



COOCH BEHAR PANCHANAN BARMA UNIVERSITY

S Y L L A B U S

(w.e.f. 2020-2021 Session)

LL.B. DEGREE COURSE (3 YEAR)

UNDER CBCS MODE

COOCH BEHAR PANCHANAN BARMA UNIVERSITY

3 (THREE) YEAR LL.B. DEGREE COURSE SYLLABUS WITH CBCS AT A GLANCE:

		DESCRIPTION	CREDIT	MARKS
Semester – I				
1	Jurisprudence (Basic Theory of Law)	CORE COURSE	4	100
2	Contract- I	CORE COURSE	4	100
3	Law of Torts including Motor Vehicle Accidents and Consumer Protection Laws	CORE COURSE	4	100
4	Constitutional Law I	CORE COURSE	4	100
5	Family Law I	CORE COURSE	4	100
6	Legal Writing	ABILITY ENHANCEMENT COURSE	4	100
Semester – II				
1	Administrative Law	CORE COURSE	4	100
2	Law of Crimes I (Indian Penal Code)	CORE COURSE	4	100
3	Constitutional Law II	CORE COURSE	4	100
4	Family Law II	CORE COURSE	4	100
5	Contract- II (Special Contract)	CORE COURSE	4	100
6	Service Learning Consumer Protection Act	ABILITY ENHANCEMENT COURSE	4	100
Semester – III				
1	Labour and Industrial Law I	CORE COURSE	4	100
2	Law of Crimes Paper II (Criminal Procedure Code)	CORE COURSE	4	100
3	Interpretation of Statutes and Principles of Legislation	DISCIPLINE ELECTIVE	4	100
4	Environmental Law	CORE COURSE	4	100
5	Professional Ethics and Professional Accounting System	PRACTICAL	4	100
6	Service Learning Motor Vehicles Act	ABILITY ENHANCEMENT COURSE	4	100
Semester – IV				
1	Civil Procedure Code and Limitation Act	CORE COURSE	4	100

2	Law of Evidence	CORE COURSE	4	100
3	Company Law	DISCIPLINE ELECTIVE	4	100
4	Labour and Industrial Law II	CORE COURSE	4	100
5	Alternative Dispute Resolution	PRACTICAL	4	100
6	Legal Aid in surrounding villages in consultation with Legal Services Authority	ABILITY ENHANCEMENT COURSE	4	100
Semester – V				
1	Insurance Law	GENERIC ELECTIVE	4	100
2	Land Laws including Tenure and Tenancy System	CORE COURSE	4	100
3	Property Law	CORE COURSE	4	100
4	Health Law	GENERIC ELECTIVE	4	100
5	Drafting, Pleading and Conveyance	PRACTICAL	4	100
6	Service Learning: Environmental Protection Act, Air, Water, Forest, Wild Life, Persons with Disabilities Act, Juvenile Justice Act.	ABILITY ENHANCEMENT COURSE	4	100
Semester – VI				
1	Corporate Governance	DISCIPLINE ELECTIVE	4	100
2	Public International Law	GENERIC ELECTIVE	4	100
3	Human Rights Law and Practice	DISCIPLINE ELECTIVE	4	100
4	Principles of Taxation Law	CORE COURSE	4	100
5	Moot Court Exercise and Internship	PRACTICAL	4	100
6	Experiential Learning and Field Work (Special focus on Disability, Children, Environment, Health, Infrastructure and Development)	ABILITY ENHANCEMENT COURSE	4	100
TOTAL			144	3600

DETAILED SYLLABUS OF 3 (THREE) YEAR LL.B. DEGREE COURSE

SEMESTER-I

JURISPRUDENCE

Marks – 100

Credit- 04

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

Module-I: Nature and Scope of Jurisprudence 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 rights

- Bentham
- Austin
- H.L.A. Hart

Module IV: Pure Theory of Law

- Hans Kelsen

Module V: Sociological School

- Rosco Pound

Module VI: Historical School

- Henry Maine
- Savigny

Module-VII: Realist School

- American Realism-
 - HOLMES
- Scandinavian Realism-
 - AXEL HAGERSTORM

MODULE- VIII: LEGAL CONCEPTS

1. RIGHT ANDDUTIES
2. LAW ANDMORALS
3. PERSONALITY

4. PROPERTY
5. OWNERSHIP
6. POSSESSION
7. JUSTICE

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

RECOMMENDED READING:

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

1. W. Frienmann, Legal Theory, Universal Law Publishing Co. Pvt. Ltd.
2. H.L.A. Hart, The Concept of Law, Oxford University Press
3. M.D.A. Freeman(Ed), Lloyd's Introduction to Jurisprudence, Sweet &Maxwell
4. R.M.V. Dias, Jurisprudence, Butterworths
5. C.K. Allen, Jurisprudence, Oxford University Press
6. G.W. Paton, Text Book of Jurisprudence, Oxford University Press.

CONTRACT – I

Marks- 100

Credit- 04

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

1. GENERAL PRINCIPLES OF CONTRACT:

[Indian Contract Act, 1872 (As amended up to date) Sections 1- 75]

MODULE – I: History and nature of Contractual-Agreement and Contract: definitions-elements and kinds-legality of object

MODULE –II: Proposals and Acceptance : Dorns, elements-Communications-Revocations- Invitations for proposals, float offers–Tenders.

MODULE – III: Considerations: Need-Meaning-Kids-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 and Fact Fraud: definition- Elements-Effects- Suggestion False- Suppresio Veri- Silence as Fraud- Active concealment of truth-intention Mistake: definition-Elements-Kinds-Effects-Fundamental error- Mistake of Law and fact-effect on Consent

MODULE – VI: Void and Voidable Agreements: Lawful and unlawful Consideration and objects- wagering and contingent Agreement- Illegal, Void and Voidable agreements and their effect 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,
Alternation –Waiver

MODULE – IX: Quasi Contract

MODULE – X: Remedies in Contract

2. SPECIFIC RELIEF: THE SPECIFIC RELIEF ACT, 1963 [Specific Relief (Amendment) Act, 2018]

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 and 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.**

RECOMNDDED READING

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

1. Chesire & Fifoot, Cases on Law of Contract, Butterworths.
2. G. Treitel, The Law of Contract, Sweet and Maxwell
3. Anson, The Law of Contract, Oxford University Press
4. Cheshire and Fifoot, Cases on Law of Contract, Oxford University Press
5. Chitty, Contracts, Vol. I And XXIX , Sweet and Maxwell
6. Avtar Singh, Principles of Mercantile Law, Eastern Book Co.
7. R.K. Bangia, Contract I, Allahabad Law Agency
8. Dr. Kailash Rai, Law of Contract 1 General Principles of Specific Relief Act, Central Law Publications.

