

University of Kalyani
Five year Integrated B.A. LL.B (Hons) Course
Detail Syllabus with Choice Based Credit System (CBCS)
Paper-901
Law of Evidence
Existing
Full Marks: (Written 80+Internal 20) =100. Credit: 5

The Indian Evidence Act, 1872: Sections 1 to 167

Chapter I: Preliminary (Section 1 to 4)

Chapter II: Of the Relevancy of Facts (Section 5 to 55)

Chapter III: Facts which Need not be Proved (Section 56 to 58)

Chapter IV: Of Oral Evidence (Section 59 to 60)

Chapter V: Of Documentary Evidence (Section 61 to 90)

Chapter VI: Of the Exclusion of Oral by Documentary Evidence (Section 91 to 100)

Chapter VII: Of the Burden of Proof (Section 101 to 114)

Chapter VIII: Estoppel (Section 115 to 117)

Chapter IX: Of Witness (Section 118 to 134)

Chapter X: Of the Examination of Witness (Section 135 to 166)

Chapter XI: Of Improper Admission and Rejection of Evidence (Section 167)

Book Reference:

Bare Act

Paper-902
Principles of Taxation Law – II (Indirect Taxation)
New
Full Marks: (Written 80+Internal 20) =100. Credit: 5

GOODS & SERVICES TAX (70 Marks)

1. Introduction

Concept & Features of Indirect Tax
Pre-GST Indirect Taxation System
Amendment of Indian Constitution to enable GST & Formation of GST Council
Goods and Services outside the Purview of GST
Types of GST- CGST, SGST/UTGST, IGST
Date of Applicability of various Acts of GST

2. Central GST Act, 2017

(A) Basis of Charge-Supply; Definition of Supply; Negative list of Supply; Mixed and Composite Supply; Time of supply of Goods and Services; Value of Supply.
(B) Levy of tax; Reverse Charge; Tax on E-commerce; Composition Levy; Power to grant exemption from tax.
(C) Input Tax Credit and Blocked Credit
(D) Registration- Persons liable for Registration and not liable for Registration; Compulsory registration in some cases; Procedure for registration.
(E) Furnishing of e>Returns – Different categories of Assesseees and their e>Returns. Time of furnishing different e>Returns. Procedure (theoretical only) of e-Filing of GSTR 1. (E-Filing practical is encouraged).

3. Integrated GST Act, 2017-

(A) Levy of tax; Reverse Charge; Tax on E-commerce; Power to grant exemption from tax.
(B) Inter-state/Intra-state supply of Goods and Services; Supplies in territorial waters; Place of supply; Zero rated supply; Deemed Export; Refund in case of Zero Rated Supply; Transfer of Input Credit Tax; Application of provisions of Central Goods and Services Tax Act.

4. Assessment

Assessment and Assessment Rules-Audit-Inspection-Search & seizure and arrest-Demand-Recovery Proceeding-other aspect demand and recovery-liability to pay in certain cases-Advance Rulings and its Rules-Administration-Appeals-Revision-Offences and Penalties-Anti profiteering measures and its rules-E Way Bill and its Rules-TDS-TCS.

CUSTOMS DUTY (30 Marks)

The Customs Act, 1962

Definitions- Assessment, Baggage, Bill of Entry, Bill of Export, Board, Customs Station, Duty, Export, Goods, Import, Stores, Warehouse.

Import Procedure-Export Procedure-Charging section-Relevant Date-Remission

Import & Export Rules (Rule 4 to 8)-Export Valuation Rules 2007

Assessment and Provisional Assessment of Duty

Types of Customs Duty

Warehousing, Warehousing Rules

Duty Drawback

Baggage, Import & Export by Post, Stores

Coastal Goods

Confiscation and Penalty

Foreign Trade Policy (Is this chapter necessary?)

Basics-IEC-Import & Export Policy-Authorisation-RCMC-Status Holder-Exports from India

Scheme-Duty exemption-Remission Scheme-Export Promotion Capital Goods Scheme-EOU-

Deemed Exports-SEZ-others.

Book Reference:

Goenka, Gadia, Mishra & Maheswari- Students' Guide to GST

Paper-903
Legislative Drafting (Honours Paper-VII)

New

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

1. Principles of Legislation

Definition, Nature and Scope, Advantages and Disadvantages

History of Legislation

Types of Legislation

Main parts of legislation – the long title, preamble, short title, parts, heading, definition/interpretation clause, marginal notes, section/sub-section/clause, proviso, explanation, illustration, schedule

2. Legislative Drafting

Basic techniques

Responsibility of the Draftsmen

Draftsman's present difficulties

3. Legislative Process

Preparatory Process, Drafting process, Parliamentary process

General rules of legal drafting

4. Forms of Legislative Instruments

Bills, Acts, Order, Rules, Schedule

5. Use of Words, Syntax and Punctuations in Legislative Drafting

6. Common Phrases and their significance in legislative drafting

As he deems fit; thinks necessary

Any other sufficient cause

Non-obstante clause; notwithstanding anything in any other law

Or any other public purpose

Subject to a contrary context

Except where otherwise expressly enacted

Record its reasons in writing

In pursuance of any enactment

Safeguards against common errors.

