business Letter
11. Lawyers Notice
12. Plaints
13. Written Statements
14. Amendment Petitions

SEMESTER II

LAW OF CONTRACT-I [General Principles]

Subject Code- DC-201

Marks-100 Credit: 04

OBJECTIVE OF THE COURSE: This is a law that helps establish a legal relationship and regulate the same between two individuals in the public domain. This law is a very important tool of commerce in globalised era. This module will help and prepare the students for understanding the world of contract.

PART I- GENERAL PRINCIPLES OF CONTRACT [Indian Contract Act, 1872 as amended upto date]

MODULE-I: History and Nature of Contractual Obligations-Agreement and Contract: Definitions- Elements and Kinds-Legality of Object

MODULE-II: Proposal and Acceptance: Forms, Elements- Communications-Revocations-Invitations for Proposals, Float Offers-Tenders.

MODULE-III: Considerations: Need-Meaning-Kinds- Elements- Legality- NudumPactum-Privity of Consideration-Exceptions-Adequacy of Consideration-Legality of Consideration

MODULE-IV: Capacity to Contract: Meaning-Effect of Status, Mental Defect, Minor - Affirmation-Restitution-Minor's Agreement and Estoppel-Evaluation of Minor's Agreement

MODULE-V: Consent: Need, Definition-Free Consent-Factors vitiating Free Consent
Coercion: Definition-Elements-Duress-Doctrine of Economic Duress-Effect
Undue Influence: Definition-Elements-Parties-Burden of Proof-Independent Advice-Effect
Misrepresentation: Definition-Elements- Effects-Misrepresentation of law & fact
Fraud: Definition-Elements-Effects-Suggestion False-Suppression-Silence as Fraud-Active concealment of truth-Intention
Mistake: Definition-Elements-Kinds-Effects-Fundamental Error-Mistake of Law & Fact-Effect on Consent

MODULE-VI: Void and Voidable Agreements: Lawful and Unlawful Consideration & Objects-Wagering and Contingent Agreement-Illegal and Void Agreements and their Effects, Discharge of Contract: Meaning- Modes-

MODULE VII: Performance of Contract -Valid tender of performance-Reciprocal performance -Impossibility of performance -Time as essence of Contract.

MODULE VII: Discharge of Contract: Meaning- Modes-
Breach of Contract: Definition-Elements-Effects
Frustration: Definition-Elements-Effects
Rescission, Alteration-Waiver

MODULE VIII: Quasi Contract

MODULE IX: Remedies in Contract

PART II- SPECIFIC RELIEF [Specific Relief Act, 1963]

MODULE X: Specific performance of contract

MODULE XI: Specific Enforcement of Contract-against whom ordered

MODULE XII: Rescission of Contract and Cancellation of Instruments

MODULE XIII: Injunction- Definition-Elements-Effects

MODULE XIV: Discretion & Powers of Court

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

RECOMMENDED READING

****** All books are to be read in current edition.**

1. Cheshire & Fifoot - Cases on Law of Contract
2. G. Treitel - The Law of Contract
3. Anson - The Law of Contract
4. Narendra Kumar, Indian Contract Act
5. Chitty - Contracts, Vol. I & XXIX
6. Avtar Singh - Principles of Mercantile Law

FAMILY LAW – I

Subject Code- DC-202

Marks-100 Credit: 04

OBJECTIVE OF THE COURSE: Family is the smallest yet a very important unit of the society. The issues within the family are a concern for law but also of religion, culture, and custom. This module acquaints the students with the intricate issues of family and the law relating to them.

MODULE-I: Introduction-Nature, Origin, Characteristics, Philosophy, Concept and Application of Hindu Law

MODULE-II: Sources of Hindu Law

MODULE-III: Schools of Hindu Law

MODULE-IV: Marriage, Divorce and Maintenance:

Historical Background, Forms of Marriage, Legal Effects of Marriage, Capacity of Marriage, Ceremonies and Registration of Marriage, Restitution of Conjugal Rights, Dowry, Nullity of Marriages, Judicial Separation, Divorce and its Various Theories, Maintenance and Custody of Children. The Hindu Marriage Act, 1955 (Sections 1 to 29), The Special Marriage Act, 1954(Section 1-51), The Family Courts Act, 1984, Section 125 to 128 of The Code of Criminal Procedure, 1973, The Hindu Adoptions and Maintenance Act, 1956 (Sections 1 to 4 and 18 to 30), The Dowry Prohibition Act, 1961, The Protection of Women from Domestic Violence Act, 2005, The Maintenance and Welfare of Parents and Senior Citizens Act, 2007

MODULE-V: Law Relating to Property:

Early Law of Property, Joint Family, Liability, Liability of Debts, Alienations, Partition, Woman's Property, and The Hindu Women's Right to Property Act, 1937, Succession under the Mitakshara and Dayabhaga School, Succession (The Hindu Succession Act, 1956 – Sections 1 to 30), Gifts, Wills, Impartible Estates.

MODULE-VI: Minority and Guardianship:

Guardianship of a Person, Types of Guardian, Powers, Rights, Duties and Liabilities of Guardians, Removal of Guardians. The Hindu Minority and Guardianship Act, 1956 (Sections 1 to 13)

MODULE-VII: Adoption

Sonship, Adoption, Evolution of Adoption, Types of Adoption, Ceremonies and Methods to be followed in Adoption, Disqualification for Adoption, Valid and Invalid Adoption, Doctrine of *Factum Valet*, Who may give in adoption, Who may be taken in Adoption, Effect of Adoption, Rights and Duties of an Adoptive Child, The Hindu Adoptions and Maintenance Act, 1956 (Sections 1 to 17)

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

RECOMMENDED READINGS

****** All books are to be read in current edition.**

1. N.R. Raghavachariar- Hindu Law: Principles and Precedents
2. J.D.Mayne-Hindu law and usage
3. Mulla-Hindu Law
4. Dr.ParasDiwan-Modern Hindu law
5. B.M.Gandhi-Hindu Law.
6. Dr. Sir Hari Singh Gour-Hindu Code
7. A.N.Saha- Marriage and Divorce
8. H.K.Saharay-Law of Marriage and Divorce

9. G.Chakraborty-Law of Maintenance

POLITICAL SCIENCE II

Subject Code- CF-203

Marks-100 Credit: 04

OBJECTIVE OF THE COURSE: A political system in a geo-political area involves governmental obligations, wings of the government etc. In this module a glimpse of that mechanism is given.

POLITICAL OBLIGATION

MODULE-I: Organisation of Government-

- a. Unitary
- b. Federal
- c. Quasi Federal
- d. Military Government
- e. Presidential Form of Government
- f. Cabinet Form of Government

MODULE-II: Wings of Government

1. Legislature
2. Executive
3. Judiciary

MODULE-III: Working of the Governmental Wings

- i. Doctrine of Separation of Power
- ii. Parliamentary Sovereignty
- iii. Independence of Judiciary

MODULE-IV: Concept of representation

- 1) Public Opinion
- 2) Political Parties
- 3) Pressure Groups

MODULE-V: Law, Rights and Duties

MODULE-VI: Conception of Political and Legal Sovereignty

MODULE-VII: Totalitarian State

RECOMMENDED READINGS:

******* All books are to be read in current edition.**

1. S. P. Varma, Vikas, New Delhi. - Modern Political Theory
2. F. Thakurdas, Gitanjali, New Delhi -Essays on Political Theory
3. H. J. Laski, Allen & Unwin, London -Grammar of Politics
4. B. Held, Polity Press, Cambridge -Political Theory & Modern State
5. S. E. Finer, Harmondsworth -Comparative Government
6. A. S. Altekar, Motilal Benarasi Das, India -Delhi. State & Government in Ancient India

7. J. V. Bondurant, University of California, -Conquest of Violence: The
Gandhian Philosophy of Conflict
8. R. Iyer, Oxford University Press, Delhi -The Moral and Political Thought
of M. Gandhi

SOCIOLOGY II

Subject Code- CF-204

Marks-100 Credit: 04

OBJECTIVE OF THE COURSE: It has often been said that India lives in villages. The contribution of rural India to the nation cannot be emphasized enough. In this semester the students will be introduced to rural Indian society.

Marks-100
Credit: 04

Rural Society in India

MODULE-I: Basic Features of Indian Society

- (a) Caste System: Concept, Origin; Traditional Caste System, Caste system in Contemporary India.
- (b) Indian Village Community: Features; Changes
- (c) Tribes: Definition; Features; Classification; Socio- Cultural Activities of an Indian Tribe; Problems and Measures to protect them.
- (d) Backward Caste/ Class

MODULE-II: Agrarian Structure in India

- (a) Importance of Agriculture; Agrarian Class Structure.
- (b) Jajmani System
- (c) Caste-Class Nexus and Production Relations
- (d) Land Reforms: Concept, Aims and Objectives and Legislative Achievements
- (e) Green Revolution: Concept, Effects and Limitations
- (f) Agriculture in Constitution of India
- (g) Agricultural Policies (Federal and State)

RECOMMENDED READINGS

****** All books are to be read in current edition.**

1. Nirmal Kumar Bose - Tribal life in India
2. Ram Ahuja - Indian Social System
3. Ram Ahuja - Society in India
4. Dipankar Gupta (ed.) - Social Stratification
5. Ram Ahuja - Social Problems in India
6. S.C. Dubey - Indian Society
7. D.G. Mandelbaum- Society in India

ECONOMICS II

Subject Code- CF-205

Marks-100 Credit: 04

OBJECTIVE OF THE COURSE: Like political system and legal system there is also a legal system. A nation runs on the combination of all three systems. In the previous semesters some basic elements have been discussed and in this semester the students are being introduced to economic systems.

MODULE-I: General Principle

A. Economic Systems:

- 1) Capitalist, Socialist and Mixed Economic Systems.
- 2) Economic Planning – Concept of Planned Economy, Planning in Different Economic Systems.

B. Macro Economics:

- 1) Labour and Wages: Definition of Labour, Types of labour, Wage Determination.
- 2) Money & Capital: Demand for and Supply of Money, Inflation and Deflation, Capital Formation.
- 3) Saving, Consumption and Investment: Saving and Consumption Function, Factors Effecting Consumption Expenditure, Short Run and Long Run Approaches, Investment Function.

MODULE-II: Indian Economy

A. Public Finance and Fiscal Policy:

- 1) General Concepts of Banking: Functions & Services Rendered by the Central and Commercial Banks.
- 2) Fiscal Policy: Meaning, Objectives of Fiscal Policy in India, Fiscal Structure in India, Fiscal Responsibility.
- 3) Role of Banking System in India: Reserve Bank of India, Commercial Banks and Non-banking Financial Intermediaries.
- 4) Taxation: Principles of Taxation, Cannons of Taxation, Direct and Indirect Taxation, and Principles of Tax Shifting, Impact and Incidence, Problem of Tax Rates.

B. Economic Planning and Development in India

- 1) Concept of Economic Development and Sustainable Development.
- 2) Logic of India's Economic Development Strategy, Planning Priorities during Five Year Plans.
- 3) Recent Theories of Economic Development and Their Relevance to the Present Indian Economic Scenario.

RECOMMENDED READINGS

****** All books are to be read in current edition.**

1. H. L. Ahuja - Modern Economics
2. SampadMukharjee- Contemporary Economics
3. H. L. Bhatia - Public Finance
4. R. Datt& K. P. M. Sundharam- Indian Economy
5. S. K. Misra& V. K. Puri- Indian Economy
6. K. K. Dewett, J. D. Varma and M. L.Sharma- Indian Economics
7. Mithani- Public Finance & Fiscal Policy
8. M. L. Jhingan- Economic Development and Planning

**LEGAL WRITING II
(ABILITY ENHANCEMENT COURSE)**

Subject Code- AEC-206

Marks-100 Credit: 04

1. Bonds
2. Application for Bail
3. Searching Report (Model form)
4. Commission Report (Model form)
5. Complaint (Model form)
6. Transfer Petition (Model form)
7. Petition under Section-205 CrPC
8. Amendment petition (Model form)
9. General Power of Attorney (Model form)
10. Special Power of Attorney (Model form)
11. Petition to Plead Guilty (Model form)
12. Condition Waiver Petition (Model form)
13. Judgment Writing

SEMESTER III

**LAW OF CONTRACT-II
[Special Contract]**

Subject Code-DC-301

Marks-100 Credit: 04

OBJECTIVE OF THE COURSE: In previous semester the students became familiar with general principle of contract. This course will initiate the students to different kinds of contract and their intricacies.

MODULE-I: SALE OF GOODS-Concept of sale as contract-Nature of such Contract-Essential elements-Essential conditions- Implied terms- Caveat Emptor, Its exceptions & emerging changes- warranties in sale- Transfer of Titles and passing of Risks- Delivery of goods- Unpaid seller & his rights-Remedies for breach.

MODULE-II: PARTNERSHIP- Definition-Nature- Advantages & disadvantages-Registration- Mutual relationship between partners- Admission, Authority and Outgoing of partners-Dissolution.

MODULE-III: NEGOTIABLE INSTRUMENTS- Concepts-kinds-Essentials- competent parties- Acceptance-Dishonour-holder & Holder in due course-Presentation & Negotiation of Instruments- Cheques- Liability of collecting and paying bankers-Discharge from liability-Kinds of bills- Evidence.

MODULE-IV: AGENCY-Identification, classification-Difference between agent and servant-essentials- Methods of creation-delegation-Rights & Duties of Agent-Scope & extent of Agent's authority-Liability of principal & agent [Individually and mutually]-Liability-Termination.

MODULE-V: BAILMENT-Identification in day to day life- definition-Creation-Bailment Contracts-kinds of Bailee's- Rights and duties of bailor and bailee [Individually and mutually]-Finder of goods- Liability towards owner- Obligation of safe keeping-Disposing off of goods.

MODULE-VI: PLEDGE- definition-bailment and pledge compared-Pledge transactions-statutory regulations-Rights and duties of pawner and pawnee [Individually and mutually]-Pledge in Indian contract Act.

