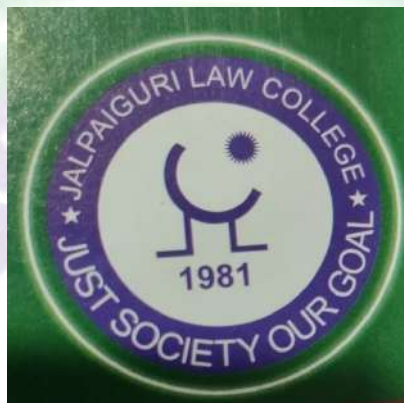


**B. A., LL.B. (GEN.) INTEGRATED  
DEGREE COURSE IN LAW IN CBCS  
MODE  
(w. e. f. 2018-2019 SESSION)**



**S Y L L A B U S**

**Jalpaiguri Law College  
Beguntary, Jalpaiguri,  
Dt. Jalpaiguri, Pin-735101,  
West Bengal**

**Subjects of B.A., LL.B. (General) CBCS July 2018**

**SEMESTER I**

1. POLITICAL SCIENCE I- **COMPULSORY FOUNDATION COURSE**
2. SOCIOLOGY I- **COMPULSORY FOUNDATION COURSE**
3. ECONOMICS I- **COMPULSORY FOUNDATION COURSE**
4. ENGLISH I- **ABILITY ENHANCEMENT COURSE**
5. LAW OF TORTS INCLUDING M.V. ACCIDENTS & CONSUMER PROTECTION LAWS - **CORE COURSE**

**SEMESTER II**

1. POLITICAL SCIENCE II- **COMPULSORY FOUNDATION COURSE**
2. SOCIOLOGY II- **COMPULSORY FOUNDATION COURSE**
3. ECONOMICS II- **COMPULSORY FOUNDATION COURSE**
4. ENGLISH LEGAL WRITING - **ABILITY ENHANCEMENT COURSE**
5. CONTRACT I- **CORE COURSE**

**SEMESTER III**

1. POLITICAL SCIENCE III- **COMPULSORY FOUNDATION COURSE**
2. SOCIOLOGY III- **COMPULSORY FOUNDATION COURSE**
3. CONTRACT DRAFTING-**ABILITY ENHANCEMENT COURSE**
4. CONTRACT II-**CORE COURSE**
5. FAMILY LAW-I- **CORE COURSE**

**SEMESTER IV**

1. POLITICAL SCIENCE IV- **COMPULSORY FOUNDATION COURSE**
2. POLITICAL SCIENCE V- **COMPULSORY FOUNDATION COURSE**
3. INTRODUCTION TO AND PROJECT WRITING- **ABILITY ENHANCEMENT COURSE**
4. FAMILY LAW-II- **CORE COURSE**
5. CONSTITUTIONAL LAW -**CORE COURSE**

**SEMESTER V**

1. POLITICAL SCIENCE VI- **COMPULSORY FOUNDATION COURSE**

2. LAW OF CRIMES (INDIAN PENAL CODE & Cr.P.C.)-**CORE COURSE**
3. ADMINISTRATIVE LAW-**CORE COURSE**
4. JURISPRUDENCE (LEGAL THEORY AND LEGAL CONCEPTS)-**CORE COURSE**
5. SERVICE LEARNING UNDER CONSUMER PROTECTION ACT-**ABILITY ENHANCEMENT COURSE**

#### **SEMESTER VI**

1. LABOUR AND INDUSTRIAL LAW -**CORE COURSE**
2. ENVIRONMENTAL LAW-**CORE COURSE**
3. LAND LAWS & TENANCY SYSTEM-**CORE COURSE**
4. INTERPREATION OF STATUTES- **ELECTIVE COURSE**
5. SERVICE LEARNING UNDER MOTOR VEHICLES ACT-**ABILITY ENHANCEMENT COURSE**

#### **SEMESTER VII**

1. CIVIL PROCEDURE CODE AND LIMITATION ACT-**CORE COURSE**
2. PROPERTY LAW-**CORE COURSE**
3. COMPETITION LAW- **ELECTIVE COURSE**
4. LEGAL AID IN SURROUNDING VILLAGES-**ABILITY ENHANCEMENT COURSE**
5. PROFESSIONAL ETHICS AND PROFESSIONAL ACCOUNTING SYSTEM-**PRACTICAL**

#### **SEMESTER VIII**

1. LAW OF EVIDENCE-**CORE COURSE**
2. COMPANY LAW-**CORE COURSE**
3. INTERNATIONAL LABOUR ORGANISATION AND LABOUR LAWS- **ELECTIVE COURSE**
4. HUMAN RIGHTS IN SCHOOLS AND ENVIRONMENTAL PROTECTION ORIENTATION-**ABILITY ENHANCEMENT COURSE**
5. DRAFTING OF PLEADING AND CONVEYANCING- **PRACTICAL**

#### **SEMESTER IX**

1. PUBLIC INTERNATIONAL LAW-**CORE COURSE**

2. INSURANCE LAW-**CORE COURSE**
3. EQUITY AND TRUSTS- **ELECTIVE COURSE**
4. SERVICE LEARNING UNDER THE ENVIRONMENT PROTECTION ACT, AIR, WATER, FOREST, WILD LIFE; PERSONS WITH DISABILITIES ACT, JUVENILE JUSTICE ACT-**ABILITY ENHANCEMENT COURSE**
5. ARBITRATION AND ALTERNATIVE DISPUTE RESOLUTION- **PRACTICAL**

#### **SEMESTER X**

1. PRINCIPLES OF TAXATION LAW-**CORE COURSE**
2. HUMAN RIGHTS AND HUMANITARIAN LAWS-**CORE COURSE**
3. CYBER LAW- **ELECTIVE COURSE**
4. SERVICE LEARNING AND FIELD WORK [SPECIAL FOCUS ON DISABILITY, CHILDREN, ENVIRONMENT, HEALTH, INFRASTRUCTURE AND DEVELOPMENT]- **ABILITY ENHANCEMENT COURSE**
5. MOOT COURT EXERCISE, COURT VISIT AND INTERNSHIP- **PRACTICAL**

# DETAILED SYLLABUS

## POLITICAL SCIENCE – I

**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

Marks-100  
Credit: 04

### 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

**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.

Marks-100

Credit: 04

### 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. MakhanJha- 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

**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.

Marks-100

Credit: 04

### **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. Sampad Mukharjee- Contemporary Economics
3. R. Datt & K. P. M. Sundharam- Indian Economy
4. S. K. Misra & V. K. Puri- Indian Economy
5. K. K. Dewett, J. D. Varma and M. L. Sharma- Indian Economics

### **ENGLISH – I**

**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.

Marks-100

### **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.Thomsonand A.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

