

# School of Law & Justice

## LL.B Honours Programme (4 years)

Study of Law is the demand of time. As a social human being we have to obey some rules and regulations. We cannot imagine a civilized society without the rule of law. To uproot the evil rules, social disorder, anarchy and many other problems, Law is the supreme sword. A lawyer is a warrior against all the evil power. He is a flag-bearer of equity and justice. To be acquainted with the laws of the land and of abroad, study of law is a must. Specifically, in order to be a judge, a lawyer, a barrister, a solicitor or a law officer, a student has to study Law. Moreover, this subject provides a person higher social status and financial solvency. Above all, only the jurists are called ‘Wiseman’ all over the world. That’s why; Law is becoming increasingly popular in the world. In a developed country like U.S.A. or U.K. legal profession earns the highest remunerations.

The 4-year (12 semesters) undergraduate Bachelor of Laws programme of North East University aims at meeting the needs of the students trying to groom themselves up as legal professionals or academicians. It aims to develop a student’s operating skills in functional areas of legal institutions, civil and criminal courts or high courts.

The Degree of Bachelor of Laws (LL.B) with honours can be earned by completing 140 credit hours spread over 49 courses. Out of these 49 courses there are 4 general courses, 43 core courses, a project assignment and moot court. After completion of all these courses, a student is required to face a comprehensive viva voce.

### Programme Structure

Types of Courses	Course Number	Credit Hours
A. General Courses	04	12
B. Core Courses	43	122
C. Project and Moot Court	01	03
D. Viva Voce Total	01	03
Total	40	140

### Course Sequence

#### First Year First Semester (1.1)

SL No	Course Code	Course Title	Credit Hours
1	LAW - 101	Jurisprudence-1	3
2	LAW - 103	Muslim Law-1	3
3	ENG - 101	English Language -1	3
4	CSE - 100	Computer Skill	3
		Total	12

#### First Year Second Semester (1.2)

SL No	Course Code	Course Title	Credit Hours
1	LAW - 105	Jurisprudence-II	3
2	LAW - 107	Law of Contract-1	3
3	LAW - 109	Muslim Law-II	2
4	ENG - 103	English Language -II	3
		Total	11

**First Year Third Semester (1.3)**

SL No	Course Code	Course Title	Credit Hours
1	LAW - 111	Law of Contract-II	2
2	LAW - 113	Law of Tort	3
3	LAW - 115	Hindu & Roman Law	3
4	GED* - 101	Bangladesh Studies	3
		Total	11

\*General Education

**Second Year First Semester (2.1)**

SL No	Course Code	Course Title	Credit Hours
1	LAW - 201	Constitutional Law of Bangladesh-1	3
2	LAW - 203	Constitutional Law of UK & USA	3
3	LAW - 205	Government & Politics	3
4	LAW - 207	Legal History and Legal system of Bangladesh	3
		Total	12

**Second Year Second Semester (2.2)**

SL No	Course Code	Course Title	Credit Hours
1	LAW - 209	Transfer of Property Act	3
2	LAW - 211	Constitutional Law of Bangladesh-II and General Clauses Act	3
3	LAW - 213	Labour and Industrial Law - 1	3
4	LAW - 215	Land Laws of Bangladesh-1	3
		Total	12

**Second Year Third Semester (2.3)**

SL No	Course Code	Course Title	Credit Hours
1	LAW - 217	Labour and Industrial Law - II	2
2	LAW - 219	Company Law and Partnership Act	3
3	LAW - 221	Land Laws of Bangladesh - II	3
4	LAW - 223	Registration & Public Demands Recovery Act	3
		Total	11

**Third Year First Semester (3.1)**

SL No	Course Code	Course Title	Credit Hours
1	LAW - 301	Penal Code - 1	3
2	LAW - 303	Criminal Procedure Code -1	3
3	LAW - 305	Law of Taxation	3
4	LAW - 307	Stamp & Suit valuation Act	3
		Total	12

**Third Year Second Semester (3.2)**

SL No	Course Code	Course Title	Credit Hours
1	LAW - 309	Penal Code - II	3
2	LAW - 311	Criminal Procedure Code -II	3
3	LAW - 313	Law relating to protection of Women and Children & Special Powers Act	3
4	LAW - 315	Equity, Trust and Specific Relief Act	3
		Total	12

**Third Year Third Semester (3.3)**

SL No	Course Code	Course Title	Credit Hours
1	LAW - 317	Mercantile Law	3
2	LAW - 319	Public International Law - I	3
3	LAW - 321	Criminology	3
4	LAW - 323	Administrative Law	3
		Total	12

**Fourth Year First Semester (4.1)**

SL No	Course Code	Course Title	Credit Hours
1	LAW - 401	Law of Evidence - 1	3
2	LAW - 403	Civil Court & Court fees Act	3
3	LAW - 405	Civil Procedure Code - I	3
4	LAW - 407	Public International Law - II	3
		Total	12

**Fourth Year Second Semester (4.2)**

SL No	Course Code	Course Title	Credit Hours
1	LAW - 409	Law of Evidence - II	2
2	LAW - 411	Civil Procedure Code-II & Limitation Act	3
3	LAW - 413	Laws of War, Air and Outer Space	3
4	LAW - 415	Comparative Law	3
		Total	11

**Fourth Year Third Semester (4.3)**

SL No	Course Code	Course Title	Credit Hours
1	LAW - 417	Civil & Criminal Drafting	3
2	LAW - 419	Environmental Law	3
3	LAW - 421	Project and Moot Court & Bar Council Order	3
4	LAW - 400	Viva Voce	3
		Total	12

## **Course Description:**

### **ENG 101: English-I (Oral and written Communication Skills) 3 Credits**

Oral & written communication skills include communicative expressions for day to day activities, both for personal and professional requirement. Grammar items will mainly emphasize the use of articles, numbers, tense, modal verbs, pronouns, punctuation, etc. Sentence formation, question formation, transformation of sentence, simple passive voice construction, and conditionals will also be covered.

### **ENG 103: English -II (Language Composition and Comprehension) 3 Credits**

This course purports to make the student well up in composition and comprehension of English language used in formal write ups like articles, essays and treatises. Here text will be given for comprehension, exercises of writing essays, paragraphs and reports will be done and construction of proper sentences expressing formal ideas will be taught. Sufficient exercises of translation and re-translations will be included.

### **CSE 100: Computer Skills 3 Credits**

Computer fundamentals: Some basic concepts about computer. DOS: Some useful commands of DOS & their uses. Windows: Concepts, icon, toolbar, windows, file manager, program item, program run, control panel. Ms-Word: File open, save, edit. & 'Details of MS-Word. Excel: Calculation, function, chart. & 'Details of Excel. FoxPro: File creation, sorting, reporting, indexing, displaying. Ant viruses: Functions, use of some antivirus programs. Hand on experience with computer. Utility S/W:

NORTON Utility SIW.

### **GED- 101: Bangladesh Studies: 3 Credits**

History of Society, culture, Geo-politics & Economics- Development of nationalism during pre independence of Bangladesh- Language Movement of 1952, Constitutional Movement of 1962, Six point Formula and Mass Movement of 1968-69, Election of 1970-Emergence of Bangladesh- Political Process of Bangladesh, constitutional experimentations in Bangladesh, power and functions of the organs of government- Administration of Bangladesh, planning commission and Bangladesh public service, local government- Political economy of Bangladesh, Bangladesh agriculture, industry and other sectors- social security in Bangladesh.

### **LAW 101: Jurisprudence –I 3 Credits**

Definition of Jurisprudence, Schools of Jurisprudence, definition and divisions of Law: growth of law-sources of Law. Outlines of Private law- Outlines of Public Law. Constitutional Law. Administration of justice-ends of justice, substantive and adjective law. Civil and Criminal procedure. Outline of private and public International Law.

### **LAW 103: Muslim Law-I 3 Credits**

Pre-Islamic Arabian customs and their influence on Islamic Law-concept of law in Islamic Jurisprudence-meaning of Shariah,Sources of Muslim law,Different schools of Muslim law and reasons for their development,Introduction and application of Muslim Law under British rule in India, subsequent legislative changes,Law relating to Marriage -Dower-Divorce-Guardianship-Maintenance- Legitimacy and Paternity of a child.

### **LAW 105: Jurisprudence –II 3 Credits**

Analysis of legal concepts: conduct-event-things; Duties Rights. Persons, Possession and Ownership, family and succession-obligations, title.

### **LAW 107: Law of Contract –I 3 Credits**

Definition and meaning of contract-making of an agreement: offer and acceptance-promise-contract. Essentials of valid contracts -valid, void and voidable contracts. Capacity of parties-contract by minor. Free consent in a contract-its meaning and implication ; coercion, undue influence-fraud- misrepresentation-mistake ; Doctrine of consideration-legality of consideration; legality of the object of a contract.

### **LAW 109: Muslim Law-II 2 Credits**

Law relating to: Gift (hiba) Wakf-Preemption, Will, Muslim-Marz-ul maut. Inheritance ( Hanafi and Shia schools);Statutory Laws: The Child Marriage Restraint Act, 1929, The Muslim Marriage Dissolution Act, 1939;The Muslim Family Laws Ordinance, 1961;The Muslim Marriage and Divorce Registration Act,1974; The Muslim Family Court Ordinance, 1985

### **LAW 111: Law of Contract –II 2 Credits**

Contracts which are declared void by the Act. Contingent contract and wagering contracts. Termination and discharge of a contract: by performance, by refusal or breach-by agreement - by impossibility. Remedies for breach of contract. Some specific classes of contracts; Indemnity and guarantee.

### **LAW 113: Law of Tort 3 Credits**

Definition and nature of tort: Conditions: Liability; absolute liability. Mensrea. Negligence, exemptions, immunities. Joint Wrongdoers. Vicarious liability —Devolution of right and liability. Trespass, dispossession, Nuisance. Injuries to servitudes. Conversion and other injuries to chattels, Injuries to person. Injuries to domestic relations. Defamation. Intimidation. Deceit and injurious false-hood. Liability for dangerous property. Wrongful process of law-wrongful confinement and malicious prosecution. Remedies in torts: specific restitution — injunction — damages.