LAW OF TORTS INCLUDING MOTER VEHICLES ACCIDENTS AND CONSUMER PROTECTION LAWS

Marks- 100

Credit- 04

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

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

MODULE – II: GENERAL PRINCIPLES OF TORTS

Essential of Torts- Act or Omission, Mental element, Damages (*Injuria sine Damnum* and *Damnum sine Injuria*)

Damages – (Remoteness of damage causation)

Capacity

General Defences (General Exception to liability) – Act of State, Judicial and Quasi Judicial Acts, Parental and Quasi parental Act, Necessity, Inevitable Accident, Mistake, Leave and license, Act of God, Self Defence.

Vicarious liability

Joint and Several liability

Tort feisor,

Extinction of liability etc.

MODULE – III: SPECIFIC TORTS

Torts based on intentional wrong-doing (Trespass to person-assault, Battery, False Imprisonment, Trespass to land and Chattel, Deceit, Malicious Prosecution)

Negligence- Torts based on negligent wrongdoing (Nervous shock, *Res ipsa loquitur*)

Nuisance

Defamation

Strict and Absolute liability

MODULE – IV: CONSUMER PROTECTION ACT, 2019 (CONSUMER PROTECTION ACT, 1986 replaced)

Aims and objectives of the Act

Definition

Rights of the consumer in Consumer

Protection Councils

Complaints and process of making of Complaints

Composition, Powers, functions and Jurisdiction of Consumer Dispute Redressal

Agencies Reliefs and Redressal

MODULE – V: MOTOR VEHICLES ACT, 1988 [Motor Vehicles (Amendment) Act, 2019]

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 READING

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

- 1.** Mark Luney & Ken Oliphant, Tort Law: Text and Material, Oxford University Press
- 2.** W.V.H. Rogers, Winfield & Jolowicz On Torts, Sweet &Maxwell
- 3.** R.F.V. Heuston (Ed), Salmond and Heuston on Law of Torts, Sweet &Maxwell.
- 4.** Ratanlal & Dhirajlal, The Law of Torts, Wadhwa &Company
- 5.** P.S. Achuthan Pillai, Eastern Book Company
- 6.** Dr.R.K.Bangia, Law Of Torts Including Compensation Under The Motor Vehicles Act And Consumer Protection Act, Allahabad Law Agency.

CONSTITUTIONAL LAW– I

Marks- 100

Credit- 04

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

MODULE – I: Constitutional Developments since 1858-1947

MODULE – II: Characteristics of Constitution of India 1950

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

MODULE – IV: Fundamentals 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-

MODULE -V: Directive Principles of State Policy-Fundamental Duties-Relationship between Fundamental Rights and Directive Principles of State Policy

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

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

RECOMMENDED READINGS:

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

1. The Constitution of India, 1950 (Bare Act with latest Amendment)
2. V.N.Shukla, Constitutional Law, Eastern Book Company
3. J.N. Pandey, Constitutional Law, Central Law Agency
4. D.D. Basu, Constitution of India, Lexis Nexis
5. M.P. Jain, Indian Constitutional Law, LexiNexis.
6. H.M. Seeravai, Constitution of India, Universal Law Publishing Co Ltd.

FAMILY LAW-I

Marks- 100

Credit-04

OBJECTIVE OF THE COURSE: Family is the smallest yet a very important unit of the society. The issues within the family are a concern for law but also of religion, culture and custom. In this subject student will become familiar with family law relating to Hindu.

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; Section 125 to 128 of the Code of Criminal Procedure, 1973; The Hindu Adoptions and Maintenance Act, 1956 (Section 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 of debts, Alienations, Partition, Women'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 Guardians Act, 1956 (Section 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 Adoptions and Maintenance Act, 1956 (Section 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:

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

1. J.D.Mayne- Hindu Law and Usage, Bharat Law House.
2. Dinshaw Fardunji Mulla (Author), Satyajeet A.Desai (Editor), Mullas Hindu Law, Lexi Nexis
3. Dr. Paras Diwan, Modern Hindu Law, Allahabad Law Agency
4. Sumeet Malik, B.M. Gandhi's, Hindu Law, Eastern Book Company
5. Dr. Sir Hari Singh Gour- Hindu Code, Butterworth & co. (India)
6. M.N. Das, A.N. Saha's Marriage and Divorce, Eastern Law House
7. H.K. Saharay- Law of Marriage and Divorce, Eastern Law House
8. G. Chakraborty, Law of Maintenance, Sodhi Publications (Allahabad)

LEGAL WRITING AND CONTRACT DRAFTING

Marks- 100

Credit- 04

[Written Submission= 90 marks+Viva-Voce= 10 marks]

OBJECTIVE OF THE COURSE: This paper will help and prepare the students in acquiring the practical knowledge and skills of advocacy.

1. Put up Petition
2. *Hazira* 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. Bonds
12. Application for Bail
13. Searching Report (Model form)
14. Commission Report (Model form)
15. Complaint (Model form)
16. Transfer Petition (Model form)
17. Petition under Section-205 CrPC
18. Amendment petition (Model form)
19. General Power of Attorney (Model form)
20. Special Power of Attorney (Model form)
21. Petition to Plead Guilty (Model form)
22. Condition Waiver Petition (Model form)
23. Judgment Writing

*****Students are required to prepare Written Submission under the guidance of concerned mentor and the same shall be evaluated at the end of the semester.**

SEMESTER II

ADMINISTRATIVE LAW

Marks- 100

Credit- 04

OBJECTIVE OF THE COURSE: This subject will make familiar the students with law which regulate administrative function and the rules that ensure a fair deal when a person is working. It has a close relationship with constitution help that students understand the importance of fairness.

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

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

MODULE – III: Rule of Law

MODULE – IV: Separation of Powers

MODULE – V: Classifications of Administrative Action

- Rule making action or quasi legislative action
- Rule – decision action or quasi- judicial action
- Rule application action or administrative action
- Ministerial action

MODULE – VI: Natural Justice – Rule against bias, *Audi Alterm Partem*, Post decision hearing – Exception to the Rule of Natural Justice – reason decision

MODULE – VII: Delegated Legislation –Definition, Nature, Scope and Classification

MODULE – VIII: Control Mechanism of Delegated legislation

- Parliamentary Control
- Procedural Control
- Judicial Control

MODULE – IX: Judicial Review of Administrative Action

- Principles
- Modes- Habeas Corpus, Mandamus, Certiorari, Prohibition, Quo-warranto
- 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- characteristic, Classification and their control

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

MODULE – XIII: Public Interest Litigation

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

RECOMMENDED READINGS:

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

1. Jain and Jain, *Principles of Administrative Law*, Lexis Nexis.
2. I.P. Massey, *Administrative Law*, Eastern Book Company
3. U.P.D. Kessari, *Administrative Law*, Central Law Publication
4. H.W.R. Wade, *Administrative Law*, Oxford University Press.
5. S P Sathe, *Administrative Law*, Lexis Nexis
6. J.J. R. Upadhyay, *Administrative Law*, Central Law Agency
7. D.D. Basu, *Administrative Law*, Kamal Law House.