MODULE-VII: GUARANTEE: Concept- definition-essentials-Consideration & criteria-Capacity-Surety's liability [duration & termination] Letters of credits and bank guarantee-Liabilities, Rights & duties of co-sureties- Discharge.

MODULE-VIII: INDEMNITY: Concept-Definition-Nature-Creation-Classification-Right, Duty and Liability of Indemnifier- agreement of Indemnity.

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

RECOMMENDED READINGS

****** All books are to be read in current edition.**

1. R. K. Abhichandani [ed.] Pollock and Mulla on Contract and Specific Relief
2. Krishnan Nair - Law of Contract
3. J. P. Verma [ed.] Singh & Gupta - The Law of Partnership in India
4. G. Guest[ed], Benjamin's Sale of Goods

5. Bhashyam&Adiga - The Negotiable Instruments Act
6. M. S. Parthasarathy[ed], J. S. Khergamwala - Negotiable Instruments
7. Beatson[ed] - Anson's Law of Contract
8. Avtar Singh - Law of Contract
9. T. R. Desai - Law of Contract

LEGAL METHODS

Subject Code-DC-302

Marks-100 Credit: 04

OBJECTIVE OF THE COURSE: This module intends to introduce the students about legal methods. There is a specific method of going about a profession and law too has its methods. Law is such a vast subject that it is difficult to know the whole of law but it is possible to know the method to find the law. This module will also help the students to master the method of finding the law which the students will be using for the next ten semesters.

MODULE-I – LAW: What is law? Objects and Concerns of law- Relationship between law and society-Concept of law as a system, Rule of law

MODULE-II-SOURCES OF LAW: formal, material, historical, religious, customary and other

MODULE-III-LANGUAGE OF LAW: Informative, Expressive, Directive, Imperative etc.

MODULE-IV-REASONING IN LAW: Inductive Reasoning, Analogical Reasoning, Deductive Reasoning, Probability, Causation in legal reasoning

MODULE-V-READING CASE LAWS: Reading the case, preparing outline of the case, important things to be noted while reading and outlining a case, questions for decision before a court

MODULE-VI-PRECEDENTS: What are precedents, Types of precedents, how precedents work, Ratio Decidendi and Obiter dictum, Determination of ratio in a case, Wambough's test and Goodart's test

MODULE-VII-STATUTES: Stages in preparation of Statutes, Parts of a statute and their use in understanding and interpreting statutes, Classification of statutes, General Clauses Act, 1897 and its importance, Importance of rules, maxims and presumptions in interpretation

MODULE-VIII-JUDICIAL SYSTEM: Hierarchy of Courts in India, England and USA, Legal Aid, Legal Profession, Law Commission of India

MODULE-IX-LEGAL SYSTEMS: legal systems of the world, Indian Legal System, Structure of the Government.

MODULE-X -LEGAL RESEARCH: Techniques, Method of study of law reports and journals, Citations and footnotes.

NOTE:

Students are expected to read current case laws. Only the current enactments and enactments as amended upto date will be taught. All books are to be read in current edition.

There are no specific text books for legal method. Reading sources will be communicated in class.

RECOMMENDED READING

****** All books are to be read in current edition.**

1. N. V. Paranjape - Indian Legal and Constitutional History
2. M. P. Singh - Outlines of Indian Legal and Constitutional History
3. M. P. Jain - Outlines of Indian Legal History
4. V. D. Kulashrestha - Landmark Indian Legal and Constitutional History
5. KailashRai - History of Courts, Legislature and Legal Profession in India

**POLITICAL SCIENCE
PAPER-III**

Subject Code-CF-303

Marks-100 Credit: 04

OBJECTIVE OF THE COURSE: Just as a human being cannot exist in isolation, similarly, a nation cannot exist in isolation. There are some norms which are to be abided by while building up a relationship with other countries. This module introduces the student to the exciting world of international relations.

International Relations

1. Origin of International Relation as a Discipline: Nature and Scope; Approaches to Study.
2. Factors or Actors in International Relations- Role of the Sovereign States in International Relations; Transitional Organisations including Regional Organisations and Multinational Organisations
3. National Power and its elements
4. War and Peace: Theories of war; Explanations of War; Peace and its various Approaches
5. Balance of Power
6. Collective Security
7. Brief History of the 1st and 2nd World War
8. Imperialism, Neo Colonialism and Third World
9. Cold War and Post-Cold War Period

10. United Nations Organisation: Origin; Principal and Smaller Organs; Peace Keeping Operations; Restructuring/ Reforming United Nations
11. Nuclear War and the Concept of Nuclear Deterrence
12. Concept of 'North' and 'South': Relation Between the Two
13. Impact of Globalisation in International Politics
14. Indian Foreign Policy: Determinants of Indian Foreign Policy; Changes of Indian Foreign Policy since the Breakdown of Erstwhile USSR

RECOMMENDED READINGS

****** All books are to be read in current edition.**

1. H. J. Morganthau- Politics among Nations: Struggle for Power
2. RumkiBasu- United Nations
3. NiranjanBhunja- United Nations
4. W. Epstein - The Last Chance: Nuclear Proliferation and Arms Control
5. W. D. Coplin, Markham - Introduction to International Politics

SOCIOLOGY PAPER – III

Subject Code-CF-304

Marks-100 Credit: 04

OBJECTIVE OF THE COURSE: In the previous semester the students were exposed to the intricacies of the rural society in India. However for progress of a nation, industry and urbanisation is of equal importance. Like the rural society there are some special features of the industrial society also which will be taught in these modules

Industrial Societies in India

MODULE: I Basic Concepts (Definition, Features, Theories)

- i. Division of Labour
- ii. Bureaucracy
- iii. Rationality
- iv. Production Relations
- v. Surplus Values and Alienation
- vi. Industry in Constitution of India

MODULE: II Industrial Relations

- i. Changing profile of labour
- ii. Conciliation, Adjudication, Arbitration, Collective Bargaining
- iii. Trade Union

MODULE: III Industrial Planning

- i. Industrial Policy
- ii. Labour Legislations

RECOMMENDED READINGS

****** All books are to be read in current edition.**

1. E.A. Ramaswamy- Industrial Relation in India
2. V. B. Karnik- Indian Trade Union:
3. S.J. Gisbert- Fundamentals of Industrial Sociology

**ENGLISH
PAPER-II**

Subject Code-CF-305

Marks-100 Credit: 04

OBJECTIVE OF THE COURSE: In this course the students are given a greater exposure to the intricacies of English language. This module will demonstrate the relationship between law and language.

MODULE-I: EVOLUTION OF ENGLISH LANGUAGE

- (i) Introduction to Language—Definition—Theories of the Origin of Language—The English Language and its Salient Features
- (ii) Foreign Elements/ Influences (with Special Reference to Law/ Legal Terms)—The Latin, Celtic, Scandinavian, French, Greek and American English—Loan Words as Milestones of General History
- (iii) Word-making:Composition—Derivation—Backformations—Shortening—Root-creation—Telescoping—Use of Verbs as Nouns and Vice-versa
- (iv) Semantics
- (v) Contemporary English—Fashion in Language—Conventional Character of Language—Standard English—American English: Its Difference with British English—Influence of Science and Technology on English—English today—the Future of English

RECOMMENDED READINGS

****** All books are to be read in current edition.**

1. C. Albert Baugh and Thomas Cable - A History of the English Language
2. Otto Jerpersen - Growth and Structure of the English Language
3. T. Frederick Wood - An Outline History of the English Language

MODULE-II: PLAY

The Merchant of Venice- William Shakespeare

RECOMMENDED READINGS

****** All books are to be read in current edition**

1. W.H. Auden - “Belmont and Venice” Twentieth Century Interpretations of the Merchant of Venice
2. Nevill Coghill - The Theme of the Merchant of Venice
3. F. Leonard Dean - Shakespeare: Modern Essays in Criticism

MODULE-III: NOVEL

The Shadow Lines –Amitav Ghosh

RECOMMENDED READINGS

****** All books are to be read in current edition**

1. Amitav Ghosh - The Shadow Lines
2. R.K. Dhavan, R.K. - The Novels of Amitav Ghosh
3. Nivedita Bagchi - The Process of Validation in Relation to Materiality and Historical Reconstruction in Amitav Ghosh’s The Shadow Lines

MODULE-IV: PLAY

Justice- John Galsworthy

RECOMMENDED READINGS

****** All books are to be read in current edition.**

1. Thomas Herbert Dickinson - The Contemporary Drama of England
2. John Galsworthy - Justice: A Tragedy in Four Acts
3. William Lyon Phelps - The Twentieth Century Theatre
4. A. Shanmugakani (ed.) - Galsworthy’s Justice
5. V. Sanford Sternlicht - John Galsworthy, New York

CONTRACT DRAFTING (ABILITY ENHANCEMENT COURSE)

Subject Code- AEC-306

Marks-100 Credit: 04

PART- A (students are expected to know)

1. Introduction to Contract Drafting- Key terminologies, distinction between contract drafting and other types of drafting.
2. Anatomy of Contract- Essential elements of contract, categories of contract provisions.

3. Representations and Warranties and Covenants. Role & Distinctive feature, timing considerations, qualifiers, Distinction between Covenants and representations & warranties.
4. Definitions, Condition Precedent and Remedies & other types of provisions.
 - A. Condition Precedent and remedies depending on the transactional context.
 - B. Integration, assignment, confidentiality,
5. Principles of Effective Drafting-
 - A. Contract Interpretation (clarity, brevity, consistency)
 - B. Tips on sentence structure,
 - C. Rules of construction.
6. Practical Suggestion on Form and Format
 - A. Execution and delivery,
 - B. Date,
 - C. Numbering and tabulation,
 - D. Heading,
 - E. Annexes.
7. Amendments, Waivers, Consents.
8. Miscellaneous Issues of Contract Drafting-
 - A. Ethical aspect of contract drafting,
 - B. Contract negotiations,
 - C. Final practice tip.

PART – B (Students are expected to do the following exercises for evaluation)

Drafting of different types of contract [any five for 20 Marks each]

1. Drafting of Agreement.
2. Sale of immovable property.
3. Sale of movable property.
4. Surrogacy Contract.
5. International Contract.
6. Standard Form of Contract.
7. Employment Contract.
8. Marine Contract.
9. Contract under Society's Registration Act.
10. Contract under Indian Trusts Act.

SEMESTER IV

CONSTITUTIONAL LAW – I

Subject Code-DC-401

Marks-100 Credit: 04

OBJECTIVE OF THE COURSE: Constitution is the foundation of a nation and fountain head of all laws. This module introduces the students to the characteristics of the constitution and the fundamental rights that are enshrined in the constitution.

MODULE-I: Characteristics of Indian Constitution

MODULE II: Preamble

MODULE-III: Definition of the State-Laws inconsistent with or in derogation of the Fundamental Rights.

MODULE-IV: Fundamental Rights- Right to Equality-Right to Freedom of Speech and Expression –Right to Life and Personal Liberty-Right Against Exploitation- Right to Religion –Cultural and Educational Rights-Right to Constitutional Remedies-Relationship between Fundamental Rights and Directive Principles of State Policy (Arts. 14-35)

MODULE V: Directive Principles of State Policy

MODULE VI: Fundamental Duties

MODULE-VI: The Union Executive-The President: Powers, Functions and Procedure for Impeachment; Council of Ministers and Formation of the Government.

MODULE-VII: The State Executive- The Governor: Powers, Functions and the Role of Governor.

RECOMMENDED READINGS

****** All books are to be read in current edition.**

1. V.N. Shukla - Constitutional Law
2. J.N. Pandey - Constitutional Law
3. D.D. Basu - Constitution of India
4. M.P. Jain - Indian Constitutional Law
5. H.M. Seervai - Constitution of India
6. M.C.J. Kagzi - Constitution of India

JURISPRUDENCE

[Legal Theories]

Subject Code-DC-402

Marks-100 Credit: 04

OBJECTIVE OF THE COURSE: Jurisprudence is a window that gives into the making, mechanics and meaning of law. It also throws light on all the intricate factors that go on to make up what is known as law. This module intends to take the students to journey into law and legal concepts.

MODULE-I Law and Jurisprudence- A study in relationship

MODULE-II Natural Law: History, Characteristics, Classical Natural Law, Natural law during the medieval period, Decline and Revival of Natural Law

- FULLER
- FINNIS

MODULE-III Positivism: Ideological basis for the rise.

- BENTHAM
- AUSTIN
- H.L.A. HART

MODULE-IV Pure Theory of Law-

- HANS KELSEN

MODULE-V Sociological School-

- ROSCOE POUND
- R.VON IHERING
- E.DURKHEIM

MODULE-VI Historical School-

- FREDERICK KARL VON SAVIGNY
- H.S.MAINE

MODULE-VII Realist School-

- American Realism-
- HOLMES
- J.FRANK
- Scandinavian Realism-
- AXEL HAGERSTROM
- ROSS

MODULE-VIII Marxist School

- KARL MARX

******Students are expected to read current case laws. Only the current enactments and enactments as amended upto date will be taught. All books are to be read in current edition.**

RECOMMENDED READINGS

****** All books are to be read in current edition.**

1. W. Friedmann - Legal Theory
2. N. R. MadhavaMenon (ed.) - Holland On Jurisprudence
3. H.L.A. Hart - The Concept of Law
4. M.D.A. Freeman (ed.) - Lloyd's Introduction To Jurisprudence
5. R.M.V. Dias -Jurisprudence
6. C.K. Allen - Jurisprudence
7. G.W. Paton - Textbook Of Jurisprudence

[Legal Concepts]

OBJECTIVE OF THE COURSE: Jurisprudence is a window that gives into the making, mechanics and meaning of law. It also throws light on all the intricate factors that go on to make up what is known as law. This module intends to take the students to journey into law and legal concepts.