### **LAW 115: Hindu Law and Roman Law 3 Credits**

#### **(a) Hindu Law**

**1. Nature and application of Hindu Law:** Sources of Hindu Law, Schools of Hindu Law, Mitakshara; Dayabhaga schools, their fundamental differences. **2. Law relating to inheritance:** General Principles of Hindu Law relating to inheritance, Succession, exclusion from inheritance. The Hindu Inheritance (Removal of Disabilities) Act, 1928 ; The Hindu Law of Inheritance (Amendment) Act, 1929 **3. Law relating to Marriage:** General Principles of Hindu Marriage, nature, classification of Hindu marriage etc. The Child Marriage Restraint Act, 1929, The Aryan Marriage Validation Act, 1937. The Widow's Remarriage Act, 1856; The Special Marriage Act, 1872; **4. Law relating to Sonship:** Adoption; Will; Debts and Partition and elaborate discussions on these chapters. The Guardian and Wards Act, 1890 ;**5. Law relating to Joint family system:** Position of Karta of the joint family, his rights and obligations, coparcenaries; **6. Law relating to maintenance:** Stridhana and woman's estate, Inheritance of Stridhana. Religious and charitable endowment, Impartible estate. The Hindu Women's Rights to Property Act, 1937, The Hindu Gains of Learning Act, 1930, The Hindu Married Women's Rights to Separate Residence and

Maintenance Act, 1946; **7. Reformation of Hindu Law:** Marriage, Divorce, Re-Marriage, inheritance, Adoption.; **8. Comparison of Hindu Law between India and Bangladesh.**

### **(b) Roman Law**

Introduction - History of Roman law down to Justinian, Justification of studying Roman Law, 12 tables, Praetor's Edicts. Law of person, Law of Property, Law of Succession, Law of obligation, judicial system during the Republican and Imperial periods Outlines of procedure.

### **LAW 201: Constitutional Law of Bangladesh –I 3 Credits**

Constitution, Constitutional Law. Constitutionalism and Rule of Law. Historical background of the Constitution of Bangladesh. The constitution of Bangladesh, 1972 - Preamble, Features. Fundamental Principles of State Policy— Fundamental Rights - Department of Government — Executive — president, Prime minister — Powers. Functions and responsibility. Legislature, Judiciary — Structure, Independence and Accountability of the higher and lower Judiciary, Ordinary and Constitutional Jurisdiction of the higher judiciary.

### **LAW 203: Constitutional Law of the U K and the USA 3 Credits**

#### **A. Constitutional Law of UK.**

Fundamental Concepts-State and Society, State and Government, The Constitution of a State, Kinds of Constitution, Constitutional law. The Constitution of England- Two main rules of English Constitutional Law, Sources, democratic principles and main characteristics of English Constitutional Law. The European Union Law and parliamentary sovereignty. The Sovereignty of Parliament Constitutional position of the King, Judicial proceedings against the Crown. House of Lords and House of Commons, Procedure of passing various Bills. The Principles of Cabinet Government in England. Rule of Law, The Human Rights Act 1998. Droit Administration Conventions of the Constitutions Fundamental Rights. The Doctrine of Separation of Powers, The Problem of Federalism.

#### **B. Constitutional Law of USA:**

Introductory-Courts decision, Presidential Actions, Salient features of Constitution, Federal power, State power, Preservation of balance, Judicial supremacy etc. The philosophy of the Constitution, The Legislative Branch- Powers and Function of Congress, House of Representatives, The Senate etc. The Executive Branch-Nomination, Powers and Functions of the President etc. The Judicial Branch-Supreme Court of USA, Lower Federal Courts, Territorial Courts. Relation of States to each other. Amendments of the Constitution Ratifying the Constitution (The course will comprise of the following topics to be discussed with reference to the constitutions of U K and relevant topics of other countries including U S A and leading cases).

### **LAW 205: Government and Politics 3 Credits**

**Fundamental Concepts:** State, sovereignty, law, liberty equality, Justice, Rights and duties; individualism, socialism, communism, fascism, constitutionalism.

**Forms of Government:** Ancient forms of Government, concept and forms of government in medieval age; concept and forms of modern Governments-cabinet and presidential — unitary and federal systems- democracy and authoritarian Governments; Present position of Monarchy and dictatorial governments. Islamic concepts of state and government.

**Organs of Government:** The Legislature, executive and Judiciary — the doctrine of separation of powers-its application in U. S. A., U. K. and Bangladesh.

**The Electorate:** The role of electorate in modern democracy-direct participation of people in policy making — referendum —universal adult suffrage — direct and indirect election.

**Political Party:** The role of political party in democracy and in dictatorship; political party system in developed and under-developed country; Concept of failed state I fragile state / govt. Failure or success of democracy in developing countries of the world.

Relationship between the economic structure of the State and its Government-reasons for failure of democracy in developing countries, status and justification of military Government.