LAW OF CRIMES – I
(Indian Penal Code)

Marks- 100

Credit-04

OBJECTIVES OF THE COURSE: This subject intends to familiarize the students to a new area of law called crimes. Here the students will study the various kinds of offences, their definition, elements and the punishment.

MODULE – I: Elements of Crime – *Actus reus, Mens rea*

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. Private defence of body and property

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

MODULE – V: Criminal conspiracy

MODULE – VI: Offences against state

MODULE – VII: Offences against public tranquility –unlawful assembly, riot and affray

MODULE – VIII: False evidence and offences against public justice

MODULE – IX: Offences relating to religion

MODULE – X: Offences against human body-

- a. Lawful homicide, culpable homicide, murder, rash or negligent act,
- b. Hurt, grievous hurt, wrongful restraint, wrongful confinement, criminal force, criminal assault, criminal intimidation, kidnapping, abduction
- c. Rape
- d. Unnatural sexual offences

MODULE – XI: Offences against property –

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

MODULE – XII: Offences relating to documents

MODULE – XIII: Offences against marriage – bigamy, adultery, cruelty, dowry death

MODULE – XIV: Attempt to commit offence

MODULE – XV: Punishment- simple imprisonment, life imprisonment, capital punishment, rarest of rare cases.

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

RECOMMENDED READINGS:

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

1. Ratanlal and Dhirajlal, *The Indian Penal Code*, LexisNexis.
2. R.K. Bangia, *Indian Penal Code*
3. K.D. Gour, *Criminal Law: Cases and Materials*, LexisNexis
4. Dr Dennis Baker, *The Text Book on Criminal Law: Glanville Williams*, Sweet & Maxwell.

CONSTITUTIONAL LAW-II

Marks- 100

Credit- 04

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

MODULE – I: Federalism, Co-Operative Federalism, Nature of Indian Federalism from British Raj to Swaraj

MODULE – II: Centre State Relations.

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

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

MODULE – IV: Freedom of Trade, Commerce and Intercourse

MODULE – V: Doctrine of Pleasure and Constitutional Safeguards to Civil Servants

MODULE – VI: The emergency Provisions- National, State and Financial

MODULE – VII: The Amendment of the Constitution

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

RECOMMENDED BOOKS:

1. The Constitution of India, 1950 (Bare Act with latest Amendment)
2. V.N. Shukla, *Constitutional Law*, Eastern Book Company
3. J.N. Pandey, *Constitutional Law*, Central Law Agency
4. D.D. Basu, *Constitution of India*, Lexis Nexis
5. M.P. Jain, *Indian Constitutional Law*, Lexi Nexis.
6. H.M. Seeravai, *Constitution of India*, Universal Law Publishing Co Ltd.

FAMILY LAW – II

Marks- 100

Credit- 04

OBJECTIVE OF THE COURSE: Family is the smallest yet a very important unit of the society. The issues within the family are a concern for law but also of religion, culture and custom. In this subject student will become familiar with family law relating to Muslims.

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 (Nikah)

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 Right on Divorce) Act, 1986 and Section 125 to 128 of the Code of Criminal Procedure, 1973.

MODULE – VIII: Acknowledgement

MODULE – IX: Guardianship

MODULE – X: Gift

MODULE- XI: Waqf

MODULE – XII: Wills

MODULE – XIII: Pre-emption

MODULE – XIV: Succession and Inheritance: General Principles, Hanafi and Shia Law

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

MODULE – XVI: The Indian Succession Act, 1925 – Applicability, Intestate Succession (Section 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 up to date will be taught.**

RECOMMENDED READINGS:

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

1. Dinshaw Fardunji Mulla, *Mulla Principles of Mahomedan Law*, Lexis Nexis
2. Asaf A. A. Fyzee, *Outlines of Muhammadan Law*, Oxford University Press.
3. Syed Ameer Ali, *Muhammadan Law*, Kitab Bhavan
4. Tahir Mahmood, *Introduction to Muslim Law*, Universal Law Publishing.
5. Aquil Ahmed, *Muhammadan Law*, Central Law Agency.
6. S.A. Kader, *Muslim Law of Marriage and Succession in India*, Eastern Law House.
7. Sukumar Ray, *B.B. Mitra-The Indian Succession Act*, Eastern Law House
8. N.D. Basu, *Law of Succession*, Eastern Law House

CONTRACT –II **(Special Contract)**

Marks- 100

Credit- 04

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

MODULE – I: INDEMNITY- Concept – definition- Nature- Creation- Classification – Right, Duty and Liability of Indemnifier- agreement of Indemnity

MODULE – II: GUARANTEE: Concept – definition- essential- Consideration & criteria – Capacity- Surety's Liability (duration & termination) letters of credits and bank guarantee- Liabilities, Rights & Duties of Co- Sureties – Discharge.

MODULE – III: BAILMENT- definition – Creation – Bailment Contracts- kinds of Bailee's – Right and duties of Bailor and Bailee (Individually and mutually) – Finder of goods – Liability toward owner – Obligation of safe keeping – Disposing off of goods.

MODULE – IV: PLEDGE –Definition- bailment and pledge compared – Pledge transactions – statutory regulations – Right and duties of Pawner and Pawnee (Individually and mutually) – Pledge in Indian Contract Act,1872

MODULE – V: AGENCY – Identification, classification- Difference between agent and servant- essentials- Methods of creation – delegation – Rights and Duties of Agent – Scope of Agent's authority- Liability towards Owner – Obligation of safe keeping – Disposing off of goods.

MODULE – VI: SALE OF GOODS- Concept of sale as contract – Nature of such Contract – 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 – VII: PARTNERSHIP – Definition- Nature – Advantage & Disadvantages – Registration – Mutual relationship between partners – Admission, Authority and Outgoing of partners-Dissolution.

MODULE – VIII: NEGOTIABLE INSTRUMENTS – Concepts – kinds- Essentials- Competent parties – Acceptance – dishonour – holder & Holder in due course – Presentation of Instruments – Cheques – Liability of collecting and paying bankers – Discharge from liability – Kinds of Bills – evidence.