### LAW OF TORTS INCLUDING MOTOR VEHICLE ACCIDENTS AND CONSUMER PROTECTION LAWS

**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.

Marks-100

Credit: 04

**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.

#### **MODULE-IV:CONSUMER PROTECTION ACT, 1986**

Aims and Objectives of the Act

Definition

Rights of the consumer

Consumer Protection Councils

Complaints and process of making of Complaints

Composition, Powers, functions and Jurisdiction of Consumer Disputes Redressal Agencies

Reliefs and Redressal

#### **MODULE-V:MOTOR VEHICLES ACT, 1988**

Objects and Reasons

Definitions

Licensing of Drivers of Motor vehicle

Registration of Motor vehicles

Liability without fault in certain cases

Insurance of Motor vehicles against third party risk

**\*\*\*\*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. Mark Luney& Ken Oliphant - Tort Law: Text and Material
2. W.V.H. Rogers - Winfield &Jolowicz on Torts
3. RF.V. Heuston[ed], Salmond and Heuston on Law of Torts
4. Ratanlal&Dhirajlal, The Law of Torts
5. P.S. Achuthan Pillai, The Law of Torts

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## SEMESTER II

### POLITICAL SCIENCE PAPER-II

**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.

Marks-100  
Credit: 04

#### 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
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

**ECONOMICS  
PAPER-II**

**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.

Marks-100  
Credit: 04

**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

## SOCIOLOGY PAPER-II

**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

## ENGLISH LEGAL WRITING

**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.

Marks-100

Credit: 04

### **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. NevillCoghill - The Theme of the Merchant of Venice
3. F. Leonard Dean - Shakespeare: Modern Essays in Criticism

### **MODULE-III: NOVEL**

## 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

## LEGAL WRITING

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. Bonds
13. Application for Bail
14. Searching Report (Model form)
15. Commission Report (Model form)
16. Complaint (Model form)
17. Transfer Petition (Model form)
18. Petition under Section-205 CrPC

19. Amendment petition (Model form)
20. General Power of Attorney (Model form)
21. Special Power of Attorney (Model form)
22. Petition to Plead Guilty (Model form)
23. Condition Waiver Petition (Model form)
24. Judgment Writing

## **CONTRACT-I** **[General Principles]**

**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.

Marks-100  
Credit: 04

**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-SuppresioVeri-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 VIII:** Discharge of Contract: Meaning- Modes- Breach of Contract: Definition-Elements-Effects Frustration: Definition-Elements-Effects Rescission, Alteration-Waiver

**MODULE IX:** Quasi Contract

**MODULE X:** Remedies in Contract

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

**MODULE XI:** Specific performance of contract

**MODULE XII:** Specific Enforcement of Contract-against whom ordered

**MODULE XIII:** Rescission of Contract and Cancellation of Instruments

**MODULE XIV:** Injunction- Definition-Elements-Effects

**MODULE XV:** 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

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**SEMESTER III**

**POLITICAL SCIENCE  
PAPER-III**

**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.

Marks-100  
Credit: 04

### **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 1<sup>st</sup> and 2<sup>nd</sup> 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. Morgenthau- 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**

**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

Marks-100  
Credit-04

### **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

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

**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.

Marks-100  
Credit-04

**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

#### **FAMILY LAW – I**

**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.

Marks-100

Credit: 04

**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. Paras Diwan-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

**CONTRACT DRAFTING  
(ABILITY ENHANCEMENT COURSE)**

Marks-100

**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.

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## **SEMESTER IV**

### **POLITICAL SCIENCE**

#### **PAPER – IV**

**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.

Marks-100

Credit-04

**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

**POLITICAL SCIENCE  
PAPER – V**

**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.

Marks-100  
Credit-04

**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 andLinguistic 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
- J. Bandhopadhaya - New Indian Foreign Policy

## FAMILY LAW – II

**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.

Marks-100  
Credit-04

**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. Tahir Mahmood- 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. Gangotri Chakraborty- Law of Maintenance

### **CONSTITUTIONAL LAW OF INDIA-I**

**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.

Marks-100  
Credit-04

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

**MODULE-VIII:** 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

## CONSTITUTIONAL LAW OF INDIA – II

**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.

Marks-100

Credit-04

**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

**RESEARCH METHODOLOGY AND PROJECT WRITING  
(ABILITY ENHANCEMENT COURSE)**

Marks-100

**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.

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## SEMESTER V

### POLITICAL SCIENCE PAPER-VI

**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.

Marks-100  
Credit-04

#### 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 Srilanka
6. Resmi Sharma forwarded by R. N. Paul - Encyclopaedia of SAARC and Member Countries
7. Verinder Grover (ed.) - Encyclopedia of SAARC Nation (7 Volumes)

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

**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.

Marks-100  
Credit-04

**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

### **LAW OF CRIMES - II** **[Criminal Procedure Code]**

**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.

Marks-100  
Credit-04

**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

### **ADMINISTRATIVE LAW**

**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.

Marks-100  
Credit-04

**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 AlteramPartem, 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

**JURISPRUDENCE-I**

**[Legal Theories]**

**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.

Marks-100

Credit-04

**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. Madhava Menon (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

## **JURISPRUDENCE-II**

### **[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.

Marks-100

Credit-04

### **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. Madhava Menon (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

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

Marks 100

**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.

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**SEMESTER VI**

## LABOUR & INDUSTRIAL LAW – I

**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.

Marks-100

Credit-04

### **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

## LABOUR AND INDUSTRIAL LAW – II

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

Marks-100  
Credit-04

**MODULE-I: The Trade Unions Act, 1926**

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

**MODULE-II: The Employees State Insurance Act, 1948**

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

**MODULE-III: Minimum Wages Act, 1948**

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

**MODULE-IV: Employees' Provident Fund and Miscellaneous Provisions Act, 1952**

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

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

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

**\*\*\*\*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.

**ENVIRONMENTAL LAW**

**OBJECTIVE OF THE COURSE:** The Environment in which we live is in danger. In this module the students will learn the laws which are enacted to protect and preserve the environment

Marks-100  
Credit-04

**MODULE-I:** Concept of Environment and its Importance, Pollution and Health Hazard

**MODULE-II:** National Policy of Environment

**MODULE-III:** Common Law Perspective

**MODULE-IV:** Constitutional Law Perspective

**MODULE-V:** Sustainable Development, Precautionary Principle, Polluter Pay Principle, Public Trust Doctrine

**MODULE-VI:** Principle of Liability and Public Liability Insurance

**MODULE-VII: THE ENVIRONMENT (PROTECTION) ACT, 1986-**Preamble, Definition, General Powers of Central Government, Prevention, Control and Abatement of Environmental Pollution

**MODULE-VIII:** Prevention and Control of Air Pollution

**MODULE- IX:** Prevention and Control of Water Pollution

**MODULE-X:** Wild Life Protection

**MODULE-XI:** Forest Conservation

**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 Air (Prevention and Control of Pollution) Act, 1981 – Bare Act
2. The Water (Prevention and Control of Pollution) Act 1974 – Bare Act
3. The Wild Life (Protection) Act, 1972 – Bare Act
4. The Forest (Conservation) Act, 1980 – Bare Act
5. A.K. Tiwari -Environmental Laws in India
6. P. Leelakrishnan - Environmental Law in India
7. Dr. I. A. Khan - Environmental Law
8. Shyam Divan & Armin Rosencranz - Environmental Law and Policy in India
9. S.C. Shastri - Environmental Law
10. Dr. H. N. Tiwari - Environmental Law
11. P.S. Jaswal - Environmental Law

#### **LAND LAWS INCLUDING TENURE AND TENANCY SYSTEM**

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



**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. Susanta Sen - 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

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

**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.

Marks-100

Credit-04

**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 [Noscitur a sociis, ejusdem generis, Reddendo singular singularis].