### **LAW 207: Legal History and Legal System of Bangladesh 3 Credits**

#### **This course includes:**

Introductory: Judicial system of India during the Muslim period, East India Company and the early charters. The East India Company and Administration of Justice in Calcutta before 1726—The Mayor's Court—The charter of 1726& 1753; Judicial Measures and Reforms of Warren Hastings—The Adalat system of Bengal—The Regulating Act — Supreme Court of Calcutta — The Judicial Plan of 1780 and the Act of Settlement 1782 ;Judicial Reform from 1793-1832 — High Court Act 1861; The Charter Act of 1853 — Codification by Law Commissions; The Constitutional Act — Development of Criminal Law; Privy Council and The Federal Court; Subsequent changes from 1947-1971; Post Independence Courts of Bangladesh, special courts and tribunals — Law officers, law profession — Law education — Role of lawyers, judges and law students in building democratic society.

### **LAW 209: Transfer of Property Act 3 Credits**

Definition, object and extent of applicability. Transfer of property *inter vivos*, Classification of Property General rules governing the transfer of movable and immovable property. Transfer of property. What cannot be transferred. Valid and invalid conditions and limitations on transfer. Transfer to unborn person. Vested interest and contingent interest. Condition precedent and condition subsequent Election. Apportionment. General rules governing transfer of immovable property. Transfer by person authorized only under certain circumstances to transfer. Burden of obligation imposing restrictions of the uses of land or annexed to ownership. Transfer by ostensible owner. Transfers by unauthorized person who subsequently acquires interest. Transfer by co-owners of share in common property — priority of rights created by transfers. Rent bonafide paid to holder under defective title. Improvements made by holder under defective title. Lis pendens, Fraudulent Transfer. Part performance- Sales of immovable property. Mortgages of immovable property. Charges. Lease of immovable property. Exchange. Gift. Transfer of actionable claim.

### **LAW 211: Constitutional Law of Bangladesh –II and General Clauses Act 3 Credits**

Amendments of the Constitution - Election Commission- Care-Taker Government- Ombudsman - Emergency provision. The system of government stipulated under the Constitution of Bangladesh and governance under the constitutional scheme are the subjects of this course.

## **B. General Clauses Act 1897 (Act X of 1897)**

Object of the Act ; Definition Clause ; Scope and Application of the Act, Enactment of Laws ; general Rules of Construction ; Effect of Repeal ; Computation of Time, Power and functionaries ; Provisions as to Orders, Rules etc. made under; Enactment ; Miscellaneous.

### **Interpretation of Statutes:**

Approach to Interpretation ; Construction and General Principles of Interpretation; Literal Rule, Golden Rule and Mischief Rule of Interpretation ; Rule of harmonious Construction ; Internal and External Aid to Interpretation ; Maxims of Interpretation; Interpretation of Penal Statute ; Interpretation of Constitutional Law ; General and Special Rules ; Problems of Constitutional Interpretation ; Structural Change.

## **LAW 213: Labour and Industrial Law-I 3 Credits**

### **The Bangladesh Labour Act, 2006**

1. Definition. 2. Appointment and Condition of Employment. 3. Employment of Adolescent Worker. 4. Health and hygiene. 5. Safety 6. Welfare Measures. 7. Working Hours and Leave. 8. Wages and its Payment.

## **LAW 215: Land Laws of Bangladesh –I 3 Credits**

History of Land Laws: Grant of Dewani—The Bengal Zamindars, their growth and incidents, Law relating to permanent Settlement- its critical analysis

Law relating to revenue-free lands — Pattani taluks-their incidents. Law relating to sale of tenures for arrears of revenue-short history of the law; sale notification, notice, appeals regarding sale-setting aside of sale-powers of the civil courts. Law Relating to Alluvion and Diluvion. Law Relating to Landlords and Tenants: Short history of Tenancy Laws-extent and application- classes of tenants. Sale for arrears-setting aside sale. State Acquisition and Tenancy Act 1950 : Definition, Acquisition of the interest of a rent-receiver and consequences thereof; --- Preparation of Record of Rights-- assessment of compensation ; Provisions relating to arrears of revenue, rent and fees; Incidents holdings of raiyats, transfer, purchase and acquisition of lands: provisions as to enhancement and reduction of rent , amalgamation, sub-division and consolidation of holdings : Maintenance of the record of rights ; Jurisdiction - appeal, Revision and Review.

## **LAW 217: Labour and Industrial Law-II 2 Credits**

1. Worker's Compensation for injury Caused by Accident. 2. Trade unions & Industrial relations. 3. Settlement of disputers. Labour Court, Legal Proceedings etc. 4. Offences, penalties & Procedure. 5. Administrations & inspection etc

## **LAW 219: Company Law and Partnership Act 3 Credits**

### **Group-A: Company Law**

1. History-Nature and scope of Company Law —Classification of Companies-Formation of Companies.2. Memorandum and Article of Association, Prospectus, Promoters. 3. Company



Directors-Managing Director, Manager, and Managing Agent 4. Capital, Share and debenture, Dividends 5. Members and Shareholders—Meeting and Resolutions 6. Accounts and Audits  
7. Winding UP-Nationalized Companies.

**Group-B: Law of Partnership**

This course includes: Nature and Definition of Partnership, Distinction between Partnership Firm and Company, Relation between the partners— Partners and third parties

**LAW 221: Land Laws of Bangladesh –II 3 Credits**

**Law Relating to Non-agricultural Tenancy:** Definitions, classes of non agricultural tenants-tenancies held by a non-agricultural tenant; Incidents of non-agricultural tenancies-under-tenants; provisions as to transfer of non-agricultural lands —Judicial procedure. And Land Survey. Survey Act 1875.

**LAW 223- Registration Act and Public Demand Recovery Act 3 Credits**

**Group-A: Registration Act 1908**

Definition, Documents requiring compulsory registration, Remedies in the event of refusal of registration, The registration (Amendment) Act, 2005

**Group-B: Public Demand Recovery Act 1913**

Definitions, Filing, service and effect of certificate and hearing of objections there to, Execution of certificate, Reference to civil court , Supplemental provisions appeal, review and revision

**LAW 301: Penal Code-I 3 Credits**

Crime, Criminal and Civil Injuries. Origin and development of criminal Law. Essential elements of crime, *mens rea*, Definitions, Joint liability, abetment and attempt. Punishments-its object and limits, General exceptions-grounds of exceptions from criminal responsibility; Right of private defense, Criminal conspiracy, Offences against the state, Offences relating to the Army, Navy and Air force, Offences against the public tranquility. Offences by or relating to public Servants, Offences relating to elections. Contempt of the lawful authority of public servants. False Evidence and offences against public justice.

**LAW 303: Code of Criminal Procedure -I 3 Credits**

Definitions, Constitution of Criminal Courts, Jurisdiction and power of criminal courts. Aid and information to the Magistrates, the police and persons making arrests, Arrest generally, arrest without warrant. Process to compel appearance: Summons. Warrant of arrest, proclamation and attachment, other rules regarding processes, Summons to produce search warrant, general provisions relating to searches. Security for keeping the peace and for good behavior. Unlawful assemblies. Public nuisances, temporary orders in urgent cases of nuisance or apprehended danger. Dispute as to immoveable properties. Preventive action of the police. Information, investigation and inquiry, place of inquiry or trial. Complaint to Magistrate. Commencement of proceedings before Magistrate.

**LAW 305: Law of Taxation 3Credits**

This part of Law includes: Definition—Different types of Assesses— Status &Liabilities of Assesses ;Income, Exemptions and other Concessions; Determination of total Income and

Taxable Income; Different Heads of Income; Income tax authorities Appeals, revisions .Provident funds; Advanced payment of tax .Deduction of tax at Source; Assessment procedure, Re-assessment, Assessment of Individuals and Firms, Tax holding; Penalties of recoveries; Tax Act(Law) Gift, Definition of Asset , Wealth.

### **LAW307: Stamp and Suits Valuation Act 3 Credits**

#### **Stamp Act, 1899:**

Purpose of the Act ; Definition Clause ; Stamps and Mode of using them ; Time of Stamping Instruments ; Conversion of amount expressed in Foreign Currencies Procedure of valuation of Stock and Marketable Securities ; Duties by Whom Payable ; Adjudication of Stamps ; Examination and Impounding of Instruments Reference Revision ; Criminal offences relating to Stamps and Subsequent Procedures.

#### **Suits Valuation Act, 1887:**

Rules Determining the Value of Land ; Valuation of Relief in Certain Suits Relating to Land ; Court Fee Value and Jurisdictional Value to the Same in Certain Suits Determination of Value of Certain Suits by Supreme Court; Supplemental Provisions.

### **LAW 309: Penal Code-II 3 Credits**

Offences relating to coin and government stamps. Offences relating to weight and measures. Offences relating to religion. Offences affecting the public health, safety, convenience, decency and morals. Offences affecting the human body, life (murder, culpable homicide) hurt, criminal force and assault, kidnapping, abduction, slavery and forced labour, rape, unnatural offence. Offences against property-theft, extortion robbery and dacoity, criminal misappropriation of property, criminal breach of trust, receiving of stolen property, cheating, mischief, criminal trespass. Offences relating to documents, Trade and property marks, currency notes and bank notes. Criminal breach of contract of service. Offences relating to marriage. Defamation. Criminal intimidation. Insult and annoyance. Attempt to commit offence.

### **LAW 311: Criminal Procedure Code -II 3 Credits**

Framing of charge ; General provisions as to inquiries and trials; trial by Magistrates ; Summary trials ; trial by Courts of sessions; ; Judgment ; Submission of sentences for confirmation. Executions. Suspensions, remissions and computations of sentence, previous acquittal or conviction. Appeal, Reference and Revision. Proceedings in case of certain offences affecting the administration of justice. Supplementary provisions;Public prosecutor; Bail ;commission for examination of witnesses; special rules of evidence ; provisions as to bands; disposal of property under custody. Transfer of criminal cases; Irregular proceedings.; Miscellaneous.

