

VIDYASAGAR UNIVERSITY



Curriculum for 5-Year

B.A.LL.B. (HONS)

**Revised Syllabus under CBCS
(w. e. f. 2015-2016)**

**Vidyasagar University
Midnapore 721102
West Bengal**

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

COURSE STRUCTURE

1ST SEMESTER

Paper No.	Title of the Paper	Full Marks	University Exam.	Internal Assessment
1.1	English – I	100	80	20
1.2	Political Science – I	100	80	20
1.3	Sociology – I	100	80	20
1.4	General Principles of Contract	100	80	20
1.5	Family Law – I	100	80	20

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

1ST SEMESTER

PAPER– 1.1: ENGLISH– I

1. The Merchant of Venice – William Shakespeare
The Trial Scene (Act IV Scene I)
2. Justice – John Galsworthy
The Court Scene (Act II). Trial Scene
3. a. The Civilisation of Today – C.E.M. Joad
b. Spoken English and Broken English – G.B. Shaw
4. Comprehension
5. Essay

BOOK RECOMMENDED

1. P.C. Wren and H. Martin, edited by N.D.V. Prasad Rao – High School English Grammar and Composition.
2. W.W.S. Bhaskar and Prabhu – English Through Reading, Vols. 1 and 2.
3. Wilfred D. Best – The Students Companion (Rupa and Co.)
4. Oxford dictionary of Law – Oxford Publication
5. The Law Student’s pronouncing Dictionary – Sweet and Maxwell, London.
6. S.D. Mitra and A.C. Sen – Mitra’s Legal and Commercial Dictionary
7. P.G. Osborn – A Concise Law Dictionary
8. W. Friedmann – Law in a Changing Society
9. Glanville Williams – Learning the Law.

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

1ST SEMESTER

PAPER– 1.2: POLITICAL SCIENCE – I

POLITICAL THEORY

1. The Discipline of Political Science:

- (a) Definition
- (b) Nature and Scope
- (c) Political Science and Political Philosophy
- (d) Is Political Science a Science?

2. Approach to the study of Political Science

- (a) Traditional Approaches
- (b) Modern Approaches:
- (i) Behavioural
- (ii) Post-Behavioural Approaches

3. State

- (a) Meaning and Definition
- (b) Elements of the State
- (c) Distinction between:
- (i) The State and Government
- (ii) The State and Other Associations
- (iii) The State and Society

4. Origin of State

- (a) The Social Contract Theory: Concept of General Will.
- (b) The Historical or Evolutionary Theory:
 - Components: (i) Divine Origin
 - (ii) Force Theory
 - (iii) Patriarchal and Matriarchal Theory.

5. Sovereignty

- (a) Meaning and Definition
- (b) Features
- (c) Kind of Sovereignty
- (d) Different Theories of Sovereignty
 - (i) Monistic Theory
 - (ii) Philosophical Theory
 - (iii) Pluralistic Theory

6. Liberty and Equality

- (a) Meaning, Definition and Nature
- (b) Kinds of Liberty
- (c) Meaning, Definition and Nature of Equality
- (d) Relation between liberty and Equality

7. Rights

- (a) Meaning and Nature of Rights
- (b) Theories of Rights: Natural, Legal and Marxist Theories of Rights
- (c) CLASSIFICATION OF Rights
- (d) Relation between Rights and Duties

Books Recommended:

1. Bhattacharya, Mohit and Ray, Amal –Political Theory
2. Johari, J.C. – Contemporary Political Theory
3. Verma S.P. – Modern Political Theory
4. Bhattacharya, Dinesh Chandra – Political Theory

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

1ST SEMESTER

PAPER– 1.3: SOCIOLOGY – I

GENERAL PRINCIPLES OF SOCIOLOGY

1. Nature of Sociology

- (a) Definition
- (b) Subject matter and scope of Sociology
- (c) Importance of the study of Sociology
- (d) Sociology as a Science
- (e) Relationship between Sociology and Law

2. Basic concepts of Sociology

Society, Community, Association, Institution, Culture and Civilization, Customs, Norms and Values, Role and Status.

3. Social Process and Socialization

- (a) Concept of Social Process: Some Fundamental Social Process Cooperation, Competition, Conflict, Accommodation and Assimilation.
- (b) Socialization: Concept, Process, Agencies and Importance

4. Social Groups

Definition, Characteristics, Classification and Role in Society.

5. Social Stratification

- (a) Meaning, Characteristics and Functions of Social Stratification.
- (b) Forms of Stratification – Estate, Caste and Class.
- (c) Social Mobility: Horizontal and Vertical.

6. Social Institutions

- (a) Economics, Political Religious and Educational Institutions
- (b) Inter-relationship among Institutions

7. Family, Marriage and Kinship

- (a) Family: Definition, Characteristics, Functions and Forms of Family, Disorganisation of Family.
- (b) Marriage: Definition, Forms and Importance.
- (c) Kinship: Nature of Kinship Relations.

8. Social Control

- (a) Meaning, Nature and Purpose
- (b) Formal and Informal Agencies of Social Control with Special reference to Law

9. Social Change

- (a) Meaning and Nature
- (b) Factors of Social Change:
 - (i) Biological Factors
 - (ii) Technological Factors
 - (iii) Economics Factors
 - (iv) Cultural Factors
- (c) Concept of Cultural Lag
- (d) Marxist theories of Social Change

Books Recommended:

1. Bhattacharya, D.C. – Sociology
2. Maciver, R.M. and Charles H. Page – Society: An Introductory Analysis
3. Davis, Kingsley – Human Society
4. Bottomore, T.B. – Sociology: A guide to Problems and Literature.

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

1ST SEMESTER

PAPER– 1.4: GENERAL PRINCIPLES OF CONTRACT

1. **General Principles of Contract: The Indian Contract Act, 1872: Sections I – 75**
2. **The Specific Relief Act, 1963: Sections 9–24 and Sections 36 to 42.**

Books Recommended:

1. Cheshire and Fifoot – Cheshire and Fifoot’s Law of Contract
2. Trikamlal R.Desai – The Indian Contract, Sale of Goods and Partnership Act.
3. Kapoor, S.K. – Law of Contract, Vols. I and II.
4. Mulla, Dinshah Fardunji – Mulla on the Indian Contract Act.
5. Singh, Avtar – Law of Cotract: A study of the Indian Contract Act,1872 and SpecificRelief.
6. William, R.Anson, J.Beatson (ed.) – Anson’s Law of Contract.
7. Bangai, R.K. – Law of Contract.
8. Sen, A.C. – Dutt on Contract: The Indian Contract Act, 1872.
9. Pannuswami, K.and Puri, K.K. – Cases and Materials on Contract.
10. Sing, Avtar – Law of Contract.

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

1ST SEMESTER

PAPER– 1.5: FAMILY LAW–I

- 1. Old Hindu LAW:**
 - (a) Sources of Hindu Law
 - (b) The Principles relating to Succession
- 2. The Hindu Marriage Act, 1955**
- 3. The Hindu Succession Act, 1956**
- 4. The Special Marriage Act, 1954**
- 5. The Hindu Adoptions and Maintenance, 1956**

Books Recommended:

1. Mitra, S.K. – Family Law: Hindu Law and Mohammedan Law
2. Mulla, Dinshah Fardunji – Mulla's Principles of Hindu Law
3. Diwan, Paras – Modern Hindu Law: Codified and Uncodified
4. Sen, A.C., B.B. Mitra – The Indian Succession Act
5. Saxena Pradhan, Poonam – Family Law Lectures: Family Law
6. S Kader, S.A. – The Hindu Succession Act, 1956
7. Gom – Hindu Code

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

COURSE STRUCTURE

2ND SEMESTER				
Paper No	Title of the paper	Full Marks	University Exam.	Internal Assessment
2.1	English – II	100	80	20
2.2	Political science – II	100	80	20
2.3	Family Law – II	100	80	20
2.4	Sociology – II	100	80	20
2.5	Law of Contract-II	100	80	20

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

2ND SEMESTER

PAPER– 2.1: ENGLISH– II

Unit – I: Text Books (For detailed study)

- i) “Ten Mighty Pens” (Stories and Essays) edited by K.A. Kalia Publisher, by Mac Millan India Limited.
- ii) “Knowledge and Wisdom” by Bertrand Russel. (Calcutta University Publication.)
- iii) “Where the Mind is Without Fear” by Rabindranath Tagore. (Calcutta University Publication.)
- iv) “The Seven Ages of Man” by William Shakespeare. (Calcutta University Publication.)

Unit – II: Legal Terms – Meaning and Usage:

Plaint, Written Statement, Plaintiff, Defense, Petition, Petitioner, Appeal, Legitimate, illegitimate Adoption, Maintenance, Alimony, Void, Voidable, Monogamy, Bigamy, Polygamy, Lease, Mortgage. Forgery, Prima facy, Subjudice, Status quo. Assault, Defacto, Dejure, Habeas Corpus, Pre–emption, Rebuttal, Suffrage.