**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 potest delegare
2. Expressio unius exclusion alterius
3. Generalia specialibus non derogant
4. In pari delicto potior est conditio possidentis
5. Ut res 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

## **SERVICE LEARNING UNDER MOTOR VEHICLES ACT, 1988**

(Ability Enhancement Course)

Marks 100

**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 X<sup>th</sup> 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

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**SEMESTER VII**

**LAW OF CIVIL PROCEDURE AND LIMITATION**

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

Marks-100  
Credit-04

**MODULE-I:** History, Object and Purpose of the Code of Civil Procedure, 1908

**MODULE-II:** Definitions

**MODULE-III:** Jurisdiction of Civil Courts

**MODULE-IV:** Res Sub Judice and Res Judicata

**MODULE-V:** Foreign 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:** Plaint 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

### **LAW OF PROPERTY**

**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.

Marks-100  
Credit-04

**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

### **INTELLECTUAL PROPERTY LAW**

**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.

Marks-100  
Credit-04

## **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

## **COMPETITION LAW (ELECTIVE COURSE)**



**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.

Marks-100  
Credit-04

### **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 Fould & Ali Nickpay - The E.C. Law of Competition

2. Vinod Dhall (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

**Legal Aid in Surrounding Villages  
(Ability Enhancement Course)**

Marks 100

**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)**

**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. Raju Ramachandran - 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, Sarjiva Rao '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 X<sup>th</sup> 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

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## **SEMESTER VIII**

### **LAW OF EVIDENCE**

**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.

Marks-100

Credit-04

**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

## COMPANY LAW

**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.

Marks-100  
Credit-04

**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

## **THE INTERNATIONAL LABOUR ORGANIZATION AND LABUR LAWS**

Marks 100

Credit 04

**MODULE I:** Concept and Growth of Labour Jurisprudence.

**MODULE II:** Concept of Social Justice, Natural Justice and the Labour.

**MODULE III:** Constitution of India, 1950 and the Labour.

**MODULE IV:** Labour and Judicial Process and Public Interest Legislation.

**MODULE V:** Tripartism- Voluntarism in Labour Relations and Code of Discipline in Industry.

**MODULE VI:** International Law Organization - Genesis, Aims and Objectives, Constitutions; I. L. O. - Conventions and Recommendation: Procedure for Ratify

**MODULE VII:** International Law Organization - Conventions and Recommendations and Problems in their Rectification; International Law Organization & Regional Conferences; International Labour Standards and Labour Legislations in India; International Law Organization- Problems and Prospects; International Law Organization and Human Rights in India and Perspectives.

**\*\*\*\*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. I. L. O. International Labour Codes
2. S. N. Dhyani - I. L. O. and India: In pursuit of Social Justice.
3. G. A. Johnston - The International Labour Organization
4. Kamal Mathur and N. R. Seth -Tripartitism in Labour Policy
5. S. K. Agrawal - K. N. Mushi Lectures on Public Interest Litigation in India.
6. G. K. Johri - Indian Tripartite System.
7. S. R. Samant - Industrial Jurisprudence.
8. R. G. Chaturvedi - Natural and Social Justice.
9. Mahesh Chandra - Industrial Jurisprudence.
10. Ridoout - Principles of Labour Law.
11. N. Vaidyanathan - International Labour Standards.

**HUMAN RIGHTS IN SCHOOLS AND ENVIRONMENTAL PROTECTION  
ORIENTATION  
(Ability Enhancement Course)**

Marks 100

**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]

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

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

Marks-100

**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 X<sup>th</sup> 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

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## SEMESTER IX

### PUBLIC INTERNATIONAL LAW

**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.

Marks-100  
Credit-04

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

### INSURANCE LAW

**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.

Marks-100  
Credit-04

**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 Evely - 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

### **EQUITY AND TRUSTS (ELECTIVE COURSE)**

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

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

Marks 100

### **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)

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

**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.

Marks-100

**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 X<sup>th</sup> 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

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## **SEMESTER X**

### **PRINCIPLES OF TAXATION LAW**

**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.

Marks-100  
Credit-04

#### **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 (101<sup>th</sup> 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**

## HUMAN RIGHTS

**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.

Marks-100  
Credit-04

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



## HUMANITARIAN AND REFUGEE LAW

**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.

Marks-100

Credit-04

### **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

## **CYBER LAW**

Marks-100  
Credit-04

### **MODULE-I: INTRODUCTION TO THE CYBER WORLD AND CYBER LAW**

1. Cyber World: An Overview- The internet and online sources, Security of information, Digital signature
2. An Overview Cyber Law- Introduction about cyber space, Regulation of cyber space – introducing cyber law, Scope of Cyber laws – e-commerce, online contracts, IPRs, (copyright, trademarks, software patenting), e-taxation-governance And cybercrimes, Cyber law in India with special reference to Information Technology Act, 2000

### **Module-II: REGULATORY FRAMEWORK**

1. International Legal Regime- International legal regime relating to Cyber Crimes, European Convention on Cyber Crimes, Hague Convention on Jurisdiction and Foreign Judgments: Jurisdiction Agreement
2. International legal regime relating to E-Commerce- UNCITRAL Model Law on Electronics Commerce 1996, International legal regime relating to Intellectual Property Rights – (i) Berne Convention; (ii) Rome Convention; (iii) WIPO Copyright Treaty; (iv) WIPO Performance and Phonograms Treaty; (v) UDRP; (vi) OECD Convention on Database Protection
3. Domestic Legal Regime – Cyber Law in India- Information Technology Act, 2000 – Digital Signature; E-Governance; Regulation of Certifying Authorities; Duties of Subscribers; Penalties and Adjudications; Offences under the Act; Making of Rules and Regulations etc.