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

RECOMMENDED READINGS:

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

1. R.K. Abhichandani (Ed.), *Pollock and Mulla on Contract and Specific Relief*, Butterworth India
2. Krishnan Nair, *Law of Contract*, Orient Law House
3. J.P. Verma (Ed) Singh & Gupta, *The Law of Partnership in India*, Orient Law House
4. A. G. Guest (Ed), *Benjamin's Sale of Goods*, Sweet & Maxwell.
5. Bhashyam & Adiga, *The Negotiable Instruments Act*, Bharat Law Publishers.
6. M.S. Partasarathy (Ed), J.S. Khergamvala on the Negotiable Instruments Act
7. Jack Beatson (Ed), *Anson's Law of Contract*, Oxford University Press
8. Avtar Singh, *Contract and Specific relief*, Eastern Book Co.
9. T.R. Desai, *The Indian Contract Act and the Sale of Goods Act*, LexisNexis Butterworths

SERVICE LEARNING UNDER CONSUMER PROTECTION ACT, 2019

Marks- 100

Credit- 04

(Written Submission= 90 Marks

Viva Voce= 10 Marks)

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
- a) Legal frame work and policy challenges
- b) 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) Monopolistic and Restrictive trade practice Act 1969
- f) Sale of Goods Act, 1930
- g) Consumer Protection Act, 2019-the vision of the legislation

3. Drafting of complaint under the Consumer Protection Act, 2019.

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:

- a) **Students are expected to maintain a diary reporting 5cases (of 18 marks each), to be observed in Consumer Courts during their visit.**

SEMESTER III

LABOUR & INDUSTRIAL LAW-I

Marks- 100

Credit- 04

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

MODULE – I: Industrial Disputes Act, 1947

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

MODULE – II: Workmen’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; definition; Health-Safety and Welfare measurer; 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 up to date will be taught.

RECOMMENDED READINGS:

Only current editions are to be read.

1. P.L. Malik (Rev.), K.D. Srivastava’s Industrial Employment (Standing Orders) Act, 1946, Eastern Book Company.
2. S.N. Mishra, Labour and Industrial Law, Central Law Publication
3. Indian Law Institute – Labour Law and Labour Relations, ILI (New Delhi)
4. O.P. Malhotra- The Law of Industrial Disputes, Lexis Nexis.
5. V.V. Giri, Labour Problems in Indian Industry, Asia Publishing House.
6. S.C. Srivastava, Social Security and Labour Laws, Eastern Book Co.
7. S.K. Puri, Labour and Industrial Law, Allahabad Law Agency.
8. R. Dayal – Labour and Industrial Law, Allahabad Law Agency.

LAW OF CRIMES – II
(Criminal Procedure Code 1973)

Marks- 100

Credit- 04

OBJECTIVE OF THE COURSE: The world of offences is now familiar to the students. there is a procedure of punishment which will be taught in this paper.

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

MODULE – II: Definitions – Section 2

MODULE – III: Constitution and Powers of Criminal and Executive Courts – Section 6 to 35

MODULE – IV: Arrest of Persons- Section 41 to 60

MODULE – V: Process to Compel Appearance and Production of Things and Reciprocal Arrangements Sections 61 to 105L

MODULE – VI: Preventive and Precautionary Measures of Security Proceedings Section 106 to 124, Section 129 to 153.

MODULE – VII: Maintenance of Wives, Children and Parents – Section 125 to 128

MODULE – VIII: Information to the Police and their Powers to Investigate – Section 154 to 176

MODULE – IX: Jurisdiction of the Criminal Courts in Inquiries and Trials-Section 177 to189.

MODULE – X: Cognizance of Offences and Commencement of Judicial Proceedings – Sections 190 to 210

MODULE – XI: Charge – Section 211 to 224

MODULE – XII: Trial before various Courts

- a. Court of Sessions-Section 225 to237
- b. Warrant Cases by Magistrates-Sections 238 to 250
- c. Summons cases by Magistrates- Section 251 to259
- d. Summary Trial-Section 260 to265

MODULE – XIII: Mode of Taking Evidence and General Provisions as to Inquiries and Trials-Section 266 to 352

MODULE – XIV: Judgement – Sections 353 to 365

MODULE – XV: Appeals-Sections 372 to 394

MODULE – XVI: Reference and Revision-Section 395 to 405

MODULE – XVII: Provisions as to Bails and Bonds – Section 436 to 450

MODULE – XVIII: Irregular Proceedings-Section 460 to 466

MODULE – XIX: Limitation for taking cognizance –Sections 467 to 473

MODULE – XX: Probation of Offenders Act, 1958- Sections 1 to 19

MODULE – XXI: Juvenile Justice (Care and Protection of Children) Act, 2015 – Sections 1 to 73

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

RECOMMENDED READINGS:

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

1. R.V.Kelkar's Criminal Procedure, Eastern Book Co.
2. Ratanlal and Dhirajlal, The Code of Criminal Procedure, Lexi Nexis.
3. S.N. Mishra, The Code of Criminal Procedure, Central Law Publication
4. S.P. Sengupta, B.B.Mitra's Commentary on the Code of Criminal Procedure, 1973, Kamal Law House
5. S.C. Sarkar, Sarkar's Commentary on Code of Criminal Procedure, 1973, Dwivedi Law Agency.

INTERPRETATION OF STATUTES AND PRINCIPLES OF LEGISLATION

Marks- 100

Credit- 04

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

MODULE – I: PRINCIPLES OF LEGISLATION- Law making (legislature, executive, Judiciary)- Principles 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 Travaux Preparatoires, Statutes in pari material, Contemporane Exposito, Debates, Reports]

MODULE – III: RULES OF STATUTORY INTERPRETATION- Primary Rules [Literal rule, Golden rule, Mischief rule, harmonies Construction] Secondary Rules [Noscitur a sociis, ejusdem generic, Reddendo singular singularis]

MODULE – IV: PRESUMPTION IN STATUTORY INTERPRETATION- Statues 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. Expression unius exclusional terius
3. Generallis specialibus non derogant
4. In pari delicto potiores condition possidentis
5. Utres valet potior quampariat
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 Statues
- Welfare Legislations

- Substantive and Adjective 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 up to date will be taught.**

RECOMMENDED READINGS:

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

1. G.P. Singh, Principles of Statutory Interpretation, Wadhwa & Co.
2. P. St. Langan (Ed), Maxwell on Interpretation of Statute,
3. N.M. Tripathy K.Shanmukham, N.S. Bindras, Interpretation of Statute, The Law Book Co.
4. V. Sarathi, Interpretation of Statute, Eastern Law Book Co.
5. M.P. Singh (Ed), V.N. Shukla’s Constitution of India, Eastern Law Book Co.
6. M.P. Jain, Constitution Law of India, Wadhwa & Co.