### **LAW 313: Law relating to the Protection of Women and Children and Special Power Act 3 Credits**

This course will include the different criminal laws and various International Charters ratified by Bangladesh for the protection of women and children; The Children Act, 1974;. The Dowry Prohibition Act, 1980;The Law against Acid Violence. Nari -0-Shishu Nirjaton Damon Ain. 2000 (Amendment 2003), CEDAW ;Special Power Act 1974 and Other Related Laws

### **LAW 315: Equity ,Trust and Specific Relief Act 3 Credits**

**Equity and Trust:** Common Law: Origin and Development of Equity; Nature and Definition of Equity: Courts of Equity: Composition. Powers and Functions of the Courts of Equity.

Application of Equity Jurisdiction in Bangladesh.; Relation between Law and Equity: Equitable Estate and its Relation to Legal Estate; Maxims of Equity; some important equitable doctrines; Equitable Remedies: Specific Performance. Injunction and Receiver; Nature and Definition of Benami Transaction Texts of Benami Transaction. Limitations of Benami Transactions, Benami Transaction and Doctrine of Advancement; Origin and Development of Trust; Nature and Definition of Trust , Classification of Trust ,Creation of Trust ; Three Certainties; Trustee; Appointment, removal, Powers, Functions, Duties and Obligations of Trustee. Beneficiary; Rights and Liabilities of Beneficiary. Breach of Trust and Remedies of Breach of Trust

### **Specific Relief Act, 1877**

Extent, Scope and Application of the Act, Preliminary, Specific relief, how such relief is given, Recovery of possession of property, Specific performance of contract, Contracts which cannot specifically enforced, persons for and against whom contract may specifically enforced, discretion and power of the court. Rectification, rescission and cancellation of instrument, Declaratory decree as specific relief, preventive relief; Appointment of receiver, Injunctions perpetual, temporary, mandatory

### **LAW 317: Mercantile Law 3 Credits**

**Sale of Goods:** Formation of the Contract, Subject matter of the contract, Transfer of property as between Seller &Buyer. Performance of the contract Right of unpaid seller, Suits of breach of contract.

**Carriage of Goods:** Contract of Carriage, Classification of carriage; Rail Ways as Carriage ,Carriage of Goods by Sea. Charter- Party. Bill of Lading. Bills of Lading Act. 1856. Carriage of Goods by Sea Act. 1925. Carriage by Air.

**Insurance:** Nature of contract of Insurance ,Fundamental Principles, Premium ,Policy ,Re-Insurance, Double Insurance, Life &Fire. **Law of Agency:** Nature and Definition of Agency, Different Classes of Agents. Creation of Agency Agent Authority. Rights and Duties of the Principal and Agent, Personal Responsibility of Agent. **Law of Bailment:** Nature and Definition of Bailment, Different kinds of Bailment, Rights and Duties of the Bailor and Bailee. Termination of Bailment, Right of Finder of Goods. Suits by Bailors or Bailees against the wrong doers. **Law of Arbitration:** Negotiable Instruments—Promissory notes, Bill of Exchange, Cheque. (N. B. List of leading cases concerning the course will be circulated and discussed by the teacher concerned.)

### **LAW 319: Public International Law -I 3 Credits**

International Law; Definition, Nature, Characteristics, Scope and Utility. Origin and Development of International Law, Relation between International Law and Municipal Law, Application of International Law in State Territories, practice as to such application in different states. Sources of International Law, Recognition of States: Recognition of States and Governments. Recognition de jure and de facto, Legal effects of Recognition. State Responsibility under International Law. State Succession.

### **LAW 321: Criminology 3 Credits**

**The Science of Criminology:** Criminology and Criminal Law, perspectives and methods in criminology. Physical, Physiological and Racial factors and crime. Psychological theories of criminal behavior, Social factors and crime-influence of home and family, social and religious institutions and crime. Causes of crime-viewing the problem as a whole.

**The control of Crime:** The nature of punishment and the Penal system. The treatment of criminals-Borstal, the Approved schools. Probation, detention before trial, parole. The Juvenile Court. Prison training. Prevention of crime and delinquency,

**LAW 323: Administrative Law            3 Credits**

Meaning and Nature of Administrative Law, Origin and Growth of Administrative Law in UK, USA and South Asian Sub-continent, Legislative Power of Administration, Judicial power of Legislation, Exercise of Administrative Discretion- its limit, Control of Administrative Power and Action, Public Corporation, Decentralization of Administration, Suit against Government

**LAW 401: Law of Evidence-I            3 Credits**

Definition and Functions of the Law of Evidence. Classification of Evidence, Facts in issue and relevancy of facts, Admission, confession and other statements, Accomplices, Dying Declaration, Admissibility of Direct, Hearsay, circumstantial, Oral and Documentary Evidence, Modes of proving documents (public/private)

**LAW 405: Civil Procedure Code -I        3 Credits**

Procedural and Substantive law, Definition and organization of Civil Courts in Bangladesh, Jurisdiction of the Courts, stay of suits, res-judicata, bar to further suit, Suit by and against Government, Inherent power of court, Place of suing, and proceedings, Parties to suits, misjoinder and non joinder of parties, Framing of suits, joinder of causes of action, Recognized agents and advocates. Issue and Service of summons. Pleading .amendment of it, set-off. Appearance of Parties and consequences of non-appearance of parties, Framing of issues, incidental and supplemental proceedings-hearing, judgment and decree. Procedure in execution of decree, attachment and sale.

**LAW 407: Public International Law -II    3 Credits**

Law of the sea; Territorial Sea, Contiguous Zone, Exclusive Economic Zone (EEZ) Continental Shelf, Freedom of the high seas, Concept of common heritage of mankind (deep sea bed, ocean floor, sub- soil thereof, and resources).Law of the Rivers-International rivers-rights and obligations of riparian States .Law of Treaties: Nature and functions of Treaties, parties to Treaties, conclusion and entry into force of Treaties, interpretation of Treaties; Diplomatic and consular law, function of diplomatic missions, diplomatic privileges and immunities; Concept of laws and customs of war, Neutrality, Extradition, Asylum Pacific settlement of International disputes;

**LAW 409: Law of Evidence -II        2 Credits**

Judicial notice, Presumption, Burden of Proof, Estoppels, Competence and Character of a witness, Facts on which credibility of human, testimony depends ,Examination and sequence of witness, Effect of improper Admission and Rejection of Evidence

**LAW 411: Civil Procedure Code II & Law of Limitation 3 Credits**

**Group A**

This part of the course includes: Death, Marriage and insolvency of parties, Withdrawal and adjustment of suits. Special procedure in particular classes of suits; pauper suits, Interpleader suits, suit by or against minors and persons of unsound mind. Appointment of receivers and commissions. Temporary injunction and interlocutory orders. Appeal, Review and revision

## **Group B**

### **Law of Limitation:**

This course includes: Object, Interpretation and application of statutes of Limitation, Limitation of suits, Appeals and Applications, Computation of period of Limitation; Extension and exemption of Period of Limitation, Suspension of Limitation, Waiver of Limitation, Effect of Fraud and Acknowledgement on Limitation, adverse possession, Acquisition of easement rights, Limitation in suits for recovery of Land.

### **LAW 413: Laws of War, Air and Outer Space      Credits 3**

**War:** Origin, concept of war in different Systems such as in Hinduism, Buddhism, Judaism, Christianity and Islam. Development and application-laws and customs of war dealing with four Geneva Conventions and additional protocols. Pacific settlement of war through UN mechanisms. Use of force through UN-Self defense. Criticisms to apply on the part of small and weaker States.

**Air Space:** Concept of air space and outer space- background of air and space vehicles since Right Brothers' notions- various theories of air space law –Paris Convention on Aerial Navigations, 1919- Havana Convention, 1929- Warsaw Convention, 1929- Chicago Convention, 1944, International Civil Aviation Organization 1947- Montreal Convention on the Recognition of Rights in Aircraft, 1948-UN Resolutions on air space law- five freedoms of air- outer space in its meaning- outer Space treaty, 1967-laws relating to scientific investigation in the outer space-astronauts, their rights and status, obligations towards them-meaning of aircraft hijacking-Tokyo Convention, 1963, Hague convention, 1970, Montreal Conventions of 1971 and 1991 promoting measures for safety and suppression of aircraft hijackings.

### **Study Materials;**

\*S. Doyle: Origin of International Space Law and the International Institute of Space Law of the International Aeronautical Federation -2002 \*Mahesh Prasad Tandon & Rajesh Tandon: Public International Law (1996), Allahabad Law Agency \*J.G. Starke: Introduction to International Law (1994), \* Butterworths- Aditya Books Private Ltd., New Delhi \*D.W. Greig: International Law (1970), Butterworth \*S.K. Kapoor: International Law \*L. Oppenheim: International Law a Treatise 191967), Longmans \*L.C. Green: International Law Through the Cases (1959), Stevens & Sons Ltd. \*Georg Schwargenberger: International Law I (1957), Stevens & Sons Ltd. \*Henkin, Pugh, Shachter and Smith: International Law Cases and Materials (1987), pp. 702-784, 794-794.

**Cases:** Hijacking of Indian Aircraft and ICAO (India V. Pakistan), Pan Am Flight 103 (Lockerbie) Scotland Case, 1988; The Nuclear Test Cases Australia V. France, New Zealand V. France, ICJ Rep. 1974 pp. 457-538; Alabama Claims Arbitration 1872, Briggs The Law of Nations, p. 1026; The Corfu Channel Case (Merits) 1949, ICJ, Rep. 1949, p. 635

### **LAW 415: Comparative Law    3 Credits**

The students are advised to read the following topics:

Meaning, nature, definition and classification of comparative law. Origin and development of comparative law and foreign Law, Purposes of Comparative Law, Major Legal Systems of the world; Problems arising during the study of foreign law, Factors, explaining resemblances and differences between legal systems, The common core of legal systems and the presumption similitude, Classification of legal systems. Common Law; English Revolution and the evolution of common law. Basic principles and traditions of common law, Features of Anglo American law. Civil Law; French Revolution and the volition of civil law, characteristics of civil law. Socialist Law; Socialist concept of law, source of law, concept of socialist legality, Disintegration of socialist states and transformation of legal systems in Eastern Europe, Scandinavian Legal system as a model. Sources of Law in different legal systems; Customs Codes/Statutes, Judicial Decisions and Legal Doctrine. Organization of Courts in different legal systems; Courts in England, USA, France, Germany and Bangladesh. Traditional Legal system; Legal system based on customs and traditions, legal system based on religion. Comparative Law and the emergence of Transnational Law.

## **LAW 417: Civil and Criminal Drafting      3 credits**

### **Civil Drafting**

Pleadings: General discussion on pleadings, Rules relating to drafting of pleadings, Complaint, Valuation and court fee- Documents with the complaint. Drafting of complaints and written statements of civil suits, Suit for ejectment after notice and written statement of the above suit., Suit for partition and defense of the above suit. Application for making a preliminary decree for partition final. Suit for Divorce, Marriage, Restitution of Conjugal Rights, Recovery of Dower and Maintenance, suit on money bond, written statement in the above suits. Suits for arrears of the holding a tenure, suit for malicious prosecution and defenses. Of Appeal: General rules of Appeal ,Memorandum of Appeal, Drafting an application and defense of Preemption. Application for setting aside an order of dismissal of suit for default. Application for set aside an ex-party decree. Drafting of transfer of a case, Succession suit. Specimen of necessary applications: Applications according to (O-6 17 of C.P.C.) and (O-6,R-16), Summon by post. Application u/s 5 of Limitation Act, Applications under (O-1 ,R 10), (O-22,R- 10), (O-22,R-4),(O-22,R-3) ,(O-32,R-3), (O-39,R-1), (O-39,R2a), (O-40, R-1), (O-38, R-5 ),(O 17, R -1), 53A of C.P.C. (O-23,R-3) and (O-32,R-7 ) of the Code of Civil Procedure Withdrawal, Dismissal and Re-filing of a suit, Application for stop suit. Submission , Inspection, Return, Recall and Discovery of documents. Application for summoning witnesses(O- I 6,R- I). Application for issue a warrant of arrest to an absent witness. [ O,16R-10(3)]. Application for transfer of decree, Application for exercise of inherent powers of the court (sec- 151). Application for review of judgment in the High court division under O-47,R-1.Civil appeals under Article 103 (2-a) of Bangladesh Constitution

### **Criminal Drafting:**

Nature, classification, procedure of filing of a criminal case. Procedure of Summoning, Warrant, Proclamation and Attachment. CR. Cases; Law relating to CR. Cases, Rules regarding drafting of complaint petition, Procedure of filing CR. Cases. Various petitions of Complaint under Various sections of CrPC and under other Acts and Ordinances of Bangladesh, Necessary papers to be enclosed with a CR. Case. Procedure of preparing GD. and specimen of General Diary. Law relating to Bail; General principles for grant of bail. Cancellation of bail, Anticipatory bail. Bail under different stages : a) Bail petition under investigation stage in the Magistrate's court, in the court of Special Tribunal, in the Session court b) Bail petition after submission of CS and before trial c) Bail petition during the trial stage d) Criminal miscellaneous cases for bail in the High Court division of the Supreme Court of Bangladesh Appeal; General principle of Appeal a) Criminal appeal under sections of CrPC. and of The Dowry Prohibition Act 1980,and of The Narcotics Control Act 1990.b) Criminal appeals in the High Court division (Appeal against order) c) Law relating to appeal

to Appellate Division Revision; General principles of revision. Criminal revision before the High Court division. Transfer of Criminal Cases: Power of Appellate Division to transfer cases and appeals, Power of High Court Division and Session Judge to transfer cases. Application u/s 526,526B, 528 of CrPC; Writ: Writ petition under Article 102 of Bangladesh Constitution. Affidavit; General Discussion of Affidavit and specimen of some Affidavits. Miscellaneous: a) Hazira of the accused in the court) Time petition for non appearance of the accused) An application for issuance for search warrant u/s 98 and 100 CrPC, d) An application u/s 205 CrPC e) An application u/s 371(1) of CrPC. for copy of Judgment on free of cost ,f) Lawyer's certificate) Legal Notice

### **LAW 419: Environmental Law      3 Credits**

Concept of Environmental Law, Background and Approach.

The Stockholm Conference on the Human Environment, 1972. Rio Declaration on Environment and Development, 1992, Agenda 21 Non- legally binding authoritative statement of principles for a global consensus on the Management, Conservation and Sustainable Development of all types of Forests. The United Nations Framework Convention on Climate Change and the United Nations Convention on Biological Diversity

#### **Environmental Law: Bangladesh Context**

- Development of Environmental Law in Bangladesh.
- Government Policy regarding environmental issues — Environmental Courts.

### **LAW 421: Project & Moot Court      3 Credits**

Each student will choose a relevant topic and on the basis of his extensive reading and research he will write an essay of 12,000 to 15,000 words to be submitted by the end of the final semester. The project work will be initiated under the supervision of a teacher from the beginning of 4th year 2 Semester. Moot Court will be conducted by the concerned teacher, practicing lawyer and judge

### **LAW 400: Viva Voce      3 Credits**

A student will appear in a Viva Voce taken by a board of internal and external experts. The student will be asked questions on all topics from all over the courses covered.