### **MODULE- III: CYBER CRIMES**

1. Introduction- Computer crime and cyber crime, classification of cyber crimes

2. Cyber crime and related concepts- cyber crime and conventional crimes, reason for commission of cyber crime, cyber criminals and their objectives, kinds of cyber crime- cyber stalking, cyber pornography, forgery, fraud, cyber terrorism, computer vandalism
3. Regulation of cyber crimes- issues relating to Investigation, Jurisdiction, Evidence

#### **MODULE-IV: E- COMMERCE**

1. E-commerce- definition, types and important issues in global E-commerce
2. IPR- An Overview, copyright issues in cyberspace, trademark issues in cyberspace, Computer software and related IPR issues

**\*\*\*\*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. Chris Reed & John Angel - Computer Law
2. Justice Yatindra Singh - Cyber Laws
3. S.K. Verma, Raman Mittal Raman - Legal Dimensions of Cyber Space
4. Jonthan Rosenoer, Cyber Law
5. Sudhir Naib, The Information Technology Act, 2005: A Handbook
6. S. R. Bhansali, Information Technology Act, 2000
7. Vasu Deva, Cyber Crimes and Law Enforcement

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

Marks 100

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

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

**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.

Marks 100

#### **MODULE-I: MOOT COURT**

[Marks-30]

- Each student will do at least three Moot Courts

10x3=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.

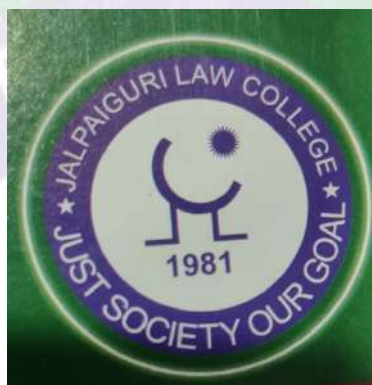
Preparation of documents and court papers -Recorded in a diary. 15

**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, VII, VIII, IX, X, and obtain a certificate of internship without which the Bar Council may not enroll them. The students must maintain diary. They will be evaluated in the X<sup>th</sup> 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

**B. A., LL.B. (HONS.) INTEGRATED  
DEGREE COURSE IN LAW IN CBCS  
MODE  
(w. e. f. 2017-2018 SESSION)**



**S Y L L A B U S**

**Jalpaiguri Law College  
Beguntary, Jalpaiguri,  
Dt. Jalpaiguri, Pin-735101,  
West Bengal**

## Subjects of B.A., LL.B. (Honours) CBCS July 2017

### **SEMESTER I**

1. POLITICAL SCIENCE I- **COMPULSORY FOUNDATION COURSE**
2. SOCIOLOGY I- **COMPULSORY FOUNDATION COURSE**
3. ECONOMICS I- **COMPULSORY FOUNDATION COURSE**
4. ENGLISH I- **COMPULSORY FOUNDATION COURSE**
5. LEGAL METHODS- **CORE COURSE**
6. LAW OF TORTS INCLUDING M.V. ACCIDENTS & CONSUMER PROTECTIONN LAWS- **CORE COURSE**
7. LEGAL WRITING I-**ABILITY ENHANCEMENT COURSE**

### **SEMESTER II**

1. POLITICAL SCIENCE II- **COMPULSORY FOUNDATION COURSE**
2. SOCIOLOGY II- **COMPULSORY FOUNDATION COURSE**
3. ECONOMICS II- **COMPULSORY FOUNDATION COURSE**
4. ENGLISH II- **COMPULSORY FOUNDATION COURSE**
5. CONTRACT I- **CORE COURSE**
6. FAMILY LAW I- **CORE COURSE**
7. LEGAL WRITING II-**ABILITY ENHANCEMENT COURSE**

### **SEMESTER III**

1. POLITICAL SCIENCE III- **COMPULSORY FOUNDATION COURSE**
2. SOCIOLOGY III- **COMPULSORY FOUNDATION COURSE**
3. ECONOMICS III- **COMPULSORY FOUNDATION COURSE**
4. ENGLISH III- **COMPULSORY FOUNDATION COURSE**
5. CONTRACT II-**CORE COURSE**
6. RIGHT TO INFORMATION- **ELECTIVE COURSE**
7. CONTRACT DRAFTING-**ABILITY ENHANCEMENT COURSE**

### **SEMESTER IV**

1. POLITICAL SCIENCE IV- **COMPULSORY FOUNDATION COURSE**
2. JURISPRUDENCE I-**CORE COURSE**
3. FAMILY LAW II-**CORE COURSE**
4. CONSTITUTIONAL LAW I-**CORE COURSE**
5. LAW OF CRIMES I-**CORE COURSE**

6. GENDER JUSTICE AND FEMINIST JURISPRUDENCE- **ELECTIVE COURSE**
7. RESEARCH METHODOLOGY AND PROJECT WRITING-**ABILITY ENHANCEMENT COURSE**

### **SEMESTER V**

1. POLITICAL SCIENCE V- **COMPULSORY FOUNDATION COURSE**
2. JURISPRUDENCE II- **CORE COURSE**
3. ADMINISTRATIVE LAW-**CORE COURSE**
4. CONSTITUTIONAL LAW II-**CORE COURSE**
5. LAW OF CRIMES II-**CORE COURSE**
6. INTERPRETATION OF STATUTES AND PRINCIPLES OF LEGISLATION-**ELECTIVE COURSE**
7. SERVICE LEARNING UNDER CONSUMER PROTECTION ACT-**ABILITY ENHANCEMENT COURSE**

### **SEMESTER VI**

1. POLITICAL SCIENCE VI- **COMPULSORY FOUNDATION COURSE**
2. LABOUR AND INDUSTRIAL LAW I-**CORE COURSE**
3. ENVIRONMENTAL LAW-**CORE COURSE**
4. LAW OF PROPERTY-**CORE COURSE**
5. CITIZENSHIP AND EMIGRATION LAW-**CORE COURSE**
6. COMPETITION LAW- **ELECTIVE COURSE**
7. SERVICE LEARNING UNDER MOTOR VEHICLES ACT-**ABILITY ENHANCEMENT COURSE**

### **SEMESTER VII**

1. CIVIL PROCEDURE CODE AND LIMITATION ACT-**CORE COURSE**
2. LABOUR AND INDUSTRIAL LAW II-**CORE COURSE**
3. COMPANY LAW-**CORE COURSE**
4. CORPORATE GOVERNANCE-**CORE COURSE**
5. INTERNATIONAL LABOUR ORGANISATION AND LABOUR LAWS-**ELECTIVE COURSE**
6. LEGAL AID IN SURROUNDING VILLAGES-**ABILITY ENHANCEMENT COURSE**
7. PROFESSIONAL ETHICS AND PROFESSIONAL ACCOUNTING SYSTEM-**PRACTICAL**