ENVIRONMENTAL LAW

Marks- 100

Credit- 04

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

MODULE – I: Concept of Environment and Its Important – 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 Environment 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 up to date will be taught.**

RECOMMENDED READINGS:

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

1. THE AIR (PREVENTION AND CONTROL OF POLLUTION) ACT, 1981
2. THE WATER (PREVENTION AND CONTROL OF POLLUTION) ACT, 1974
3. THE WILD LIFE (PROTECTION) ACT, 1972
4. THE FOREST (CONSERVATION) ACT, 1980

5. A.K. Tiwari, Environmental Laws in India, Deep & Deep Publications
6. P. Leela krishnan, Environmental Law in India, Lexis Nexis
7. Divan Shyam & Rosencranz Armin, Environmental Law and Policy in India, Oxford
8. Shastri. S.C., Environmental Law, Eastern Book Company.
9. Dr. H.N. Tiwari, Environmental Law, Allahabad Law Agency
10. P.S. Jaswal, Environmental Law, Allahabad Law Agency

PROFESSIONAL ETHICS AND PROFESSIONAL ACCOUNTING SYSTEM (Practical – I)

Marks- 100

(Written submissions: Marks – 90
Viva voce: Marks – 10)

Credit- 04

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

MODULE – I: Advocacy

MODULE – II: The Contempt Law and Practice

MODULE – III: The Bar Council Code of Ethics

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

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

NOTE: Students will have to put in four weeks of internship compulsorily in Semesters II, III, IV, V and VI and obtain internship certificate without which the Bar Council may not enroll them. The students must maintain diary. They will be evaluated in the **VI Semester along with Moot Court Exercise and Internship**. 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

(Any other body approved by the University)

SERVICE LEARNING UNDER MOTOR VEHICLES ACT, 1988

Marks- 100

Credit- 04

(Written submissions: Marks – 90)

Viva voce: Marks – 10)

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 Motor Vehicles Act, 1988
 - a. No fault liability under section 140.
 - b. Liability under section 163 A
 - c. Liability under section 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 18 marks each), to be observed in Motor Accidental Claims Tribunal during their visit.

Viva Voce = 10 Marks

NOTE: Students will have to put in four weeks of internship compulsorily in Semesters II, III, IV, V, VI and obtain a certificate of internship without which the Bar Council may not enrol them. The students must maintain diary. They will be evaluated in the VI th Semester along with **Moot Court Exercise and Internship**. 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

Any other body approved by the University.

SEMESTER – IV

LAW OF CIVIL PROCEDURE AND LIMITATION

Marks- 100

Credit- 04

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

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

MODULE – II: Definitions

MODULE – III: Jurisdiction of Civil Courts

MODULE – IV: Res Sub Judice and Res Judicata

MODULE – V: Foreign Judgement

MODULE – VI: Place of Suing

MODULE – VII: Institution of Suits, parties to Suits, Suits in Particular Cases (By or against governments or Public Officers; Substantial questions of Law; By or against Corporations; By or against Firms; By or against Trustees, Executors and administrators; By or against Minors and Lunatics; Matters concerning family; By Indigent Persons; Mortgages; Inter pleader 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 judgement, Attachment before judgement, Temporary Injunctions, Interlocutory Orders, Receivers, Costs and Security for Costs.

MODULE – XV: Withdrawal and Compromise of Suits

MODULE – XVI: Death, Marriage and Insolvency of Parties

MODULE – XVII: Framing and Settlement of Issues

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

MODULE – XIX: Judgement and Decree

MODULE – XX: Execution of Decrees and Orders

MODULE – XXI: Appeals, Reference, Review and Revision

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

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

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

RECOMMENDED READINGS:

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

1. C.K. Thakker (Takwani), Civil Procedure, Eastern Book Company
2. Mulla, Civil Procedure Code, Lexis Nexis
3. Sarkar, Code of civil Procedure Code (2Volumes), Lexis Nexis
4. M. R. Mallick, Ganguly's Civil Court Practice and Procedure, Eastern Law House
5. Nandia- Code of civil Procedure Code
6. A.N. Saha, The Code of Civil Procedure Code (3 Volume Set), Premier Publishing Company
7. P.K. Majumder – Code of Civil Procedure Code
8. M. R. Mallick, B.B. Mitra-Limitation Act, Eastern Law House

LAW OF EVIDENCE

Marks- 100

Credit- 04

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

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

MODULE – II: Definitions – Section 3 and 4.

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

- a. Evidence of facts in Issue and Relevant fact- Section5
- b. Doctrine of Res Gestae- Section6
- c. Occasion, Cause or Effects of facts in issue- Section7
- d. Motive, Preparation and Conduct- Section8
- e. Introductory or Explanatory Facts- Section 9
- f. Conspiracy Section10
- g. Inconsistent Facts- Section11
- h. Damages –Section12
- i. Right or Custom – Section13
- j. State of Mind, Body or Bodily Feeling –Section14
- k. Accidental or International Acts- Section 15
- l. Existence of Course of Business –Section16
- m. Admission and Confession-Section17-31
- n. Statements by person who cannot be called as witnesses-Section32
- o. Statement made under Special Circumstances –Section33-38
- p. Extent of providing a Statement –Section39
- q. Relevancy of Judgements-Section40-44
- r. Opinion of third persons-Section45-51
- s. Relevancy of Judgments-Section52-55

MODULE – IV: On proof (Section 56-100)

- a. facts which need not be proved –Sections56-58
- b. oral evidence –Section 59-60
- c. Documentary Evidence –Section61-73
- d. Public and Private Documents-Section74-78
- e. Presumptions as to Documents –Section79-90A.
- f. Exclusion of Oral by Documentary Evidence –Sections 91 to100.

MODULE – V: Production and effect of Evidence (Section 101 to 167)

- a. Burden of Proof –Sections 101 to114-A
- b. Estoppel-Section 115 –117
- c. Witnesses –Sections 118 to134
- d. Examination of witnesses –Section 135 –166
- e. Improper Admission and Rejection of Evidence –Section167.

******* 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. Batuk Lal, The Law of Evidence, Central Law Agency.
2. Avtar Singh, Principles of the Law of Evidence, Central Law Publications.
3. M. Monir, Text book on the Law of Evidence, Universal (LexisNexis)
4. Abhinandan Malik, Vepa P. Sarathi's Law of Evidence,
5. Ratanlal and Dhirajlal, Law of Evidence, Lexis Nexis
6. Sarkar's LAW OF Evidence (2 Volumes), LexisNexis
7. C. D. Field –Commentary on Law of Evidence (5volumes), Delhi Law House
8. N.D. Basu –Law of Evidence
9. Woodroffe and Amir Ali, Law of Evidence (Set of 4 Volumes), Lexis Nexis

COMPANY LAW

Marks- 100

Credit- 04

OBJECTIVE OF THE COURSE: Company is legal person who is as important for a nation as an individual is. This subject familiarize the student with formation and managing a company.