Unit –III: Composition

1. Paragraph Writing:

- Descriptive Paragraph
- Expansion
- Paragraph on Legal Topics

2. Preparing a Debate (For and Against)

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

2ND SEMESTER

PAPER– 2.2: POLITICAL SCIENCE – II

Government and Politics in India

1. The Making of Indian Constitution: The role of Constitution Assembly.
2. Salient Features of the Constitution of India.
3. The Philosophy of the Constitution of India: The Preamble
4. Citizenship
5. Fundamental Rights and Fundamental Duties: Basic Concept.
6. Directive Principles of State Policy: Meaning, Nature, Classification & Importance.
7. The Union Legislature: Formation, Functions & Role of the Parliament of India.
8. The Union Executive: The President & Prime Minister (Power & Functions).
9. The Government of States: Formation, Functions & Role of State Legislative Assemblies, Power & Functions of the Governor & Chief Minister.
10. The Judiciary: The Supreme Court & the High Court – Basic Concept.
11. Local Government: Panchayat & Municipalities.
12. The Party System: Features, Evolution, Trends.

Recommended Books

1. D.B. Basu – Introduction to the Constitution of India
2. Bidyut Chakraborty & Rajendra Kumar Pandey – Indian Government and Politics
3. R.N. Trivedi, Tripti Jain – Indian Government and Politics
4. Abbas – Indian Government and Politics.

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

2ND SEMESTER

PAPER– 2.3: FAMILY LAW – II

1. Concept & Background of Muslim Law

- i) Sources of Muslim Law.
- ii) Schools of Muslim Law

2. Marriage (Nikah) :

- a. Pre – Islamic Background.
- b. Definition, Essential & Nature of Marriage.
- c. Formalities of a valid Marriage.
- d. Classification / Kinds of Marriage.
- e. Prohibitions to marry.
- f. Option of puberty (Khyar–ul–bulugh).
- g. Polygamy in Islam: A critique.

3. Dower (Mahar):

- a. Definition and Nature of dower.
- b. Kinds of Dower.
- c. Subjects matter of Dower.
- d. Maximum and minimum amounts of Doper.
- e. Widow’s right to retention of Possession in for unpaid dower.
- f. Kharche – Pandan.

4. Divorce (Talaq) :

- a. Pre – Islamic Background.
- b. Modes of dissolution of marriage.
- c. Husband’s unilateral power to divorce – a critique.
- d. Iddat– its rational, utility & periods.
- e. Talak – not an arbitrary power.

5. Maintenance (Nafaqa) :

- a. Definition.
- b. Liability & Principle of Maintenance.
- c. Maintenance under Muslim Law
 - i. Under Sec. 125Cr. P.C.
 - ii. Under the Act of 1986.
 - iii. Judicial approach.
- d. Inheritance under Hanafi & Shia Law.

6. Gift (Hiba) :

- a. Definition.
- b. Essentials of a valid gift.
- c. Who can make gifts.
- d. In whose favour gift can be made.
- e. Revocation of gift.
- f. Conditional, contingent & future gift.
- g. Gifts involving return (ewaz).

7. Wakf :

- a. Meaning & definition of Wakf.
- b. Legal incidents of Wakf.
- c. Kinds of Wakf.
- d. Who can create Wakf.
- e. In whose favour Wakf can be made.
- f. Objects of Wakf.
- g. Essentials of valid Wakf.
- h. Contingent or conditional Wakf.
- i. Power & appointment of Mutawalli.
- j. How a Mutawalli can be removed from his office.

Books Recommended

1. Rahim, Abdur – Principles of Islamic Jurisprudence.
2. Ali, Syed Ameer – Mahomedan Law.
3. Baillie – Digest of Moohummudan Law.
4. Fyzee A.A.A. – Outlines of Muhammadan Law.
5. Khan, J.A (ed.). – Muslim Law.
6. Rashid & Khalid – Muslim law.

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

2ND SEMESTER

PAPER– 2.4: SOCIOLOGY – II

Society in India

1. Salient features of Indian Society: Unity in Diversity.
2. Family: Definitions, Types, Functions, Changing role of joint Family.
3. Caste System: Origin & Theories.
4. Tribe & Clan: Meaning, Features, Types & Functions, Difference between Tribe & Caste.
5. Rural Development, Rural Social System & Institutions.
6. Urbanization & Features of Urban Community in India.
7. Social Problem: Meaning, Features, Social Disorganization, Communalism, Unemployment, Violence against women.
8. Impact of Westernization, Globalization and Industrialization in Indian Society.

Recommended Book

1. Ram Ahuja – India Social System
2. Ram Ahuja – Social Problem in India.
3. Rajendra K. Sharma – Indian Society, Institutions and Change.
4. Yogesh Atal, Mercury – Changing Indian Society.
5. S.C. Dube – Indian Society.

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

2ND SEMESTER

PAPER– 2.5: LAW OF CONTRACT – II

Group –A

1. Indian Contract Act, 1872 :

(a) INDEMNITY

- a. Definition, Nature and Methods.
- b. Extent of Liability.
- c. Commencement and nature of liability of the indemnifier.
- d. Rights of indemnity holder.

(b) GUARANTEES

- a. Definition & essential features, difference between indemnity and guarantee.
- b. Extent of surety's liability.
- c. Discharge of surety from liability.
- d. Rights of surety.
- e. Continuing guarantee.
- f. Liability of cosurety.

(c) BAILMENT

- a. Definition & Nature.
- b. Essential features.
- c. Duties of bailor & bailee.
- d. Rights of bailor & bailee.
- e. Delivery to bailee.
- f. Rights of finder of goods.
- g. General Lien & particular Lien.

3. The Sales of Goods Act, 1930 :

(a) GENERAL

- a. Definitions – Buyer, Seller, Goods, Price.
- b. Agreement to sale and contract of sale.
- c. Essentials of sale.
- d. Condition & Warranties – Doctrine of Caveat Emptor.
- e. Transfer of ownership.
- f. Passing of property.
- g. Transfer of Title by non – owner.
- h. Performance of contract of sale delivery.
- i. Rights & Liability of Buyers and Sellers.
- j. Rights of unpaid seller of goods.
- k. Lien & stoppage in transit.

Book Recommended

1. Chitty – Contracts, Vol – II, 29 ED.
2. Rao, V.K. – Contract – II, Cases & Materials.
3. Nair, M.Krishan – Law of Contracts, 1998.
4. Singh, Avtar – Law of Partnership.
5. Kapoor, N.D. – Elements of Mercantile Law.
6. Bangia, R.K. – Contract – II.

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

COURSE STRUCTURE

3RD SEMESTER				
Paper No	Title of the paper	Full Marks	University Exam.	Internal Assessment
3.1	Political science	100	80	20
3.2	Macro Economics and Indian Economics	100	80	20
3.3	Sociology – II	100	80	20
3.4	Torts & Consumer Protection & Motor Vehicle Act	100	80	20
3.5	Legal and Constitutional History	100	80	20

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

3RD SEMESTER

PAPER– 3.1: POLITICAL SCIENCE

International Relations

1. International Relations: Meaning, Development, Nature & Scope of study.
2. Basics Concepts: International Actors, Balance of Power, National Power, War, Globalization, International Law.
3. **The United Nations**
 - (a) Historical background.
 - (b) Principles & Purpose.
 - (c) Functioning of the Organs.
 - (d) Role of Specialized Agencies.
 - (e) Pacific Settlement of Disputes under UN Charter.
4. Regional Organizations: SAARC, ASEAN, EU, BRICS.
5. Human Rights: Universal Declaration of Human Rights and other fundamental instruments.
6. Foreign Policy: Meaning, Nature, Major determinants of foreign policy of India.

Recommended Books:

1. Coulombus and Wolfe, Introduction to International Relations.
2. R Chakraborti, UNO: A Study in Essentials.
3. J C Johari, International Relations and Politics.
4. D C Bhattacharyya, International Relations in the Twentieth Century.
5. Peu Ghosh –International Relations.

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

3RD SEMESTER

PAPER– 3.2: MACRO ECONOMICS AND INDIAN ECONOMICS

NATIONAL INCOME

- Different methods of measuring national income.
- Concept of national income.
- GNP
- GDP
- PI
- Difficulties in measurement.
- National income determination.
- Constructional functions –APC & MPC.
- Some objective and subjective factors influencing propensity to consume.
- Investment and saving.

THE QUANTITY THEORY OF MONEY AND INFLATION

- Fisher's version and Cambridge version.
- Keynesian liquidity preference.
- Concept of Inflation, Deflation, Stagflation.
- Demand pull and cost push inflation.
- Anti – inflationary monetary and fiscal policies.

PUBLIC FINANCE

- Principles of Taxation.
- Incidence of taxes.
- Effects of taxation.
- Public debt and its effects.

INTERNATIONAL TRADE

- Basic of trade.
- Gains from trade arguments for free trade and balance of payments.
- Measure for correction of disequilibrium in balance of payments.

INDIAN BANKING SYSTEM

- Function of Central Bank and commercial banks.
- Credit creation and credit control methods.

AGRICULTURE IN THE INDIAN ECONOMY

- Land reforms.
- Technological changes and their impact economy.
- Agriculture marketing

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

3RD SEMESTER

PAPER– 3.3: SOCIOLOGY - III

Theoretical Perspective of Sociology

1. Development of Sociology: The Great Tradition.
2. The Enlightenment: Meaning, Core Ideals & Impact.
3. Key Sociological Thinkers: Contribution of Auguste Comte, Saint Simon, Emile Durkheim, Herbert Spencer, Karl Marx & Max Weber.
4. Social Movement: A Critical Appraisal.
5. Social Rights: Nature & Development.
6. Social Basis of Law.

Recommended Books :

1. Rob Stones (Ed.) –Key Sociological Thinkers.
2. Harlambos –Sociological: Themes and Perspectives.
3. Lewis A. Coser –Masters of Sociological Thoughts.
4. S.K. Srivastava, A.L. Srivastava –Social Movements for Development.
5. Conor Gearty, Virginia Mantouvalou –Debating Social Rights.
6. D.R. Saxena –Law, Justice and Social Change.

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

3RD SEMESTER

PAPER– 3.4: TORTS & CONSUMER PROTECTION & MOTOR VEHICLE ACT

Chapter –I: Nature and Principles of Torts

- Definition.
- Constituents of Tort.
- Dammum sine injuria and injuria sine dammum.
- Law of Tort and Law of Torts.

Chapter –II: General defenses

Chapter –III: Capacity

Chapter –IV: Vicarious Liability

- Principal & agent.
- Master and servant, independent contractor.
- Course of employment.
- Partners.
- Sovereign immunity.

Chapter –V: Nuisance

- Essentials.
- Public & Private Nuisance.
- Defenses.

Chapter –VI: Negligence

- Essentials.
- Res ipsa loquitor.
- Nervous shock.
- Contributory negligence.
- Medical negligence.

Chapter–VII: Defamation

- Essentials.
- Kinds.
- Defenses.

Chapter –VIII: Rule of strict and absolute liability

- Rylands VS. Fletcher Rule.
- Essential.
- Exception.
- Rule of absolute liability.

Chapter –IX: Remedies & damages, Remoteness test

MOTOR VEHICLE ACT, 1988

- i) Liability without fault in certain cases –Sec. 140 to Sec. 142.
- ii) Insurance of Motor Vehicles against third party risks –Sec. 163A.

CONSUMER PROTECTION ACT, 1986

- i) Definitions – consumer, Goods, unfair Trade Practice, Consumer dispute Redressal Agencies.
- ii) Composition – Jurisdiction, Power of District Consumer Forum.
- iii) State Commission.
- iv) Appeal.

Recommended Books :

1. Bangia, R.K. – Law of Torts.
2. Singh, Avtar – Consumer Protection.
3. Ratanlal & Dhirajlal – Law of Torts.
4. Salmand – Law of Torts.
5. Basu, D.D. – Law of Torts.
6. Iyer Ramaswamy – Law of Torts.

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

3RD SEMESTER

PAPER– 3.5:

LEGAL AND CONSTITUTIONAL LAW

1. Civil administration of Justice in Presidency Towns 1600 – 1860: Company Court under Charters of 1600 & 1661, Mayor's Court under the Charter of 1726, Supreme Court under Regulating Act of 1773 & the Charter of 1774.
2. Civil and Criminal administration of Justice in mofussil areas 1600 – 1860, Diwani & Nizami Adalats under the Nawabs, Extension of Civil jurisdiction of Company Courts in mofuss areas through Grand of Diwani in 1765, Warren Hasting' judicial plan in 1772 – small cause Adalat and Sadar Nizamat Adalat.
3. Administration of justice from 1861 to inauguration of the Indian Constitution unification the dual administration of justice through Indian High Court Act of 1861, Provincial High Courts, Federal Court under the Government of India Act, 1935. Privy Council, Inauguration of Indian Constitution and establishment of the Supreme Court of India.
4. History of growth of Provincial High Courts, History of the right of appeal to Privy Council Contribution of Privy Council to Judicial system in Indian Courts. History of small causes Courts.
5. Adalat system in Bengal Bentinck's period.
6. Evolution of criminal law – Reforms introduced by Cornwallis in 1787, 1790 & 1793 subsequent reforms, substitution of Muslim Criminal Law by enactment of Indian Penal Code, 1860. Ministry of jury system of trial in Criminal Cases.
7. English common Law, its six fundamental principles and traditions nature and extent of adoption of the English Common Law in India.
8. Codification of Law in India.
9. Law reporting in India.

Recommended books :

1. Kulushreshtha, V.D. – Landmarks in Indian Legal & Constitutional History.
2. Jain, M.P. – Outline of Indian Legal History.
3. Mittal, J.K. – Indian Legal History.
4. Justice Jois, M. Rama – Indian Legal & Constitutional History.

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

COURSE STRUCTURE

4TH SEMESTER				
Paper No	Title of the paper	Full Marks	University Exam.	Internal Assessment
4.1	Political Science – IV	100	80	20
4.2	Economics – II : Indian Economics	100	80	20
4.3	Law of Crimes – I (Indian Penal Code)	100	80	20
4.4	Constitutional Law – I	100	80	20
4.5	Administrative Law	100	80	20

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

4TH SEMESTER

PAPER– 4.1: POLITICAL SCIENCE - IV

Public Administration

1. Public Administration: Meaning, Nature, Stages of growth, Nature & Scope.
2. Concepts: Hierarchy; Unit of Command Span of Control; Line and Staff; Centralization, Decentralization.
3. Bureaucracy: Max Weber & Karl Marx.
4. Development Administration: Meaning and Importance; Ecology and Sustainable Development: Riggsian model
5. Recent Trends: Public Choice approach, New Public Management paradigm, Good Governance.
6. All-India Services: IAS, IPS Central Services: IFS – recruitment and training. Union and State Public Service Commission: composition, function and role.
7. Union Administration: PMO; Cabinet Secretary and the Secretariat; Relationship between the Secretariat and the Directorate.
8. Local Administration in West Bengal: Panchayats with special reference to Zilla Parishads; Role of the Sabhadhipati. Municipalities and Corporations – legal institutional framework and role in development.

Recommended Books

1. Mohit Bhattacharya – Public Administration.
2. Mohit Bhattacharya – Indian Administration.
3. S Maheshwari – Indian Administration.
4. Ramesh K Arora and Rajni Goyal – Indian Public Administration.

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

4TH SEMESTER

PAPER– 4.2: ECONOMICS – II: INDIAN ECONOMICS

STRUCTURE OF THE INDIAN ECONOMY

Indian economy on the Eve of Independence. National Income of India. Human Resources and Economic Development. Natural Resources, Economic Development and Environmental Degradation. Infrastructure in the Indian Economy.

PLANNING AND ECONOMIC DEVELOPMENT

Industrial Policy and Indian Planning – Privatisation and Economic Reforms. Globalization and its impact on India. Poverty in India. Unemployment in India. Inequality in India.

AGRICULTURE IN THE INDIAN ECONOMY

Land Reforms – Technological changes and their impact on the economy. Agriculture Marketing.

THE TERTIARY SECTOR IN THE INDIAN ECONOMY

GATT, WTO and Indian's Foreign Trade – Special Economic Zones. Indian Financial System.

INDIAN INDUSTRIES

Industrial Pattern – Some large scale Industries – Small scale Enterprise.

Books Recommended

1. Agarwal, A.N. – Indian Economy: Problems of Development and Planning.
2. Dutta, Ruddar and K.P.M. Sundharam – Indian Economy.

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

4TH SEMESTER

PAPER– 4.3: LAW OF CRIMES – I (INDIAN PENAL CODE)

General Introduction:

Nature and Definition of Crime.

Elements of Crime, Means Rea, i.e. Mental Element in Crime.

Chapter – I:

Introduction (Sec. 1 to Sec. 5)

Chapter – II:

General Explanations (Sec. 6 to Sec. 52 A)

Chapter – III:

Punishments (Sec. 53 to 75).

Chapter – IV:

General Exceptions (Sec. 76 to Sec. 106).

Chapter –

Abetment (Sec 107 to Sec 120).

Chapter – V A:

Criminal Conspiracy (Sec. 120A, Sec. 120B).

Chapter – VI:

Offences against the State (Sec. 121 to Sec. 130).

Chapter – VII:

Offences against Public Tranquility (Sec. 141 to Sec. 160).

Chapter – VIII:

False Evidence and Offence against public justice (Sec. 191 to Sec. 229 A).

Chapter – IX:

Offences affecting the Human body of Offences affecting life. (Sec. 229 to Sec.337).

Chapter – X:

Offence against property (Sec. 378 to Sec. 462).

Chapter – XI:

Offence relating to Marriage (Sec. 493 to Sec. 498).

Chapter – XI A:

Cruelty by husband or relatives of husband (Sec. 498 A).

Chapter – XII:

Criminal intimidation, insult and annoyance (Sec. 503 to Sec. 510)

Books Recommended

1. Gour, K.D. – Indian Penal Code.
2. Mishra, S.N. – Indian Penal Code.
3. Gandhi, B.M. – Indian Penal Code.
4. Saxena, R.N. – Indian Penal Code.
5. Ratanlal & Dirajlal – Indian Penal Code.
6. Batuklal – Indian Penal Code.
7. Constructive Liability under Indian Penal Code, Kamal Law House.

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

4TH SEMESTER

PAPER– 4.4: CONSTITUTIONAL LAW–I

Chapter – I: Nature and special features of Constitution of India:

1. Preamble
2. Rule of Law & Separation of powers.

Chapter – II: State under Article 12 of the Constitution:

1. Right to equality (Article 14 to Article 18).
2. Right to freedom (Article 19 to Article 22).
3. Right against exploitation (Article 23 to Article 24).

Chapter – III: Concept of Secularism:

1. Right to freedom of Religion (Article 25 to Article 28).
2. Culture & Education Rights (Article 29 & 30).

Chapter – IV: Directive Principles – A new Social Order Fundamental Rights & Directive Principles of State Policy.

Chapter – V: Fundamental Duties – Article 51A.

Chapter – VI: Remedies for enforcement of rights contained in Part – III – Writs – Article 32 & Article 226 Judicial activism.

Books Recommended

1. Pandey, J.N. – Constitutional Law of India.
2. Jain, M.P. – Indian Constitutional Law.
3. Seervai H.M. – Constitutional Law of India.
4. Shukla, V.N. – Constitution of India.
5. Bakshi, P.M. – The Constitution of India.
6. Basu, D.D – Indian Constitutional Law.
7. Basu, D.D. – Shorter Constitution of India.
8. Kumar, Narender – Constitution Law of India.
9. Basu, D.D. – Constitution of India.
10. Act – Constitution of India.

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

4TH SEMESTER

PAPER– 4.5: ADMINISTRATIVE LAW

1. Nature, Scope & Definition of Administrative Law, Cause for growth, Sources and Development, Functions, relationship with Constitutional Law and Administrative Law Droit Administrative Law.
2. Rule of Law – Its application in Indian Conditions, Administrative Law vis-à-vis Doctrine of Separation of Powers, Judicial opinion on the doctrine of Separation of Powers.
3. Administration and its function – Nature of Administrative Functions, judicial and quasi-judicial functions, Distinction between Administrative Law and Quasi-judicial functions.
4. Delegated Legislation – Meaning, growth of delegated legislation, cause of its growth, Constitutionality of Delegated legislation, Permissible limits of delegation, Conditional legislation. Types of delegated legislation control of delegated legislation, Parliamentary Control, Judicial Control, Sub-delegation, Procedural Control.
5. Administrative Tribunal – Meaning, distinction of Court, growth, Characteristics, features Procedure and practice of tribunal.
6. Natural Justice – Meaning and development, Development in India, Rules of Natural Justice, Doctrine of Bias, Bias & Malafide, Pecuniary Bias, Audi alteram partem Exception.
7. Administrative Distinction & its judicial control Meaning of discretion, discretionary powers, Administrative discretion & Fundamental Rights, judicial control of Administrative discretion, Ultravires , Arbitrary exercise, Improper purpose, Irrelevant considerations, Malafide, unreasonableness, Administrative discrimination.
8. Remedies – Constitutional remedies and Ordinary remedies, Writs, Public Interest litigation.
9. Government liability in Torts & Contracts.
10. Public Undertaking.
11. Citizen's Grievances – ombudsman, Lokpal & Lokayukth.

Books Recommended

1. Jain, M.P. & Jain, S.N. – Principles of Administrative Law.
2. Massey, I.P. – Administrative Law.
3. Wade – Administrative Law.
4. Takwani, C.K. – Lectures on Administrative Law.
5. Sathe, S.P. – Administrative Law.
6. Kesari, U.P.D. – Administrative Law.
7. Diwan, Paras – Administrative Law.
8. Upadhyaya, J.J.R. – Administrative Law.
9. Rai, Kailash – Administrative Law.
10. Ramchandran, V.G. – Administrative Law.

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

COURSE STRUCTURE

8TH SEMESTER				
Paper No	Title of the paper	Full Marks	University Exam.	Internal Assessment
8.1	Labour and Industrial Law – I	100	80	20
8.2	Human Rights Law and Practice	100	80	20
8.3	Civil Procedure Code – II	100	80	20
8.4	Intellectual Property Rights and Management	100	80	20
8.5	Professional Ethics (Clinical Paper – II) as Prescribed by the BCI	100	To be conducted by College.	

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

8TH SEMESTER

PAPER– 8.1: LABOUR AND INDUSTRIAL LAW – I

1. Introduction to Labour Law and Industrial Jurisprudence.

-Constitutional Concern [Fundamental Rights – Arts. 19 (1) (c), 23 and 24](Directive Principles State Policy – Arts, 41, 42, 43 and 43A).

-Labour – Capital Conflict, Trade Unionism and Collective Bargaining.

2. The Industrial Disputes Act, 1947

- Objects.

- Basic Concepts – Industry, Industrial Disputes, Individual Disputes, Lay off, Retrenchment; Lock Out, Retrenchment, Strike, Public Utility Service.

- Prohibition on Strikes and Lock out in Public Utility Service.

- Provision relating to lay off and retrenchment.

- Provision relating to unfair labour practices.

- Authorities under the Act

(i) Grievance settlement authorities.

(ii) Labour Courts.

(iii) Industrial Tribunals.

3. Minimum wages Act, 1948

-Object

- Basic concepts (wages, Minimum wages, fair wages, living wages).

- Theories of wages.

- Principles for fixation for minimum wages.

4. The Payment of Wages Act, 1936

- Introduction.

- Basic concepts
- Payment of wages and deduction from wages
 - (i) Responsibility for payment of wages.
 - (ii) Fixation of wage period.
 - (iii) Time of payment of wages.
 - (iv) Deductions which may be made from wages.

5. The Employee's Compensation Act, 1923

- Objects

- Basic Concepts
- Workman, personal injury, total and partial disablement, dependants.
- Employers liability for compensation
- Personal injury
- Accident arising out of and in the course of employment
- Notional extension of time and place – Judicial approach.
- Principles for fixation of amount of compensation.

6. The Contract of Labour (Regulation and Abolition) Act, 1970

- Object
- Basic concepts
- Registration of Principal employer
- License of contractor
- Prohibition of contract labour
- Effect of non-registration
- Welfare and health of contract labour
- Penalties and procedures

Book Recommended:

1. P.L. Milik – Industrial Laws.
2. S.K. Misra – Labour and Industrial Laws.
3. H.N. Saharay – Labour and Industrial Laws.
4. V.G. Goswamy – Labour and Industrial Laws.
5. R.C. Saxena – Labour Problems and Social Welfare.
6. Srivastava – Industrial Relation and Labour Laws.

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

8TH SEMESTER

PAPER– 8.2: HUMAN RIGHTS LAW AND PRACTICE

1. Meaning, Origin and Development of Human Rights.
2. Universal Declaration of Human Rights 1948.
3. A) International Covenant on Civil and Political Rights 1966.
B) International Covenant on Social, Culture and Economic Rights 1966.
C) Optional Protocol 1979.
4. The Protection of Human Rights Act, 1993 (NHRC and SHRC – Constitution, Powers and Function).
5. Human Rights and the Constitution of India.
6. Remedies for violation of Human Rights.
7. Role Judiciary to promote and protect Human Rights.

Book Recommended

1. Paras Diwan – Human Rights and Law.
2. J.N. Pandey – Constitutional Law of India.
3. V.N. Shukla – Constitutional Law of India.
4. Lalit Kr. Arora – Human Rights.
5. V.K. Anand – Human Rights.
6. U.Chandra – Human Rights.
7. M.P. Singh, H.Georlich and M.V. Hauff – Human Rights and Basic Needs.

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

8TH SEMESTER

PAPER– 8.3: CIVIL PROCEDURE CODE – II

1. Execution

- 1.1) The Concept.
- 1.2) General principles.
- 1.3) Power for execution of decrees.
- 1.4) Procedure for execution (s 52-54).
- 1.5) Enforcement, arrest and detention (ss 55, 59).
- 1.6) Attachment (ss 60-64)/.
- 1.7) Sale (ss 65-97).
- 1.8) Delivery of property.
- 1.9) Stay of execution.

2. Appeals

- 2.1) Appeals from original decree.
- 2.2) Appeals from appellate decree.
- 2.3) Appeals from orders.
- 2.4) General provisions relating to appeal.
- 2.5) Appeal to the Supreme Court.

3. Reference, Review and Revision.

4. Miscellaneous

- 4.1) Transfer of cases.
- 4.2) Restitution.
- 4.3) Caveat.
- 4.4) Inherent powers of courts.

5. Law of limitation

- 5.1) The concept and object.
- 5.2) Distinction with laches, prescription.
- 5.3) Extension and suspension of limitation.
- 5.4) Sufficient cause for not filing the proceedings.
- 5.5) Legal liabilities.
- 5.6) Acknowledgement – essential requisites.
- 5.7) Foreign rule of limitation: contract entered, under a foreign law.
- 5.8) Continuing tort and continuing breach of contract.

Books Recommended

1. Mulla: Code of Civil Procedure.
2. Nandlal: Code of Civil Procedure.
3. C.K. Takwani: Code of Civil Procedure.
4. Saha, A.N. : Civil Code Practice and Procedure.
5. Sing, S.N. : Code of Civil Procedure.
6. Gupta, S: The Limitation Act.
7. Narayana, P.S. : Law of Limitation.
8. Pandey, D.N. : Limitation Act.

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

8TH SEMESTER

PAPER– 8.4: INTELLECTUAL PROPERTY RIGHT AND MANAGEMENT

Group – A

Introduction to Intellectual Property Rights (IPRs)

- Definition and nature of IPR.
- Jurisprudential Justification of IPR.
- Intellectual Property Rights as Human Rights.
- Role of International institutions.
- Paris Convention, WIPO, TRIPS, WTO.

Group – B

Concepts of IP Management

- Kinds of intellectual property and related rights.
- Significance of IP.
- Commercial exploitation of IP.
- Traditional Knowledge.

Group – C

Copyright

- Meaning and definition.
- Copyright in Literacy, Artistic, Musical and Computer programmes.
- Ownership and assignments.
- Author's special right.
- Infringement and Enforcement Measures.

Group – D

Patent

- Meaning and Definition.
- Essential Elements of Patent.
- Rights and Duties of Patentee.
- Grounds of Registration.
- Criteria of Infringement.
- Enforcement Measures.

Group – E

Trademarks

- Meaning and definitions
- Kinds of Marks
- Doctrine of deceptive similarity.
- Domain name dispute.
- Passing off.
- Registration.
- Infringement and Enforcement Measures.

Books Recommended:

1. Law relating to intellectual property rights and Law by P. Narayanan.
2. The Law to intellectual property rights and Law by G.B. Reddy.
3. The Law to intellectual property rights and Law by B.L. Wadhera.
4. Intellectual property by W.R. Cornish.

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

8TH SEMESTER

PAPER– 8.5: PROFESSIONAL ETHICS (CLINICAL PAPER – II)

AS PRECIBED BY THE BCI

Outline of the Course: Professional Ethics, Accountancy for Lawyers and Bar – Bench Relations.

This course will be taught in association with practicing lawyers on the basic of the following materials.

1. Mr. Krishnamurthy Iyer's book Advocacy.
2. The Contempt of Law and Practice.
3. The Bar Council Code of Ethics.
4. 50 selected opinions of the Disciplinary Committees of Bar Council and 10 major judgment of the Supreme Court on the Subject.
5. Assessment through case study, Viva Voce and Periodical problem solution besides the written tests.

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

COURSE STRUCTURE

9TH SEMESTER				
Paper No	Title of the paper	Full Marks	University Exam.	Internal Assessment
9.1	Labour and Industrial Law – II	100	80	20
9.2	Law Relating to Child	100	80	20
9.3	Interpretation of Statutes	100	80	20
9.4	Company Law	100	80	20
9.5	Drafting Pleading and Conveyance (Clinical Paper – III) as prescribed by the BCI	100	To be conducted by College.	

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

9TH SEMESTER

PAPER– 9.1: LABOUR AND INDUSTRIAL LAW – II

1. The Factories Act 1948

- i. Object.
- ii. Board overview of various provisions relating to health, safety and welfare of workers, working hours, provisions relating to hazardous processes, provisions relating to regulation of employment of women and young person and children in factory.

2. Trade Union Act 1926

- i. Object.
- ii. Basic concepts, trade Unions, trade disputes.
- iii. Registration of trade Unions.
- iv. Rights and liabilities of registered Unions.

3. Employees State Insurance Act 1948

- i. Object.
- ii. Board overview of various provisions relating to employee state Insurance under the Act.

4. The Employees' Provident Funds & Miscellaneous Provisions Act,1952

- i. Object.
- ii. Basic concepts.
- iii. Employees' Provident fund Scheme.
- iv. Employees' Pensions Scheme.
- v. Employees' deposit – linked Insurance Scheme.

5. Payment of Bonus Act 1965

- i. Definition.
- ii. Kinds of bonus
- iii. Coverage.
- iv. Eligibility, disqualification, payment of bonus.
- v. Calculation of bonus.
- vi. Power of inspector duties and officers.

Books Recommended:

1. K.M. Pillai – Labour & Industrial Law.
2. P.L. Malik – Industrial Laws.
3. S.K. Misra – Labour & Industrial Laws.
4. H.N. Saharay – Labour & Industrial Laws.
5. V.G. Goswamy – Labour & Industrial Laws.
6. R.C. Saxena – Labour Problems and Social Welfare.
7. Srivastava – Industrial Relation and Labour Laws.

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

9TH SEMESTER

PAPER– 9.2: LAW RELATING TO CHILD

1. Status of Children under the Constitution of India. (Fundamental Rights and DPSP).
2. National Policies, Programmes and Action Plan for Children.
3. Child Trafficking and Child Sexual Abuse and Legal Safeguards.
4. Foeticide and Infanticide and its legal control.
5. Juvenile Justice (Care and Protection of Children) Act, 2000.

Power and Function of Juvenile Justice Board & Child Welfare Committee.

Different Homes established under the act.

Determination and presumption of age of juveniles.

Rights of the Children in conflict with law and Children in need of care protection at the time of apprehension and during legal proceeding.

6. Child Labour (Regulation and Prohibition) Act, 1986. (Sections 2-14).
7. The Prohibition of Child Marriage Act, 2006. (Section 2-16).
8. Offences in relation to children under IPC. (Secs. 82 and 83, Secs. 312-318, Secs. 359-369 etc).

Books Recommended:

1. N.K. Chakraborty – Law and Child.
2. Asha Bajpai – Child Rights in India, Law, Policy and Practice.
3. Manjula Batra – Woman and Law Relating to Children in India.
4. Pinki Virani – Bitter Chocolate.
5. O.P. Misra – Law and Child.
6. M.P. Chaturvedi – Child Labour Laws in India.

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

9TH SEMESTER

PAPER– 9.3: INTERPRETATION OF STATUTES

1. Basics Principles

- a) Intention of the Legislature.
- b) Statute must be read as a whole.
- c) Statute must be construed so as to make it effective and workable.

2. Rules

- a) Literal Rule.
- b) Golden Rule.
- c) Mischief Rule.
- d) Harmonious Construction.

3. Subsidiary Rules

- a) Roddendo singular Sigulis.
- b) Noscitur a Sociss.
- c) Ejusdem Generis.
- d) Generelia Specilibus non derogant.

4. External and Internal Aids to Construction

5. Interpretation of –

- a) Constitution.
- b) Taxing Statute.
- c) Penal Statute.

6. Presumptions in Statutory Interpretation.

7. Interpretation of Directory and Mandatory Statutes.

8. Interpretation of Codifying and Consolidating Statutes.

9. General Clauses Act, 1897.

Books Recommended:

1. G.P. Singh – Principles of Statutory Interpretation.
2. N.S. Bindra – Interpretation of Statutes.
3. Maxwell – Interpretation of Statutes.
4. A.P. Chatterjee – Interpretation of Statutes.
5. H.P. Chakraborty – Interpretation of Statutes.

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

9TH SEMESTER

PAPER– 9.4: COMPANY LAW

Companies Act, 2013

1. Company

- i) Historical Developments.
- ii) Meaning and Definition.
- iii) Types of Companies in India.
- iv) Corporate Personality.
- v) Essentials of Corporate Personality.
- vi) Piercing of Corporate Veil.

2. Corporate Incorporation and Management

- i) Certificate of Incorporation.
- ii) Memorandum and Articles of Association.
- iii) Doctrine of Ultra Vires.
- iv) Doctrine of Indoor Management, Constructive Notice.
- v) Promoters: Rights and Duties.
- vi) Prospectus.

3. Directors

- i) Directors: Appointment, Removal, Position, Powers and Duties of Directors.
- ii) Audit Committee: It's Role.
- iii) Company Secretary: Qualification, Appointment and Duties.

- iv) Officer who is in default: Definition of Officer who is in default.
- v) Liability of independent directors.

4. Shares

- i) Definition.
- ii) Allotment of Shares.
- iii) Share capital and Types.
- iv) Transfer and Transmission of Shares.

5. Debentures

- i) Definition.
- ii) Charge and Kinds.
- iii) Crystallisation.

6. Dividend

- i) Meaning.
- ii) Definition.
- iii) Essentials.

7. Meetings

- i) Types of Meetings.
- ii) Procedure of calling meeting.
- iii) Company's resolutions and its kinds.

8. Oppression & Mismanagement and Investigation

- i) Rule in Foss V. Harbottle.
- ii) Prevention of Oppression.
- iii) Prevention of Mismanagement.

- iv) Role & Powers of Central Government.
- v) Company Investigation.

9. Merger and Amalgamations

10. Corporate Liquidation

- i) Winding up of Companies.
- ii) Mode of Winding up of the companies.
- iii) Compulsory Winding up under the Order of the Tribunal.
- iv) Voluntary winding up.
- v) Contributories.
- vi) Payments of liabilities.

11. Corporate Governance and Social Responsibility

- i) Importance of Corporate Governance.
- ii) Different system of Corporate Governance.
- iii) Impact of Legal Traditions and the Rule of the Law on Corporate Governance.
- iv) Legal Reforms of Corporate Governance in India.
- v) Reports of the various Committees on Corporate Governance.
- vi) Emerging trend based on the recommendation of the Committees in the Companies Act, 1956 and the Listing Agreement with Special reference to Clause 49. i) Corporate Social and Environmental Responsibility.

Books Recommended:

1. Company Law, N.D. Kapoor, S.C. Tripathy.
2. Commentaries on Company Law, A. Ramaiya, Wadhwa Nagpur Publication.
3. Company Law, Avtar Singh, Eastern Book Company.

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

9TH SEMESTER

PAPER– 9.5: DRAFTING PLEADING AND CONVEYANCE

(CLINICAL PAPER – III)

1. Drafting:

- Meaning of drafting, general principles of drafting and rules of drafting.

2. Pleading

- Meaning, contents of pleading, amendment of pleading, verification.

- i) Civil: Complaint, Written Statement, Set-off Counter Claim, Interlocutory Application Restitution of Conjugal right, petition for Mutual Divorce, An affidavit, Execution petition. Memorandum of Appeal and Revision, Review, Petition under Art 226 and 32 of Indian Constitution.
- ii) Criminal: Complaint, Criminal Misc Petition, application u/s 125 CrPc Code, Bail application along with Anticipatory bail, Memorandum of Appeal and Revision, Complaint u/s 138 of NI Act..

3. Conveyance:

- i) Sale deed, Mortgage Deed, Gift Deed, Will, Deed of Will, Deed of Registration, Promissory Note, Bill of Exchange, Power of Attorney, Trust Deed, Notice and Deed of Agreement.

4. Drafting of Writ petition and PIL petition:

The course may include not less than 15 practical exercises in drafting carrying a total of 45 marks (3 marks for each) remaining 10 marks should be given for VIVA – VOCE.

Books Recommended:

- I. Desouza – Conveyancing Gupta – Pleading Drafting and Deeds.
- II. Srivastava – Law of Pleading Drafting and Conveyancing.

Vidyasagar University

Five (5) Year BALLB (Hons.) Course (w.e.f. 2015-16)

Course Structure

5th Semester				
Paper No.	Title of the Paper	Full Marks	University Exam.	Internal Assessment
5.1	Political Science – V	100	80	20
5.2	Constitutional Law – II	100	80	20
5.3	Law of Crimes – II	100	80	20
5.4	Property Law & Easement Act	100	80	20
5.5	Environmental Law	100	80	20

Five (5) Year BALLB (Hons.) Course

5th Semester

Paper 5.1 : Political Science – V

Political Thought

Western Political Thought

1. Ancient Greek Political Thought: Plato & Aristotle.
2. Renaissance : Contribution of Machiavelli
3. Roman Political Thought : Roman Theory of Law
4. **Utilitarianism** : Bentham & J. S. Mill.
5. Marxism : Basic Principles, Class Struggle, State & Revolution.

Indian Political Thought

1. Ancient Indian Political Thought Sources & Features, Contribution Of Kautilya & Manu.
2. Gandhi: Philosophy of politics.
3. Nehru: Socialism & Democracy.
4. Ambedkar : Social Justice.
5. R. N. Tagore : State, Society & Nationalism

Recommended Books

1. Gettel – History of Political Theory.
2. Sabine – A History of Political Theory.
3. Mukhopadhaya, Amal Kumar- Western Political Thought.
4. Verma V. P. Modern Indian Political Thought.
5. Sharma, R.S. – Aspects of political Ideas and Institutions in Ancient India.
6. Panthan, T and Deutsch, K (ed) – Political Thought in Modern India.

7. U R Mehta – Foundation of Indian Political Thought.

Five (5) Year BALLB (Hons.) Course

5th Semester

Paper5.2 : Constitutional Law – II

1) President of India – election, qualification, salary, Impeachment, power of the President.

Prime Minister – Appointment of Prime Minister, The council of ministers, Principle of collective responsibility, constitutional Duties of Prime Minister.

The Governor – Appointment of Governor, Qualification, Tenure Removal, Power of the Governor

2) The provisions relating to the Parliament (Articles 79-122).

3) Composition of the Supreme court, Appointment of the Judges, qualification of the Judges, Tenure and Removal of Judges, jurisdiction of the supreme Court, Constitution of the High Court, appointment, qualifications of Judges of a High Court, term and removal of Judges, jurisdiction of a High Court.

4) Relation between the Union and the States – Legislative Relation, Administrative Relations, Financial Relations.

5) Elections – Elections Commission, constitution of election Commission, Multi member Commission, Functions of election Commission, power of Parliament and state legislature with regard to Election law.

6) Special provisions relating to Jammu and Kashmir.

7) The Emergency Provisions – National Emergency, grounds, Territorial Extent of Proclamation, Duration of Emergency, Effects of Proclamation of Emergency, failure of Constitutional machinery in states, Financial Emergency.

8) The Amendment of the Constitution – Necessity of Amending provisions in the constitution, procedure for Amendment, Limitations on Amending Power, Theory of Basic Structure.

9) Freedom of Trade, Commerce and Intercourse. Services under the Union and States- doctrine of pleasure, Restrictions on Doctrine of Pleasure, Constitutional safeguards to Civil Servants, Exceptions of Article 311 (2)

10) Administrative Tribunals.

Recommended Books

1. Pandey, J.N. – Constitutional Law of India
2. Jain, M.P. – Indian Constitutional Law
3. Seervai, H.M. - Constitutional Law of India
4. Shukla, V. N. Constitutiona of India
5. Bakshi, P. M. – the Constitution of India.
6. Basu, D.D- Indian Constitutional Law

Act.

1. The Constitution of India
2. Administrative Tribunals Act, 1985

Five (5) Year BALLB (Hons.) Course

5th Semester

Paper5.3 : Law of Crimes – II

I : Introductory :

Concept of Criminal Justice System , Importance of fair trial, **Bailable and non bailable offences, Cognizable and non-Cognizable offences, Summons and warrant cases, Enquiry, Investigation and trial, police report complaint, First Information Report , Discharge, acquittal, victim, Different criminal court and their powers.**

II : Provision for Investigation :

Arrest, rights of arrested person, search and seizure, process to compel appearance, procedure for investigation, Examination of witness by police, Recording of confession and Statement, Procedure when investigation cannot be completed in twenty Four hours.

III. Proceeding before Magistrate :

Conditions requisite for initiation of proceedings, complaints to magistrate, commencement of proceedings before magistrate.

IV : Charge, trial before a court of session, trial of warrant case and summon case by magistrate, summary trial, Provisions as to bail, Plea bargaining, Judgment. Farming of change, Trials and Execution Proceedings.

V: Review Procedures :

Appeals, Reference, Revision.

VI : Miscellaneous :

Maintenance of wives, children and parents, transfer of criminal cases, compounding of offences.

VII : Probation of Offenders Act, 1958 :L concept of Probation system, Admonition, Release of Offenders on Probation, Appeal and Revision, Duties of Probation Officer.

Recommended Books

- 1. Kelkar, R. V. – Code Criminal Procedure.**
- 2. Misra, S. N. - Code Criminal Procedure.**
- 3. Sarkar - Code Criminal Procedure.**
- 4. Chakraborti, N. K. – Probation system in the administration of criminal Justice.**
- 5. Kumari, Ved – Juvenile Justice System.**

Five (5) Year BALLB (Hons.) Course

5th Semester

Paper5.4:Property Law & Easement Act

1. **CONCEPT OF PROPERTY: Concept of Property, Ownership and Possession. Meaning of Property under the Transfer of Property Act, Kinds of Property, Movable, Immovable, Intangible, and Right to Property under the Constitution of India.**
2. **GENERAL PRINCIPALES OF TRANSFER OF PROPERTY : Competency to transfer Property, various conditions relating to transfer of Property, Rule against perpetuity, conditional and contingent Transfer, Right of Election : Transfer by non – owners and Co-owners; Transfer under **lis pendens**, Fraudulent Transfer, Principle of Part Performance.**
3. **SPECIFIC MODE OF ABSOLUTE TRANSFER OF PROPERTY: Sale definition, Agreement to sale rights and liabilities of the Buyer and the seller, Marshalling by Subsequent**

purchaser, Exchange – definition and mode of transfer, suspension and revocation. Onerous gift, Universal done. Transfer of Actionable claims.