## **SEMESTER VIII**

1. LAW OF EVIDENCE-**CORE COURSE**
2. HUMAN RIGHTS-**CORE COURSE**
3. INSURANCE LAW-**CORE COURSE**
4. LAND LAWS INCLUDING TENURE AND TENANCY SYSTEM-**CORE COURSE**
5. BANKING LAW- **ELECTIVE COURSE**
6. HUMAN RIGHTS IN SCHOOLS AND ENVIRONMENTAL PROTECTION ORIENTATION-**ABILITY ENHANCEMENT COURSE**
7. ARBITRATION AND ALTERNATIVE DISPUTE RESOLUTION- **PRACTICAL**

## **SEMESTER IX**

1. PUBLIC INTERNATIONAL LAW-**CORE COURSE**
2. HUMANITARIAN AND REFUGEE LAW-**CORE COURSE**
3. INTELLECTUAL PROPERTY LAW-**CORE COURSE**
4. HEALTH LAW-**CORE COURSE**
5. EQUITY AND TRUSTS- **ELECTIVE COURSE**
6. SERVICE LEARNING UNDER THE ENVIRONMENT PROTECTION ACT, AIR, WATER, FOREST, WILD LIFE; PERSONS WITH DISABILITIES ACT, JUVENILE JUSTICE ACT-**ABILITY ENHANCEMENT COURSE**
7. DRAFTING OF PLEADING AND CONVEYANCING- **PRACTICAL**

## **SEMESTER X**

1. PRINCIPLES OF TAXATION LAW-**CORE COURSE**
2. PRIVATE INTERNATIONAL LAW-**CORE COURSE**
3. CYBER LAW-**CORE COURSE**
4. SERVICE LAW-**CORE COURSE**
5. FOREIGN TRADE- **ELECTIVE COURSE**
6. EXPERIENTIAL LEARNING AND FIELD WORK [SPECIAL FOCUS ON DISABILITY, CHILDREN, ENVIRONMENT, HEALTH, INFRASTRUCTURE AND DEVELOPMENT]- **ABILITY ENHANCEMENT COURSE**
7. MOOT COURT EXERCISE, COURT VISIT AND INTERNSHIP- **PRACTICAL**



# DETAILED SYLLABUS

## POLITICAL SCIENCE – I

**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

Marks-100  
Credit: 04

### 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

**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.

Marks-100

Credit: 04

### **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. MakhanJha- 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

**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.

Marks-100

Credit: 04

### **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
5. K. K. Dewett, J. D. Varma and M. L.Sharma- Indian Economics

### **ENGLISH – I**

**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.

Marks-100  
Credit: 04

### **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.Thomsonand A.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

### LEGAL METHODS

**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. There is a specific method of going about a profession. 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.

Marks-100  
Credit- 04

### PART-I: EVOLUTION OF LEGAL SYSTEM IN INDIA

**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 SadarAdalat- SadarDiwaniAdalat 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

## **PART-II: LEGAL METHOD**

**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. Kailash Rai - History of Courts, Legislature and Legal Profession in India

## **LAW OF TORTS INCLUDING MOTOR VEHICLE ACCIDENTS AND CONSUMER PROTECTION LAWS**

**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.

Marks-100

Credit: 04

**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.

### **MODULE-IV: CONSUMER PROTECTION ACT, 1986**

Aims and Objectives of the Act

Definition

Rights of the consumer

Consumer Protection Councils

Complaints and process of making of Complaints

Composition, Powers, functions and Jurisdiction of Consumer Disputes Redressal Agencies

Reliefs and Redressal

## **MODULE-V:MOTOR VEHICLES ACT, 1988**

Objects and Reasons

Definitions

Licensing of Drivers of Motor vehicle

Registration of Motor vehicles

Liability without fault in certain cases

Insurance of Motor vehicles against third party risk

**\*\*\*\*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. Mark Luney& Ken Oliphant - Tort Law: Text and Material
2. W.V.H. Rogers - Winfield &Jolowicz on Torts
3. RF.V. Heuston[ed], Salmond and Heuston on Law of Torts
4. Ratanlal&Dhirajlal, The Law of Torts
5. P.S. Achuthan Pillai, The Law of Torts

### **LEGAL WRITING**

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

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## SEMESTER II

### POLITICAL SCIENCE PAPER-II

**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.

Marks-100  
Credit: 04

#### 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, -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

## **ECONOMICS PAPER-II**

**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.

Marks-100  
Credit: 04

### **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, Canons 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. Jhingani- Economic Development and Planning

## **SOCIOLOGY**

### **PAPER-II**

**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

## **ENGLISH PAPER-II**

**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.

Marks-100  
Credit: 04

### **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. NevillCoghill - The Theme of the Merchant of Venice
3. F. Leonard Dean - Shakespeare: Modern Essays in Criticism

### **MODULE-III: NOVEL**

## 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-I [General Principles]

**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.

Marks-100  
Credit: 04

**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- Nudum Pactum- 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 VIII:** Discharge of Contract: Meaning- Modes-  
Breach of Contract: Definition-Elements-Effects  
Frustration: Definition-Elements-Effects  
Rescission, Alteration-Waiver

**MODULE IX:** Quasi Contract

**MODULE X:** Remedies in Contract

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

**MODULE XI:** Specific performance of contract

**MODULE XII:** Specific Enforcement of Contract-against whom ordered

**MODULE XIII:** Rescission of Contract and Cancellation of Instruments

**MODULE XIV:** Injunction- Definition-Elements-Effects

**MODULE XV:** 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

**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.

Marks-100

Credit: 04

**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. Raghavachriar- Hindu Law: Principles and Precedents
2. J.D.Mayne-Hindu law and usage
3. Mulla-Hindu Law
4. Dr. Paras Diwan-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

### LEGAL WRITING PAPER II (ABILITY ENHANCEMENT COURSE)

Marks- 100

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

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### SEMESTER III

### POLITICAL SCIENCE PAPER-III

**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.

Marks-100

Credit: 04

### **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 1<sup>st</sup> and 2<sup>nd</sup> 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. Morgenthau- Politics among Nations: Struggle for Power
2. RumkiBasu- United Nations
3. NiranjanBhunia- 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**

**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

Marks-100

Credit-04

### **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

**ECONOMICS  
PAPER – III**

**OBJECTIVE OF THE COURSE:** In the previous semester the students were taught that 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. In the same way a nation cannot exist in economic isolation. A closed economy is not conducive to the health of the nation. This module introduces the student to the exciting world of international economic relations and also agricultural economics.

Marks-100  
Credit-04

**MODULE-I: General Principle**

**A. Basics of Agricultural Economics**

- 1) Role of Agriculture in Economic Development: Product Contribution, Market Contribution and Factor Contribution of Agriculture.
- 2) Institutional Constraints on Agricultural Development and Remedial Policy.
- 3) Capital and Finance in Underdeveloped Agriculture.
- 4) Farm Size and Factor Productivity in Agriculture of LDCs.

**B. Basics of International Economics**

- 1) Economic Growth and International Trade.
- 2) Trade Policies: Free Trade Vs. Protection, Tariffs and Non-Tariff Barriers, Quotas, Dumping, Exchange Rate and Exchange Controls, International Cartels.
- 3) Balance of Payments: Meaning and Components, Adjustment Mechanism.
- 4) International Economic Relations: Role of Foreign Trade and Aid in Economic Development.
- 5) Political Economy of Trade Restriction.

## MODULE-II: Indian Economy

### A. Agriculture and Indian Economy

- 1) Production and Productivity Trends in Indian Agriculture, Green Revolution.
- 2) Land Reforms: Objectives, Reforms and Achievements.
- 3) Agricultural Finance and Marketing in India.
- 4) Agricultural Taxation in India.
- 5) Agricultural Labour: Definition, Causes of Growth in the Number of Agricultural Labour, Remedial Measures.

### B. International Economies and India

- 1) Direction of International Trade in India: Growth and Structure of India's Foreign Trade since 1991.
- 2) India's Balance of Payment Problem: BoP Position of India during Pre & Post Liberalized Era.
- 3) Foreign Capital and Foreign Aid: Indian Government's Policy towards Foreign Capital, Foreign Aid to India, Foreign Direct Investment.
- 4) Globalization: Meaning, Steps towards Globalization, Effects of Globalization.

### 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
9. C. P. Kindleberger- International Economics
10. B. R. Hazaria- The Pure Theory of International Trade and Distortions
11. M.L. Jhingan - International Economics

### ENGLISH PAPER-III

**OBJECTIVE OF THE COURSE:** This English course will bring about a diversion from the somber study of law. However, this module will also demonstrate how literature highlights social issues that needed rectification and the attention of law.

Marks-100  
Credit-04

## MODULE-I: PLAY

*Murder in the Cathedral:* T.S. Eliot.

### RECOMMENDED READINGS:

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

1. Bloom, Harold, ed. *Modern Critical Interpretations: T.S. Eliot's Murder in the Cathedral*. New York: Chelsea House Publishers.
2. Clark, David R, ed. *Twentieth Century Interpretations of Murder in the Cathedral*. Englewood Cliffs. NJ: Prentice Hall.

### **MODULE-II: Essay**

(i) *Of Judicature*: Francis Bacon

(ii) *The Principles of Good Writing*: H.A. Hill

#### **RECOMMENDED READINGS:**

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

1. Howe, Fred Allison - *The Essays or Counsels Civil and Moral of Francis Bacon*
2. Thorpe, Michael (ed.) *Modern Prose*
3. Chaudhuri, Sukanta (ed.) *Bacon's Essays*

### **MODULE-III: WORDS OFTEN CONFUSED**

1. ABATE – ABET
2. ABSOLVE – ABSORB
3. ABSORB – ABJURE
4. ACCOMPLICE – ACCOMPLISH
5. ADOPT – ADAPT
6. ARRANGE – HARANGUE
7. CESSION – SESSION
8. CONDONE – CONDEMN
9. CONFOUND – CONFINE
10. CONFUSE – CONFUTE
11. CONTACT – CONTRACT
12. DECEASE – DISEASE
13. EXERCISE – EXORCISE
14. EXHAUST – ACCOST
15. EXPORT – EXTORT
16. LIABLE – LIBEL
17. PANDER – PONDER
18. PRINCIPAL – PRINCIPLE
19. RECTIFY – RATIFY
20. REPEAL – REPEL
21. TENOR – TENURE

### **MODULE-IV: LEGAL EXPRESSIONS**

1. ABANDON
2. ABDUCTION

3. ABET
4. ABROGATE
5. ABSCOND
6. ABSOLVE
7. ACCESSORY
8. ACCOMPLICE
9. ACCUSED
10. AFFINITY
11. AFFRAY
12. ALIBI
13. APPEAL
14. AWARD
15. BAIL
16. BAR
17. BENCH
18. BREACH
19. CHARGE
20. CLAIM
21. CODE
22. CONTRACT
23. COURT
24. DECREE
25. DIVORCE
26. EQUITY
27. ESTATE
28. ESTOPPEL
29. EVIDENCE
30. GIFT
31. INFRINGEMENT
32. INJURY
33. JUDGE
34. JUDGMENT
35. KIDNAPPING
36. MALICE
37. MATRIMONIAL
38. MISCARRIAGE
39. MISREPRESENTATION
40. MISTAKE
41. PETITION
42. PLEA
43. REDUNDANT
44. SUIT
45. TORTFEASOR

46. TRIBUNAL
47. LUNATIC
48. VIOLATION
49. VOID
50. WRIT
51. WRONG

#### **MODULE-V: LEGAL PHRASES**

1. A PRIORI
2. AB INITIO
3. ACTUS REUS
4. AD HOC
5. AD INFINITUM
6. AD INTERIM
7. AMICUS CURIAE
8. ANIMUS POSSIDENDI
9. BONAFIDE
10. CUSTODIA LEGIS
11. DE FACTO
12. DE JURE
13. DE NOVO
14. DECREE NISI
15. DOLI INCAPAX
16. EJUSDEM GENERIS
17. EX GRATIA
18. EX PARTE
19. FACTUM VALET
20. IN PERSONAM
21. IN TOTO
22. INTER ALIA
23. IPSO FACTO
24. PER SE
25. PRIMA FACIE
26. QUID PRO QUO
27. RES GESTAE
28. RES INTEGRA
29. RESJUDICATA
30. SINE DIE
31. SUB JUDICE
32. SUI GENERIS
33. SUO MOTO
34. ULTRA VIRES

## **MODULE- VI: SELECTED MAXIMS**

1. ACTIO PERSONALIS MORITUR CUM PERSONA
2. DAMNUM SINE INJURIA
3. QUI FACIT PER ALIUM FACIT PER SE
4. VOLENTI NON FIT INJURIA
5. ACTUS NON FACIT REUM NISI MENS SIT REA
6. AUDI ALTERAM PARTEM
7. CAVEAT EMPTOR
8. EXPRESSIO UNIS EST EXCLUSIO ALTERIUS
9. IGNORANTIA JURIS NON EXCUSAT
10. IN JURE NON REMOTA CAUSA SED PROXIMA SPECTATUR
11. NEMO DEBET/JUDEX IN CAUSA SUA
12. NOVUS ACTUS INTERVENIENCE
13. RES IPSA LOQUITUR
14. SALUS POPULI EST SUPREMA LEX
15. UBI JUS IBI REMEDIUM

**\*\*\*\*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. S. KrishnamurthiAiyar – Golden Legal Maxims
2. Trayner’s Latin Maxims
3. Broone’s Legal Maxims: Classified and Illustrated
4. S.K. Misra - Legal Language, Legal Writing and General English
5. S.C. Tripathi – Legal Language, Legal Writing and General English