MODULE – I: Formation of Companies

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

MODULE–II: Kinds of Companies and the Process of their Transformation from one kind to another

MODULE – III: Advantages and Disadvantages of Incorporation

MODULE – IV: Prospectus

MODULE – V: Shares and related matters

MODULE – VI: Debentures and Related Matters

MODULE – VII: Company and its Organs: Their Power, Function, Duty and Interrelationship

MODULE – VIII: Foss v. Harbottle Rule and Its Exceptions

MODULE – IX: Merger and De-Merger

MODULE – X: Winding Up (By Court and Voluntary)

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

MODULE – XII: Brief Overview of SEBI Guidelines

******* 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. Avatar Singh, Company Law, Eastern Book Company
2. A. Ramaiya, Guide to The Companies Act (6 Volumes), LexisNexis
3. Paul.L Davies, Gower & Davies-Principles of Modern Company Law, Sweet & Maxwell
4. N.K. Jain, Company Law: Law & Practice, Deep and Deep Publications
5. Palmer, Wright & Dunlop, Palmer's Company Precedents, Sweet & Maxwell Ltd
6. M.C. Bhandari, Guide to Company Law Procedures, LexisNexis.
7. Michael A. Hitt, Merger and Acquisition, Oxford University Press

LABOUR AND INDUSTRIAL LAW – II

Marks- 100

Credit- 04

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.

MODULE – I: The Indian Trade Unions Act, 1926

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

MODULE – II: The Employees State Insurance Act, 1948

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

MODULE – III: Minimum Wages Act, 1948

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

MODULE –IV: The 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 & Procedures.

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

RECOMMENDED READINGS:

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

1. K.D. Srivastava, The Industrial Disputes Act,
2. S.N. Mishra, Labour and Industrial Laws, Central Law Publications.
3. Indian Law Institute, Labour Law and Labour Relations, ILI (New Delhi)
4. O.P. Mishra – The Law of Industrial Disputes
5. V.V. Giri, *Labour Problems in Indian Industry*, Asia Publishing House.
6. S.C. Srivastava, *Social Security and Labour Laws*, Eastern Book Co.
7. S.K. Puri, *Labour and Industrial Law*, Allahabad Law Agency.
8. R. Dayal- Labour and Industrial Law, Allahabad Law Agency.

ALTERNATIVE DISPUTE RESOLUTION (Practical – II)

Marks- 100

Credit- 04

(Written submissions Marks – 90

Viva Voce Marks –10)

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

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

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

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

NOTE: Students will have to put in four weeks of internship compulsorily in Semesters II, III, IV, V, VI, 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 **Vith Semester along with Moot Court Exercise and Internship**. 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.

LEGAL AID IN SURROUNDING VILLAGES IN CONSULTATION WITH LEGAL SERVICES AUTHORITY

Marks- 100

Credit- 04

(Written submissions Marks – 90

Viva Voce Marks –10)

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, Cooch Behar Panchanan Barma University.

Written Submission = 30 Marks

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

1. Visiting schools for awareness of legal service (any two schools) **[2x10=20]**

2. Survey in villages awareness camp- **[2x20=40]**

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

Viva Voce = 10 Marks

SEMESTER-V
INSURANCE LAW

Marks- 100

Credit- 04

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

MODULE – I: Introduction [History, Nature]- definition- Concept of Insurance compared with contract and Tort- Insurance in globalised economy.

MODULE – II: General principles of Law of Insurance – nature, scope and classification of Insurance contracts-Insurable interest- the risk – policy [form, content, commencement, duration, alternation, cancellation, rectification, renewal, assignment, construction]-conditions of policy.

MODULE – III: Life Insurance [nature, scope, definition, classification], formation of life insurance contract- event insured against life insurance contract – Circumstances affecting the risk- amount recoverable under life policy- persons entitled to payment- settlement of claim.

MODULE – IV: The Insurance Act, 1938, [Section 1-64], IRDA Act, 1999

MODULE – V: The General Insurance Business [Nationalisation] Act, 1972. [Section 1-15]

MODULE – VI: The General Insurance Business [Nationalisation] Act, 1972. [Section 1-15]

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

RECOMMENDED READINGS:

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

1. Bridge Anand Singh, New Insurance Law, Union Book Publishers, Allahabad.
2. E.R. Hardy Ivamy, Case Book On Insurance Law, Butter worths
3. E.R. Hardy Ivamy, General Priciples of Insurance Laws, Butter worths.
4. John Birds, Bird’s Modern Insurance Law, Sweet &Maxwell Ltd.
5. M.N. Srinivasan, Principles of Insurance Law, LexisNexis.

LAND LAWS INCLUDING TENURE & TENANCY SYSTEM

Marks- 100

Credit- 04

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

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

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

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

1. Definitions. [Section2]
2. Raiyats: Various rights; restrictions on rights [Section 4-7]
3. Pre-emption (Section-8)
4. Powers of revenue Officer (Section 9, and powers under other provisions under the Act)
5. Diluvated Land (Section11)
6. Partition of holding among Co-Sharer Raiyats (Section14)
7. Restrictions on alienation of Land by Schedule tribes (Section 14 A –14I)
8. Ceiling on Holding (Sections 14J – 14Z)
9. Bargadars (Section15-21E)
10. Principles of Distribution of Land (Section49-49A)

MODULE – IV: THE LAND ACQUISITION ACT, 1894

1. DEFINITIONS. (Section3)
2. Acquisition (Sections4-10)
- 3.
4. Reference to Court and Procedure thereon (Sections18-28A)
5. Acquisition of land for Companies (Section 38A –44B)

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

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

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

RECOMMENDED READINGS:

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

1. Sukumar Ray, A.N.Saha-The West Bengal Land Reforms Act, 1955, Eastern Law House.
2. The West Bengal Land Reforms Act: Susanta Sen
3. D.P. Chatterjee, The West Bengal Land Reforms Act
4. The West Bengal Land Reforms Act: Asutosh Mukherjee

LAW OF PROPERTY

Marks- 100

Credit- 04

OBJECTIVE OF THE COURSE: The world of property is a very important part of a national as well as individual life. This law regulate the transfer of property.

MODULE – I: Interpretation Clause

MODULE – II: Transfer of Property- What may be transferred – Person Competent to 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-Fulfillment 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 unauthorized 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: Easement – definition- kinds – Imposition, acquisition and transfer of easement – incidents of easements- disturbance of easement – extinction, suspension and revival of easement – License

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

RECOMMENDED READINGS:

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

1. Transfer of Property Act, 1882 (Bare Act)
2. The Indian Easement Act, 1882 (Bare Act)
3. G.P.Tripathi, The Transfer of Property Act, Central Law Publications.
4. Dr. Poonam Pradhan Saxena, Mulla: Transfer of Property Act, Lexis Nexis
5. S.N.Shukla, Transfer of Property Act, Allahabad Law Agency.
6. B.B.Mitra, Transfer of Property Act, Kamal Law House.
7. R. Dayal, Transfer of Property Act
8. S.K.Agarwal, Easement Act

HEALTH LAW

Marks- 100

Credit- 04

OBJECTIVE OF THE COURSE: Health is not only 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 this subject student become familiar with health law.