4. SPECIFIC & LIMITED TRANSFER OF CREATING SECURITY INTEREST:

(a) Mortgage – meaning and purpose, types – simple, English, Conditional Sale, **Usufructuary, by way of deposit of title Deed, and anomalous mortgage, Right and obligation of the **mortgore** and mortgagee, Foreclosure, Power of Sale, Marshalling and Contribution, Redemption; subrogation.**

(b) Charge – Fixed and Floating Charge, Rights and obligation of the parties.

(c) Lease – definition, Rights and Liabilities of the Parties, Determination of lease and lease Terms waivers, forfeiture.

(d) Lien – Possessory right, when applicable, type of lien.

5. REGISTRATION OF TRANSFER DOCUMENTS: Registration – meaning, Types of Registration and legal consequence.

6. EASEMENT & PRESCRIPTION: Nature, definition, creation, Extinction, Riparian rights, Licenses, use right by Prescription.

Recommended Books

- 1. Mulla - Transfer of Property Act.**
- 2. Gour's - Transfer of Property Act.**
- 3. Sinha, R. K. - Transfer of Property Act.**
- 4. Narayan – Easement & Licenses.**
- 5. Jain, J. D. – Indian Easement Act.**
- 6. Bhalla, R. S. – The Institute of Property : Legally, Historically and Philosophically Regarded.**
- 7. Raw, Sanjivi – Commentaries on Easement & Licenses.**

8. Row, Sanjivi – Registration Act, Law Publishers.

Five (5) Year BALLB (Hons.) Course

5th Semester

Paper5.5:Environmental law:

1. Reason for growth of Environmental Law:

- a. Environmental policy in India – Constitutional Mandate, enlargement of interpretation of Art. 21 of the Constitution of India.**
- b. U. N Stockholm Declaration 1972 and Rio Declaration 1992 – basic principles evolved.**

- c. **Ozone Depection**
- d. **Biological Diversity**
- 2. **Legislative Provision:**
 - a. **The Water (Prevention and control of pollution) Act, 1974.**
 - b. **The air (Prevention and control of pollution) Act, 1981.**
 - c. **The Environment (Protection) Act, 1986.**
 - d. **Forest laws policy and conservation.**
 - e. **The wild life (Protection) Act, 1972.**
- 3. **Judicial remedies and procedure:**
 - a. **Tort law – damage and injunction**
 - b. **Public nuisance**
 - c. **Negligence, Strict liability and absolute liability**
 - d. **The role of the courts to protect Environmental Pollution – enlargement of Public Interest Litigation.**

Recommended Books:

1. **Santha Kumar, S. – Introduction to Environmental Law.**
2. **Leelakrishnan, P. Environmental Law in India.**
3. **Resencranz & Diwan – Environmental Law and Policy in India.**
4. **Jaiswal, P. - Environmental Law**
5. **Shastri, S. C. - Environmental Law**

Vidyasagar University

Five (5) Year BALLB (Hons.) Course (w.e.f. 2015-16)

Course Structure

6th Semester				
Paper No.	Title of the Paper	Full Marks	University Exam.	Internal Assessment
6.1	Political Science – VI	100	80	20
6.2	Legal Method and Legal Theory (Jurisprudence)	100	80	20
6.3	Public International Law	100	80	20
6.4	Land System and land Laws	100	80	20
6.5	International Trade Law	100	80	20

5 years BA LL.B (Hons) 2015-2016

6th Semester

Paper – 6.1

Sub: Political Science – VI

1. Political Science and Political Sociology
2. Power, authority and Legitimacy.
3. Political Culture.
4. Political Socialization.
5. Political Participation.
6. Political Party and Pressure Group.
7. Military and Politics – Inter- Relation and Intervention.
8. Bureaucracy

Books Recommended:

Michel Rush – Politics and sociology
Amal Kr. Mukhopadhyay – Political Sociology
Ali Asraf and L. N. Sharma- Political Sociology
T. Bottomore – Political Sociology.

5 years BA LL.B (Hons) 2015-2016

6th Semester

Paper – 6.2

Legal Method and Legal Theory (Jurisprudence)

- ❖ Concept and definition of Jurisprudence.
- ❖ Natural Law and Historical School
- ❖ Positivist school.
- ❖ Realist School.
- ❖ Sociological School.
- ❖ The Administration of Justice
- ❖ Legislation
- ❖ Precedent
- ❖ Custom
- ❖ Legal Rights and Duties.
- ❖ Ownership
- ❖ Possession
- ❖ Persons.

Books Recommended:

- John Austin – The Province of Jurisprudence Determined.
- W. Friedman – Legal Theory.
- Mani Tripathi – Jurisprudence.
- N. K. Jayakumar – Lectures on Jurisprudence
- Holland on Jurisprudence.
- G.C.V. Subbarao – Jurisprudence.
- S.N. Dhyani – Jurisprudence.

5 years BA LL.B (Hons) 2015-2016

6th Semester

Paper – 6.3

Subject: Public International Law

1. Meaning, Nature and Sources of International Law.
2. Subjects of International Law.
3. Relation between International Law and Municipal law.
4. State Succession.
5. Intervention
6. Recognition.
7. Nationality, Extradition and Asylum.
8. The Law of the Sea.
9. Amicable Settlement of International Disputes,
10. Law of Treaties.
11. United Nations (General Assembly, ICJ and Security Council)

Books recommended:

- Dr. S.K Kapoor – International law along with human Rights.
- M.P Tandon - International law and human Rights.
- H. O Agarwal - International law and human Rights.
- Starke – Introduction to International law.
- Shirley V. Scott – International law in the world politics.

5 years BA LL.B (Hons) 2015-2016

6th Semester

Paper – 6.4

Subject: Land System and land Laws

Group – A

- 1. The West Bengal land Reforms Act, 1955**
 - 1.1) Concept and Definitions**
 - 1.2) Raiyats**
 - 1.3) Restriction on alienation of land by persons belonging to scheduled tribes**
 - 1.4) Record of rights**
 - 1.5) Celling on land held by a raiyat**
 - 1.6) Bargadar**
 - 1.7) Consolidation of land & farming societies**
 - 1.8) Land revenue administration**
 - 1.9) Dispute resolution mechanism**

Group B

- 2. The West Bengal Premises Tenancy Act., 1997**
 - 2.1) Definitions and objective**
 - 2.2) Obligations of Land lords and Tenants**
 - 2.3) Eviction of tenants**
 - 2.4) Recovery of immediate position**
 - 2.5) Provisions regarding rent**
 - 2.6) Powers and functions of (rent) controller**

- 2.7) Restoration of possession and compensation
3. The Land Acquisition Act (As amended up to date)

Group C

4. The West Bengal Apartment Ownership Act. 1972
4.1) Sections (3-5)
4.2) Sections (10-14)

Books Recommended

1. Justice Mallick , West Bengal Land Reforms Act, 1955
2. Saha, A.N. , West Bengal Land Reforms Act, 1955
3. Das, Amal , West Bengal Land Reforms Act, 1955
4. Saha, A.N. , West Bengal Land Reforms Act, 1997
5. Sen , S. K. West Bengal Land Reforms Act, 1955
6. Gosh, A. , Land Acquisition Act,
7. Sarkar , P.K. Law of acquisition of land in India (Latest edition)
8. The West Bengal Land Reforms Act, 1955 (Bare Act)

5 years BA LL.B (Hons) 2014-2015

6th Semester,

Paper – 6.5

International Trade Law.

1. Historical Background of GATT
2. Evolution of the W.T.O. 1947
3. Globalization.
4. Quantitative Restrictions: Quotas, Quotas and free trade, Relevance, International safeguard modes of trade in services; Type of restrictions, concept of Quotas in services, Rationale of quotas, objectives, Men Demerits.
5. Dumping: Cost of dumping, conditions of dumping, Types of dumping, Effects of dumping.
6. W.T.O. – 1994: Uruguay round – objectives, membership, membership obligations, structure.
7. Agreement under W.T.O. : A.OA – Agriculture, Domestic Support, Differential Market access, Treatment, Subsidies and counter vailing Measures TRIPS and TRIMS, Dispute Settlement, Trade Review Mechanism, Plurilateral Trade agreement.
8. GATS: importance of Trade in Services, Coverage of GATS, Dissimilarities with GATT, General obligations and disciplines, Most favored Nation clause and its exemptions, Market Access and National Treatment, Inequitable compulsions for poorer countries, Financial Services.
9. India and GATT/WTO : A comprehensive and expending coverage, India, Essential safeguards, Conflicting interests implication for India, import duties and Export duties

subsidies, Agriculture, TRIPS and TRIMS, Textile and clothing, social caules and other issues, Child Labour, Environmental issues, other Restrictive Masseur.