LEGAL CONCEPTS

1. RIGHTS AND DUTIES
2. INTEREST
3. LIABILITY
4. LAW AND MORALS
5. PERSONALITY
6. PROPERTY
7. OWNERSHIP
8. POSSESSION
9. JUSTICE
10. ADMINISTRATION OF JUSTICE

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

RECOMMENDED READING

****** All books are to be read in current edition.**

1. N. R. MadhavaMenon (ed.) - Holland On Jurisprudence
2. H.L.A. Hart - The Concept of Law
3. M.D.A. Freeman (ed.) - Lloyd's Introduction To Jurisprudence
4. R.M.V. Dias – Jurisprudence
5. C.K. Allen – Jurisprudence
6. G.W. Paton - Textbook Of Jurisprudence

FAMILY LAW – II

Subject Code-DC-403

Marks-100 Credit: 04

OBJECTIVE OF THE COURSE: In India as the students studied in the previous semester, the law of family is heavily influenced by religion. In this module the students will be introduced to Family law influence by Islam.

MODULE-I: Introduction-Nature, Origin, Philosophy, Concept and Application of Mohammedan Law

MODULE-II: Sources of Mohammedan Law

MODULE-III: Schools of Mohammedan Law

MODULE-IV: Marriage

MODULE-V: Dower

MODULE-VI: Talaq, Divorce under the Dissolution of Muslim Marriage Act, 1939

MODULE-VII: Maintenance: under customary law and under the Muslim Women (Protection of Rights on Divorce) Act, 1986 and Sections 125 to 128 of The Code of Criminal Procedure, 1973.

MODULE-VIII: Acknowledgement

MODULE-IX: Guardianship

MODULE-X: Gift

MODULE-XI: Wills

MODULE-XII: Pre-emption

MODULE-XIII: Succession and Inheritance: General Principles, Hanafi and Shia Law

MODULE-XIV: The Divorce Act, 1869- Sections 1 to 62

MODULE-XV: The Indian Succession Act, 1925- Applicability, Intestate Succession (Sections 29 to 56), Succession Certificate (Section 370 to 390)

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

RECOMMENDED READINGS

****** All books are to be read in current edition.**

1. Mulla's- Principles of Mahomedan Law
2. Fyzee-Outlines of Muhammadan Law
3. Ameer Ali- Muhammadan Law
4. TahirMahmood- Muslim Law
5. Aquil Ahmed- Muhammadan Law
6. S.A.Kader-Muslim Law of Marriage and Succession in India
7. B.B.Mitra-Indian Succession Act
8. N.D.Basu-Succession Act
9. Dr.GangotriChakraborty- Law of Maintenance

**LAW OF CRIMES – I
[Indian Penal Code]**

Subject Code-DC-404

Marks-100 Credit: 04

OBJECTIVE OF THE COURSE: This module intends to familiarize the students to a new area of law called crimes. Here the students will learn about offences, their elements and the punishment.

MODULE-I: Elements and stages of crime, punishment and general explanation

MODULE-II: Joint liability-common intention, common object

MODULE-III: General exceptions

- a. mistake of fact
- b. misconception of fact
- c. act or order of the court
- d. accident or act to prevent other harm
- e. necessity
- f. doli incapax and qualified immunity
- g. unsoundness of mind
- h. voluntary or involuntary intoxication
- i. act done in good faith
- j. consent
- k. exclusion of acts which are offences independently of harm caused
- l. communication in good faith
- m. act under compulsion of threat
- n. act causing slight harm
- o. Private defense of body and property

MODULE-IV: Abetment-instigation, conspiracy and intentional aid

MODULE-V: Criminal conspiracy

MODULE-VI: Offences against the State

MODULE VII: Offences against public tranquility- unlawful assembly, riot & affray

MODULE VIII: False evidence and offences against public justice

MODULE-IX: Offences relating to religion

MODULE X: Offences affecting the human body

1. Offences affecting life.

2. Causing of Miscarriage, of Injuries to unborn Children, of the Exposure of Infants, and of the concealment of Births.
3. Hurt.
4. Wrongful restraint and wrongful confinement.
5. Criminal Force and Assault.
6. Kidnapping, Abduction, Slavery and Forced Labour.
7. Sexual offences.
8. Unnatural offences.

MODULE-XI: Offences against property

- i. Theft, extortion, robbery, dacoity,
- ii. Criminal misappropriation, criminal breach of trust, cheating, mischief, criminal trespass, Dishonest receiving of stolen property

MODULE-XII: Offences relating to marriage – bigamy, adultery, cruelty & dowry death

MODULE XIII: Defamation

MODULE XIV: Criminal intimidation, insult & annoyance

MODULE XV: Attempt to commit offence

******Students are expected to read current case laws. Only the current enactments and enactments as amended upto date will be taught. All books are to be read in current edition.**

RECOMMENDED READINGS

****** All books are to be read in current edition.**

1. Ratanlal and Dhirajlal - Indian Penal Code
2. Bangia - Indian Penal Code
3. K. D. Gaur - Criminal Law ; Cases and Materials
4. Glanville Williams - Text Book on Criminal Law

**POLITICAL SCIENCE
PAPER – IV**

Subject Code-CF-405

Marks-100 Credit: 04

OBJECTIVE OF THE COURSE: Political System and Legal System both have to function in tandem with the Constitution. In this module the students are taught the relationship between the political systems of a country with its constitution.

MODULE-I: Making of the Indian Constitution

MODULE-II: Preamble

MODULE-III: Nature of Indian Government

MODULE-IV: Fundamental Rights

MODULE-V: Directive Principles of State Policy

MODULE-VI: Fundamental Duties

MODULE-VII: Centre- State Relationship

MODULE-VIII: Indian Parliament and State Legislatures

MODULE-IX: President of India: Powers; Functions and Position

MODULE-X: Prime Minister of India: Powers; Functions and Position

MODULE-XI: Governor: Powers; Functions and Position

MODULE-XII: Chief Minister: Powers; Functions and Position

MODULE-XIII: Supreme Court

MODULE-XIV: High Court

MODULE-XV: Amendment

RECOMMENDED READINGS

****** All books are to be read in current edition.**

1. D.D. Basu - An Introduction to the Constitution of India
2. G. Austin - The Indian Constitution: Corner stone of a Nation
3. UpendraBaxi - The Indian Supreme Court & Politics
4. M.P. Krishna Shetty - Fundamental Rights & Socio Economic Justice in the Indian Constitution
5. A.G. Noorani - Constitutional Questions in India: The President, Parliament and the State
6. K.M. Munshi - The President under the Indian Constitution

RESEARCH METHODOLOGY AND PROJECT WRITING (ABILITY ENHANCEMENT COURSE)

Subject Code-AEC-406

Marks-100 Credit: 04

Part A- (Students are expected to know the following)

1. Introduction to the process of conducting research
 - a. Choosing a topic and central/ originating question
 - b. Formulation of research question,
 - c. Making of good arguments

2. Research Design Introduction
 - a. Steps in the Process of Research
 - b. Identifying a hypothesis and/or research problem, specifying a purpose, creating research questions
 - c. Reviewing literature
 - d. Ethics of research and informed consent.

3. Introduction to Qualitative Research
 - a. Essence of Qualitative Data
 - b. Sampling
 - c. Collection Techniques
 - d. Bibliography
 - e. Phenomenology
 - f. Grounded Theory
 - g. Ethnography
 - h. Case Study

4. Introduction to Quantitative Research
Essence of Quantitative Data
Collection and Analysis Techniques

5. Writing Projects
 - a. Citation
 - b. Bibliography,

6. Writing Up / Discussion of Mixed Methods Studies
 - a. Presenting and writing up results
 - b. Questions re: final papers

Part B- (Students are expected to do the following exercises for evaluation)

Final Paper presentation (Division of Marks)

1. Title- 2
2. Evolution of the problem- 5.
3. Statement of the problem- 5.
4. Hypothesis/ Research question or both- 10.
5. Scope of the study- 5.
6. Limitation of the study- 5.
7. Objective of the study- 5.
8. Significance of the study- 8.
9. Research methodology- 10
10. Footnote model adopted (Indian Law Institute method) - 10.

11. Chapterisation- 5.
12. Literature review- 10.
13. Literature survey/ Bibliography- 10.
14. Presentation- 10.

SEMESTER V

CONSTITUTIONAL LAW OF INDIA – II

Subject Code-DC-501

Marks-100 Credit: 04

OBJECTIVE OF THE COURSE: In this module the students will be taught intricacies of governance. They will get an insight into Centre-state relations and also that of the executive, judiciary and the legislature.

MODULE-I: Federalism, Co-operative Federalism, Nature of Indian Federalism from British Raj to Swaraj.

MODULE-II: Centre State Relations.

- a. Legislative Relations
- b. Administrative Relations
- c. Financial Relations

MODULE-III: Supreme Court of India: Constitution and Jurisdiction - High Courts- Constitution and Jurisdiction

MODULE IV: Elections

MODULE-V: Freedom of Trade, Commerce and Intercourse

MODULE-VI: Doctrine of Pleasure and Constitutional Safeguards to Civil Servants

MODULE-VII: The Emergency Provisions – National, State and Financial

MODULE-VIII: The Amendment of the Constitution

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

RECOMMENDED READING

****** All books are to be read in current edition.**

1. V.N. Shukla - Constitutional law
2. J.N. Pandey - Constitutional Law
3. D.D. Basu - Constitution of India
4. M.P. Jain - Indian Constitutional Law

5. H.M. Seervai - Constitution of India
6. M.C.J. Karzi - Constitution of India

ADMINISTRATIVE LAW

Subject Code-DC-502

Marks-100 Credit: 04

OBJECTIVE OF THE COURSE: This module will expose the students to administrative law and the rules that ensure a fair deal when a person is working. It has a close relationship with constitution help the student to understand the importance of fairness.

MODULE-I: Definition, Nature, Scope and development of Administrative Law

MODULE-II: Sources of Administrative Law, Relationship between Constitutional Law and Administrative Law

MODULE-III: Rule of Law

MODULE-IV: Separation of Powers

MODULE-V: Classification of Administrative Action

- i) Rule making action or quasi legislative action
- ii) Rule – decision action or quasi – judicial action
- iii) Rule application action or administrative action
- iv) Ministerial action

MODULE-VI: Natural Justice – Rule against bias, Audi Alteram Partem, Post decision hearing – Exceptions to the Rule of Natural Justice – Reasoned decision

MODULE-VII: Delegated Legislation

MODULE-VIII: Control mechanism of Delegated legislation

- a) Parliamentary Control
- b) Procedural Control
- c) Judicial Control

MODULE-IX: Judicial Review of Administrative Action

- a) Principles
- b) Modes
 1. Mandamus
 2. Certiorari
 3. Habeas Corpus
 4. Quo – warranto
 5. Prohibition
- c) Declaratory Decree and Injunction

MODULE-X: Suit against the Government in Torts and Contract, Liability of the Administration

MODULE-XI: Public Corporation
Statutory Public Corporation – characteristics, classification and their control

MODULE-XII: Ombudsman: Lokpal, Lokayukta and Vigilance Commission

MODULE-XIII: The Administrative Tribunal Act – 1985 – Its constitutionality and working

MODULE-XIV: Public Interest Litigation

******Students are expected to read current case laws. Only the current enactments and enactments as amended upto date will be taught. All books are to be read in current edition.**

RECOMMENDED READINGS

****** All books are to be read in current edition.**

1. Jain and Jain - Principles of Administrative Law
2. I.P. Massey - Administrative Law
3. U.P.D. Kesari - Administrative Law
4. H.W.R Wade - Administrative Law
5. S.P. Sathe- Administrative Law
6. J.J.R. Upadhyay - Administrative Law
7. D.D. Basu - Administrative Law

LAW OF CRIMES - II [Criminal Procedure Code]

Subject Code-DC-503

Marks-100 Credit: 04

OBJECTIVE OF THE COURSE: The world of offences is now familiar to the students. However to punish for the offence committed, there is a process which will be taught in this module.

MODULE-I: Object Purpose and History of the Criminal Procedure Code.

MODULE-II: Definitions

MODULE-III: Constitution and Powers of Criminal and Executive Courts

MODULE-IV: Arrest of Persons

MODULE-V: Process to Compel Appearance and Production of Things and Reciprocal Arrangements

MODULE-VI: Preventive and Precautionary Measures of Security Proceedings

MODULE-VII: Maintenance of Wives, Children and Parents

MODULE-VIII: Information to the Police and their Powers to Investigate

MODULE-IX: Jurisdiction of the Criminal Courts in Inquiries and Trials

MODULE-X: Cognizance of Offences and Commencement of Judicial Proceedings

MODULE-XI: Charge

MODULE-XII: Trial before various Courts:

- a) Court of Sessions
- b) Warrant cases by Magistrates
- c) Summons cases by Magistrates
- d) Summary Trial

MODULE-XIII: Mode of Taking Evidence and General Provisions as to Inquiries and Trials

MODULE-XIV: Judgment

MODULE-XV: Appeals

MODULE-XVI: Reference and Revision

MODULE-XVII: Provisions as to Bails and Bonds

MODULE-XVIII: Irregular Proceedings

MODULE-XIX: Limitation for taking Cognizance

MODULE-XX: The Probation of Offenders Act, 1958

MODULE-XXI: The Juvenile Justice (Care and Protection of Children) Act, 2015

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

RECOMMENDED READINGS

****** All books are to be read in current edition.**

1. R.V.Kelkar's Criminal Procedure
2. Ratanlal and Dhirajlal-Criminal Procedure
3. Mishra-Code of Criminal Procedure

4. B.B.Mitra- Code of Criminal Procedure

5. Sarkar's Code of Criminal Procedure

**POLITICAL SCIENCE
PAPER – V**

Subject Code-CF-504

Marks-100 Credit: 04

OBJECTIVE OF THE COURSE: Political System and Legal System both have an important role and function to play in governance. In this module the students are taught the relationship between the political systems of a country and its governance.

STUDY OF INDIAN GOVERNMENT AND POLITICS

MODULE-I: Election: Composition and function of Election Commission

MODULE-II: Voting behavior

MODULE-III: Indian Party System

MODULE-IV: Pressure Groups in India

MODULE-V: Coalition Government

MODULE-VI: Regionalism: Caste and Linguistic Politics

MODULE-VII: Secularism

MODULE-VIII: Corruption as an impediment in Indian politics

MODULE-IX: Criminalisation of Politics

MODULE-X: Structure of Panchayat system and the Municipal system

RECOMMENDED READINGS

****** All books are to be read in current edition.**

1. J. Dasgupta - Language Conflict & National Development
2. W.H. Morris Jones - Government & Politics in India
3. N.D. Palmer - Election in India: Its Social Basis
4. N.C. Sahni - Coalition Politics in India
5. J.R. Siwarch - Dynamics of Indian Government and Politics
6. J. Bandhopadhaya - New Indian Foreign Policy

**SERVICE LEARNING UNDER CONSUMER PROTECTION ACT, 1986
(Ability Enhancement Course)**

Subject Code-AEC-505

Marks-100 Credit: 04

Part A- (Students are expected to know the following)

1. Introduction to Consumer Protection and policies in India
 - a. Development of market and consumer relations
 - b. Globalization and consumerism
 - c. Consumer movement in the global context
 - d. Legal frame work and policy challenges
 - e. Consumer's Rights- UN role, Right to safety, Right to be informed, Right to choose, Right to be heard and assured, Right to redressal, Right to consumer education
2. Legislative Framework on Consumer Protection
 - a. Consumer friendly Legislations
 - b. Prevention of Food Adulteration Act, 1954
 - c. Standards of Weights and Measures Act, 1976
 - d. The Drugs and Magic Remedies (Objectionable Advertisement) Act 1954
 - e. MRTP Act
 - f. Sale of Goods Act, 1930
 - g. Consumer Protection Act, 1986-the vision of the legislation
3. Drafting of complaint under the Consumer Protection Act, 1986.
4. Analysis of legal issues arising under Consumer Laws.
5. Drafting on different litigation topic arising out of following issues
 - a. Repairing of rented shop.
 - b. Bad condition of recently purchased flat.
 - c. Exchange of products purchased online.

Part B- (Students are expected to do the following exercises for evaluation)

Students are expected to maintain a diary reporting 5 cases (of 20 marks each), be observed in Consumer Courts during their visit.

**INTERPRETATION OF STATUTES AND PRINCIPLES OF LEGISLATION
(ELECTIVE COURSE)**

Subject Code-EC-506

Marks-100 Credit: 04

OBJECTIVE OF THE COURSE: Legislation is a major source of law. Legislators create law after much deliberation. This process takes into account the present and future need of the nation. Interpretation of statute is a method by which the judiciary explores the intention of the legislators behind the statute. This involves a method which will be taught in this module.

MODULE-I: PRINCIPLES OF LEGISLATION- Law making [legislature, executive, Judiciary]-Principle of utility.

MODULE-II: INTERPRETATION OF STATUTE- Meaning of the term Statute- Component, operation and repeal-Internal Aids to interpretation [Title, Preamble, Headings & Marginal notes, Sections & Subsections, Punctuations, Illustrations, exceptions, proviso & saving clauses, Schedules, Non Obstante clause]- External Aids to interpretation [Dictionary, Translation, TravauxPreparatoires, Statutes in pari material, ContemporaneaExposito, Debates, Reports]

MODULE-III: RULES OF STATUTORY INTERPRETATION- Primary Rules [Literal rule, Golden rule, Mischief rule, harmonious Construction] Secondary Rules [Noscurtur a sociis, ejusdem generis, Reddendo singular singulis].

MODULE-IV: PRESUMPTION IN STATUTORY INTERPRETATION-Statutes are valid-Statutes are territorial in operation-Presumption as to jurisdiction-presumption against the inconvenient and absurd- Presumption against intended injustice-Presumption against impairing obligations or permitting advantage from one's own wrong-Prospective operation of statutes.

MODULE-V: MAXIMS OF STATUTORY INTERPRETATION

1. Delegatus non potestdelegare
2. Expressiounius exclusion alterius
3. Generiliaspecialibus non derogant
4. In pari delicto potioreset condition possidentis

5. Utres valet potior quam pariat
6. Expressum facit cessare tacitum
7. In bonam partem

MODULE-VI: INTERPRETATION WITH REFERENCE TO SUBJECT MATTER AND PURPOSE

- Restrictive and beneficial construction
- Taxing statutes
- Penal Statutes
- Welfare Legislations
- Substantive and adjunctival Statute
- Discretionary and mandatory provisions
- Enabling statutes
- Codifying and Consolidating statute
- Right conferring statute
- Power conferring statute

MODULE-VII: PRINCIPLES OF CONSTITUTIONAL INTERPRETATION

- Doctrine of Pith and Substance
- Doctrine of Colourable Legislation
- Doctrine of Residuary Power
- Doctrine of Repugnancy
- Doctrine of Ancillary Powers
- “Occupied Field”

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

RECOMMENDED READINGS

****** All books are to be read in current edition.**

1. G. P. Singh - Principles of Statutory Interpretation
2. P. St. Langan (ed.) - Maxwell on Interpretation of Statute
3. K. Shanmukham - N. S. Bindras Interpretation of Statute
4. V. Sarathi - Interpretation of Statute
5. M. P. Singh (ed.) - V. N. Shukla's Constitution of India
6. M. P. Jain - Constitutional Law of India

LEGAL HISTORY (ELECTIVE COURSE)

Subject Code-EC-507

Marks-100 Credit: 04

OBJECTIVE OF THE COURSE: This module intends to introduce the students to the evolution of Indian Legal System. The story of the evolution of the legal system in modern India begins with the Charter of 1600 and continues till this day.

MODULE-I Charter of 1600 & 1661-Legislative Powers-King's Commission

MODULE-II Period 1639-1726 –Judicial System- Admiralty Court-Crimes and Punishments- Working of the Court-Islamic Judicial System- Hindu Judicial System-Zamindar's judicial Powers- Judicial System in Calcutta

MODULE-III Period 1726-1793- Mayor's Court-Beginning of Adalat System- Supreme Court at Calcutta, -Reorganisation of Adalat system-Scheme of Criminal Judicature and its defects- Imposition of Court fees-Restriction of appeals to Sadar Adalat- Sadar Diwani Adalat and changes in it- Adalat System in Bengal, Bombay and Madras-Reorganisation of Civil Judicature-Civil and Criminal Courts and British Subjects

MODULE-IV Period 1833-1860-Small Causes Courts-High Courts-Privy Council development- Development of Criminal Law [1772-1860]

MODULE-V Period 1861-1950-The Indian Council Act, 1861.- The Indian Council Act, 1892, The Indian Council Act, 1909, The Indian High Courts Act, 1861, 1911, The Government Of India Act, 1915., The Government Of India Act, 1919., The Government Of India Act, 1935, Law Reforms- Law Reporting in India-Growth of Legal Profession.

SEMESTER VI

LABOUR & INDUSTRIAL LAW – I

Subject Code-DC-601

Marks-100 Credit: 04

OBJECTIVE OF THE COURSE: Economy of a country is dependent on its industry and agriculture. One of the most important factors of both agricultural and industrial production is labour. In this module the students will be introduced to these factors.

MODULE-I: Industrial Disputes Act, 1947

Object and Reason; Definitions; Authorities under the Act; Strike; Lock- out; Public utility service; Lay off; Retrenchment and Closure in certain Establishments; Unfair Labour Practice.

MODULE-II: Employee's Compensation Act, 1923

Object and Reason; Definitions; Employer's liability for compensation; Determination of quantum of compensation; Distribution of compensation; Indemnity and benefits of employers.

MODULE-III: Factories Act, 1948

Object and Reason; Definitions; Health-Safety and Welfare measures; Employment of young person's; Working hours of adult.

MODULE- IV: Maternity Benefit Act, 1961

Object and Reason; Definitions; Right to payment of Maternity Benefit; Payment of Maternity Benefit in certain cases; Maximum period of entitlement; Prohibition of pregnant employment; Benefit in certain cases; Payment in case of death; Leave-miscarriage; Dismissal during absence due to pregnancy; Inspector – Penalties.

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

RECOMMENDED READINGS

****** All books are to be read in current edition.**

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

LAW OF PROPERTY

Subject Code-DC-602

Marks-100 Credit: 04

OBJECTIVE OF THE COURSE: The world of Property is a very important part of national as well as individual life. This module offers a glimpse of the world of property.

MODULE-I: Interpretation clause

MODULE-II: Transfer of property – what may be transferred and persons competent to transfer, operation of transfer, oral transfer.

MODULE-III: Conditions restraining alienation

MODULE-IV: Transfer for the benefit of unborn person- Rule against perpetuity-Direction for accumulation-Vested Interest- Contingent Interest-Fulfilment of Condition precedent & condition subsequent

MODULE-V: Doctrine of Election

MODULE-VI: Transfer where third person is entitled to maintenance

MODULE-VII: Transfer by ostensible owner- By unauthorised person who subsequently acquires interest in property concerned [Feeding the Estoppel by grant]

MODULE-VIII: Doctrine of lis-pendens

MODULE-IX: Fraudulent Transfer

MODULE-X: Doctrine of part performance

MODULE-XI: Sale of immovable property

MODULE-XII: Mortgage

MODULE-XIII: Lease of immovable property

MODULE-XIV: Exchange

MODULE-XV: Gifts

MODULE-XVI: Transfer of actionable claims

MODULE-XVII: Easement-definition- Kinds-Imposition, acquisition and transfer of easement-incidents of easements-disturbance of easement-extinction, suspension and revival of easements-Licence

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

RECOMMENDED READINGS

****** All books are to be read in current edition.**

1. Transfer of Property Act, 1882 – Bare Act
2. The Indian Easement Act, 1882 – Bare Act
3. G. P. Tripathi - Transfer of Property Act
4. Mulla - Transfer of Property Act
5. S. N. Shukla - Transfer of Property Act
6. B. B. Mitra - Transfer of Property Act
7. R. Dayal - Transfer of Property Act
8. S. K. Agarwal - Easement Act

CITIZENSHIP & EMIGRATION LAW

Subject Code-DC-603

Marks-100 Credit: 04

OBJECTIVE OF THE COURSE: This module intends to equip the students to understand their own status of being a citizen of this country and also to be aware of their rights and duties vis a vis that of non-citizens. This module is closely related with refugee and humanitarian rights as well as human rights which the students will study in subsequent semesters.

MODULE-I: Concept-Nature- Scope- Historical perspective of Citizenship.

MODULE-II: Indian Constitutional provisions on Right of Citizenship [Constitution of India Part II, Articles 5-11]

MODULE-III: Fundamental Rights and Duties of Citizen of India [Relation between Part III & IV-A of Constitution of India]

MODULE-IV: Constitutional and Fundamental Rights and duties of the non- citizens.

MODULE-V: The Citizenship Act, 1955; The Citizenship Rules, 2009

MODULE-VI: The Passport Act, 1967; The Passport Rules, 1980; The Passport (Entry into India) Act, 1920; The Passport (Entry into India) Rules, 1950

MODULE-VII: The Foreigners Act, 1946; The Registration of Foreigners Rules, 1992

MODULE-VIII: Comparative study of Immigration laws of USA, UK, Canada, Australia and India.

******Students are expected to read current case laws. Only the current enactments and enactments as amended upto date will be taught. All books are to be read in current edition.**

RECOMMENDED READINGS

****** All books are to be read in current edition.**

1. V. K. Dewan - Law of Citizenship, Orient Law House
2. RathinBandyopadhyay - Human Rights of the Non-Citizens: Law and Reality
3. P. M. Bakshi - Constitution of India
4. M. P. Jain - Indian Constitutional Law, Vol. I&II
5. H. M. Seervai - Indian Constitution
6. V.R. Krishna Iyer - Human Rights in India [Yesterday, Today& Tomorrow]

7. PalakBasu, J. - Human Rights
8. Dr.Guruban Singh – Law of Foreigners, Citizenship and Passports in India

POLITICAL SCIENCE- VI

Subject Code-DC-604

Marks-100 Credit: 04

OBJECTIVE OF THE COURSE: This module of political science will introduce the students into regional political developments. SAARC is the region to which India belongs. Political situation of each country have an impact upon its neighbours. This module will help the students to understand them.

POLITICS IN NEIGHBOURING COUNTRIES

MODULE-I: Bangladesh-

- a. Structure of Government: Legislature, Executive and Judiciary.
- b. Party System.
- c. Areas of Conflict
- d. Relationship with India.

MODULE-II: Pakistan

- b. Structure of Government: Legislature, Executive and Judiciary.
- c. Party System.
- d. Areas of Conflict
- e. Relationship with India.

MODULE-III: Sri Lanka

- a. Structure of Government: Legislature, Executive and Judiciary.
- b. Party System.
- c. Areas of Conflict
- d. Relationship with India

MODULE-IV: Nepal

- a. Structure of Government: Legislature, Executive and Judiciary.
- b. Party System.
- c. Areas of Conflict
- d. Relationship with India.

MODULE-V: Bhutan

- a. Structure of Government: Legislature, Executive and Judiciary.
- b. Party System
- c. Areas of Conflict
- d. Relationship with India.

RECOMMENDED READINGS

**** All books are to be read in current edition.

1. M. K. Raha, I. A. Khan (eds.) - Polity, Political Process and Social Control in South Asia
2. Urmila Phadnis - Ethnicity and Nation Building in South Asia
3. Paramanada - Political Developments in South Asia
4. Kamal Uddin Ahmed - Bangladesh and its Neighbors
5. Rajiva Wijesinha - Current Crisis in Sri Lanka
6. Resmi Sharma forwarded by R. N. Paul - Encyclopaedia of SAARC and Member Countries
7. Verinder Grover (ed.) - Encyclopedia of SAARC Nation (7 Volumes)

SERVICE LEARNING UNDER MOTOR VEHICLES ACT, 1988

(Ability Enhancement Course)

Subject Code-AEC-605

Marks-100 Credit: 04

Part A- (Students are expected to know the following)

1. Introduction to Motor Vehicles Act in India
 - a. Motor Vehicles Act, 1988
 - b. The Central Motor Vehicles Rules, 1989
 - c. Motor Vehicles Amendment Bill, 2017
2. Drafting of Complaint under the Motor Vehicles Act, 1988
3. Liabilities under the M.V. Act, 1988
 - a. No fault liability under section 140.
 - b. Liability under section 163 A
 - c. Liability under 166
4. Analysis of legal issues arising out of Motor Accident Claim Cases

Part B- (Students are expected to do the following exercises for evaluation)

Students are expected to maintain a diary reporting 5 cases (of 20 marks each), to be observed in Motor Accidental Claims Tribunal during their visit.

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 Xth Semester

along with Moot Court Exercise and Internship Practical Paper. The internship should be in the following Institutions or Organisations:

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

I. COMPETITION LAW (ELECTIVE COURSE)

Subject Code-EC-606

Marks-100 Credit: 04

OBJECTIVE OF THE COURSE: There are some rules of market and one important rule is fair competition and avoidance of monopoly. This module offers an insight into the law that regulates competition.

MODULE –I: HISTORY AND DEVELOPMENT OF COMPETITION LAW

Evolution and Development of Competition law/Anti – Trust Law ; An Overview of Legal framework in USA ,UK and EC Competition Law; History and Development of Competition Law in India; Constitutional aspect of elimination of concentration of wealth and distribution of resources(Article 39 (a) and (b); Sachar Committee; Relevance of MRTP Act,1969;Failure of MRTP Act; Raghavan Committee Report and enactment of Competition Act,2002 ;Difference between MRTP Act and Competition Act,2002 ;Salient features of Competition Act,2002; Important Definitions under the Competition Act,2002

MODULE - II: ANTI – COMPETITIVE AGREEMENT

Anti -Competitive Agreements under the Competition Act,2002-Horizontal and Vertical Agreement, Rule of *per se* and Rule of Reason; Determination of Relevant Market; Adverse Effect on Competition (AEEC) in India; Exemptions, Penalties; Prohibition of Anti-Competitive Agreements/Cartels in EU ,UK and US Laws

MODULE - V: REGULATION OF ABUSE OF DOMINANT POSITION

Dominance in Relevant Market; Abusive conducts under the Competition Act,2002;Regulation of Abuse; Penalties; Prevention of Abuse of Dominance under EU,UK and US Laws

MODULE - VI: REGULATION OF COMBINATIONS

Combinations, Mergers, Acquisition, Amalgamation and Takeover; Horizontal, Vertical and Conglomerate Mergers; Regulation of Combination under Competition Act,2002;Penalties;Regulation of Combinations under EU,UK and US Laws

MODULE - VII: ENFORCEMENT MECHANISM

Enforcement Mechanism under Competition Act,2002;Establishment and Composition of Competition Commission of India ;Duties, Powers and Functions of Competition Commission of India; Adjudication and Appeals; Competition Appellate Tribunal (CompAT);Director General of Investigation (DGI) ;Enforcement Mechanism under the EU,UK and US Laws

MODULE – VIII: COMPETITION ADVOCACY

Competition Advocacy in India and other foreign Jurisdictions

******Students are expected to read current case laws. Only the current enactments and enactments as amended upto date will be taught. All books are to be read in current edition.**

RECOMMENDED READINGS

****** All books are to be read in current edition.**

1. Jonathan Foull& Ali Nickpay - The E.C. Law of Competition
2. VinodDhall (ed.) - Competition Law Today[Concepts, Issues and the Law in Practice]
3. T. Ramappa - Competition Law in India[Policies, Issues and Developments]
4. K.S.Anantharaman - Company Law and The Competition Act
5. D.P.Mittal - Taxmann’s Competition Law and Practice

II. RIGHT TO INFORMATION (ELECTIVE COURSE)

Subject Code-EC-607

Marks-100 Credit: 04

OBJECTIVE OF THE COURSE: Information is the basic tool for exercise of any right and to ensure good governance. In this module the students are introduced to the law that ensuring the right to information.

MODULE-I: Emerging trends of The Right to Know and Right to Privacy under Part – III of the Indian Constitution.

MODULE-II: Right to Information and good governance

MODULE-III: Right to Information Act: Definitions- Central Information Commission, Central Public Information Officer, Chief Information Commissioner, Competent Authority, Information, Public Authority, Record, Right to Information, State Information Commissioner, State Chief Information Commissioner, State Public Information Officer and Third Party (Sec 2)

MODULE-IV: Right to Information and Obligation of Public Authorities (sec 3-11)

MODULE-V: The Central Information Commission (Sec 12-13)

MODULE-VI: The State Information Commission (Sec 14-16)

MODULE-VII: Powers and Functions of the Information Commissioner, Appeals and Penalties (Sec- 17-20)

MODULE-VIII: Miscellaneous (Sec.21-31)

******Students are expected to read current case laws. Only the current enactments and enactments as amended upto date will be taught. All books are to be read in current edition.**

RECOMMENDED READINGS

****** All books are to be read in current edition.**

1. D.D. Basu - Constitution of India
2. Jain M.P.Jain - Indian Constitutional Law
3. H.M.Seervai - Constitution of India
4. Krishna Pal Malik - Right to Information and Protection to Whistleblowers
5. Versha and Jyoti - Right to Information

SEMESTER VII

LAW OF CIVIL PROCEDURE AND LIMITATION

Subject Code-DC-701

Marks-100 Credit: 04

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

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 Judgment

MODULE-VI: Place of Suing

MODULE-VII: Institution of Suits, Parties to Suits, Frame of Suit, Suits in Particular Cases (By or against governments or Public Officers; Substantial question of Law; By or against Corporations; By or against Firms; By or against Trustees, executors and administrators; By or against Minors and Lunatics; Matters concerning family; By Indigent Persons; Mortgages; Interpleader Suits)

MODULE-VIII: Issue and Service of Summons

MODULE-IX: Pleadings

MODULE-X: Complaint and Written Statement

MODULE-XI: Set-off and Counter-Claim

MODULE-XII: Discovery and Inspection

MODULE-XIII: Production, Impounding and Return of Documents

MODULE-XIV: Interim Orders:-Commissions, Arrest before judgment, Attachment before judgment, 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: Judgment 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

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

RECOMMENDED READINGS

****** All books are to be read in current edition.**

1. C.K.Thakker (Takwani)-Civil Procedure Code
2. Mulla- Civil Procedure Code
3. Sarkar- Code of Civil Procedure Code (2 Volumes)
4. Ganguly-Civil Court Practice and Procedure
5. Nandi- 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 & INDUSTRIAL LAW – I

Subject Code-DC-702

Marks-100 Credit: 04

OBJECTIVE OF THE COURSE: Economy of a country is dependent on its industry and agriculture. One of the most important factors of both agricultural and industrial production is labour. In this module the students will be introduced to these factors.

MODULE-I: Industrial Disputes Act, 1947

Object and Reason; Definitions; Authorities under the Act; Strike; Lock- out; Public utility service; Lay off; Retrenchment and Closure in certain Establishments; Unfair Labour Practice.

MODULE-II: Employee's Compensation Act, 1923

Object and Reason; Definitions; Employer's liability for compensation; Determination of quantum of compensation; Distribution of compensation; Indemnity and benefits of employers.

MODULE-III: Factories Act, 1948

Object and Reason; Definitions; Health-Safety and Welfare measures; Employment of young person's; Working hours of adult.

MODULE- IV: Maternity Benefit Act, 1961

Object and Reason; Definitions; Right to payment of Maternity Benefit; Payment of Maternity Benefit in certain cases; Maximum period of entitlement; Prohibition of pregnant employment; Benefit in certain cases; Payment in case of death; Leave-miscarriage; Dismissal during absence due to pregnancy; Inspector – Penalties.

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

RECOMMENDED READINGS

****** All books are to be read in current edition.**

9. K.D Srivastava- The Industrial Disputes Act.
10. S.N. Mishra- Labour and Industrial Laws
11. Indian Law Institute- Labour Law and Labour Relations
12. O.P. Mishra- The Law of Industrial Disputes
13. V.V. Giri- Labour Problems in Indian Industry
14. S.C. Srivastava- Social Security and Labour Laws
15. S.K. Puri- Labour and Industrial Law
16. R. Dayal - Labour and Industrial Law

COMPANY LAW

Subject Code-DC-703

Marks-100 Credit: 04

OBJECTIVE OF THE COURSE: Company is legal person who is as important for a nation as an individual is. This module talks about formation and managing a company.

MODULE-I: Formation of Companies

- A. Promoting
- B. Memorandum of Association
- C. Articles of Association
- D. Registration

MODULE-II: Kinds of Companies and the process of their transformation from one kind to another

MODULE-III: Advantages and Disadvantages of Incorporation

MODULE-IV: Prospectus

MODULE-V: Shares and related matters

MODULE-VI: Debentures and related matters

MODULE-VII: Company and its organs:-their power, function, duty and interrelationship

MODULE-VIII: FOSS v. HARBOTTLE rule and its exceptions

MODULE-IX: Merger and Demerger

MODULE-X: Winding Up (by court and voluntary)

MODULE-XI: Company Law Board and National Company Law Tribunal

MODULE-XII: Brief Over View of SEBI Guidelines

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

RECOMMENDED READINGS

****** All books are to be read in current edition.**

1. Avtar Singh -Company Law
2. A. Ramaiya - Guide to the Companies Act
3. Paul.L Davis - Gower's Principles of Modern Company Law
4. N.K. Jain - Company Law
5. M.C. Bhandari - Guide to Company Law Procedures
6. A. Michel Hitt - Merger and Acquisitions

LEGAL AID IN SURROUNDING VILLAGES

(Ability Enhancement Course)

Subject Code-AEC-704

Marks-100

Credit: 04

Part A- (Students are expected to know the following)

1. Introduction of Legal Aid Service
 - a) Legal Services Authorities Act, 1987
 - b) Fundamental Right to free legal aid
2. Legal Services Authorities under the Act
 - a) Legal Services Authorities
 - b) Legal Aid Service, West Bengal (LASWEB)
3. Client Counselling
 - a) Training regarding client counselling/ Interviewing technique
 - b) Intra Class Client Counselling competition
 - c) Inter Class Client Counselling competition
4. Organisation of Legal Aid camps in consultation with the Centre for Clinical Legal Aid, Department of Law, University of North Bengal

Part B- (Students are expected to do the following exercises for evaluation)

1. Visiting schools for awareness of legal service (any two schools) [2x25=50]
2. Survey in villages awareness camp- [2x25=50]
 - a) Sanitation

- b) Maternal mortality
- c) Health
- d) Education
- e) Banking
- f) Legal
- g) Family related issues

**PROFESSIONAL ETHICS AND PROFESSIONAL ACCOUNTING SYSTEM
(PRACTICAL-I)**

Subject Code-SEC -705

Marks-100 Credit: 04

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.
[Written submissions +Viva voce: 90+10 marks]

MODULE I: History of Legal Profession in India

This module contains the study of legal profession in India in ancient, medieval and especially the changes which the profession underwent during British rule and other related aspects essential to understand the history of legal profession in India.

MODULE II: Professional Ethics and Duties of Lawyers

This module includes issues like need and necessity of ethics in the legal profession, relevant theories explaining its value and relevance in legal profession. In addition, duties of lawyers towards his clients, court, public, his fellow attorneys, self, society, etc., will also be undertaken for discussion. Indian code of ethics will be discussed in comparison with that of American Code. The module will also include role played by a lawyer in the administration of justice and advocate's duty towards legal reform and duty to provide legal aid etc.

MODULE III: Advocates Act, 1961

This module covers the Advocates Act, 1961 and relevant provisions of The Bar Council of India Rules.

MODULE IV: Rights and Limitations of such Rights

The core contents of this module are right to practice, right to argue his case, right over his professional fees. Decisions of courts on Advocate's right to strike will be subject of deliberation. Conflicts of interests, Lawyer's versus client's interests and limitations of the rights of lawyers including restrictions on advertising, bar from carrying on other professions, etc. will also be taken up for discussion.

MODULE V: Liability for Deficiency in Service and other Wrongs Committed by Lawyers

This module includes essential skills of a lawyer, case laws and relevant enactments like consumer Protection Act, 1986; the contempt of Court Act, 1971 etc. which imposes liability upon an advocate for the wrongs he commits in the course of his professional service.

MODULE VI: Impact of Globalization on Legal Services in India

The following important topics will be taken up for class discussion during the course:
Impact of Globalization on legal profession, Legal outsourcing in India, Role of advocate in providing legal aid services, Advocate's role in outside court/informal settlement of disputes and age bar and entry into practice.

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

RECOMMENDED READINGS

****** All books are to be read in current edition.**

1. RajuRamachandran - Professional Ethics: Changing Profession and Changing Ethics
2. P.B. Mukharji - Professional Ethics of the Advocate
3. P. RamanathaAiyer - Legal & Professional Ethics- Legal Ethics, Duties & Privileges of Lawyer
4. Justice V.R. Krishna Iyer - Law, Lawyers and Justice
5. Stephen Gillers - Regulation of Lawyers: Problems of Law & Ethics
6. Ross Grauston (ed.), Legal Ethics & Professional Responsibility
7. Gary Bellow & Bea Moulton -The Lawyering Process: Ethics and Professional Responsibility
8. D.V. SubbaRao, SarjivaRao 's -The Advocates Act, 1961
9. Nicolson and Webb - Professional Legal Ethics
10. S.C. Sarkar - Hints on Modern Advocacy, Cross-Examination and Professional Ethics

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 Xth Semester along with Moot Court Exercise and Internship Practical Paper. The internship should be in the following Institutions or Organisations:

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

I. CORPORATE GOVERNANCE

Subject Code-EC-706

Marks-100 Credit: 04

OBJECTIVE OF THE COURSE: Corporate world is a capital-technology intensive organisation and it tends to get alienated from the society. This module demonstrates that the law ensures that such alienation does not take place.