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 disaster (Duties of Carriers as well)

MODULE – III: ORGANISATION OF PUBLIC HEALTH CARE IN INDIA

1. Legal organization of public hospitals.
2. Medico-Legal cases and duties of hospitals
3. Mental Health care in Public hospitals: duties and liabilities
4. Rural Health Care – National Health Mission

MODULE – IV: ORGANISATION OF PRIVATE HEALTH CARE

1. Medical Negligence
2. Amneocentesis
3. Public Service Related situations-Negligence of Private doctors in eye camps etc.
4. Disposal and surgical waste –Liability of public and private health care units

MODULE – V: CONTRACTUAL LIABILITY OF A DOCTOR

1. Doctor-patient relationship
2. Contracts involving warranty and guaranty
3. Doctors guaranty to a particular result

MODULE – VI: 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, Interest, Unnatural Sexual offences –

Examination of accused, victims, -Law relating to sexual offences.

MODULE – VII: ACQUIRED IMMUNE 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 / AID patients – Education for affected persons and others.

******* 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. Jonathan Montgomery, Health care LAW, Oxford University Press.
2. S.V. Joga Rao, Current Issues in Criminal Justice and Medical Law, Eastern Law House.
3. Garcius Thorman, N.P. Sinha & Johnson Thorman, AIDS, Social Work and Law, Rawat Publication.
4. Nandita Adlikani, Law and Medicine, Central Law Publication.

DRAFTING, PLEADING AND CONVEYANCE **(Practical – III)**

Marks- 100

Credit- 04

(Written Submission= 90
Viva Voce= 10)

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

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

MODULE – II: PLEADINGS Marks- 45 (Practical exercises–3 X 15)

Civil: Plaint, 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.

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

MODULE –III: CONVEYANCE **Marks- 45 (Practical exercises–3 X 15)**
Sale Deed, Mortgage Deed, Lease Deed, Gift Deed, Promissory Note, Power of Attorney, Will, Trust Deed

MODULE –IV:VIVA-VOCE

Marks –10

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

1. NGO
2. Trial and Appellate Advocates { compulsory }
3. Judiciary
4. Legal Regulatory Authorities
5. Legislatures and Parliament
6. Market Institutions
7. Law Firms
8. Companies
9. Local Self–Government
10. Other Legal Functionaries
11. Any other body approved by the University.

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

Marks- 100

Credit- 04

(Written Submission= 90 + Viva Voce= 10)

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: (30X3= 90 Marks)

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)

SEMESTER VI
CORPORATE GOVERNANCE

Marks- 100

Credit- 04

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

MODULE – I: Board of Directors –Functions, Appointments, removal –Structure and functions

MODULE – II: Share Holder’s Decision making

MODULE – III: Director’s Duties – Enforcement of Director’s Duties

MODULE – IV: Breach of Corporate Duties – Administrative Remedies

MODULE – V: Controlling Members’ Voting

MODULE – VI: Unfair Prejudice

MODULE – VII: Corporate Social Liability

******* 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. 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 Company.

PUBLIC INTERNATIONAL LAW

Marks- 100

Credit- 04

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

Module I: Definitions, Nature and basis of International Law

Module II: Sources: Treaties, Customs, General Principles, United Nations General Assembly Resolution, Secondary sources of International Law.

Module III: Relationship of International Law and Municipal Law.

Module IV: Individuals as Subjects of International Law

Module V: Jurisdiction of States-Basic principles

Module VI: Recognition

Module VII: Nationality

Module VIII: Asylum and Extradition

Module IX: Peaceful Settlement of Disputes

Module X: Neutrality

Module XI: 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 up to date will be taught.**

RECOMMENDED READINGS:

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

1. H.O. Agarwal, *Human Rights and International Law*, Central Law Publications.
2. S.K. Kapoor, *International Law*, Central Law Agency.
3. Justice Palok Basu, *Law Relating to Protection of Human Rights*, Modern Law Publications (New Delhi).
4. M.P. Tandon and Dr. V.K. Anand, *International Law and Human Rights*, Allahabad Law Agency.
5. Dr. S. Subramanian, *Human Rights: International Challenges*, Manas Publications.

HUMAN RIGHT LAW AND PRACTICE

Marks- 100

Credit- 04

OBJECTIVE OF THE COURSE: Human rights are a set of right 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.

Module I: Origin and development of Human Rights

Module II: Enumeration and Classification of Human Rights

Module III: Civil and Political Rights; International Instruments, Part III of the Constitution of India

Module IV: Social and Economic Rights: International Instruments, Part IV of the Constitution of India

Module V: Human Rights and Vulnerable Groups

- a) Prisoners,
- b) Child
- c) Migrant Workers
- d) Disabled Persons and Minorities
- e) Women

Module VI: Collective Rights

- a). Right to development
- b). Right to self-determination
- c). Right to clean environment

Module VII: Human Right Commissions in India, Role of NHRC, Enforcement of Human Rights- National Mechanism, The Protection of Human Rights Act, 1994

Module VIII: Regional Conventions on Human Rights

- a) European Convention on Human Rights
- b) Body of Principles for the Protection of all persons under any form of Detention or Imprisonment, 1988.

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

RECOMMENDED READINGS:

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

1. H.O. Agarwal, *Human Rights and International Law*, Central Law Publications.
2. S.K. Kapoor, *International Law*, Central Law Agency.
3. S.K. Awasti and R.P. Kataria, *Law Relating to Protection of Human Rights*, Orient Publishing Company.
4. S.K. Verma, *An Introduction to Public International Law*, Satyam Law International.
5. Nirmal C. J. (Ed)- *Human Rights in India: Historical, Social and Political Perspectives*, Oxford University Press.

PRINCIPLES OF TAXATION LAW

Marks- 100

Credit- 04

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

MODULE – I: GENERAL PRINCIPLES OF TAXATION LAWS:

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

MODULE – II: BASIC CONCEPTS OF INCOME TAX

Income, Previous Year, Assessment Year, Person, Assesse and Total Income
Income not included in the Total Income
Clubbing of Income
Tax Planning
Rate of Income Tax
Heads of Income Salaries
Income from House Property Income from Business or Profession Capital Gains
Income from other Sources
Deductions under the Income Tax Act, 1961
Income Tax Authorities: Power and Functions Filing of Returns and Procedure for Assessment Offences and Penal Sanctions.

