

SEMESTER III

Paper - 301

English- III

Full Marks: (Written 80+Internal 20) =100. Credit- 4

Group A (To be answered 4 questions of 15 Marks each= 60 Marks)

1) Introduction to legal language

- i) Necessity of Learning legal Language, legal Writing and General English
- ii) Scope and Domain of the legal language
- iii) Importance of language in law
- iv) Legal language in India
- v) Legal language vis a vis common language
- vi) Problems of language and law
- vii) Comparative study of Language and Law

2) Fundamental Principles of legal writing

Concision, Clarity, Cogency, Simplicity of Structure

3) Basic Rules of Legal Writing

- i) Preparation
- ii) Layout
- iii) Sentences and Paragraphs
- iv) Punctuation
- v) Sentence, Construction and Grammar
- vi) Words and Phrases
- vii) Avoid redundant words and phrases
- viii) Verbs- active and passive voices
- ix) Modifying words
- x) Repetition and Elegant Variations
- xi) Using the right words
- xii) References to Studies and Cases

5) Legal Terminology - Terms used in civil and criminal law

abandon, abet, abduction, abrogate, abscond, absolve, acid attack, accomplice, adjudge, affray, ambiguity, award, bail, bankruptcy, bench, breach, charge, claim, code, confession, contract, court, decree, disability, divorce, equity, estate, estoppels, execution, extradition, forgery, gift,

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infringement, injury, judge, judgment kidnapped, matrimonial, miscarriage, petition, redundant, retrospective, stalking suit, tribunal, violation, void, voyeurism, writ, wrong

6) Latin Words and Phrases

ab initio, ad hoc, , ad idem, alma mater, alibi, ad valorem, ambiguitas- patent, ambiguitas latens, amicus curiae, animus possidendi, bona fide, corpus juris, corpus delicti, coram non iudice, cy - pres, de facto, de jure, de novo, ex abundanti cautela, ex officio, ex parte, ex post facto, factum valet, fait accompli, felo de se, functus officio, in pari delicto, in lieu, loco parentis, in personam, in rem, informa pauperice, inter se, inter alias, in situ, inter vivos, ipso facto, intra vivos, lis pendens, locus standi, mortis causa, mutatis and mutandis, onus probandi, obiter dictum, parens patriae, pari passu, prima facie, quid pro quo, sine qua non, status quo, suo motu, ultra vires

7) Maxims

actus non facit reum nisi mens sit rea, action personolis moritur cum personam, audi alteram partem, caveat emptor, donation mortis causa, Damnum Sine Injuria, , delegatus non potest delegate, injuria sine damnum, , ignoratia facti excusat, ignorantia juris non excuasat, qui d facit per alium facit per se, nemo dat quod non habet, , , nemo iudex in causa sua, novusactus interveniens or novo causa interveniens, Respondent superior, res ipsa loquitor, Salus populi est supreme lex, Ubi jus ibi remedium, volenti non fit injuria

8) Use of Legal Language in Drafting

- a) Use of legal language and its significance in drafting (Sale Deed, Gift Deed, Release Deed, General Power of Attorney, and Will)
- b) Use of legal language in drafting of Legal Notices.

Group B (To be answered 2 questions of 10 Marks each=20 Marks)

Experience and affliction of Mahatma Gandhi as lawyer

Text: An Autobiography or The Story of My Experiments with Truth by M.K. Gandhi
(Navajivan Publishing House)

Selected Chapters

1) Part I

Chapter XXIV: "called" – But then?

Chapter XXV: My Helplessness

2) Part II

Chapter III: The First Case

Chapter IV: The First Shock

Chapter V: preparing for South Africa

Chapter VIII: On the way to Pretoria

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Suggested Readings:

Legal Language by Madabhusi Sridhar

Legal Language by P.M. Bakshi

Outlines of Legal Language in India by Dr. Anirudh Prasad

Paper - 302

Sociology- III

Full Marks: (Written 80+Internal 20) =100. Credit- 4

(To be answered 5 questions of 16 Marks each= 80 Marks)

1. Social Values and Ethics:

Social Values and Ethics- Definition and application in legal profession, Value crisis in contemporary Society.

Impact of Social Laws in Indian Society; Positive and Negative Implications of Social Laws; Social relationships in legal profession.