## **CONTRACT-II**

**[Special Contract]**

**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.

Marks-100

Credit-04

**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



## **RIGHT TO INFORMATION (ELECTIVE COURSE)**

**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.

Marks-100  
Credit-04

**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

**CONTRACT DRAFTING  
(ABILITY ENHANCEMENT COURSE)**

Marks-100

**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.

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## SEMESTER IV

### POLITICAL SCIENCE PAPER – IV

**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.

Marks-100  
Credit-04

**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

**JURISPRUDENCE-I**

**[Legal Theories]**

**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.

Marks-100

Credit-04

**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. Madhava Menon (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

### **FAMILY LAW – II**

**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.

Marks-100  
★ Credit-04

**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. Tahir Mahmood- 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. Gangotri Chakraborty- Law of Maintenance

#### **CONSTITUTIONAL LAW OF INDIA-I**

**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.

Marks-100  
Credit-04

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

**MODULE-VIII:** 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

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

**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.

Marks-100  
Credit-04

**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. doliincapax 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



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

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. Girija Khanna&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. Inderjeet Kaur- Status of Hindu Women in India
6. RachanaKaushal - Women and Human Rights in India
7. NeeraDesai - Woman in Modern India
8. Neera Desai (ed.) - A Decade of Women's Movement in India

**RESEARCH METHODOLOGY AND PROJECT WRITING  
(ABILITY ENHANCEMENT COURSE)**

Marks-100

**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.

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**SEMESTER V**

**POLITICAL SCIENCE  
PAPER – V**

**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.

Marks-100  
Credit-04

**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. Sahnii - Coalition Politics in India
5. J.R. Siwarch - Dynamics of Indian Government and Politics
6. J. Bandhopadhaya - New Indian Foreign Policy

### **JURISPRUDENCE-II**

**[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.

Marks-100

Credit-04

### **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. Madhava Menon (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

## ADMINISTRATIVE LAW

**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.

Marks-100  
Credit-04

**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

### **CONSTITUTIONAL LAW OF INDIA – II**

**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.

Marks-100  
Credit-04

**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

### **LAW OF CRIMES - II [Criminal Procedure Code]**

**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.

Marks-100  
Credit-04

**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

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

**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 [Noscurit a sociis, ejusdem generis, Reddendo singular singularis].

**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 potiores condition possidentis
5. Utres valet potior quam pariat
6. Expressumfacitcessaretacitum
7. In bonampartem

**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

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

Marks 100

#### **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.

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**SEMESTER VI**  
**POLITICAL SCIENCE**  
**PAPER-VI**

**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.

Marks-100  
Credit-04

**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 Srilanka
6. Resmi Sharma forwarded by R. N. Paul - Encyclopaedia of SAARC and Member Countries
7. Verinder Grover (ed.) - Encyclopedia of SAARC Nation (7 Volumes)

### **LABOUR & INDUSTRIAL LAW – I**

**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.

Marks-100  
Credit-04

### **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

### **ENVIRONMENTAL LAW**

**OBJECTIVE OF THE COURSE:** The Environment in which we live is in danger. In this module the students will learn the laws which are enacted to protect and preserve the environment

Marks-100  
Credit-04

**MODULE-I:** Concept of Environment and its Importance, Pollution and Health Hazard

**MODULE-II:** National Policy of Environment

**MODULE-III:** Common Law Perspective

**MODULE-IV:** Constitutional Law Perspective

**MODULE-V:** Sustainable Development, Precautionary Principle, Polluter Pay Principle, Public Trust Doctrine

**MODULE-VI:** Principle of Liability and Public Liability Insurance

**MODULE-VII: THE ENVIRONMENT (PROTECTION) ACT, 1986**-Preamble, Definition, General Powers of Central Government, Prevention, Control and Abatement of Environmental Pollution

**MODULE-VIII:**Prevention and Control of Air Pollution

**MODULE- IX:** Prevention and Control of Water Pollution

**MODULE-X:** Wild Life Protection

**MODULE-XI:** Forest Conservation

**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 Air (Prevention and Control of Pollution) Act, 1981 – Bare Act
2. The Water (Prevention and Control of Pollution) Act 1974 – Bare Act
3. The Wild Life (Protection) Act, 1972 – Bare Act
4. The Forest (Conservation) Act, 1980 – Bare Act
5. A.K. Tiwari -Environmental Laws in India
6. P. Leelakrishnan - Environmental Law in India
7. Dr. I. A. Khan - Environmental Law
8. Shyam Divan&Armin Rosencranz - Environmental Law and Policy in India
9. S.C. Shastri - Environmental Law
10. Dr. H. N. Tiwari - Environmental Law
11. P.S. Jaswal - Environmental Law

### **LAW OF PROPERTY**

**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.

Marks-100  
Credit-04

**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**

**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

#### **COMPETITION LAW (ELECTIVE COURSE)**

**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. Vinod Dhall (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

**SERVICE LEARNING UNDER MOTOR VEHICLES ACT, 1988**  
**(Ability Enhancement Course)**

Marks 100

**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 X<sup>th</sup> 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

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## SEMESTER VII

### LAW OF CIVIL PROCEDURE AND LIMITATION

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

Marks-100  
Credit-04

**MODULE-I:** History, Object and Purpose of the Code of Civil Procedure, 1908

**MODULE-II:** Definitions

**MODULE-III:** Jurisdiction of Civil Courts

**MODULE-IV:** Res Sub Judice and Res Judicata

**MODULE-V:** Foreign 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 AND INDUSTRIAL LAW – II**

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

Marks-100  
Credit-04

#### **MODULE-I: The Trade Unions Act, 1926**

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

#### **MODULE-II: The Employees State Insurance Act, 1948**

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

### **MODULE-III: Minimum Wages Act, 1948**

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

### **MODULE-IV: Employees' Provident Fund and Miscellaneous Provisions Act, 1952**

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

### **MODULE-V: Child Labour (Prohibition and Regulation) Act, 1986**

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

**\*\*\*\*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.

### **COMPANY LAW**

**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.

Marks-100  
Credit-04

#### **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

#### **CORPORATE GOVERNANCE**

**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.

Marks-100  
Credit-04

**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

**THE INTERNATIONAL LABOUR ORGANIZATION AND LABOUR LAWS**

Marks 100  
Credit 04

**MODULE I:** Concept and Growth of Labour Jurisprudence.

**MODULE II:** Concept of Social Justice, Natural Justice and the Labour.

**MODULE III:** Constitution of India, 1950 and the Labour.

**MODULE IV:** Labour and Judicial Process and Public Interest Legislation.

**MODULE V:** Tripartism- Voluntarism in Labour Relations and Code of Discipline in Industry.

**MODULE VI:** International Law Organization - Genesis, Aims and Objectives, Constitutions; I. L. O. - Conventions and Recommendation: Procedure for Ratify

**MODULE VII:** International Law Organization - Conventions and Recommendations and Problems in their Rectification; International Law Organization & Regional Conferences; International Labour Standards and Labour Legislations in India; International Law Organization- Problems and Prospects; International Law Organization and Human Rights in India and Perspectives.