MODULE – III: WALTH TAX

Taxable Wealth, Determination of Assets, Exemptions and Rate of Wealth Tax Wealth Tax Authorities
Offences and Penalties

MODULE – IV: VALUE ADDED TAX

Meaning and Importance of VAT
Difference between VAT and Sales Tax
West Bengal Value Added Tax Act, 2003
Criticisms and Limitations of VAT system

MODULE – V: SERVICE TAX

Taxable Service
Meaning and Importance of Service Tax Valuation of Taxable Service
Offences and Penalties

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

RECOMMENDED READINGS:

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

1. 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*, Universal Law Publishing.
7. Liam P.Ebrill, Michael Keen, Jean-Paul Bodin, Victoria Summers, *The modern VAT*, International Monetary Fund.
8. Alan A. Tait, *Value Added Tax: International Practice and Problems*, International Monetary Fund.
9. C.A. Gularickar, Law and Practice of Wealth Tax and Valuation

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

Marks- 100

(Written Submission= 90

Viva Voce= 10)

Credit- 04

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

MODULE – I: MOOT COURT

Marks-30 (10X3=30)

Each student will do at least three Moot Courts

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
&INTERNSHIPDIARY**

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 II, III, IV, V, VI 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 **Vith Semester along with Moot Court Exercise and Internship**. 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.

EXPERIENTIAL LEARNING AND FIELD WORK
(Special focus on Disability, Children, Environment, Health, Infrastructure and Development)

Marks=100

Credit=04

(Written Submission=90 marks

Viva Voce= 10 marks)

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

In the following areas

1. Disability and Aged Persons
2. Children
3. Women
4. Environment
5. Health
6. Infrastructure and development

EXAMINATION: (LL.B. Three Year Course)

There shall be written examinations at the end of each semester namely I, II, III, IV, V and VI.

A candidate has to pass in each of these examinations to qualify for the LL.B. (3 Year) degree.

1. Practical Paper/Ability Enhancement Course shall be of 100 marks, of which 90 marks shall be for written submissions and 10 marks for viva voce.
2. A candidate who has prosecuted a regular course of study in Semester I shall be admitted to that examination subject to submission of “Examination Enrolment Form” together with the prescribed fee and other requirements in such forms and within such time as may be notified by the University.

A candidate who fails to be present at the examination shall not be entitled to refund of fees.

3. A candidate who has passed examination of Semester I/II/III/IV/V and prosecute the regular course of study in semester II/III/IV/V/VI, as case may be admitted to the respective examinations subject to submissions of “Examination Enrolment Form” together with the prescribed fee and other requirements in such forms and within the such time as may be notified by the University.

The list of qualified students who has passed the semester I/II/III/IV/V examination as the case may be shall be published by the University as soon as possible after the examination.

4. As soon as possible after the LL.B. Semester VI examination, the University shall publish a list of successful candidates arranged in two classes viz. First Class (Marks 60% and above) and Second Class (Marks 40 % and above but below 60 %) each in order of merit.
5. If a candidate, after completion of a regular course of study in a semester:
 - a. Fails to enroll as a candidate for the respective semester examination or fails to be present at the examination or appears but fails to complete the examination on account of illness or any other reason considered sufficient by the University or appear but fails to pass the examination in more than two papers, he / she shall be eligible to appear at any one or, if necessary, both of the two immediately following examination of the same standard to be held in the subsequent semester as a casual candidate without attending classes.
 - b. The casual candidate can avail not more than two consecutive chances to pass the semester examination.
6. In order to pass examination in any Semester, a candidate must secure 40 % marks in each paper including practical paper as well as in the aggregate.
7. There shall be no post publication reassessment of papers in any semester of LL.B. (3 year) degree course.
 - a. A student must pass separately in each paper of different examinations. Those who pass in a paper shall not be permitted to sit for examination in that paper again. Non-appearance in a paper will count as failure in that paper.
 - b. All candidate shall be provisionally admitted to the next semester class of a year after the examination of the previous semester irrespective of marks scored at the said semester subject to fulfillment of conditions laid down hereunder:

- i) A candidate of Semester I shall be provisionally admitted in semester II if he/she does not have more than two back papers out of all semester papers of semester-I.
 - ii) A candidate of semester II shall be provisionally admitted in semester III if he / she does not have more than four back papers out of all semester papers of semester -I and semester II provided that number of back papers of Semester II shall not exceed two.
 - iii) A candidate of Semester III shall be provisionally admitted in semester IV if he / she does not have more than four back papers out of all semester papers of semester -II and Semester III provided that number of back papers of semester III shall not exceed two and has cleared all the back papers of Semester-I.
 - iv) A candidate of Semester IV shall be provisionally admitted in semester V if he / she does not have more than four back papers out of all semester papers of semester-III and Semester IV provided that number of back papers of Semester IV shall not exceed two and has cleared all the back papers of semester-II.
 - v) A candidate of Semester V shall be provisionally admitted in semester VI if he / she does not have more than four back papers out of all semester papers of semester -IV and Semester V provided that number of back papers of semester V shall not exceed two and has cleared all the back papers of semester-III.
- c. Candidate failing in one or two papers of any examination of semester I/II/III/IV/V shall be eligible to clear those back papers in the regular examinations of the same standard / syllabus or back paper examination of same standard/ syllabus to be held in the subsequent semesters.

- d. Candidates who fail to get admitted in higher semester due to having failed in more than two papers in semester I/II/III/IV/V shall be eligible to clear all the papers of that semester in the regular examination of the same standard/syllabus to be held in the following examination of the respective semester as a casual candidate in order to pass that semester.

The maximum number of each chances shall however be governed by provisions of regulation 4(a) and 4(b).

- e. In order to clear the above mentioned back papers, a candidate shall get two more chances in addition to the regular chance in immediate following examinations.
 - f. Candidates, who fail to pass in all papers of their examinations when they first appear in the semester VI examination, shall be eligible to appear as a casual candidate in the semester VI examination of the next session. The maximum number of each chances shall however be governed by provisions of regulation 4(a) and 4(b).
8. A candidate securing at least 60 % marks in the aggregate in all semester examination taken together shall be placed in First Class and all the candidate securing 40 % and above but less than 60 % in the aggregate shall be placed in the Second Class.

BOARD OF STUDIES IN LAW:

The board of studies in law recommends names of paper setters, examiners, moderators and scrutinizers.

- i. The paper setters and examiners for answer scripts of all LL.B. (3 year) examination shall ordinarily be the teachers holding substantive posts or visiting/part time/guest/contractual appointments.
- ii. The board of moderators shall be appointed by the Vice Chancellor on recommendations of the Board of Studies. The Board of Moderators shall moderate the questions in order to

ensure that the questions are in conformity with the syllabus and that the students are required to answer questions of all types.

- iii. If the Board of Moderators is of the opinion that the questions have not covered the syllabus, it may set questions from those parts of the syllabus which have not been covered.

OVERRIDING POWERS:

In any situation covered or not under these Regulations the Vice Chancellor of Cooch Behar Panchanan Barma University shall have power to issue directions not inconsistent with the Acts/Statutes/Ordinances of Cooch Behar Panchanan Barma University in respect of those matters.