MODULE-I: Corporate governance- concept, features, objective and principles

MODULE-II: Corporate governance under The Companies Act; Impact of Legal Traditions and the Rule of Law on Corporate Governance; Legal Reforms of Corporate Governance in India

MODULE-III: Board of Directors-Functions, Appointments, Removal-Structure and functions

MODULE-IV: Share Holder's Decision making

MODULE-V: Director's Duties-Enforcement of Director's Duties

MODULE- VI: Breach of Corporate Duties –Administrative Remedies

MODULE-VII: Controlling Members' Voting

MODULE-VIII: Unfair Prejudice

MODULE- IX: Corporate Governance under SEBI

MODULE-X: Corporate Social and Environmental Responsibility

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

RECOMMENDED READING:

****** All books are to be read in current edition.**

1. Gower & Davies- Principles of Modern Company Law, Sweet & Maxwell
2. Adrian Cadbury- Corporate Governance and Chairmanship, Oxford University Press
3. Avtar Singh- Company Law, Eastern Book Co.
4. Baily & Groves- Corporate Insolvency
5. Bharat- Corporate Laws

II. PRIVATE INTERNATIONAL LAW

Subject Code-EC-707

Marks-100 Credit: 04

OBJECTIVE OF THE COURSE: When two persons from different countries and enter into relationships, the law of their respective legal systems conflict. Private International Law tries to evolve ways to reconcile the same.

MODULE-I: Subject matter, Nature and Basis of Private International law

MODULE-II: Historical Development and Theories

MODULE-III: Relationship of Private International Law and Municipal Law

MODULE-IV: Characterization

MODULE-V: Renvoi

MODULE-VI: Jurisdiction, Application & Exclusion of Foreign Law- Foreign Judgment

MODULE-VII: Nationality & Domicile

MODULE-VIII: Law of Family

Marriage, Matrimonial Causes, Legitimacy and Legitimation, Adoption, Guardianship, Custody

MODULE-IX: Law of Persons

Corporations

MODULE-X: Property:

Characterisation-Immovable Property, Tangible & Intangible Movables, Insolvency, Succession

MODULE-XI: Law of Obligations

Contracts-Torts

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

RECOMMENDED READINGS

****** All books are to be read in current edition.**

1. ParasDiwan - Law of Private International Law
2. Cheshire &North - Private International Law

SEMESTER VIII

LAW OF EVIDENCE

Subject Code-DC-801

Marks-100 Credit: 04

OBJECTIVE OF THE COURSE: The students are by now familiar with the procedures but trial is incomplete unless proper evidence is adduced and appreciated. This module will introduce the students to the world of evidence.

MODULE-I: Nature, Functions, Object and History of the Law of Evidence. Salient features, Application and Non-application of the Indian Evidence Act, 1872.

MODULE-II: Definitions-Section 3 and 4

MODULE-III: Relevancy of Facts (Sections 5 to 55)

- (a) Evidence of Facts in Issue and Relevant fact-Section 5
- (b) Doctrine of Res gestae-Section 6
- (c) Occasion, Cause or Effects of facts in issue-Section 7
- (d) Motive, Preparation and Conduct-Section 8
- (e) Introductory or Explanatory Facts-Section 9
- (f) Conspiracy-Section 10
- (g) Inconsistent Facts-Section 11
- (h) Damages-Section 12
- (i) Right or Custom-Section 13
- (j) State of mind, Body or Bodily feeling-Section 14
- (k) Accidental or Intentional acts-Section 15
- (l) Existence of Course of Business-Section 16
- (m) Admission and Confession-Section 17 to 31
- (n) Statements by persons who cannot be called as witnesses-Section 32
- (o) Statements made under Special Circumstances-Section 33 to 38
- (p) Extent of proving a Statement-Section 39
- (q) Relevancy of Judgments-Sections 40 to 44
- (r) Opinion of third persons-Sections 45 to 51
- (s) Relevancy of Character-Section 52 to 55

MODULE-IV: On Proof (Sections 56 to 100)

- (a) Facts which need not be proved-Sections 56 to 58
- (b) Oral evidence-Sections 59 to 60
- (c) Documentary Evidence-Sections 61 to 73
- (d) Public and Private Documents-Sections 74 to 78
- (e) Presumptions as to Documents-Sections 79 to 90A
- (f) Exclusion of Oral by Documentary Evidence-Sections 91 to 100

MODULE-V: Production and Effect of Evidence (Sections 101 to 167)

- (a) Burden of Proof-Sections 101 to 114-A
- (b) Estoppel-Sections 115 to 117
- (c) Witnesses-Sections 118 to 134
- (d) Examination of Witnesses-Section 135 to 166
- (e) Improper Admission and Rejection of Evidence-Section 167

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

RECOMMENDED READINGS

****** All books are to be read in current edition.**

- 1. Batuklal- The Law of Evidence
- 2. Avtar Singh-Principles of the Law of Evidence
- 3. M.Monir-Textbook on the Law of Evidence
- 4. Vepa P. Sarathi-Law of Evidence
- 5. Ratanlal and Dhirajlal-Law of Evidence
- 6. Sarkar's Law of Evidence(2 Volumes)
- 7. Field-Law of Evidence (5 Volumes)
- 8. N.D.Basu-Law of Evidence
- 9. Woodroff and Ameer Ali-Law of Evidence

HUMAN RIGHTS

Subject Code-DC-802

Marks-100 Credit: 04

OBJECTIVE OF THE COURSE: Human rights are a set of rights which go beyond the realm of formally conferred rights. These rights defy definition and have to be understood in context. This module deals with such rights.

- 1. Origin and development of Human Rights
- 2. Enumeration and classification of Human Rights
- 3. Civil and Political Rights; International Instruments: Part III of the Constitution of India
- 4. Social and Economic Rights: International Instruments: Part IV of the Constitution of India
- 5. Human Rights and Vulnerable Groups
 - a) Prisoners b) Child c) Migrant Workers d) Disabled Persons e) Minorities f) Women
 - g) Older persons h) Indigenous persons
- 6. Collective Rights
 - a) Right to development
 - b) Right to self determination
 - c) Right to clean environment

7. Human Right Commissions in India, Role of NHRC, Enforcement of Human Rights – National Mechanism, The Protection of Human Rights Act, 1993

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

RECOMMENDED READINGS

****** All books are to be read in current edition.**

1. H.O. Agarwal - Human Rights and International Law
2. S.K.Avesti and R.P. Kataria - Law Relating to Human Rights
3. S.K. Verma – Public International Law
4. Nirmal, C.J. (ed.) - Human Rights in India
5. Dr. U.Chandra - Human Rights
6. Dr. A. N. Sen- Human Rights

LAND LAWS INCLUDING TENURE AND TENANCY SYSTEM

Subject Code-DC-803

Marks-100 Credit: 04

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.

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, 1955

1. Definitions. (Section 2)
2. Raiyats: Various rights; restrictions on rights (Sections 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 (Sections 14A- 14I)
8. Ceiling on Holding (Sections 14J- 14Z)
9. Bargadars (Sections 15- 21E)
10. Principles of Distribution of Land (Sections 49- 49A)

MODULE-IV: THE RIGHT TO FAIR COMPENSATION AND TRANSPARANCY IN LAND ACQUISITION, REHABILITATION AND RESETTLEMENT ACT, 2013

1. Definitions (section 3)
2. Determination of social and public purpose (section 4-10)

3. Notification and acquisition (section 11-30)
4. Rehabilitation and resettlement award (section 31- 42)
5. Procedure and manner of rehabilitation and resettlement (section 43-47)
6. National monitoring committee for rehabilitation and resettlement (section 48-50)
7. Establishment of land acquisition, rehabilitation and resettlement authority (section 51-74)
8. Apportionment of compensation (section 75-76)
9. Payment (section 77-80)
10. Temporary occupation of land (section 81-83)
11. Offences and penalties(section 84- 90)

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

1. Definitions (Section 2)
2. Eviction: (Sections 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 amended upto date will be taught.**

RECOMMENDED READINGS

****** All books are to be read in current edition.**

1. M.R. Mallick - The West Bengal Land Reforms Act, 1955
2. Amal Das - The West Bengal Land Reforms Act, 1955
3. A.N. Saha - The West Bengal Land Reforms Act, 1955
4. S.P. Sengupta - The West Bengal Premises Tenancy Act, 1997
5. D.P. Chatterjee - The West Bengal Land Reforms Act, 1955
6. SusantaSen - The West Bengal Premises Tenancy Act, 1997
7. Ashutosh Mukherjee - The West Bengal Premises Tenancy Act, 1956
8. A.N. Saha - The West Bengal Premises Tenancy Act
9. N.K. Roy - The West Bengal Land Reforms Act, 1955

**HUMAN RIGHTS IN SCHOOLS AND ENVIRONMENTAL PROTECTION
ORIENTATION**

(Ability Enhancement Course)

Subject Code-AEC -804

Marks-100 Credit: 04

Part A- (Students are expected to know the following)

1. Foundational Aspects
 - a) Meaning and Concept of Human Rights
 - b) Notion and Classification of Rights : Natural, Moral and Legal Rights
 - c) Three Generations of Human Rights (Civil and Political Rights; Economic, Social and Cultural Rights; Collective/Solidarity Rights)
2. Human Rights Commission
 - a) Registration of complaint in case of Human Rights Violation
 - b) National Human Rights Commission
 - c) State Human Rights Commission.
3. Study of case laws
 - a) National Human Rights Commission
 - b) State Human Rights Commission

Part B- (Students are expected to do the following exercises for evaluation)

1. Visiting two schools for awareness of Human Rights and various Human Rights Commission [2x25=50 Marks]
2. Reporting five cases of Environment Pollution [5x10=50 Marks]

**ALTERNATIVE DISPUTE RESOLUTION
(PRACTICAL-II)**

Subject Code-SEC-805

Marks-100 Credit: 04

OBJECTIVE OF THE COURSE: The formal dispute resolution system is too overburdened. Further the formal system is not very accessible to the poor man. So an alternative dispute resolution system has been evolved. The students will be exposed to this process in this module.

MODULE-I: Negotiation Skills to be learnt through simulated Programme and case studies.

MODULE-II: Conciliation Skills to be learnt through simulated Programme and case studies.

MODULE-III: Arbitration Law and Practice including International Arbitration and Arbitration Rules

[Written submissions: Marks-90 and 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 Xth Semester along with Moot Court Practical. The internship should be in the following Institutions or Organisations:

4. NGO
5. Trial and Appellate Advocates [compulsory]
6. Judiciary
7. Legal Regulatory Authorities
8. Legislatures and Parliament
9. Market Institutions
10. Law Firms
11. Companies
12. Local Self-government
13. Other Legal Functionaries
14. Any other body approved by the University

I. INSURANCE LAW

(ELECTIVE COURSE)

Subject Code-EC-806

Marks-100 Credit: 04

OBJECTIVE OF THE COURSE: There are risks at every walk of life. Sometimes it is difficult to pay up and more difficult to receive payment. Insurance is a good method of overcome the difficulties relating to risk. This law introduces the students to the intricacies of insurance.

Module – I: History and Growth of Insurance Business in India; Definition of Insurance; Insurance Contract-A Contract of Indemnity or Contingent Contract; Wager and Insurance; Insurance and torts; Principle of Utmost good faith

Module – II: Kinds of Insurance; General Principle of Insurance- Insurable interest, Premium, Risk, Doctrine of Subrogation and Contribution; Rights and Liabilities of Insurer and Insured person; Life Insurance Contract – Nature and Scope; Establishment and Functioning of LIC

Module – III: Nature and scope of Marine Insurance; Different kinds of marine policies; Voyage –Deviation; The perils of the sea; Implied warranties in marine insurance contract; Assignment of Marine

Module –IV: Nature of Fire Insurance Contract; Meaning of the word ‘fire’ – Scope of Fire Policy; Principle of Reinstatement; Double insurance and reinsurance; Doctrine of Approximation

Module – V: Purpose of compulsory insurance- Motor Vehicle Insurance and Rights of third parties; Burglary Insurance; Adjudicating Authorities of Insurance Claims; Powers and Functions of the Insurance Regulatory and Development Authority

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

RECOMMENDED READINGS

****** All books are to be read in current edition.**

1. The Insurance Act, 1938 – Bare Act
2. M.N. Srinivasan - Principles of Insurance Law
3. Avatar Singh - Law of Insurance
4. K.S.N. Murthy and KVS. Sharma - Modern Law of Insurance in India
5. Haring and Eveyanly - General Principles of Insurance
6. Michael Parkington - Insurance Law
7. Brij Nandan Singh - Insurance Law
8. B.C. Mishra - The Law relating to Marine Insurance
9. J.V.N. Jaiswal - Law of Insurance
10. John Birds - Modern Insurance Law

II. BANKING LAW (ELECTIVE COURSE)

Subject Code-EC-807

Marks-100 Credit: 04

OBJECTIVE OF THE COURSE: Almost every person has an account in the Bank or aspires to have an account in the bank. It is also the supplier of one of the important factors of production viz. Capital. The bank therefore must be regulated, controlled and monitored to protect it from abuse as well as prevent its abuse. Banking law intends to throw light upon this.