2. Sociological Theories:

1. E. Durkheim: Division of Labour, Suicide
2. Max Weber: Religion, Bureaucracy.
3. T. Parsons: Theory of Social action, Pattern Variables.
4. K. Marx: Theory of Surplus Value & Alienation.
5. H. Spencer: Theory of evolution.

3. Social Research Methods:

Social Research- Concept, Hypothesis, Technique of data collection--Questionnaire, Observation, Interview and Schedule.

Suggested Readings:

1. Sociological Theory-G. Ritzer
2. Main Currents in Sociological Thought--R.Aron
3. Sociological Theory -Abraham
4. Social Research Methods-R. Ahuja
5. Research Methods-- Goode & Hatt
6. Research Methods-- R. Kumar
7. Research Methods-- C.R.Kothari

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Paper - 303
Economics- III

Full Marks: (Written 80+Internal 20) =100. Credit- 4

Group- A: Economics of Development

(To be answered 3 questions of 16 Marks each= 48 Marks)

Unit-1: Concept of economic growth and economic development - Distinction between growth and development - Broad features of underdevelopment - Inequalities of income.

Unit-2: Gender and Development - Gender issues & development - Women education in developing countries - Women in labour force - Women, poverty and development - Empowerment of women - Grameen Bank - Missing women in developing countries.

Unit-3: Environment and Development - Environment and Economy interface - Sustainable development - Concept of Green GDP - Population and environment. •

Unit-4: Rural development - Concept of Rural development - Concept of NGO - Role of NGO in rural development - Concept of Micro Credit - Self Help Group (SHG) - SHG in India.

Group-B: Basic Financial Economics

(To be answered 2 questions of 16 Marks each= 32 Marks)

Unit-1: Introduction to various forms of business organization (basic concept)- Economic advantages and disadvantages of the different forms.

Unit-2: Introduction to the first generation Financial Instruments - Bills of exchange, Promissory Notes, Securities, Bond, Debentures, Shares - Functions in real sector (basic concept).

Unit-3: Indian Financial System - Financial Markets (basic ideas) - Financial institutions- Commercial banks (with special role of SBI) and their functions- Reserve Bank of India - Credit Control- role of RBI - Monetary policy of RBI. Capital Market- SEBI - Objectives - Role & Functions of SEBI.

Suggested Readings:

- 1) Todaro & Smith -- Economic Development
- 2) S.S. Khanka -- Entrepreneurial Development
- 3) L.M.Bhole -- Financial Institution and Markets - Structure Growth and Innovations (Tata McGraw Hill).

Paper - 304

Political Science- III

Full Marks: (Written 80+Internal 20) =100. Credit- 4
(To be answered 5 questions of 16 Marks each= 80 Marks)

INDIAN CONSTITUTION:

1. Fundamental Rights and Directive Principles of State Policy. Relations between Fundamental Rights and Directive Principles
2. Union Territories and Tribal Areas
3. Local-self Government
4. Doctrine of Pleasure
5. Election Commission (Constitution, Function and Power)
6. The Emergency Provisions in the Constitution
7. The Amendment of the Constitution

Suggested Readings:

1. Introduction to the Constitution of India - Durga Das Basu.
2. Indian Constitutional Law - M.P. Jain
3. Constitution of India -V.M.Shukla
4. Constitution of India - J.N Pandey
5. Our Constitution- Subhas Kashyap

Paper - 305

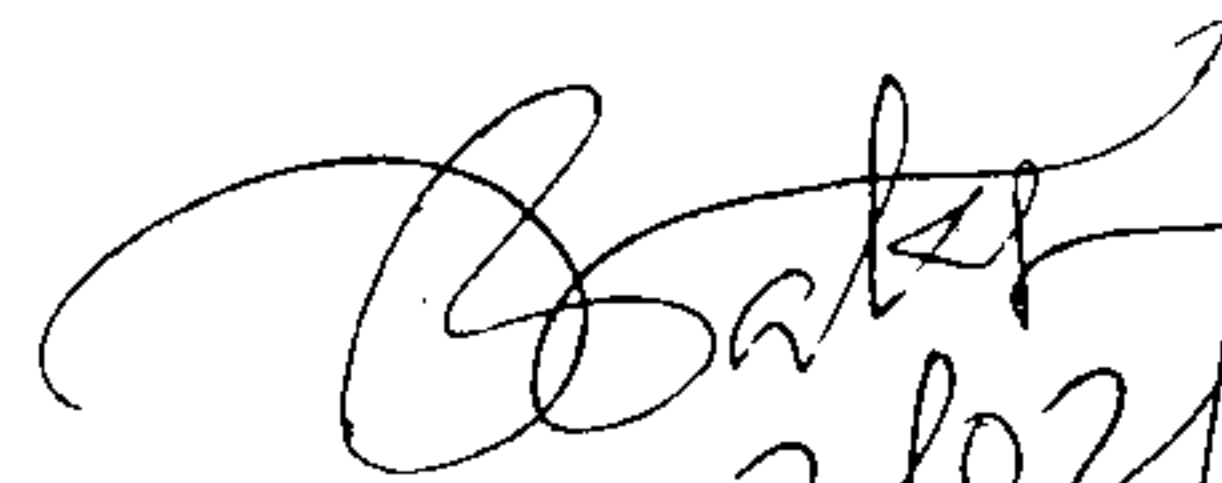
Family Law-II

Full Marks: (Written 80+Internal 20) =100. Credit- 5

Group-A (To be answered 3 questions of 16 Marks each= 48 Marks)

1. **Concept and Background of Muslim Law**
 - Advent of Islam & development of Muslim Law
 - Sources of Muslim Law
 - Schools of Muslim Law

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-The Shariat Act, 1937

2. Marriage (Nikha)

- Pre-Islamic Background of Marriage
- Concept of Marriage: Definition, Object, Nature, Essential
- Formalities Requirements of a Muslim Marriage
- Classification or kinds of Marriage
- Legal effects of valid, void and irregular Marriage – Muta Marriage
- Legal Disability or Prohibition of Marriage
- Polygamy in Islam

3. Dower (Mahr)

- Concept and Nature of Dower
- Classification or Kinds of Dower
- Maximum and minimum amounts of Dower
- Wife's rights and remedies on non-payment of dower
- Kharcha-e-Pandan

4. Talaq (Divorce)

- Pre-Islamic Background of Talaq
- Different modes of Talaq
- Husband's unilateral power to Divorce
- Right of Muslim women to dissolve her marriage
- Iddat- its rationale, utility and periods
- Divorce under the Dissolution of Muslim Marriage Act, 1939
- Present trends of Talaq in India
- Constitutional validity of Talaq in India
- Divorce by Mutual consent
- Judicial Divorce (Faskh)
- Legal effects of Divorce

5. Maintenance (Nafaqa)

- Concept of Maintenance
- Liability and Principle of Maintenance
- Maintenance of the Divorced women
 - Maintenance of the Divorced women under Muslim Personal Law
 - Maintenance of the Divorced women under the Code of Criminal Procedure Code, 1973
 - Maintenance of the Divorced women under the Muslim Women (Protection of Rights on Divorce) Act, 1986
 - Maintenance of the Widow, Children and Parents
- Judicial Approach on Maintenance

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6. Gift (Hiba)

- Concept of Gift
- Essentials Requisites of a valid Gift
- Who can make Gifts?
- In whose favour gift can be made
- Revocation of Gift
- Conditional, contingent and future Gift
- Distinction between Hiba-bil-iwaz and Hiba-biShartul-Iwas
- Doctrine of Mushaa

7. Will (Wasiyat)

- Nature and Object of Will
- Essentials Requisites of a valid Will
- Conditional and contingent Wills
- Revocation of Will
- Doctrine of Consent

8. Inheritance

- General Principles of Inheritance
- Sunni Law of Inheritance
- Shia Law of Inheritance

9. Law Related to Wakf

Group – B (To be answered 1 question of 16 Marks= 16 Marks)

10. The Divorce Act, 1869

- Jurisdiction of the Divorce Act
- Dissolution of Marriage
- Nullity of Marriage
- Judicial Separation
- Restitution of Conjugal Rights
- Custody of Children

Group – C (To be answered 1 question of 16 Marks= 16 Marks)

11. The Indian Succession Act, 1925

- Intestate Succession: Christian and Parsi

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Suggested Readings:

1. Aqil Ahmad- Mohammedan Law, Central Law Agency.
2. R. K. Sinha- Muslim Law as applied in India, Central Law Agency.
3. Tahir Mahmood- Muslim Law in India and Abroad, Universal Law Publishing Co. Pvt. Ltd.
4. Paras Diwan- Muslim Law in Modern India, Allahabad Law Agency.
5. Syed Khalid Rashid- Muslim Law, Eastern Book Company.
6. Dr. M A Qureshi- Muslim Law, Central Law Publications.
7. B.B. Mitra- Indian Succession Act.
8. N.D. Basu- Succession Act.

Paper – 306

(Honours Paper I)

Land Laws including Tenure & Tenancy System

Full Marks: (Written 80+Internal 20) =100. Credit- 5

Group A (To be answered 2 questions of 16 Marks each= 32 Marks)

1. The West Bengal Land Reforms Act, 1955

- Introduction & definitions
- Rights of Raiyat in respect of land
- Permission for change of Area, character or use of land
- Bar to Registration
- Transferability of plot of land of a Raiyat
- Limitations on mortgage of Raiyat plot of land.
- Right of Purchase by co-sharer or contiguous tenant
- Restriction on alienation of land by Scheduled Tribes
- Ceiling on land held by a Raiyat.
- Bargadars
- Principles of distribution of vested lands.

Group B (To be answered 2 questions of 16 Marks each= 32 Marks)

2. The West Bengal Premises Tenancy Act, 1997

- Definitions
- Obligations of landlord and tenant
- Control of eviction of Tenants

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- Provisions regarding Rent- Fixation of Fair Rent, Revision of Fair Rent, Deposit of Rent by tenant
- Sub-tencies
- Essential Repairs
- Appeal, Revision and Review

Group C (To be answered 1 question of 16 Marks= 16 Marks)

3. The West Bengal Apartment Ownership Act, 1972

- Application of the Act
- Definition- Apartment, Association of Apartment Owners, Common areas and facilities, Declaration, Promoter, Owner.
- Apartment as a Heritable and transferable property
- Common areas and facilities
- Declaration- Contents of declaration, Submission before the competent authority, Registration of declaration
- Withdrawal from the provisions of the Act
- Bye-laws
- Penalty

Suggested Readings:

Bare Acts

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Item No 2 : Framing of Regulations for Revised BA LLB (Hons.) Course under CBCS

Till the completion of a new Regulation for Revised Syllabus under Choice Based Credit System (CBCS) of Five-year BA LLB (Hons.) Course introduced from 2017-18 academic year, the meeting resolved the following as an interim measure:

Grade and Grade Point

The mark sheets of Five-year BA LLB (Hons.) Course under revised syllabus shall be prepared on the basis of following scale & grade-

	Letter Grade	% of Marks	Grade Point
Outstanding	O	90 to 100	10
Excellent	E	80 to 89	9
Very Good	A	70 to 79	8
Good	B	60 to 69	7
Fair	C	50 to 59	6
Below Average	D	40 to 49	5
Fail	F	Below 40	0
Incomplete	I		0

Each student will be awarded Semester Grade Point Average (SGPA) at the end of each semester examination and Cumulative Grade Point Average (CGPA) at the end of final examination of the total course.

Qualifying in a Semester Examination

In order to qualify in a Semester examination, a student must obtain at least 30% in each paper and 40% in aggregate of all papers in that semester examination.

Fail but Supplementary

A candidate who fails to qualify or fails to appear in not more than two theoretical /practical courses but secures 40% marks/points in the aggregate of all papers, in a semester, shall be treated as Failed but Supplementary (FS) and shall be allowed to pursue studies in the next semester. He/she shall generally be allowed to appear in supplementary examination(s) for only those papers in which he/she has failed. The FS candidate will get chance to qualify in immediately consecutive two supplementary examinations held along with the regular examinations of that semester in the next year(s). If he/she fails to qualify in the next two supplementary examinations, he/she will be treated as Failed and Repeat (FR) candidate and will have to appear in all the papers of the concerned semester.

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Fail and Repeat

If a **candidate fails** to qualify or fails to appear in more than two theoretical /practical courses in a **semester or fails** to secure 40% marks/points in the aggregate of all papers, or fails to qualify in **two chances** of supplementary examinations available to him/her, he/she shall be treated as **Failed** and Repeat (FR) and shall have to repeat the semester as a whole in the next year (s). He/she shall not be allowed to join classes of the next semester.

Retaining of In-Semester Assessment Marks

The In-Semester assessment marks (i.e. internal assessment marks) of FS/FR candidate(s) in the course(s) he/she has failed to qualify shall be retained, irrespective of whether he/she appears for supplementary examination(s) or repeat examination(s).

Review of Answer Scripts

A student may apply for post-publication re-assessment of answer scripts in any semester examination for not more than two theoretical papers, on payment of prescribed fees, within fifteen days from the publication of result of the concerned examination.

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