**\*\*\*\*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. I. L. O. International Labour Codes
2. S. N. Dhyani - I. L. O. and India: In pursuit of Social Justice.
3. G. A. Johnston - The International Labour Organization
4. Kamal Mathur and N. R. Seth - Tripartitism in Labour Policy
5. S. K. Agrawal - K. N. Mushi Lectures on Public Interest Litigation in India.
6. G. K. Johri - Indian Tripartite System.
7. S. R. Samant - Industrial Jurisprudence.
8. R. G. Chaturvedi - Natural and Social Justice.
9. Mahesh Chandra - Industrial Jurisprudence.
10. Ridoout - Principles of Labour Law.
11. N. Vaidyanathan - International Labour Standards.

### Legal Aid in Surrounding Villages (Ability Enhancement Course)

Marks 100

#### 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)**

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

Marks-100

[Written 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. Raju Ramachandran - 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, Sarjiva Rao '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 X<sup>th</sup> 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

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## SEMESTER VIII

### LAW OF EVIDENCE

**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.

Marks-100  
Credit-04

**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

**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.

Marks-100  
Credit-04

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

## INSURANCE LAW

**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.

Marks-100  
Credit-04

**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 Eveanly - 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

## LAND LAWS INCLUDING TENURE AND TENANCY SYSTEM

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

Marks-100  
Credit-04

**MODULE-I:** Concept of Land Reform; Land Reforms and India.

**MODULE-II:** Land Reforms in West Bengal; Operation Barga.

**MODULE-III: THE WEST BENGAL LAND REFORMS ACT, 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. Susanta Sen - 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

### **BANKING LAW (ELECTIVE COURSE)**

**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.

Marks-100  
Credit-04

**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. KaturiNageswara Rao (ed.) - Banking: New Challenges
6. R.K. Bangia - Negotiable Instrument Act, 1881.

### **HUMAN RIGHTS IN SCHOOLS AND ENVIRONMENTAL PROTECTION ORIENTATION (Ability Enhancement Course)**

Marks 100

#### **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)**

**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.

Marks-100

**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 X<sup>th</sup> 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

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## SEMESTER IX

### PUBLIC INTERNATIONAL LAW

**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.

Marks-100  
Credit-04

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

**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.

Marks-100  
Credit-04

## **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 Care Law Study
3. M. K. Balachandran, Rose Verghese - Introduction to International Humanitarian Law
4. Guy S. Goodwin-Gill - The Refugee in International Law

5. RathinBandyopadhyay - Human Rights of the Non-Citizen: Law and Reality
6. VeralGowlland - The Problem of Refugees in the Light of Contemporary International Law Issues, Debbas

## **INTELLECTUAL PROPERTY LAW**

**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.

Marks-100  
Credit-04

### **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: COPY RIGHT 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

## **HEALTH LAW**

**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.

Marks-100

Credit-04

### **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, 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. Joga Rao - Current Issues in Criminal Justice and Medical Law
3. Garcus Thorman, N. P. Sinha, & Johnson Thorman - AIDS, Social Work and Law
4. Nandita Adlikani - Law and Medicine

### **EQUITY AND TRUSTS (ELECTIVE COURSE)**

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

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

Marks 100

**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)**

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

Marks-100

**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: CONVEYANCE:**

[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 X<sup>th</sup> 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

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## **SEMESTER X**

### **PRINCIPLES OF TAXATION LAW**

**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.

Marks-100  
Credit-04

### **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 (101<sup>th</sup> 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; 15<sup>th</sup> Law Commission Report on Tax Courts

## **PRIVATE INTERNATIONAL LAW**

**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.

Marks-100

Credit-04

**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. Paras Diwan - Law of Private International Law
2. Cheshire &North - Private International Law

# CYBER LAW

Marks-100

Credit-04

## **MODULE-I:INTRODUCTION TO THE CYBER WORLD AND CYBER LAW**

1.Cyber World: An Overview- The internet and online sources, Security of information, Digital signature

2. An Overview Cyber Law- Introduction about cyber space, Regulation of cyber space – introducing cyber law, Scope of Cyber laws – e-commerce, online contracts, IPRs, (copyright, trademarks, software patenting ), e-taxation-governance And cybercrimes, Cyber law in India with special reference to Information Technology Act,2000

## **Module-II: REGULATORY FRAMEWORK**

1. International Legal Regime- International legal regime relating to Cyber Crimes, European Convention on Cyber Crimes, Hague Convention on Jurisdiction and Foreign Judgments: Jurisdiction Agreement

2. International legal regime relating to E-Commerce- UNCITRAL Model Law on Electronics Commerce 1996, International legal regime relating to Intellectual Property Rights – (i) Berne Convention; (ii) Rome Convention; (iii) WIPO Copyright Treaty; (iv) WIPO Performance and Phonograms Treaty; (v) UDRP; (vi) OECD Convention on Database Protection

3. Domestic Legal Regime – Cyber Law in India- Information Technology Act, 2000 – Digital Signature; E-Governance; Regulation of Certifying Authorities; Duties of Subscribers; Penalties and Adjudications; Offences under the Act; Making of Rules and Regulations etc.

## **MODULE- III: CYBER CRIMES**

1. Introduction- Computer crime and cyber crime ,classification of cyber crimes

2. Cyber crime and related concepts- cyber crime and conventional crimes, reason for commission of cyber crime, cyber criminals and their objectives, kinds of cyber crime- cyber stalking,cyberpornography,forgery,fraud,cyber terrorism, computer vandalism

3. Regulation of cyber crimes- issues relating to Investigation,Jurisdiction,Evidence

## **MODULE-IV: E- COMMERCE**

1. E-commerce- definition, types and important issues in global E-commerce

2. IPR- An Overview, copyright issues in cyberspace, trademark issues in cyberspace, Computer software and related IPR issues

**\*\*\*\*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. Chris Reed & John Angel - Computer Law
2. Justice Yatindra Singh - Cyber Laws
3. S.K. Verma, Raman Mittal Raman - Legal Dimensions of Cyber Space
4. JonthanRosenoer, Cyber Law
5. SudhirNaib, The Information Technology Act, 2005: A Handbook
6. S. R. Bhansali, Information Technology Act, 2000
7. Vasu Deva, Cyber Crimes and Law Enforcement

## **SERVICE LAW**

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

## **FOREIGN TRADE (ELECTIVE COURSE)**

**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.

Marks-100  
Credit-04

## **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. Organisation 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

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

Marks 100

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

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

**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.

Marks 100

**MODULE-I: MOOT COURT**

[Marks-30]

- Each student will do at least three Moot Courts

10x3=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, VII, VIII, IX, X, and obtain a certificate of internship without which the Bar Council may not enroll them. The students must maintain diary. They will be evaluated in the X<sup>th</sup> 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