MODULE-I: Evolution of Banking Institutions

MODULE-II: Functions of Commercial Banks and services rendered by them: Agency services-General Utility Services-Overseas Trading Services-Information and other Services

MODULE-III: General Structure and methods of commercial banking: Principles of Commercial Banking-Employment of funds by commercial Banks-Earning Assets-Self Liquidating Paper Theory-Anticipated Income Theory

MODULE-IV: Mechanisms of Credit Creation

MODULE-V: Systems of Banking: Group Banking and Chain Banking-Unit Banking and Branch Banking-Joint Stock Banking-Commercial Banks and Industrial Finance-Merchant Banking-Exchange Bank-Indigenous Banks and money lending-Cooperative Banks-Land Development Banks

MODULE-VI: Indian Banking: Reserve Bank of India-State Bank of India

MODULE-VII: Practical Banking: Banker and customer-Accounts of Customer-Cheques& promissory notes-Pass Books-Paying Banker- Collecting Banker

MODULE-VIII: Money Market-Foreign Exchange

MODULE-IX: Guarantees

MODULE-X: Banking Legislation and Reforms-Banking Companies [Acquisitions and Transfer of Undertakings] Act,1980 -Banking Laws (Miscellaneous Provisions) Act- Banking Regulation Act, 1949-Reserve Bank of India Act,1934

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

RECOMMENDED READINGS

****** All books are to be read in current edition.**

1. K.C.Shekhar&LekshmiShekhar - Banking Theory and Practice
2. Ross Cranston - Principles of Banking Law
3. Vijay Malik - Law relating to Banking and Financial Institutions
4. Mark Hapgood - Paget's Law of Banking
5. KaturiNageswaraRao (ed.) - Banking: New Challenges
6. R.K. Bangia - Negotiable Instrument Act, 1881.

SEMESTER IX

PUBLIC INTERNATIONAL LAW

Subject Code-DC-901

Marks-100 Credit: 04

OBJECTIVE OF THE COURSE: The students have so far studied the domestic law and have also been exposed to the fact that neither an individual nor a nation can survive in isolation. The students have learnt of international relations from the point of view of political science. This module will discuss the same from the legal point of view.

1. Definition , nature and basis of International Law
2. Sources: Treaties, Customs, General Principles, United Nations General Assembly Resolution, Secondary sources of International Law
3. Relationship of International Law and Municipal Law
4. Individuals as Subjects of International Law
5. States- basic principles, kinds and jurisdiction
6. Recognition

7. Nationality
8. Asylum and Extradition
9. Peaceful Settlement of Disputes
10. Neutrality
11. Law of the Sea- Continental Shelf, Exclusive Economic Zone, International Sea Bed Authority: Its Functions and Powers; Piracy

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

RECOMMENDED READINGS

****** All books are to be read in current edition.**

1. H.O. Agarwal - Human Rights and International Law
2. S.K. Kapoor - International Law
3. PalakBasu - Law Relating to Protection of Human Rights
4. M.P. Tandon and Dr. V.K. Anand - International Law and Human Rights
5. Dr. S. Subramanian - Human Rights: International Challenges

HUMANITARIAN AND REFUGEE LAW

Subject Code-DC-901

Marks-100 Credit: 04

OBJECTIVE OF THE COURSE: It is said that humanitarianism is the highest and the best philosophy of life. Nonetheless a legal frame work regulates the sphere of humanitarianism. This module intends to discuss the legal framework governing the sphere of humanitarianism.

PART 1: INTERNATIONAL HUMANITARIAN LAW

MODULE I: INTRODUCTION TO INTERNATIONAL HUMANITARIAN LAW: Evolution and Historical Development of International law; Sources of International Humanitarian Law; Relationship of International Humanitarian Law and Human Rights Law

MODULE II : INTERNATIONAL LEGAL FRAMEWORK: The Hague Conventions; The Geneva Conventions and Additional Protocols; Role of the International Red Cross and Red Crescent Movement – ICRC; IFRC and National Societies

MODULE III: PROTECTION OF CULTURAL PROPERTIES

MODULE IV: CONTROL OF WEAPONS: Conventional, Chemical, Biological and Nuclear

MODULE V: IMPLEMENTATION OF INTERNATIONAL HUMANITARIAN LAW:
Role of International Criminal Court and ICRC

MODULE VI: APPLICATION OF INTERNATIONAL HUMANITARIAN LAW IN INDIA: The Geneva Convention Act, 1960; the Role of ICRC and the Indian Red Cross Society

PART 2: INTERNATIONAL REFUGEE LAW

MODULE I: INTRODUCTION OF INTERNATIONAL REFUGEE LAW: Origin and Development of International Refugee Law; Sources of International Humanitarian Law; Definition and Legal Status of Refugees and Internally Displaced Persons

MODULE II: INTERNATIONAL LEGAL FRAMEWORK FOR REFUGEE PROTECTION: U.N. Relief and Rehabilitation Administration; Role of UNHCR and other International Refugee Organisations

MODULE III: REFUGEE PROTECTION IN INDIA: Legal Status of Refugees under the Constitution of India; Protection under National Laws – The Foreigners Act, 1946; The Passport Act, 1967 and other allied laws

MODULE IV: STRATEGIES TO COMBAT REFUGEE PROBLEM: Repatriation, Resettlement, Local Integration and Rehabilitation

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

RECOMMENDED READINGS

****** All books are to be read in current edition.**

1. B. S. Chimni - International Refugee Law
2. Jean Yves Calier - Who is a Refugee: A Comparative Case Law Study
3. M. K. Balachandran, Rose Verghese - Introduction to International Humanitarian Law
4. Guy S. Goodwin-Gill - The Refugee in International Law
5. Rathin Bandyopadhyay - Human Rights of the Non-Citizen: Law and Reality
6. Veral Gowlland - The Problem of Refugees in the Light of Contemporary International Law Issues, Debbas

INTELLECTUAL PROPERTY LAW

Subject Code-DC-902

Marks-100 Credit: 04

OBJECTIVE OF THE COURSE: Creativity is a natural virtue of human being that must be protected and preserved and for which the credit should always go to the creator. The realm of intellectual property ensures that this happens.

MODULE-I: GENERAL PRINCIPLES

1. Introduction- Nature, Character and Classification of Intellectual Properties.
2. Leading international instruments introducing principles concerning the intellectual property rights- The Paris Union, The Berne Convention, Universal Copyright Convention, The Madrid Agreement on the Registration of Marks, GATT, The UPOV Conventions, TRIPS, TRIMS, WTO,
3. WIPO, UNESCO

MODULE-II: PATENT

Concept of Patent- Process for obtaining Patent- Rights and obligations of a Patentee- Transfer of Patent Rights- Powers, Functions and Jurisdiction of the Controller of Patent- Infringement of Patent Rights and Remedies

MODULE-III: TRADE MARK

Concept of Trade Mark; Registration of Marks; Doctrine of Honest and Concurrent users; Doctrine of Deceptive Similarity; Powers, Functions and Jurisdiction of the Registrar of Trade Mark; Infringement and Remedies

MODULE-IV: COPYRIGHT AND RELATED RIGHTS

Concept of Copyright; Ownership of Copyrights; Assignment of Copyrights; Powers and Functions of the Registrar of Copyrights; Copyright Board; Infringement and Remedies

MODULE-V: THE INFORMATION TECHNOLOGY ACT, 2000

Definitions; Digital Signature: Object and Definite Clause of Access affixing digital signature; Legal recognition: Use of electronic records; Retention and Publication; Attribution; Acknowledgement and Despatch; Controller: Appointment; Powers and Functions; Penalty and Adjudication; Cyber Appellate Tribunal: Composition, Powers, procedures and jurisdiction of offences; Cyber Regulations Advisory Committee

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

RECOMMENDED READINGS

****** All books are to be read in current edition.**

1. William Cornish - Intellectual Property
2. Scott Beattie & Elizabeth Beal - Intellectual Property & Media Law
3. Hector Macqueen Charlotte Wealden, & Graeme Laurie - Text Book on Intellectual Property

**SERVICE LEARNING UNDER THE ENVIRONMENT PROTECTION ACT, AIR,
WATER, FOREST, WILD LIFE; PERSONS WITH DISABILITIES ACT, JUVENILE
JUSTICE ACT
(Ability Enhancement Course)**

Subject Code-AEC-904

Marks-100 Credit: 04

Part A- (Students are expected to know the following)

1. Overview of Environment and Law
 - a) Environment, Nature & Ecosystem
 - b) Origin of Environmental Law
 - c) Need of Environmental Law
2. Introduction to Environmental Law
 - a) Policy
 - b) Act to protect Environment, Air, Water, Forest, Wild life
 - c) Other Major Laws and Environment (IPC, CrPC, Torts)
3. Environment Management
 - a) Meaning of Environment Management
 - b) Air, Water and Land Management
 - c) Forest Management
4. Public Interest Litigation & Protection of Environment
 - a) Meaning and Importance of PIL
 - b) Drafting of PIL related to environmental issues.
5. National Green Tribunal
 - a) Composition of NGT
 - b) Study of cases instituted before the NGT
 - c) Study of cases decided by NGT
6. Legal Rights of Disabled in India
 - a) Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995
 - b) Rights of Persons with Disabilities Act, 2016
 - c) Office of Chief Commissioner for persons with Disabilities
 - d) Registration of complaint in case rights of a disabled is violated
7. Juvenile Justice Act
 - a) Juvenile Justice (Care and Protection of Children) Act, 2015
 - b) Juvenile Justice (Care and Protection of Children) Model Rules, 2016
 - c) Registration of a complaint against a juvenile
 - d) Visit to Juvenile Justice Home 'KOROK' (for the district of Darjeeling, Jalpaiguri & Cooch Behar)
 - e) Juvenile justice and role of police

f) Rehabilitation of juvenile offenders in juvenile homes

Part B- (Students are expected to do the following exercises for evaluation)

1. Report five cases of environmental pollution relating to air, water, forest, noise and waste disposal
2. Preparation of documentation of NGO
 - a) Reporting of violation of rights of disabled
 - b) Reporting of refusal of admission of disabled students
 - c) Disabled friendly infrastructure
3. Reporting of five cases of Juvenile Justice related incidents/offences (Police Stations)

**DRAFTING OF PLEADING AND CONVEYANCING
(PRACTICAL-II)**

Subject Code-SEC-905

Marks-100 Credit: 04

OBJECTIVE OF THE COURSE: Draftsmanship is one compulsory skill for every lawyer. This module is intended to teach drafting to the students.

MODULE-I: DRAFTING: General principles of drafting and relevant substantive rules

MODULE-II: PLEADINGS:

[Marks-45]

1. Meaning and Importance -Functions of Pleadings - Essentials of Pleading- Particulars of Pleading - Striking out pleadings- Signing and verification
2. Pleadings - Applicability of Order 6 CPC in Other Proceedings
3. Necessary Parties and Proper Parties
4. Joinder, Non-joinder and Misjoinder of parties
5. Jurisdiction of the Civil Courts-Pecuniary, Territorial and Subject matter jurisdiction
6. Cause of Action

Civil- Complaint, Written Statements, Affidavit, Execution Petition, Interlocutory application, Original Petition, Memorandum of Appeal and Revision, Petition under Articles 32 & 226 of the Constitution of India, PIL petition, Notice to Government official under Sec.80 of CPC, Temporary Injunction Application

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

Practical exercises-15

3x15

MODULE-III: CONVEYENCE:

[Marks-45]

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

Practical exercises-15

3x15

MODULE-IV: -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 Xth Semester along with Moot Court Practical. 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 University

I. HEALTH LAW

Subject Code-EC-906

Marks-100 Credit: 04

OBJECTIVE OF THE COURSE: Health is not the wealth of an individual alone but also that of the nation. A nation cannot progress without the health of its people and society. In order to give effect to the fundamental right to health the students are taught this module.

MODULE-I: INTRODUCTION

1. Right to Health as emergent from Constitution Parts III & IV
2. National Health Policy

MODULE-II: DUTIES OF EMPLOYER, COMMUNITY AND STATE

Industrial Accidents [e.g. Bhopal Gas Tragedy] - Rail, Air, Eco-disasters [Duties of carriers as well]

MODULE- III ORGANISATION OF PUBLIC/ PRIVATE HEALTH CARE IN INDIA

1. Introduction to Public Health, State Responsibilities for Community Health in a Welfare State, factors affecting Public Health: Sanitation, Waste Management, Water Management, Rural Sanitation, and Causes for ill health in rural India.
2. Medical Negligence
3. Amniocentesis

4. Public Service related situations- Negligence of Private Doctors in Eye Camps etc.
5. Disposal and Surgical Waste- Liability of Public and Private Health Care Units

MODULE- IV: LIABILITY OF MEDICAL PROFESSIONALS

1. Doctor-patient relationship
2. Contracts involving warranty and guarantee
3. Liability of Professional Doctors for Negligence and Ethics
4. Termination of Pregnancy- Legal Issues

MODULE-V: MEDICAL JURISPRUDENCE

1. Medical Evidence- meaning, use, and value
2. Post mortem-examination, Exhumation, Post-mortem report
3. Post mortem, Examination of gunshot wounds, burnt bodies
4. Identification- living persons- dead persons-foetus-age
5. Identification of mode of death-Asphyxiation, Suffocation, Hanging, Strangulation, Poison, Stabbing
6. Identification of Sexual Offences- Rape, Incest, Unnatural sexual offences, Examination of accused, victims, Law relating to sexual offences

MODULE-VI: ACQUIRED IMMUNO DEFICIENCY SYNDROME [AIDS]

Nature and Scope-Issues relating to blood bank-Privacy and public health- Marriage and finding a family-Right to dignified treatment-rights, duties, freedom of HIV/AIDS patients- Education for affected persons and others

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

RECOMMENDED READINGS

****** All books are to be read in current edition.**

1. Jonathan Montgomery - Health Care Law
2. S. V. JogaRao - Current Issues in Criminal Justice and Medical Law
3. GarciusThorman, N. P. Sinha, & Johnson Thorman - AIDS, Social Work and Law
4. NanditaAdlikani - Law and Medicine

II. EQUITY AND TRUSTS (ELECTIVE COURSE)

Subject Code-EC-907

Marks-100 Credit: 04

MODULE I: GENERAL PRINCIPLES OF EQUITY

1. Concept and Definition of Equity
2. Origin and Development
3. The Maxims of Equity
4. The Nature of Equitable Estates and Interests

MODULE II: THE INDIAN TRUSTS ACT, 1882

1. Preliminary - Nature and Definitions
2. Comparison of Trust- Debt, Bailment, Ownership, Agency, Contract, Conditions, Equitable Charge, Administration, Private and Public/Charitable Trusts, Executorship
3. Kinds and Creation of Trusts
4. Rights and Duties of Trustees
5. Disabilities of Trustees
6. Rights and Liabilities of Beneficiaries
7. Vacating the office of Trustee, Extinction of Trusts
8. Obligations in the nature of trusts

RECOMMENDED BOOKS:

1. D.D. Basu- Equity, Trusts and Specific Relief
2. Aquil Ahmad - Law of Equity, Trusts and Specific Relief
3. B.M. Gandhi - Equity, Trusts and Specific Relief
4. M.P. Tandon- The Indian Trust Act
5. S.C. Tripathi- Equity, Mortgages and Trusts
6. SuryanarayananIyer- The Indian Trust Act
7. I.V. Rangacharya- The Indian Trust Act

SEMESTER X

PRINCIPLES OF TAXATION LAW

Subject Code-DC-1001

Marks-100 Credit: 04

OBJECTIVE OF THE COURSE: Taxation is a very important aspect of law and one of the largest contributors to a nation's economy. This module teaches about the law which regulates and controls imposition, avoidance and evasion of tax.

MODULE-I: GENERAL PRINCIPLES OF TAXATION LAWS

1. History and Development of Tax Laws in India
2. Fundamental Principles Relating to Tax Laws
3. Taxing Power and Constitutional Limitations
4. Distinction between: Tax, Fee and Cess
5. Tax Avoidance and Tax Evasion

MODULE-II: BASIC CONCEPTS OF INCOME TAX

1. Income, Previous Year, Assessment Year, Person, Assesse and Total Income
2. Income not included in the Total Income
3. Scope of Total Income
4. Residential Status of Assesse
5. Clubbing of Income

MODULE-III: HEADS OF INCOME

1. Salaries
2. Income from House Property
3. Income from Business or Profession
4. Capital Gains
5. Income from Other Sources

MODULE-IV: Deductions under the Income Tax Act, 1961

MODULE-V: Income Tax Authorities: Power and Functions

MODULE-VI: Filing of Returns and Procedure for Assessment

MODULE-VII: CONSTITUTIONAL ASPECTS OF GST

1. Existing Indirect Taxes vis-a-vis GST
2. Features of the Constitution (101th Amendment) Act, 2016
3. Impact of GST on Centre-State financial relations

Module-VIII: GST LAW IN INDIA

1. GST Model law, 2016- CGST, SGST, IGST
2. GST Council
3. Taxable Event (supply of goods and services); time, place and value of supply; Exemptions; Input Tax Credit; Registration; Payment; Returns; Administration

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

RECOMMENDED READINGS

****** All books are to be read in current edition.**

1. Taxman- Tax Planning and Management
2. N. K. Palkhivala and B. A. Palkhivala- Kanga and Palkhivala's Income Tax Law and Practice
3. V. S. Agarwal - Taxation of Salaries with Tax Planning
4. V. S. Sunderam- Law of Income Tax in India
5. V. P. Gandhi - Some Aspects of Indian Tax Structure: An Economic Analysis
6. H. M. Seervai- Constitutional Law of India
7. D V S Datey- Indirect Taxes Law and Practice
8. Prof N.S. Govindan - Indirect taxes made easy
9. Kanga &Palkhivala - CENVAT Law & Practice

10. SukumarMukhopadhyay - Essays on Indirect Taxation

11. F. V. Nagaragan- Indirect Taxes

Committee Reports/Bills

Kelkar Committee Report on Indirect Tax; Shome Group Recommendations on Tax Reform; Raja Chellaiah Committee on Indirect Tax; 15th Law Commission Report on Tax Courts

PENOLOGY AND VICTIMOLOGY

Subject Code-DC-1002

Marks-100 Credit: 04

Module I

Penology and Theories of Punishment a. Definition of Penology b. Theories of Punishment: Retribution, Utilitarian Prevention Deference, Utilitarian: Intimidation, Behavioural Prevention: Incapacitation, Rehabilitation, Expiation c. Classical Hindu and Islamic approaches to Punishment d. Capital Punishment – Its Constitutionality, Problems related to capital punishment, Judicial attitude in India towards Capital punishment Aninquity through the statute Law and case law. e. Law Reforms Proposals

Module II

Approaches to sentencing a. Alternatives to Imprisonment, Probation b. Corrective labour c. Fine; Collective fines d. Reparation by the offender/by the court

Module III

Sentencing a. Types of sentences – Indian Penal code and Special Laws b. Sentencing in white collar crimes c. Pre-sentence hearing; Summary punishment d. Sentencing for habitual offender e. Plea Bargaining

Module IV

Imprisonment a. Rights of prisoners and duties of custodial staff, deviance by custodial staff b. State of Jails in India today; Disciplinary regime of Indian Prisons c. Classification of Prisoners d. Open Prisons e. Judicial Surveillance, basis, development, reforms

Module V

Victimologya. Victims of Crime b. Compensation to victims under Cr.P.C. and other statues
c. Compensation under Public Law Remedy Select Bibliography S. Chhabra, The Quantum
of Punishment in Criminal Law (1970), H. L.A. Hart, Punishment and Responsibility (1968)
Herbert L. Packer, The Limits of Criminal Sanction (1968) Alt Ross, On Guilt,
Responsibility and Punishment (1975) A. Siddique, Criminology (1984) Eastern, Lucknow.
Law Commission of India, Forty-Second Report Ch. 3 (1971) K.S. Shukia, “Sociology of
Deviant Behaviour” in 3 ICSSR Survey of Sociology and Social Anthropology 1969-179
(1986) Tapas Kumar Banerjee, Background to Indian Criminal Law (1990), R.Campray&
Co., Calcutta

SERVICE LAW

Subject Code-DC-1003

Marks-100 Credit: 04

MODULE-I: HISTORICAL BACKGROUND OF PUBLIC SERVICES AND ITS IMPORTANCE

Civil Service in Colonial India – Origin, Objectives and Commitment

MODULE-II: CONSTITUTIONAL PROVISIONS

Relationship between State and its Servants; Fundamental Rights – Equal Treatment (Art. 14, 16), Reservation of posts (Art. 16(4)], Right to Certain Freedoms (Art. 19, 21, 23); Doctrine of Pleasure and Security of Tenure; Public Service Commission

MODULE-III: REGULATION OF RECRUITMENT AND CONDITIONS/INCIDENTS OF SERVICE

- i. Recruitment: Qualification and Sources of Recruitment, Selections and Appointment, Appointment by Transfer, Absorption
- ii. Promotions: Meaning, Method and Procedure for Promotion, Next below Rule, Retrospective Promotion, Importance of Seniority for Promotion
- iii. Seniority: Seniority for Direct Recruits and Promotions, Principle governing Fixation of Seniority, Procedure for Fixation of seniority
- iv. Remuneration, Pay and Pension: Rules and Types of Pay, Pay Scale, Fixation, Revision of Pay, Equal Pay for Equal work
- v. Termination of Service: Different modes of Termination, Termination by way of Punishment for Misconduct, Termination of Permanent Employees for reasons other than misconduct, Compulsory/Premature Retirement, Superannuation, Voluntary Retirement, Resignation, Abolition of Post
- vi. Social Security Measures: Provident Fund, Superannuation and Retirement Benefits, Maternity Benefit, Employment of children of those dying in harness, Compulsory Insurance

MODULE-IV: SPECIAL CATEGORIES OF SERVICES

Judicial Services: Subordinate Judiciary – Appointment and Conditions of Service; Officers and Servants of the Supreme Court and High Courts; All India Services – Object of Formation, Recruitment, Conditions of Service and Disciplinary Proceedings, West Bengal Public Service Rules

MODULE-V: DISCIPLINARY CONTROL

Suspension – Kinds, Suspension when effective, Duration, Judicial Review; Disciplinary Proceedings – features and elements, Departmental Enquiry

MODULE-VI: REMEDY BEFORE ADMINISTRATIVE TRIBUNALS

Jurisdiction, Scope and Procedure; Merits and Demerits; Exclusion of Jurisdiction of Courts; Judicial Review of Service Matters; Jurisdiction of Supreme Court and High Courts

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

RECOMMENDED READINGS

****** All books are to be read in current edition.**

1. Samaraditya Pal - Law relating to Public Service
2. M. Rama Jois - Services under the State

**EXPERIENTIAL LEARNING AND FIELD WORK
(Ability Enhancement Course)**

Subject Code-AEC-1004

Marks-100 Credit: 04

Students have to compulsorily perform group field work and submit a report of the same.

**MOOT COURT EXERCISE AND INTERNSHIP
(PRACTICAL –IV)**

Subject Code-SEC-1005

Marks-100 Credit: 04

OBJECTIVE OF THE COURSE: Legal study cannot remain confined to the class room alone. This module offers a chance for the students to be exposed to the real world.

MODULE-I: MOOT COURT

[Marks-30]

- Each student will do at least one Moot Court

30x1=30

Prepare Memorial & Argument Presentation

MODULE-II: OBSERVANCE OF TRIALS [Marks-30]

- Civil Trial-1 15
- Criminal Trial-1 15

To be recorded in a diary

**MODULE-III: INTERVIEWING TECHNIQUE,
PRE-TRIAL PREPARATION & INTERNSHIP DIARY**

Marks-30

Observance of interviewing session in Lawyer's office-2 15

To be recorded in a diary.

Preparation of documents and court papers -Recorded in a diary. 15

MODULE-IV: VIVA VOCE ON THE ENTIRE ABOVE MODULE [Marks-10]

NOTE: Students will have to put in four weeks of internship compulsorily in Semesters VI, VIII, 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 Xth Semester along with Moot Court Practical. The internship should be in the following Institutions or Organisations:

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

I. FOREIGN TRADE (ELECTIVE COURSE)

Subject Code-EC-1006

Marks-100 Credit: 04

OBJECTIVE OF THE COURSE: The students are already aware that a nation cannot remain isolated economically. It must have economic relationship with other countries as well. One of the methods of building up that relationship is trade. In this module the students will learn about this.

MODULE I-Concept, History, and Structure of International Economic Law

- 1: The Law of International Economic Relations: Contents and Structure
- 2: Past and Present of the International Economic Order
- 3: The Actors of International Economic Law
- 4: The Legal Sources of International Economic Law

MODULE II- Concept of International Trade Law, Importance and Development of Foreign Trade in India

1. International Trade Law and India's Foreign Trade Policy
2. History of Foreign Trade in India
3. Foreign Direct Investment in India
4. India's New Industrial Policy
5. The Era of Globalisation and India's New Economic Policy 1991

MODULE III- International Economic Law and its Principles

- 1: Basic Principles of the International Economic Order
- 2: Sovereignty and International Economic Relations
- 3: Human Rights and International Economic Relations
- 4: Good Governance-The Internal Structure of States and Global Economic Integration

MODULE IV- World Trade Law and Regional Trade Agreements

1. History and Development of World Trade Law
2. The World Trade Organization
3. The Multilateral and the Plurilateral Agreements on Trade
4. The GATT (All Major Rounds)
5. The General Agreement on Trade in Services (GATS)
6. The Agreement on Trade Related Aspects of Intellectual Property Rights (TRIPS)
7. Dispute Settlement Mechanism in the WTO

MODULE V- World Bank and International Monetary Fund (IMF)

1. History and Development of World Bank and IMF.
2. Organization and Structure of World Bank and IMF
3. Major Achievements of World Bank and IMF
4. Third World Nations and International Economic Institutions.

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

RECOMMENDED READINGS

****** All books are to be read in current edition.**

1. Bernordette Griffin, Law of International Trade
2. Rajaram Ghosh, Foreign Direct Investment

**GENDER JUSTICE AND FEMINIST JURISPRUDENCE
(ELECTIVE COURSE)**

Subject Code-EC-1007

Marks-100 Credit: 04

Module I- GENDER JUSTICE

Meaning, Types of genders, Sex and Gender, Gender Injustice, Reasons associated, Gender Identity, Gender stereotype, Gender roles

Module II- Gender Inequality and Gender Stratification

Gender and Socialization, Sociological Perspectives on Gender Stratification, Gender Stratification in home, education, workplace, politics, healthcare.

Module III- Femininity and Masculinity

Meaning, Concept, nature, Ancestry and origin of Femininity/Masculinity, Development and Expansion of Femininity and Masculinity, Measuring Masculinity and Femininity: A Sociological and A, Psychological view

Module IV- Evolving Concept of Gender Justice

Evolving Concept of Gender Justice in West

Evolving Concept of Gender Justice in Asia

Module V- Women and Third Gender through Different Periods

Women in Ancient period, Women in Medieval Period, Women in Modern Period, Evolution of Third Gender, Rights of Women and Third Gender through different periods.

Module VI- Development of Feminism in India and Abroad

Evolution, Meaning, Forms, Various Theories of Feminism, Feminism in India, Feminist Thinkers and Activists in Contemporary India,

Module VII- Women Movements in India and World

Social Reform Movement in Colonial India, National Movement, Women Movement in Post Independent India, Religious Movements, Peasant Movements, Tribal Movements, Dalit Movements and Chipko Movement, The Three Waves of International Women's Movement.

Module VIII- Global Conferences for the Progression of women

World Conference on Women, Mexico (1975)

World Conference on Women, Copenhagen (1980)

World Conference on Women, Nairobi (1985)

World Conference on Women, Beijing (1995)

******Students are expected to read current case laws. Only the current enactments and enactments as amended upto date will be taught. All books are to be read in current edition.**

RECOMMENDED READINGS

****** All books are to be read in current edition.**

1. GirijaKhanna&A. MariammaVerghese - Indian Women Today
2. BemL. Sandra Bem - The Lenses of Gender Transforming the Debate on Sexual Inequality
3. Alfred De Souza (ed.) - Women in Contemporary India: Traditional Images and Changing Roles
4. N. Desai & M. Krishnaraj - Women and Society in India
5. InderjeetKaur- Status of Hindu Women in India
6. RachanaKaushal - Women and Human Rights in India
7. Neera Desai - Woman in Modern India
8. Neera Desai (ed.) - A Decade of Women's Movement in India