Recommended Books

- 1. Myneni, S.R. – International Economic Law.**
- 2. Rao, M..B., and Manjula Guru – WTO Disputes Settlements and Developing Countries.**
- 3. Ramesh Chand – Trade Liberalization WTO Agreements,**

Vidyasagar University

Five (5) Year BALLB (Hons.) Course (w.e.f. 2015-16)

Course Structure

7th Semester				
Paper No.	Title of the Paper	Full Marks	University Exam.	Internal Assessment
7.1	Civil Procedure Code-1	100	80	20
7.2	Information Technology Law	100	80	20
7.3	Local Self Government	100	80	20
7.4	Law of Evidence	100	80	20
7.5	Alternative Dispute Resolutions (Clinical Paper -1)	100	To be conducted by college	

Five (5) year BA LL.B (Hons.) Course

7th Semester

Paper – 7.1 : Civil Procedure Code – I

1. Introduction

1.1) Concepts

1.2) Definition:- Affidavit, Order, Judgement, Decree, Plaint, Restitution, Execution, Decree holder, Judgment-Debtor, Mesne profits, Written statement.

1.3) Distinction between decree and judgment, between decree and order.

2. Jurisdiction

2.1) Kinds

2.1.1) Hierarchy of courts

2.2) Suit of civil nature – scope and limits

2.3) Res-sub juice and res judicata

2.4) Foreign judgment – enforcement

2.5) Place of suing

2.6) Institution of suit

2.6.1) Parties to suit: joinder, mis – joinder, or non joinder of parties

:Representative suit

2.6.1.1) Frame of suit : case of action

2.6.2) Alternative Disputes Resolution (A D R)

2.6.3) Summons

3. Pleadings

3.1) Rule of pleading, signing and verification

3.1.1) Alternative pleading

3.1.2) Construction of pleading

3.2) Plaint : Particulars

3.2.1) Admission, return and rejection

3.3) Written statement: particulars, rules of evidence

3.3.1) Set off and counter claim : distinction

3.4) Discovery, Inspection and Production of documents.

3.4.1) Interrogatories

3.4.2) Privileged documents

3.4.3) Affidavits

4. Appearance, Examination and Trial

4.1) Appearance

4.2) Ex-parte procedure

4.3) Summary and attendance of witnesses

4.4) Trial

4.5) Adjournment

4.6) Interim Order : Commission, arrest or attachment before judgment, injunction and appointment of receiver.

4.7) Interest and costs

5. Suits in particular cases

5.1) By or against Government (ss 79-82)

5.2) By aliens and by or against foreign rulers or ambassadors (ss 83-87A)

5.3) Public nuisance (ss 91-93)

5.4) Suits by or against firm

5.5) Suits in form a pauperis

5.6) Interpleader suits

Books recommended

- 1. Mulla : Code of Civil Procedure**
- 2. Nandlal : Code of Civil Procedure**
- 3. C. K. Takwani : Code of Civil Procedure**
- 4. Saha, A. N. : Civil code Practice and Procedure**
- 5. Sing, S. N. : Code of Civil Procedure**

Five (5) year BA LL.B (Hons.) Course

7th Semester

Paper – 7.2 : Information Technology Law

1. a. Nature and Scope of Information Technology law
b. Social and Economical aspects of Information Technology
c. Cyber Space and Jurisdictional Issues
2. Definition: Asymmetric Crypto System, Certifying Authority, Computer Network, Controller, Data, digital- signature, Electronic record, Key pair, Subscriber.
3. Legal Requirements of Electronic Records.
4. Electronic Governance
4. Formulation and validity of electronic contracts.
5. Attribution, acknowledgment and dispatch of Electronic Records.
6. Digital Signature and Electronic Signature.
7. Appointment, function of controller
8. Cyber contraventions and civil liabilities.
9. Computer related offences, obscenity etc.
10. E- Commerce salient features.
11. E- Banking and legal issues
12. Data bases in Information Technology, Indian Law and Databases.
13. Trademarks in internet, Domain Name Disputes, Cyber Squatting, and Cyber Stalking.

Books Recommended:

- i) Chris Reed, Internet and Law
- ii) Nandan kamath, Law relating to Cyber Space and Internet.
- iii) Suresh T. Vishwanathan, Law Relating to Cyber Laws.
- iv) Dasgupta, M, Cyber Crime in India –a Comparative Study, ELH Publication.

Five (5) year BA LL.B (Hons.) Course

7th Semester

Paper – 7.3: Local Self Government

- 1. Concept of Local Self Government, the grass root democracy, evolutions and evaluation of local self Government.**
- 2. Constitutional Provisions**
 - 2.1) Directive principles (Article 40)**
 - 2.2) Part IX of the Constitution of India IX**
 - 2.2.1) Constitution, Composition, Powers and Responsibilities of Panchayat**
 - 2.2.2) Financial Power**
 - 2.2.3) Elections to the Panchyets**
- 3. Part IX A of the Constitution of India**
 - 3.1) Constitution, Composition, Powers and Responsibilities of Municipalities**
 - 3.2) Financial Power**
 - 3.3) Elections to the Municipalities**
- 4. Legislative and QuasiLegislative Powers of the States**
 - 4.1) The Legislative Powers of the States**
 - 4.2) The Rule Making Power**
- 5. State Law relating to local Self Government**
 - 5.1) The W. B. Panchyets Act, 1973 –**
 - 5.1.1) Constitution, Powers and Duties, Elections and Governmental control on the three tier Panchayati Raj institutions.**
 - 5.1.2) Constitution, Powers and Functions of Sthayee Samities**
 - 5.2) The W. B. Municipalities Act, (as amended up to date)**
 - 5.2.1) Constitution, Powers and Duties Elections and Governmental control on the Municipalities**

6. Governmental, Judicial and Institutional Control over Panchyets and Municipalities

Books Recommended

- 1. Pandey, J. N: Constitutional law of India**
- 2. Raj: Indian Constitutional Law**
- 3. Kumar Narendra : Constitutional law of India**
- 4. Seervai H. M : Constitutional law of India**
- 5. The West Bengal Panchyet Act, 1973**
- 6. The West Bengal Municipalities Act, as (amended up to date)**

Five (5) year BA LL.B (Hons.) Course

7th Semester

Paper – 7.4: Law of Evidence

Chapter – 1

- Preliminary (Secs 1-4)

Chapter – 2

- Of Relevancy of Facts (Secs 5-55)

Chapter – 3

- Facts which need not be proved (Secs 56-58)

Chapter – 4

- Of Oral Evidence (Secs 59-60)

Chapter – 5

- Of Documentary Evidence (Secs 61-90)

Chapter – 6

- Of the Exclusion of Oral by Documentary Evidence (Secs 91-100)

Chapter – 7

- Of the Burden of Proof (Secs 101-114)

Chapter – 8

- Estoppel (Secs 115-117)

Chapter – 9

- Of Witnesses (Secs 118-134)

Chapter – 10

- Of the Examination of Witness (Secs 135-167)

Chapter – 11

- Of Improper Admission and Rejection of Evidence (Sec – 167)

Books Recommended

Batuklal – Law of Evidence

Ratanlal and Dhirajlal – Evidence

Sarkar Evidence

Five (5) year BA LL.B (Hons.) Course

7th Semester

Paper – 7.5: Alternative dispute resolutions (Clinical Paper – I)

Group – A

- **The Arbitration and Conciliation Act, 1996**
 1. Arbitration meaning and Scope
 2. Arbitration Agreement.
 3. Arbitral Award.
 4. Appeal
 5. Enforcement of Awards and Foreign Awards
 6. New York Convention Award.
 7. Geneva Convention Award.
 8. Conciliation meaning and Scope
 9. Commencement and termination of Conciliation Proceeding.
 10. Appointment of Conciliator and role of conciliator.
 11. Settlement Agreement.
 12. Impact of UNCITRAL Rules.

Group –B

- 1. Justice Mallinath Committee Report.**
- 2. Mediation and Negotiation Council (Salishi Sabha)**
- 3. Judicial Settlement (sec. – 89 of CPC)**

Group – C

**The Legal Service Authorities Act, 1987
(With special emphasis on lok Adalat)**

Book Recommended: -

- 1. N. V. Paranjape – Arbitration and Alternative Dispute Resolution**
- 2. Avtaar Singh – Law of Arbitration and Conciliation**
- 3. O.P. Tewari - Arbitration and Conciliation Act 1996**
- 4. H.R. Bhardwaj - Arbitration and Conciliation.**
- 5. Justice R. H. Bachawat – Law of Arbitration and Conciliation**
- 6. Johari – Commentary on arbitration and conciliation Act 1996**