Book Reference:

1. B. R. Atre, Legislative Drafting – Principles and Techniques
2. Dr. N. K. Chakraborty, Principles of Legislation and Legislative Drafting

Paper-904A
Penology and Victimology (Optional Paper-V)
New
Full Marks: (Written 80+Internal 20) =100. Credit: 5

1. Penology and Theories of Punishment

Definition and Theories of Punishment

Types of Punishment

Relation between Crime and Punishment

2. Capital Punishment

Constitutional Provision of Capital Punishment

Problem related to Capital Punishment

Judicial Attitude in India towards Capital Punishment

3. Approaches to Imprisonment

a) Corrective Labour

b) Fine, Collective fine

c) Reparation by the offender /by the Court

4. Sentencing

a) Types of Sentences – Indian penal Code and Special laws

b) Sentencing on White Collar Crime

c) Pre Sentencing hearing

d) Sentencing for habitual offender

e) Plea Bargaining

5. Imprisonment

Right of Prisoners and duties of Custodial Staff

State Jails in India, Disciplinary regime of India

Open Prison

6. Judiciary

Judiciary approaches towards Crimes and Punishment.

Role of Judiciary in crime control in India.

7. Victimology

Concept of Victims of Crime

Compensation to Victims under Criminal Procedure Code and other Statutes

Compensatory Jurisprudence

8. Property Victimization

Book Reference:

Paper-904B
Prison Administration (Optional Paper-V)

New

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

1. **Prison System in India – An Overview;** History and development of Prisons with special reference to state of West Bengal; Major problems in Prisons/Correctional Homes in India.
2. **Prison Reforms-** Law Commission of India on Prison Reforms; Mulla Committee Report; Krishna Iyer Committee Report.
3. **New Prison Manual, 2016**
4. **Classification of Prisoners-** Pre-trial Prisoners, Under-trial Prisoners, Convicted Prisoners and Detenues under Preventive Detention Laws.
5. **Prisoners' Rights -Constitutional Provisions-** Art. 14; Art.19; Art. 20; Art. 21; Art. 22; Art. 32 and Art. 39A. Presumption of Innocence, grounds of arrest to be informed; Access to Counsel; Protection against arbitrary arrest; Right to speedy Trial; Prohibition of applying *ex post facto* law; Protection against Double Jeopardy; Self incrimination; Rights of Women Prisoners in India
6. **Relevant Provisions of International Rights, 1948**
 - The Third Geneva Convention, 1949;
 - Declaration on Protection of All Persons from Being Subjected to Torture;
 - International Covenant on Civil and Political Rights, 1976
 - Standard Minimum Rules for Treatment of Prisoners
7. **Organisation and Setup of Department of Correctional Administration in West Bengal**
8. **The West Bengal Correctional Services Act, 1992-** Correctional Homes (Categories, Functions and Administration); Administration of Prisoners; Delivery of Prisoners; Care and Treatment of Prisoners: Educational Facilities for prisoners; Hygiene and sanitary arrangement; Medical care of prisoners; Recreation; Letter, interview & Interrogatories; Labour and Wages; Transfer of prisoners; Division of Prisoners: Open Correctional Homes; Prisoners Panchayat,
9. **Reformative Measures-** Probation; Parole; Suspension, Commutation, Remission; Pardon.

Book Reference:

1. Paranjape, N.V., Criminology and Penology, Central Law Publications;
2. Srivastava, S.S. Criminology and Criminal Administration, Central Law Agency;
3. Das, P.K. International Law Documents, Universal Publishing Co. Ltd.
4. Jain, M.P. Indian Constitutional Law, Lexis Nexis
5. The West Bengal Correctional Services Act, 1992

Paper-905
Alternative Dispute Resolution (Clinical Paper-III)
Existing
Full Marks: (Practical 80+Internal 20) =100. Credit: 5

1. Negotiation Skills to be learnt through simulated programme and case studies.
2. Conciliation Skills to be learnt through simulated programme and case studies.
3. Arbitration Law and Practice including International Arbitration and Arbitration Rules

NOTE: Students will have to put in **four weeks** of internship compulsorily in each of the Semesters VI, VII, VIII, IX, and X, and obtain a certificate of internship without which the Bar Council may not enroll them. The students must maintain diary. They will be evaluated in the Xth Semester along with Moot Court Practical. The internship should shall be in the following Institutions or Organisations:

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

Book Reference: