

SYLLABUS

FOR

Bachelor of Laws (LL.B)

(4 Years Honors Program)

Varendra University, Rajshahi

Bachelor of Laws (LL. B) (4 Year Honors Program)

The program aims to provide comprehensive education in law as an academic discipline. It aims to develop in students the capacity for in-depth appreciation of relevant subjects and of their importance and to train them to be excellent law practitioners.

The program is focused to realize students' capabilities to identify and develop new opportunities and integrate theoretical knowledge with the capacity to apply such knowledge in practice with innovations and the practice of innovative leadership.

There will be formal final examinations and all work carried out in the program will be considered in the overall assessment. A satisfactory record of class work will also be required at each stage.

Admission Requirements

Minimum GPA 2.50 in both S.S.C. and H.S.C. or equivalent.

Duration of the Program

The duration of the program will be 4 (four) academic years.

Academic Year and Semester System

An academic year will be of three Semesters, 4 months duration under each Semester which will be allotted in the following manner: There will be time period of 16 weeks in which 14 weeks will be for instruction and 2 weeks for registration and examination.

The schedule of three Trimesters is as follows:

Trimester	Description	Duration
Semester I	Spring	January - April
Semester II	Summer	May - August
Semester III	Fall	September - December

Grading System (Letter Grading):

Numerical Grade	Letter Grade	Grade Point
80% and Above	A+	4.00
75% to less than 80%	A	3.75
70% to less than 75%	A-	3.50
65% to less than 70%	B+	3.25
60% to less than 65%	B	3.00
55% to less than 60%	B-	2.75
50% to less than 55%	C+	2.50
45% to less than 50%	C	2.25
40% to less than 45%	D	2.00
Less than 40%	F	0.00

Evaluation Procedures

There shall be evaluation based on class attendance, in course/class test, assignments/term papers, mid-term and final examination. No. of class/class test and assignment/term paper depends on respective course teacher. There will be a mid-term at the middle of the Semester. The distribution of marks is as follows:

Class Attendance	:	10%
In course/ class test	:	20%
Assignment/Term paper:		10%
Mid-Term	:	30%
Trimester Final	:	30%

Lecture Hour per Course

The procedures of credit hour Trimester system will be practiced in the academic programs of BORENDRA UNIVERSITY having involvements of (14) weeks of instruction in each Semester and courses may have different credit hours having involvement of (14) instruction hour under each specific credit hour.

In this context, a 3 credit hour course running for 14 weeks will have $3 \times 14 = 42$ hours of teaching.

Courses Structure

41 Courses x 3	=123 Credit Hours
Viva Voce	= 3 Credit Hours
Project/Thesis Paper (Internship)	= 4 Credit Hours
Total	=130 Credit Hours

Graduation

To obtain the Degree of Bachelor of Law (LL.B Honors) a student will have to complete minimum 130 Credit Hours with a minimum CGPA of 2.50. If any student fails in any course he/she will get the opportunity to improve the grade by retaking the same in the subsequent Semester like all other students.

Course Outline of Bachelor of Laws (LL. B Honors) Program

Course Code		Title	Credits
JURI	113	Jurisprudence	3.0
CON	112	Law of Contract	3.0
ENG	111	Composition	3.0
EFL	114	English for Law	3.0
ML	121	Muslim Law	3.0
Tort	122	Law of Torts	3.0
LH	123	Legal History	3.0
ENG	122	Public Speaking	3.0
HL	132	Hindu Law	3.0
LS	133	Legal System Of Bangladesh	3.0
EQT	211	Law of Equity and Trust	3.0
CONST	212	Constitutional Law of Bangladesh	3.0
MIS	123	Computer Concept	3.0
PART	214	Law of Agency, Bailment and Partnership	3.0
CONST	221	Constitutional Law of UK and USA	3.0
LABOR	222	Labour Laws of Bangladesh	3.0
FIS	223	Fiscal Laws of Bangladesh	3.0
BS	113	Bangladesh Studies	3.0
TP	231	Law of Transfer of Property	3.0
INT(BP)	232	Basic Principles of International Law	3.0
SR	233	Specific Relief Act and Law of Limitation	3.0
INT(J)	311	Jurisdiction in International Law	3.0
CPC	312	Code of Civil Procedure (I)	3.0
PDR	314	Law of Registration and Recovery of Public Demand	3.0
COMPANY	313	Company Law	3.0
LAND	321	Land Laws of Bangladesh	3.0
CPC	322	Code of Civil Procedure (II)	3.0
ML	323	Mercantile Law	3.0
INTPT	334	General Clauses Act and Interpretation Of Statutes	3.0

Course Code		Title	Credits
BANK	331	Banking and Security Laws	3.0
TRADE	332	International Trade Law	3.0
CL	333	Comparative Law	3.0
CRIME	411	Criminology	3.0
PL	412	Penal Laws	3.0
CRPC	413	Code of Criminal Procedure (I)	3.0
EVID	414	Law of Evidence	3.0
CRPC	421	Code of Criminal Procedure (II)	3.0
AD	422	Administrative Law	3.0
ADR	423	Alternative Dispute Resolution and Trial Advocacy	3.0
DRAFT	431	Drafting and Conveyance	3.0
THESIS	432	Project and Thesis	4.0
EXT	433	Externship with NGOs	3.0
VIVA	434	Viva-voce	3.0

The Course Curriculum of the LL.B Honors Program:

ENG 111: Composition

Sentence Skill - Diagnostic Test, Fragment, Runs, Punctuation, Capitalization, Pronoun Agreement & Reference, Misplaced/Dangling Modifiers

Reading Skill - Reading Comprehension-Skimming, Scanning & Inference, Tell Back, Reading Exercise, Vocabulary Building, Summarizing

Writing Skill - Important factors in writing: Prewriting, Outlining (Drafting) Revising, Editing, Proof Reading. Paragraph Development: Topic Sentence, Supporting Details, Closing Sentence. Paragraph Development: Paragraph Structure, Transitional Devices/Connectives, Patterns of Paragraph Development.

BOOKS RECOMMENDED:

Langan, John, Writing Skills/ Langan, John, Sentence Skills

Hornby, A.S, Advanced Learners' Dictionary

Brown, K. & Hood, S.(1997) Writing Matters, Cambridge: University Press

Eastwood, J. (1999) Oxford Practice Grammar, New Edition Oxford: Oxford University Press

Imhoof, M. & Hudson, H. (1988) From Paragraph to Essay, Developing Composition Writing, HongKong: Longman Group (FE) Ltd.

Murphy, R. (1994) Intermediate English Grammar, Second Edition, Cambridge: University Press

Green, L.L. & College, H, The Advancing Writer, Book-2, College Publishers

Con-112: Law of contract

Preliminary: Evolution of contract law, object and function of contract law, promise, agreement-Meaning, elements and characteristics of Contract- Basis of Contract. Classification of Contract, including the Standard form Contract.

Offer and acceptance: Proposal: Meaning, Elements Characteristics and Kinds of proposal-Distinction between Proposal and Invitation to Proposal. Acceptance-Meaning, Modes and Characteristics of Acceptance. Communication, revocation and termination of proposal and acceptance.

Consideration: Meaning, definition and Elements of Consideration-Significance and adequacy of consideration-Unlawful consideration and object-Concept of stranger to contract.

Capacity to Contract: Who cannot make a contract:-Who is minor-The place of minor under the Law of Contract- Persons of unsound mind, nature of contract by person of unsound mind-Persons deprived of the capacity to contract.

Free consent: Meaning of consent and free consent-.Factors rendering consent not free and their effect upon the validity of contract--- Coercion, undue influence, misrepresentation, fraud, and mistake.

Void, voidable and illegal Agreements: Agreements in restraint of marriage-freedom of trade and right to initiate legal proceedings-Agreements involving uncertainty, wager and impossibility.

Legality of Object and Consideration: Meaning of object and consideration-Grounds in which contracts are held to be unlawful-.Doctrine of public policy-Fate of contract unlawful in part

Contingent Contract and quasi- contract: Contingent contract, conditions of quasi contract, collateral event- Certain relations resembling to those created by Contract (Quasi contract), rationality of quasi- contract.

Performance of Contract: Who is liable to perform? Joint rights and joint liability and performance of reciprocal promises-Time, place and manner of performance-Discharge from liability to perform the contract- Apportion of Payment.

Breach of Contract: Meaning and kinds-Remedies for breach of contract-Damages, Measure of damages and remoteness of damage -Specific Performance of contract and Injunctions under Specific Relief Act.

Contract of Indemnity and Guarantee: Meaning: Distinction between indemnity and guarantee and kinds of guarantee-Rights of Indemnity holder-Rights of the Surety, Extent of the Liability of the Surety-Discharge of liability of the Surety.

BOOKS RECOMMENDED:

1. P. S. Atiyah.: An Introduction to the Law of Contract, Clarendon Press, Oxford, 6th Edition, December 2004
2. Pollock: Principles of the Law of Contract.
3. Pollock & Mulla: Indian Contract and Specific Relief Act.

4. V.G. Ramchandran: The Law of Contract in India.
5. P.R. Desai: Principles of Law of Contract.
6. Avter Singh: Law of Contract.
7. R K Bangia: Contract
8. A K Sen and Mitra: Commercial Law and Industrial Law
9. M C Kuchhal: Mercantile law or Business Law
10. M C Shukla :Commercial law
11. Muhammad Ekramul Haque: Law of Contract
12. M P Furmston: Cheshire, Fifoot and Furmston's Law of contract
13. Richard D Taylor: Law of Contract (SWOT)
14. S V Joga Rao: Contract Law (National Law School of India University)
15. Ponnuswami and Puri: Cases and Materials on Contract, EBC, 1987
16. Contract law cases downloaded from websites, especially from yahoo search
17. The Indian Contract Act, Bare Act or DLR Publication

LEADING CASES:

1. Carlill v. Carbolic Smoke Ball Co. (1893) 1 QB 256.
2. Bhagwandas v. Girdhari Lal & Co. AIR/ 1966/SC/SC 543.
3. Balfour vs. Balfour (1917) 2 KB 217
4. Lalman Shukla v. Gauri Dutt. (1913) II All LJ 489.
5. Mohri Bibi vs. Dharmodas Ghose (1903) 30 IA 114
6. Ramsgate Victoria Hotel vs. Montefiore
7. Hadley vs. Baxendale(1854) 9 Exch341
8. Lewis vs. Averay(1971) 3 All ER 907
9. Tweddle vs. Atkinson(1861) 1 B and S 393
10. Pharmaceutical Society of Great Britain vs. Boots Cash Chemists (1953)1 All ER 483
11. Harvey vs. Facey (1893) AC552
12. House Hold Fire Insurance vs. Grant(1879) 4 EX D 216
13. Brogden vs. Metropolitan RLY Co. (1887)2 All App Cases 666
14. Dunlop Pneumatic Co. vs. Selfridge and Co (1915) AC 847
15. Ammiraju vs. Shemma AIR 1917 Mad 287
16. Sowler vs. Potter(1940 1 ILB 271
17. Sattayabroto Ghose vs. Mungeeram Bangur and Co

18. Hyde vs. Wrench(1840)
19. Stevenson vs. Mclean (1880)
20. Dickinson vs. Dodds(1876)
21. Financing Ltd. Vs. Stimson (1962)
22. Fisher vs. Bell (1960)
23. Felthouse vs. Bindley(1862)
24. Entores ltd vs. Miles Far East Corporation(1955)

JURI 113: Jurisprudence

Jurisprudence:

Jurisprudence: Definition, nature and scope, Law: Definition, kinds and classification, Law and morality, Administration of justice, Sources of law, Legal rights and duties, Ownership, Possession, Liability, Title, Person, Property, Law of obligations, Procedural and Substantive law.

Theories of law: Schools of jurisprudence, Natural School, Legal positivism, pure theory of law, Historical School, Philosophical School, Socialist school, Realist School.

BOOKS RECOMMENDED:

1. P. J. Fitzgerald: Salmond on Jurisprudence, Universal Law Publishing Co., Allahabad, India, 2003.
2. R WM. Dias: Jurisprudence, Aditya Books Pvt., New Delhi, 1994.
3. Lloyd: Introduction to Jurisprudence, Sweet & Maxwell, 1994.
4. Friedmann: Legal Theory, 5th Edition, 3rd Indian Reprint, Universal Law Publishing Co., Allahabad, India, 2004.
5. Sir C.K.Allen: Law in the Making, Oxford University Press, London, 1964.
6. G.W. Paton: A Text Book of Jurisprudence, Clarendon Press, London, 1992.
7. T.E. Holland: On Jurisprudence, 13th Edition, 1st Indian Reprint, Universal Law Publishing Co. Allahabad, India, 2001.
8. Rawls: A Theory of Justice, Universal Law Publishing Co., Allahabad, India, 2000.
9. Roscoe Pound: An Introduction to the Philosophy of Law, 3rd Indian Reprint, Universal Law Publishing Co., Allahabad, India, 2003.
10. V D Mahajan: Jurisprudence & Legal Theory, 5th edition, Eastern Book Company, Lucknow, India, 1998
11. Dr. Hamiduddin Khan: Jurisprudence & Comparative Legal Theory, 1st Edition, Dhaka, Bangladesh, 1993
12. P S Atchuthen Pillai: Jurisprudence and Legal Theory, Eastern Book Company,

Lucknow, 1987

EFL 114: English for Law

Needs assessments, Command of Language in the profession of the Law, Plan Language in the Law, Legal language in different contexts; judgment, Plaint, Written statement and Writ, Statutes, idioms and phrases, Latin phraseology.

BOOKS RECOMMENDED:

Justice Badrul Haider Chaudhary: The Long Echo

(A list of additional books, journal Articles, leading cases will be circulated by the Course Teacher concerned)

M.A Yadugiri & Geeta Bhasker: English for law, Foundation Books Pvt.Ltd.2005

ML 121: Muslim Law

The sources & origin of Muslim Law—Primary, Material & Equitable sources, pre-Islamic Arabian Custom & its effect on Islamic Law. The Concept of Islamic Jurisprudence – The Concept of Sharia & Fiqh and different schools of thoughts in Muslim Law. Development of Islamic Law in different periods. Legislative development in Muslim Law in Bangladesh & its application. Marriage -- Essential requirements & prohibitions, forms & legal effects, registration of marriage and Polygamy. Dissolution of Marriage -- Forms & legal effects, Talaq, Ila, Zihar, Talaq-e-tawfid, Khula, Mubaraa, Lien & Faskh, Custody & Guardianship, Mahr or Dower, Maintenance or Nafaqa, Muslim Succession & Property Law-- Gift, Will, Wakf, Pre-emption, and Inheritance.

BOOKS RECOMMENDED:

1. Syed Ameer Ali: Mohammadan Law, Vol. I & II (4th edition), Calcutta, 1912, reprint, New Delhi, 1985
2. Asaf A A Fyzee: Outlines of Mohammadan Law, (4th edition), New Delhi, 1974
3. Keith Hodgkinson: Muslim Family Law: A Source Book, London & Canberra, 1984
4. David Pearl & Dr. W Menski: A Text Book on Muslim Law, London, 2004
5. Taslima Monsoor: From Patriarchy to Gender Equity: Family Law & Its impact on Women in Bangladesh (Ph.D. Thesis, University of London) (UPL), Bangladesh, 1999
6. Md. Mojibur Rahman: Muslim & Paribarik Ain Porichiti, Dhaka, 1989
7. Tanjilur Rahman : A Code of Muslim Personal Law Vol. I, II, III, Karachi, 1978
8. Joseph Schacht: An Introduction to Islamic Law, Oxford, 1964

9. Sir Abdur Rahim: The Principles of Muhammadan Jurisprudence, Madras, 1911
10. Faiz Badruddin Tyabji: Principles of Muhammadan Law, (2nd ed.), Calcutta, 1919

GOVERNING LEGISLATION

1. The Muslim Personal Law (Shariat Application) Act, 1937 (Act No. XXVI of 1937)
2. The Dissolution of Muslim Marriages Act, 1939 (Act No. III of 1939)
3. The Child Marriage Restraint Act, 1929 (Act No. XIX of 1929)
4. The Muslim Family Laws Ordinance, 1961 (Ordinance No. VIII of 1961)
5. The Muslim Marriage and Divorces (Registration) Act, 1974 (Act No. LII of 1974)
6. The Guardians and Wards Act, 1890 (Act No. VIII of 1890)
7. The Succession Act, 1925 (Act No. XXXIX of 1925)
8. The Wakf Ordinance, 1962 (East Pakistan Ordinance No. I of 1962)
9. The Mussalman Wakf Validating Act, 1913 (Act No. VI of 1913)
10. The Mussalman Wakf Validating Act, 1930 (Act No. VI of 1913)
11. The Family Courts Ordinance, 1985 (Ordinary No. XVIII of 1985)

LEADING CASES:

1. Abdul fata V Russomoy Choudhury (1894), 22 I A 76
2. Ahmed Ali V Sabha Khatun Bibi PLD 1952 Dhaka 385
3. Ali Nawaz V Mohd. Yousuf 15 DLR 9 SC
4. Begun V Saroo PLD 1964 Lah, 451
5. Gobinda Daya V Inayatullah 1885, 7 All 775
6. Habibur Rahman V Altaf Ali 1921, 48 I A 114
7. Imambandi V Mustaddi 1918 45 I A 73
8. Mariana Jatoi V Nuruddin Jatoi, PLD 1967 ISC 580
9. Muhammad Ali Allahabad V Muhammad Ismail 1980 I O 289
10. Muhammad Bashir V Gulam Fatima, PLD 1953 Lahore 73
11. Nawab Umjad Ally Khan V Mst Mahudee Begum 14 M I A 517

TORT 122: Law of Torts

Preliminary: Definition of torts- the nature and scope and objectives of tort law; the range of interests protected by tort law; comparison with law of contract and criminal law- Applicability of tort law in Bangladesh

General principles, Parties and General Defenses: Damnum sine injuria and injuria sine damno, mens rea in tort action, remoteness of damages, reasonable man-Who can sue and be sued, volenti non fit injuria, statutory authority, act of god, inevitable accident, inevitable mistake etc.

Intentional tort and unintentional torts: Relationship between the intentional torts and the tort of negligence; intentional torts including, trespass to the person and to land; the intentional infliction of harm, sexual harassment; interference with goods; reference will be made to some offences which are similar to nominate torts, e.g., assault, battery, false imprisonment, malicious prosecution and conversion-malfeasance, misfeasance and nonfeasance- trespass ab initio.

Negligence: Definition, elements, duty of care, Standard of care-Donoghue vs. Stevenson Principle- proof of absence of care- damage - causation and remoteness-contributory negligence; voluntary assumption of risk; exclusion of liability-limitation period- last opportunity rule- Res Ipsa Loquitar- Doctrine of Identification

Vicarious liability-Employers' liability-Liability of the government -Breach of statutory duty-Occupiers' liability- product Liability

Nuisance - public and private, elements of nuisance, special damage, twenty years prescription, 45 degree rule, not defenses- law of nuisance in Bangladesh.

Absolute liability: *Rylands v Fletcher Rule*, Extension of the rule, exceptions to the rule, Rylands Rule vs. nuisance, sceinter rule, liability for dangerous animals.

Economic torts: Deceit, conspiracy, breach of confidential information, passing off, Injurious falsehood, intimidation, gherao and picketing, invasion of privacy and other emerging torts.

Defamation: Definition, elements- publication, reference of plaintiff, defamatory statement Kinds- libel and slander- innuendo- Defenses- privilege, fair comment, justification, defamation on the internet, group defamation- tension between defamation law and freedom of expression- present state of defamation law in Bangladesh

Remedies and discharge: Damages, injunctions, restitution, accounting for profits, declaratory relief, abatement of nuisance and representative actions- comparison of remedies with those of available under the law of contract- discharge of torts.

BOOKS RECOMMENDED:

1. N H Jhabvala -Law of Torts
2. Salmond on Torts
3. Ratanlal and Dhirajlal- Law of Torts
4. P S A Pillai- Law of Tort
5. Green Davies- Tort law cases
6. D G Cracknell -Obligations: Law of Torts
7. D D Basu-. Law of Torts
8. R K Bangia- Law of Torts
9. Philip S. James- General Principles of the law of torts
10. W H Winfield- Law of Torts
11. B M Gandhi -Law of Torts, 2nd Edition 2002, Eastern book Company

12. Nicholas J McBride and Roderick Bagshaw- Tort Law, 1st Indian Edition 2003, Eastern Book Company

Leading Cases

1. Ashby vs. White(1703) 1 Smlc 251
2. Rylands vs. Fletcher (1868)3 HL 330
3. Abdul Kader V Chairman Dhaka Municipality 10 DLR,
4. Noorudiin vs. Hamidul Huq Chowdhury (15 DLR), 1963
5. M C Mehta vs. Union of India AIR 1987 SC 1086
6. Derry vs. Peek(1889) 14 APP Cases 339
7. Donoghue vs. Stevenson (1932) AC 562
8. Melvin vs. Doe(2003), State Court of USA
9. Silicone Breast Implant Cases in USA (against Dow Corning Corpn.),
10. McDonald's Coffee Spills Case USA and other suggested cases by the course teacher.

LH 123: Legal History (Indian Sub Continent from 1757 AD)

Law and Legislative system. Judicial system in India sub-Continent: Hindu Period and Muslim Period. The Mayors Court and Regulating Act,1773. Laws and British Period, Landmarks Cases in British India. Historical Development of Courts: Different Stages. East India Company and the British Administration in Bengal. Judicial system during the British rule till 1947. Progress of Judicial reform in different Governor General's Regime Privy Council and Federal Court. Influence of English Common Law and Equity in India High court and the Supreme court in Pakistan and India (1947 to 1971).

BOOKS RECOMMENDED:

1. M P Jain: Outline of Indian Legal History,
2. V.D. kulshershtha: Laadmarks in Indian Legal and Constitutional history.
3. History of Constitution of Courts and Legislative Assemblies of India.
4. D.F Mullah: Civil procedure Code Vol – I & II
5. Fazal: Judicial Control of Administrative Actions (Selected Chapters).
6. Rama M Jois: Legal and Constitutional History of India, 1984
7. Govt. Publication: Criminal Procedure code.
8. Govt. Publication: Penal Code.
9. Govt. Publication: Evidence Act.
10. The Statesmen's year book 2004
11. World Almanac 2005

ENG 122: Public Speaking

Introduction of the course: Brief history of Public Speaking, The value of Public Speaking

Speaking in Public: The power of Public Speaking, Similarities between Public Speaking and Conversation, Developing Confidence: Your Speech Class, Public Speaking and Critical Thinking, The Speech Communication Process

Ethics and Public Speaking: The Importance of Ethics, Guidelines for Ethical Speaking, Plagiarism

Effective listening: Listening is Important, Listening is a Process, How to Become a Better Listener, Responsibility of Listeners, Ethical dimension: Responsibility of Speakers

Selecting a Topic and Purpose: Choosing a Topic, Determining the General Purpose, Determining the Specific Purpose, Public Speaking in a Multicultural World, Specific Purpose, Phrasing the Central Idea

Analyzing the Audience: Audience – Centeredness, Classmates as an Audience, Demographic Audience Analysis, The psychology, Demographic Audience Analysis, Situational Audience Analysis, Situational Audience Analysis, Getting Information about the Audience, Adapting to the Audience

Gathering Material: Using Your Own Knowledge, Doing Library Research, Searching the Internet, Interviewing, Writing and Calling for Information, Tips for Doing Research

Supporting Your Ideas: Supporting materials and Critical Thinking, Examples, Statistics, Testimony, Sample Speech with Commentary Methods of presentations

Organizing the Body of the Speech: Organization Speech, Main Points, Supporting Materials, Connectives.

Beginning and Ending the Speech: How to Design Introduction and Conclusion. Developing content, Researching a Speech Topic

Outlining the Speech: The preparation outline, The Speaking Outline. Using reasoning

Using Language : Language Is Important, Meaning of Words, Using Language Accurately, Using Language Clearly, Using Language Vividly, Using Language Appropriately, A Note on Non-sexist Language

Delivery: What is Good Delivery? Methods of Delivery, The Speaker's Voice, Nonverbal Communication, Practicing Delivery, Answering Audience Questions.

Using Visual Aids: Advantages of Visual Aids, Kinds of Visual Aids, Guidelines for Preparing Visual Aids, Tips for Presenting Visual Aids,

Speaking to Inform: Types of Informative Speeches: Analysis and Organization, Guidelines for Informative Speaking, Speech Analysis.

Speaking to Persuade: The Psychology of Persuasive, Persuasive Speeches on Questions of Fact, Persuasive Speeches on Questions of Policy, Speech Analysis.

Methods of Persuasion: Building Credibility, Using Evidence, Reasoning, Appealing to Emotions, Speech Analysis

Speaking on Special Occasions: Speeches of Introduction, Speeches of Presentation, Impromptu Speech, Speeches of Acceptance, Commemorative Speeches, After-Dinner Speeches.

Speaking in Small Groups: What is a Small Group? Leadership in Small Groups, Responsibilities in a Small Group, The Reflective – Thinking Method, Presenting the Recommendations of the Group.

Researching and Analyzing Speeches.

BOOKS RECOMMENDED:

1. The Art of Public Speaking – Stephen E. Lucas
2. Public Speaking: Osborn & Osborn
3. Going Public: A Practical Guide to Public Talk
4. Virginia P. Richmond and Mark Hickson, III. Pearson Custom Publishing, 2002. ISBN 0-536-67992-4.
5. Public Speaking: Process and Product.
6. Thomas-Maddox, C. (2000). New York: Primis Custom Publishing.
7. MAKAY, John H., PUBLIC SPEAKING - Theory into Practice, 3rd or 4th Edition, Harcourt Brace Jovanovich College Publishers, Fort Worth et al. 2000
8. Public Speaking, (5th. ed.). Boston, Houghton Mifflin Company.

HL 132: Hindu Law

Nature and application of Hindu Law, Sources of Hindu Law, schools of Hindu law, Mitakshara, Dayabhaga Schools, their fundamental differences, Law relating to inheritance, succession of males and females,

Law relating to: marriage, guardianship and custody of the children, adoption, will, debts and partition, position of karta of a joint family, his rights and obligation, maintenance, Stridhana and women's estate, inheritance of stridhana, religious and charitable endowments, comparative study of Hindu Law in Bangladesh and India.

BOOKS RECOMMENDED:

1. DF Mullah - Principles of Hindu Law
2. RD Agarwal - Hindu Law
3. Dr.Mofijul Patwary - Hindu Ainer Mulniti
4. Nirmaledu Dhar - Hindu Law
5. Denesh Chandra Devnath - Hindu Law
6. BM Gandhi - Eastern Book co., Delhi, 1999.

7. SM Rakshit - Principles of Hindu Law, Chittagong, 1985.
8. Werner F. Menski - Hindu Law, Oxford University Press, India, 2004.

(A list of additional books, journal Articles, leading cases will be circulated by the Course Teacher concerned)

LS 133: Legal System of Bangladesh

Definition of legal system, Features of the legal system of Bangladesh and Britain, Historical overview: Administration of Justice during the Moghal, British, Pakistani and Bangladeshi periods, Sources of law, Direct and subordinate legislation, precedent, *ratio decidendi*, and *obiter dicta*. Custom, Categories of law: private, public, substantive, and procedural. Branches of law, Classification of Courts, Power and functions of the Civil, Criminal, Special Courts and Tribunals, Jurisdiction of Courts: Territorial, Pecuniary, Subject-matter. Appellate, Review, Revision, Independence of judiciary, Enforcement of Law, Public interest litigation, Legal aid and NGOs.

BOOKS RECOMMENDED:

1. Dr. Mafizul Islam Patawaryy - Legal System of Bangladesh
2. Azizul Hoque - Legal System of Bangladesh
3. Kazi Ebadul Houque - Administration of Justice in Bangladesh, Asiatic Society of Bangladesh.
4. Md. Abdul Halim - Legal System of Bangladesh
5. MP Jain - Outlines of Indian Legal History,
6. Wahed Hussain - Administration of Justice during the Muslim Rule in India.
7. Badrul Haider Chowdhury - Evolution of the Supreme Court of Bangladesh, 1st Edition, University of Dhaka, 1990.

(A list of additional books, journal Articles, leading cases will be circulated by the Course Teacher concerned)

EQT 211: Law of Equity and Trust

Law of Equity

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. Twelve Maxims of Equity, Their implications and applicability in Bangladesh in different statutes. Equitable Remedies: Specific Performance. Injunction and Receiver. Nature and Definition of Benami Transaction. Tests of Benami Transaction, Limitations of Benami Transactions, Benami Transaction and Doctrine of Advancement

Law of Trust

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.

BOOKS RECOMMENDED:

1. Durga Das Basu- Equity, Trust and specific Relief
2. B M Gandhi- Equity, trust and Specific relief
3. Snell- Principles of Equity
4. Aquil Ahmed- Equity, Trust and Specific Relief
5. Sufi Shamsur Rahman- Equity and Trust Law
6. Agarwalla- Indian Trust Act
7. The Trust Act, 1882
8. Hanbury- Principles of Equity

CONST 212: Constitutional Law of Bangladesh

Meaning of Constitution, Classification of Constitution, Different methods of adopting a Constitution, Difference between Constitution and Constitutional Law. The concept of supremacy of the Constitution—Bangladesh perspective. Framing history of Constitution of Bangladesh—the Interim Constitution of Bangladesh—The Proclamation of Independence 1971 and Provisional Constitution Order, 1972. Features of Constitution of Bangladesh, 1972. The preamble of the Constitution of Bangladesh—its status, judicial view on preamble in light of *Kesavananda Bharti* and *8th Amendment case*. Fundamental principles of State Policy—Judicial view, why socio-economic rights are part of Fundamental Principles of State Policy, difference with Fundamental Rights. Fundamental Rights under Bangladesh Constitution and their enforcement. Doctrine of Positive Discrimination under Bangladesh Constitution. The Executive—Powers and Functions of the President. Ordinance making powers of the President. The Prime Minister and the Cabinet. The Legislature—powers and functions. The Judiciary- Jurisdiction of the Appellate Division and the High Court Division. The Concept of Independence of Judiciary – How far the Judiciary of Bangladesh is Independent (In light of Masder Hossain’s Case). The Basic Structure Doctrine under the Bangladesh Constitution in light of *8th Amendment Case*. The doctrine of judicial review—Bangladesh, UK, USA perspective. The concept of PIL—Bangladesh Perspective. Amendments of the Constitution—A brief discussion on 14 Amendments. The Caretaker Government under the Bangladesh Constitution. The concept of preventive detention and the provision of preventive detention under the Bangladesh Constitution. Writ, various kinds of writ under the Bangladesh Constitutional framework. Ombudsman under Bangladesh Constitution. Ministerial Responsibility under Bangladesh Constitution. Local Government under Bangladesh Constitution. Emergency provision under the Bangladesh Constitution. The concept of Constitutionalism—Bangladesh perspective. The Defense Service. The Attorney General. The Administrative Tribunal. The Election Commission. Miscellaneous provision of Bangladesh Constitution.

BOOKS RECOMMENDED:

1. The Constitution of People's Republic of Bangladesh.
2. Mahmudul Islam: Constitutional Law of Bangladesh, Second Edition, Mullick Brothers, and Dhaka, 2002.
3. Justice Latifur Rahman: The Constitution of the People's Republic of Bangladesh with Comments and Case Laws, Mullick Brothers, 2004.
4. Justice Mustafa Kamal: Constitutional Law, Current issues and trends.
5. Md. Abdul Halim: Constitution, Constitutional Law and Politics: Bangladesh Perspective, A Comparative Study of Problems of Constitutionalism in Bangladesh.
6. CF Strong: Modern Political Constitutions, London, 1975.
7. Shorter Constitution of India, Wadhwa, Nagpur, 2003.

MIS 123: Computer Concept

Introduction to Computer: Introduction, types and generation of computers, basic organization and functional units, hardware and software, microcomputer-system unit, mother board, system bus, interface cards, multimedia PC. Number systems: Binary, decimal, octal and hexadecimal numbers, conversion between different number systems; BCD and ASCII code, Binary arithmetic, integer and floating point number representations, logic functions. Microcomputers and microprocessors: Microcomputer organization, basics of microprocessors, popular microprocessors.

Input, output and memory devices: Keyboard, punched card, mouse, OMR, OCR, MICR, CD-ROM, different types of printers, CRT's, computer microfilm, floppy disks, hard disks, magnetic tape and other input output devices. Software: types of software, examples of operating system software – DOS, Windows and UNIX, system utilities, classification of application software, package programs, machine language, assembly language, high level language, mid-level Selection, Compilers, Interpreters, Programming language, Pseudo code, algorithm and flowchart, Precaution and maintenance of computers.

PART 214: Law of Agency, Bailment and Partnership

Contracts of Bailment and Pledge: Meaning and kinds of contracts of Bailment-Bailment without consideration- Rights and duties of bailee and bailer-Termination of Contract of Bailment-Contract of Pledge-meaning and definition Pledge by unauthorized persons.

Contract of Agency: Definition, kinds and modes of creation of Agency-Relation between: (a) The Principal and agent (b) The Principal and third party and (c) The agent and the third party-Determination of agent's authority-(i) By act of parties; and (ii) By operation of Law-Irrevocable authority.

Law of Partnership: Meaning, definition, nature, test, formation and the characteristics of contract of partnership -Distinction between: (i) Co-ownership and partnership (ii) Joint Hindu Family Firm and Partnership; and (iii) Company and Partnership-Position of Minor -Relations *interse* of parties and relation of Partners with third parties –implied authority: mutual rights and liabilities--Registration of Partnership firm and effects of registration -Dissolution of a firm and consequences.

BOOKS RECOMMENDED:

1. S.D. Sing and J.P. Gupta- Law of Partnership in India
2. Mafizul Islam - Principles of Commercial Law
3. Frederic Pollock- Digest of the Law of Partnership
4. F. Pollock; D. F. Mulla -The Sale of Goods and the Partnership
5. A.K. Sen -Hand Book of Commercial Law
6. Introduction to Law of Partnership- Avtar Singh

Contract Law Books referred above

CONST 221: Constitutional Law of UK & USA

The UK Constitution:

Origin of British Laws. History of British Laws. Features of British constitution: written-unwritten. Development of British constitution. British Monarchy. Royal Prerogatives.

Constitutional Convention. Parliamentary Supremacy: Separation of Powers. The Cabinet: Responsible Government: Ministerial Responsibility. House of Lords. House of Commons. Electoral laws. Parliamentary Privileges. Judicial Review of Administrative actions and Natural justice. Rule of law and the Human rights.

The US Constitution

Salient features of the US constitution. Philosophy of the constitution: separation of powers. Fundamental Rights of citizens and sovereignty of the people. Development of American Constitution. Political Parties. Executive Branch: Legislative Branch: Judicial Branch. Relation between the states. Procedure of Amendment of the constitution. Major Amendments. Comparison between the UK and the US constitution.

BOOKS RECOMMENDED:

1. Dicey AV: Law of the Constitution.
2. Wade and Philips: English Constitution.
3. Hood Philips: Constitutional Law and Administrative Law: Leading Cases in Constitutional Law.
4. Willoughby: The Constitutional Law of United States.
5. Constitution of the Peoples Republic of Bangladesh.

6. Shafkat Ali Khan- Constitutional law

(The topics will be discussed with reference to the Constitution of Bangladesh: Constitutional Amendments and the Leading Cases)

LABOR-222 Labour Laws of Bangladesh

Introduction, History, scope and objectives of Labour Act, Appointment and conditions of Employment, Employment of young persons, Maternity Welfare Facilities, Health and Hygiene, Safety, Welfare Measures, Working Hours and Leave, Wages, Wages Board, Compensation for Injury caused by Accident, Trade union and Industrial Relations, Settlement of Disputes, Labour courts, Labour Appellate Tribunal, Legal Proceedings, Workers participation in companies Profits, Safety and control of Employment of Dock Workers, Provident Fund, Apprenticeship, Offence, Penalties and Procedure, Authorities of Administration and Inspection.

BOOKS RECOMMENDED

1. The Bangladesh Labour Act-2006
2. A.A. Khan:(i)Bangladesh Labour and Industrial Law,(ii) Bangladesh Labour code
3. Coopers:Outline of Industrial Law.
4. Citrine: Trade union law
5. Friedaman:The Modern law of Employment
6. Akin and feid: Employment Welfare and Safety at works
7. Wedderburn: The workers and the Law: Cases and Materials on Labour Law.
8. Ahmed Zulfiquar:A text book on the Bangladesh Labour Act-2006

LEADING CASES:

1. Aircraft Engineers vs. Registrar, Trade union 45 DLR(AD)122
2. Dosta Textile Mills vs. S. BNath, 40 DLR(AD)45
3. Sonali Bank vs. Chandan Kumar Nandi(1996)48DLR(AD)62
4. Mujibur Rahman Sarker vs. Labour court, Khulna,(1981)31 DLR 301

FIS-223: Fiscal Laws of Bangladesh

Direct taxes and indirect taxes- Income Tax; History of income tax in Bangladesh- Income tax Ordinance 1984- Definitions: Agricultural income, Annual value- Assessment, Assessment year and income year, capital assets and capital gains, company and dividend, fair market value- total income and taxable income- Assessee, classification of assessment, residential status, tax payer identification, pre-requisites for investment tax credit, submission of return of income, provisional assessment, emergency assessment, self-assessment, advance payment of tax, heads of income, adjudication-- Income tax authority: Judicial authority and Administrative authority- powers, functions and jurisdictions, appeal, references-- agricultural income- interest

on securities- bond washing-income from house property-income from business or profession-capital gain- income from other sources- different types of assessment- tax invasion-tax avoidance-double taxation relief- black money- gift tax - Value Added Tax

BOOKS RECOMMENDED:

1. Abu Amjad: Income Tax Manual
2. Bangladesh Open University- Taxation
3. Monzur Morshed Mahmud- Aikor Ain
4. Professor Priotosh Dewanjee- Aikor Ain O' Proig
5. M Nurun Nabi- A Commentary on Income Tax Laws
6. Income Tax Ordinance, 1984
7. Government Publication on Income Tax
8. A N Aiyer: Income Tax Pleadings, Practice and Procedures
9. M A Barea: Practice and Procedures of Bangladesh Income Tax
10. J B Ranga and N A Palkhivala -Income Tax (Law and Practice
11. V K Susha Kumari -Law of Income Tax

LEADING CASES:

1. CIT vs. Shaw Wallace & Co (1932) 59 CA1 1843.
2. CIT vs. Jagabandeu Saha Roy (1968), 18 Taxation II.
3. Rani Amrit Kunwar Vs CIT (1949) I T R 561.

SOC-113: Bangladesh Studies

Historical background of Bangladesh, Nature of state, Geography, Demography, Natural Resources and Human resources, Society and culture, Government-Judiciary, administrative and legislative. Legal and business environment in Bangladesh. Socio economic condition of Bangladesh. The impact of GATT &WTO on our economy. Entrepreneurship in Bangladesh. Industrialization and sick Industries i our economy. Investment-FDI, Budget, Financial System of Bangladesh, Globalization, Privatization & E-commerce, Development of infrastructure, Income distribution and poverty alleviation, Macro-economic adjustment policies suggested b World bank/Structural Adjustment Policies (SAP).

BOOKS RECOMMENDED:

1. Inside Bangladesh Economy-By Anu Mahmud
2. The Strategy of Development in Bangladesh-By Azizur Rahman Khan & Mahabub Hossain
3. The Economy of Bangladesh-By Azizur Rahman Khan

TP 231: Law of Transfer of Property

Definition, object and extent of applicability, transfer of property, classification of property, transfer of movable and immovable property, valid and invalid conditions & limitations on transport, vested interest and contingent interest, condition precedent and condition subsequent.

Part performance, exchanges, gift, easement, mortgage of immovable property, rights, kinds and liabilities of mortgagor and mortgagee, priority, Doctrine of Marshalling and Contribution, Doctrine of Redemption, Lease of immovable property.

BOOKS RECOMMENDED:

1. DLR - Transfer of Property Act, Third Edition, 2004
2. SN Shukla - Law of Transfer of Property
3. Abdul Matin - Transfer of Property Act
4. DLR - Transfer of Property Act, Registration Act
5. Showkat Mahmood - Law of Transfer of Property, Lahore, 1985
6. SK Abichandani - Mulla on the Transfer of Property Act, Eight Edition, 1995
7. Vepa P Sarathi - Transfer of Property Act

INT 232: Basic Principles of International Law

Origin, Nature and Development of International law. Public International Law and Private Int. Law, Difference between Public Int. Law and Private International Law. Subjects of Public Int. Law and Private International Law. Theories as to Basis of International Law. Law of Nature and Positivism. Classification of Public Int. Law. School of Int. Law--Naturalist and Positivist school Neo-Grotius School. Ancient Int. Law. Sources of International Law--Formal and Material sources of Law.

International Treaties and Conventions. International Customs as Evidence as if a general practice and accepted as law. General Principles of law recognized by civilized nations--Decisions of judicial or arbitral tribunals and works of the Jurists. Relation between International law and Municipal law. Theories as to the Relation between International law and Municipal law--Monistic Theory--Dualistic Theory. Transformation of Int. law to municipal law. State practice as to operation of International law within Municipal sphere. (UK, USA, Bangladesh Practice). Subjects of International law--States as principal subject of International law, Individual persons as subjects of International law.

Principle of recognition under International Law --Recognition of States and Governments, Recognition de jure and de facto, legal effects of recognition. State Territory – Elements of state territory--Modes of acquisition of state territory. Status of Transnational Corporation in Public Int. Law. Status of International organizations

as subjects of Int. Law. Status of Governments/ Nations struggling for self-determination. Status of Vatican City in Int. Law. Status of Taiwan in Int. Law. Rights and Duties of a state (In reference to Montevideo Convention of 1933 on Rights and Duties of a state, UN Resolution, 1974 on Rights and Duties of State). The New Economic Order.

BOOKS RECOMMENDED:

1. I.Brownlie: Principles of Public International Law, (4th Ed.) 1990.
2. A Cassesse: International Law in a Divided World, 1986.
3. MN. Shaw: International Law (3rd ed), 1991.
4. Werner Levi: Contemporary International Law, (2nd Ed), 1991.
5. John Strawson: Public International Law, London, 1996.
6. J. G. Starke: An Introduction to International Law.
7. Rosalyn Higgins: International Law and How We Use It: Problems and Process, 1995.
8. D. J. Harris: Cases and Materials on International Law, (5th Ed.), 1998.

SR 233: Law of Specific Relief and Limitation

Law of Specific Relief

Specific Relief how given and when not accorded, Nature of preventative relief, Specific Relief Recovering Possession of Property, Specific performance of contracts, Rescission of instrument, Rectification of Instrument, Cancellation of the instruments, Declaratory decrees, Enforcement of public duties, Preventive Relief: Injunction.

BOOKS RECOMMENDED:

1. Ananada and Aiyer - Specific Relief Act.
2. Basu - Specific Relief Act.
3. D.L.R. - Specific Relief Act.
4. Mulla - Indian Contract and Specific Relief Acts.
5. Pollock - Indian Contact and Specific Relief Acts.
6. S.Mahmood - Specific Relief Act.
7. S.A. Khan - Specific Relief Act.

GOVERNING LEGISLATION

Specific Relief Act, 1877 (Govt. Publication) with up to date amendment.

B. Law of Limitation

Object of law of limitation; Limitation and prescription; Objective, interpretation and application of statutes of limitations; Waiver of limitation; Limitations of suits;

Appeals and applications; Computation of period of limitations; Grounds of exemption from extension of period of limitations; Suspension of limitation; Acquisition of ownership by possession; Acquisition of easement rights; Limitation in suits for recovery of land; Saving acknowledgement; Adverse possession; Effect of fraud and acknowledgement on limitation;

BOOKS RECOMMENDED:

DLR	: Limitation Act
D F Mulla	: Indian Limitation Act
R Mitra	: Law of Limitation
Ramchandra	: Limitation Act
S A Khan	: Limitation Act
Shaukat Mahmud	: Law of Limitation

GOVERNING LEGISLATION

1. The Bangladesh Limitation Act. 1908, Govt. Publication (Updated)

INT 311: Jurisdiction in International Law

- Codification and progressive development of International law
- State Jurisdiction
- Criminal Jurisdiction of State
- State Responsibility
- Principle of Objective state responsibility “Risk Theory”
- Principle of Subjective State Responsibility “ Fault Theory”
- Treatment of Aliens
- Expropriation of alien property
- Asylum and extradition
- State succession- rights and obligations of predecessor and successor states.
- Law of Aviation/ Air/Space law
- The law of the sea--Territorial sea, Contiguous zone, Exclusive Economic Zone, High sea and deep sea bed, Continental Shelf
- Diplomatic envoys and consular law
- Special Diplomatic Missions
- Diplomatic Immunities and Privileges
- The law of treaties.

- Peaceful and forcible settlement of international disputes.
- Intervention & Use of force in International relation
- The United Nations- its Organs
- Function of six organs of UN
- Role of General assembly, Security Council, and ICJ in settling international disputes
- Contribution of UN in the development of International law.
- Role of ICJ in development of International law.
- The ICC.
- International Tribunals and operation of municipal law.
- Laws of war and neutrality.
- Terrorism in International Law
- International Environmental Law.

BOOKS RECOMMENDED:

1. I. Brownlie: Principles of Public International Law, (4th Ed.) 1990.
2. A Cassesse: International Law in a Divided World, 1986.
3. MN. Shaw: International Law (3rd), 1991.
4. Werner Levi: Contemporary International Law, (2nd Ed), 1991.
5. John Strawson: Public International Law, London, 1996.
6. J. G. Starke: An Introduction to International Law.
7. Rosalyn Higgins: International Law and How We Use It: Problems and Process, 1995.
8. D. J. Harris: Cases and Materials on International Law, (5th Ed.), 1998.

CPC 312: Code of Civil Procedure (I)

Procedure and substantive law, organization of Civil Courts in Bangladesh, Civil and Revenue Courts, scope and application of the Civil Procedure Code, structure of the Code, inherent power of Courts, Code not exhaustive, suits and other civil proceedings, jurisdiction of courts, institution of suits and proceedings, place of suing, parties to the suits, service of summons on defendant, recognized agents and advocates, plaint, written statement, appearance of parties and consequences of non-appearance, examination of parties, discovery, admission, production, impounding and return of documents, framing of issues, summoning and attendance of witnesses, hearing of the suit, examination of witnesses, judgment, decree, execution, appeal, review, revision, and reference.

BOOKS RECOMMENDED:

- DF Mullah : Code of Civil Procedure
Chittaley : Civil Procedure Code
R M Jackson : Machinery of justice in England
Shawkat Mahumud : Civil Procedure Code, Lahore, 1984,
SC Sarker : The Law of Civil Procedure, Calcutta, 1973
MMN Nizami : Code of Civil Procedure, Lahore, PLD, 1982
DLR : 36 Years Civil Digest (1949-1984), Dhaka, 1986
Siddiqur Rahman : Commentary on Civil Rules and Orders, Vol-1
C K Takwani : Law of Civil Procedure

(A list of additional books, journal Articles, leading cases will be circulated by the Course Teacher concerned)

GOVERNING LEGISLATION:

1. Code of Civil Procedure, 1908
2. The Civil Courts Act, 1887
3. The Limitation Act, 1908

PDR 314: Law of Registration & Recovery of public Demand

Law of Registration:

The registration-establishment, Registrable documents: Documents of which registration is compulsory and optional Time of presentation, Place of registration, Presenting documents for registration, Enforcing the appearance of executants and witnesses, Presenting wills and authorities to adopt, Deposit and disposal of wills, Effect of registration, and non-registration Duties and powers of registering officers, Refusal to register, Remedies available in the events of refusal to register Fees for registration, searches and copies, Penalties.

BOOKS RECOMMENDED:

1. D F Mulla : Indian Registration Act
2. DLR : Registration Act
3. Dhamija : Registration Act
4. S Row : Registration Act
5. Shaukat Mahmud : Registration Act
6. The Registration Act : Govt. Publication (As amended up to date)

Law of Recovery of Public Demands

Definitions, Filing, service and effect of certificates, and hearing of objections, Execution of certificate, Reference to civil court, Rules and supplemental provisions.

BOOKS RECOMMENDED:

1. Matin : The Public Demands Recovery Act
2. S. C. Sarker : The Public Demands Recovery Act
3. Serajul Islam : The Public Demands Recovery Act
4. Sultan Ahmed : The Public Demands Recovery Act
5. Sultan Ahmed And Malik Syed Ahmed : The Public Demands Recovery Act
6. The Public Demand Recovery Act : Govt Publication

COMPANY 313: Company Law

History of Company laws Beginning from The Crown Till the Passing of Company's Act, 1994. The Nature of Legal Personality and Lifting of Veil of Incorporation. Advantages and Disadvantages of Companies with References to Decided Cases. The Formation of the Company: The Preparation and Submission of the Memorandum and Articles of Association. The Duties and Liabilities of Promoters. The Requirements for Prospectuses and Liabilities thereof. Different Types of Companies. The Role of Registrar of Companies. Majority Rule and Minority Protection. Fraud on Minority. Memorandum of Association. The Relation between Company and Outsiders: The Doctrine of *Ultra Vires*. Liability of Company and Directors for *Ultra Vires* Acts. Turquand Rule. Alteration of Objects. Constructive notice and Indoor Management. The commission of torts by the Company. Vicarious Liability and the Alter Ego Doctrine. Article of Association and Alteration of Articles. The relation between the Company and Its Members and among the Members Inter se. Directors: Appointment, Dismissal, Disqualification, Duties, Powers and Limitations. Managing Director. Management of the Company: Meeting, Voting and Resolutions. Division of Functions among Officers and Organs of the Company. Shares and Debentures and Registration. Different Classes of Shares. Rights of Different Classes and the Variation of Share Rights. Capital: Raising, Maintaining, and Reducing the Capital. Discounts, Premiums, Payment of Dividends and Purchase by the Company of Its Shares. Doctrine of Promissory Estoppel, Doctrine of Estoppel. Doctrine of *actio personalis moritur cum persona*. Doctrine of election. Doctrine of Piecing the veil

Doctrine of Rule in *Foss vs. Harbottle*. Doctrine of *Dolus Malus*. Doctrine of onus of proof. Winding -Up: Types of Winding-Up. Powers and Duties of the Liquidator.

BOOKS RECOMMENDED:

The Companies Act, 1994 (Act No. XVIII of 1994)

LC.B. Gower and Davies: Principles of Modern Company Law, 7th Edition, Sweet and Maxwell, 2003.

Clive Schmitthoff: Palmer's Company Law, Stevens & Sons Ltd., London, 1987.

Topham and Ivamy's Company Law, 15th Edition, London, Butterworths, 1974.

Geoffrey Morse: Charlesworth's Company Law, 16th Edition, London, Sweet & Maxwell, 1999.

Andrew Hicks (Ed): Cases and Material on Company Law, 4th Edition, Blackstone Press, 2003.

Ben Petit: Company Law, Longman Publication, 2001

Avter Singh: Company Law, Eastern Book Co.,Lukhnow, 2000

Nirmalendu Dhar: Dhar on Company Law and Partnership, Remisi Pub. Dhaka, 1998

Ahmed Fakhurul Alam : Company Law

LAND 321: Land Laws of Bangladesh

History of Land Laws: grant of Dewani-the Bengal Zemindars, their growth and incidents; Law relating to Permanent Settlement: Defect of the Laws. Revenue Laws: Law relating to revenue-free lands –origin of revenue freegrants-special provision regarding lands held in lieu of service; policy of the East India Company in this respect. Law relating to under tenures-Patni taluks and their incidents.

Law relating to alluvium and Diluvium-ownership of new chars or islands-Reformation in situ-fishery rights. Law relating to Landlords and Tenants: Short history of Tenancy Laws-extent and application-classes of tenants. Law relating to abolition of Zamindary system: Acquisition of rent receiving interests by the State: Definitions of who is and who is not a rent-receiver. Special provisions for the acquisition of interests of certain rent-receivers. Preparation of record of rights for assessment of compensation; 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.

THE REGULATIONS

Regulation I of 1793 The Permanent Settlement

Regulation XIX and XXXII of 1793-the Non Badshahi and the Badshahi Lakhiraj Regulations

RegulationVII of 1819 Bengal Patni Tuluk Regulation

Regulation XI of 1825 Bengal Alluvion and Dildvion Regulation

Bengal Land revenue Sales Act (Act XI) of 1859

Bengal Tenancy Act (Act VII) of 1885

State Acquisition Act (Act XIII) of 1951

BOOKS RECOMMENDED:

1. L. Kabir Vol. I Bengal Regulations:
2. L. Kabir Vol. II Bengal Tenancy Act 1885 (Act VII of 1985)
3. L. Kabir Vol. III East Bengal State Acquisition Act 1950 (Act XIII of 1951)

CPC 322: Code of Civil Procedure (II)

Special procedure in particular classes of suit, pauper suits, inter-pleader suits, appeals from decrees and orders, temporary injunction, withdrawal and adjustment of suits, commission, arrest and attachment before judgment, appointment of receivers, appeals to the Supreme Court of Bangladesh.

Law on Court Fees and Suit Valuation: nature and purposes of the law, fees payable in courts and in public offices, computation of fees, probates, letters of administration and certificate of administration, process fees: C.R.O provisions on process fees, reduction and remission of court fees, miscellaneous costs and charges.

Miscellaneous schedules: Ad Valorem fees, fixed fees, 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 the Supreme Court, supplemental provisions.

BOOKS RECOMMENDED:

- DF Mullah : Code of Civil Procedure
Chittaley : Civil Procedure Code
R M Jackson : Machinery of justice in England
Shawkat Mahumud : Civil Procedure Code, Lahore, 1984,
SC Sarker : The Law of Civil Procedure, Calcutta, 1973
MMN Nizami : Code of Civil Procedure, Lahore, PLD, 1982
DLR : 36 Years Civil Digest (1949-1984), Dhaka, 1986
Siddiqur Rahman : Commentary on Civil Rules and Orders, Vol-1
C K Takwani : Law of Civil Procedure

GOVERNING LEGISLATION:

- 1) Code of Civil Procedure, 1908
- 2) The Civil Courts Act, 1887
- 3) The Limitation Act, 1908
- 4) The Suits Valuation Act, 1887
- 5) The Court Fees Act, 1870
- 6) The Stamp Act, 1899

(A list of additional books, journal Articles, leading cases will be circulated by the Course Teacher concerned)

ML 323: Mercantile Law

Law of Sale of Goods: Definition and essentials of a contract of sale, sale and agreement to sale, Formation of contract, Subject matters of contract , Price and fixing, of price, Implied& conditions and warranties, Passing of property , Sale of specific goods, Sale on approval and sale of uncertain goods, Transfer of risk, Transfer of title , performance of the contract, Rights of unpaid seller against goods, Remedies for breach of contract seller's remedies against buyer, buyer's remedies against seller, Provisions of auction sale.

Carriage of Goods by Sea: Introduction, Charter Parties, Bills of Lading, Seaworthiness, Deviations, Bills of Lading Act 1856, Carriage of Goods by Sea Act 1925, The Hague-Visby Rules, Freight, General and Particular Average.

Carriage of Goods by Land, Railways and Air: Introduction, Common Carriers Act 1865, Railways Act 1890, Carriage by Air Act 1934.

Law of Insurance: Introduction, Insurable Interest, Proposal, Cover Note, Acceptance, *Uberrimae Fidei*, Premium, Policy; Loss, Doctrine of Proximate Cause, Claim, Payment, Subrogation.

Law of Negotiable Instruments: Introduction, Holder and Holder in Due Course, Negotiation, Capacity of Parties, Liability of Parties, Maturity, Presentment, Payment, Dishonor, Discharge.

Law of Bankruptcy: Meaning of bankruptcy, who can be adjudged bankrupt, Acts of Bankruptcy, Bankruptcy proceedings, Composition and scheme of arrangement.

BOOKS RECOMMENDED:

1. Charlesworth: Business Law; Sweet & Maxwell, 16th Edition, London, 1991.
2. Charlesworth: Mercantile Law; Stevens & Sons, 14th Edition, London, 1984.
3. Roy Goode: Commercial Law; Butterworths, 3rd Edition, London, 2004.
4. Payne & Ivamy. Carriage of Goods by Sea, Butterworths, 13th Edition, London, 1989.

5. Carver: Carriage by Sea, Stevens & Sons, 13th Edition, Vol 1 & 2, London, 1992.
6. Chorley & Giles: Shipping Law; Pitman, 8th Edition, London, 1987.
7. Avtar Singh: Principles of Mercantile Law; Eastern Book Co. 7th Edition, Lucknow; 2000; Law of Carriage (Air, Land & Sea), Eastern Book Co., 3rd Edition, Lucknow; 1993.
8. E.R. Hardy Ivamy. General Principles of Insurance Law; Butterworths, 6th Edition, London, 1994.
9. Shawkat Malunood: Negotiable InstrumentS Act, Legal Research Centre, 3rd Revised & Enlarged Edition, 1991.
10. AM. Choudhury: The Negotiable Instruments Act, All Pakistan Legal Decisions, 9th Edition, Lahore.
11. M C Kutchal: Mercantile Law, 5th Edition, 2000
12. MC Shukla: Mercantile Law

GOVERNING LEGISLATION:

The Bills of Lading Act, 1856 (Act No. IX of 1856).

The Carriage of Goods by Sea Act, 1925 (Act No. XXVI of 1925).

The Carriers Act, 1865 (Act No. III of 1865).

The Railways Act, 1890 (Act No. IX of 1890).

The Carriage by Air Act, 1934 (Act No. of 1934).

The Negotiable Instruments Act, 1881(Act No. XVI of 1881).

The Insurance Companies Act, 1997 (Act No. of 1938).

The Sale of Goods Act, 1930 (Act No. III of 1930).

Bankruptcy Act 1997

INTPT 334: General Clauses Act and Interpretation of Statutes

The General Clauses Act, 1897: Object of the Act, General definitions, Application of certain definitions to all Bangladesh laws, General rules of construction, Powers and functionaries, Provisions as to orders, rules, etc., made under enactment, Miscellaneous provisions.

Interpretation of Statutes: Definition of statutes, Forms and types of statutes, Difference between statutes and other laws, Interpretation and construction, approach to interpretation -Necessity of interpretation, maxims of interpretation-types of interpretation- historical, grammatical, teleological, jurisprudential, purposive, sociological, rules of interpretation- literal rules, golden rules and mischief rules, working papers- Comparison between interpretation of statutes, interpretation of

constitution and interpretation of international treaties, some examples of interpretation of statutes from case laws.

BOOKS RECOMMENDED:

1. N S Bindra – General Clauses Act
2. Vidya Dhar Mahajan- General Clauses Act
3. P St. J Langan -Maxwell on Interpretation of Statutes
4. N S Bindra – Interpretation of Statutes
5. V D Mahajan- Jurisprudence and Legal Theory
6. Vepa P Sarathi- Interpretation of Statutes, 4th Edition 2003 Eastern Book Company
7. Francis Bennion, Statutory Interpretation, 2nd ed. (London: Butterworths, 1992)
8. The General Clauses Act, 1897
9. Sh. Shaukat Mahmood and Sh. Nadeem Shaukat - Principles of Interpretation of Statutes with General Clauses Act 1897
10. S G G Edgar- Craises on Statute Law

BANK 331: Banking and Securities Laws

Banking Laws:

Business of the bank companies—

- restrictions on some business
- disposal of assets not listed in banking business
- prohibition of employment of managing agents and restrictions on specific forms of employment
- restriction relating to removal of document and records requirement of minimum paid-up capital and reserve fund

Directors and Shareholders –

- regulation as to paid-up capital, subscribed capital, authorized capital
- voting rights of shareholders
- restrictions on purchase of shares of banks etc,
- the election of new directors, restriction regarding tenure of post of directors, vacation of the post of directors
- restrictions on payment of loans and advances

- restriction on the directors of the indebted company
- list of debtors in default etc,
- restriction relating to remission of debts
- special provisions regarding bad debt
- power of the Bangladesh Bank to regulate advances by the bank company
- jurisdiction of court as to rates of interest
- license of bank companies
- maintenance of liquid capital
- illegal transaction by Banking Companies etc.

Money Laundering and Bankruptcy—

- prohibition on certain activities in relation to bank companies
- acquisition of undertaking of bank companies
- suspension of business and winding up of bank companies
- speedy disposal of winding up procedure
- power and jurisdiction of Money Laundering Court
- settlement of dispute in the alternative manner under Money Laundering Court
- execution of order of Money Laundering Court
- appeal and revision in Money Laundering Court
- constitution, power and procedure of Bankruptcy Court
- Act of Bankruptcy, plaint, adjudication etc.
- Order of Adjudication
- interim proceedings consequent upon order of adjudication
- Annulment of Adjudication
- composition and arrangements and reorganization
- discharged and undercharged bankrupts
- administration of property-methods of proof of debts
- effects of bankruptcy of previous transactions\
- realization of property
- offences and penalties under Bankruptcy Act
- disqualification of undercharged Bankrupt
- summary administration of estate.

Appeal and Review –

- miscellaneous provisions under Bankruptcy Act
- composition and jurisdiction of Artha Rin Adalat
- implementation of decree by Artha Rin Adalat
- appeal and review

Securities Laws:

History and Background –

- historical background of securities laws in Bangladesh
- civil liability, causation, purchaser seller requirement under Securities and Exchange Ordinance
- issue of capital

Shares –

- lock in and minimum lot of shares
- penalty for certain refusal or failure
- powers of SEC

Prohibition and Restrictions –

- credit, pledging and lending of customer's securities
- false statements
- fraudulent acts and penalty
- cognizance of proof, burden of proof
- maintenance of secrecy
- registration and regulation of stock exchanges
- accounts, annual reports, returns, cancellation of registration, compulsory listing, eligibility of registration, Listing of securities. Regulation of issuers
- prohibition of short selling, regulation of proxies, submission of returns, submission of statements of beneficial owners of shares
- trading by directors, officers and principal shareholders – securities in good faith

SEC –

- constitution and office of Securities and Exchange Commissioner
- delegation of powers, enquiry by Commission, functions of Commission, Government's power to give directions, Governments rule making power, Meetings of Commission
- penalty for Contravention, Cognizance of offence and Appeal
- registration with Commission, registration certificate

- Stock Broker Rule
- Insider Trading in Bangladesh.

BOOKS RECOMMENDED:

Banking Companies Act, 1991 (Act No. XIV of 1991)
 Money Laundering Court Act, 2003
 Bankruptcy Act, 1997(Act No. X of 1997)
 Artha Rin Adalat Ain, 1990 (Act No. IV of 1990)
 Securities and Exchange Commission Act, 1993
 Securities and Exchange Ordinance, 1969 (Ordinance No. XVII of 1969)
 Securities and Exchange Rules, 1987
 Prof. AA Khan: A Manual of Bank Companies Laws and Allied Act, Regulations and Rules. Revised Edition, 2004.
 Dr. M Zahir: Company and Securities Laws, Second Edition.
 David. L. Ratner: Securities Regulation

TRADE 332: Law of International Trade

International Trade Terms, INCO Terms in the Law of International Trade; International Sale Contracts: CIF - Obligation of the CIF seller; Duties of the buyer; duties of the seller of CIF contract; FOB Contract - Duties and obligation of the parties; FAS contracts Other forms of contract in international trade; contracts for the international sale of goods in bulk, contracts of sale involving road, rail, and/or air transport, payment in international sale transactions, Financing of International Trade: documentary bills, documentary credits, standby credits, performance bond and guarantees, other financing methods, export credit guarantees, Transnational credit agreements, Contemporary issues in the area of international banking and finance law issuing bank and corresponding Bank; Insurance against contract in international trade; Conflict of Laws; Arbitration; UN Convention on Contract for the International Sale of Goods; GATT / WTO and International Trade.

BOOKS RECOMMENDED:

Dr. Rafiqul Islam : Comments on international Trade Law
 Templeman: International Trade law
 S.C Chhua : International trade law

CL 333: Comparative Law

Meaning, Nature and Classification of comparative law. Origin and development. Nature Definition, Classification, 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 Transnational Law.

BOOKS RECOMMENDED:

1. Rene David: Major Legal Systems of the World
2. Zweigert and Kotz: Introduction to Comparative Law
3. S L Khanna: Comparative Law
4. Dr. Mizanur Rahman: Tulonamulok Ain
5. A K Mathur: Comparative Law
6. H P Gupta: Comparative Law
7. Comparative Law Quarterly

(The course is designed to give students an introduction to study of foreign law and enable them to compare among different legal systems (Anglo-American, Civil and Socialist, Traditional etc). Students will have to deal with primary as well as secondary sources of foreign law and compare them with relevant laws in force in Bangladesh. They will also be trained on how to deal with a lawyer from a foreign or different legal system.)

CRIME 411: Criminology

Elementary Issues Concerning Crime and Criminology: Nature and Objects of Criminology, Methods of Criminology. Crime: Definitions of Crime and Offence,

Schools of Criminology: Biological Explanation, Genetic Science and Challenges for Judges and Lawyers, Theory of Anomie, Psychological Explanation, Economic Explanation, Sociological Explanation. Female Criminality, Criminal Gangs Organized for Power and Money, White-collar Criminality, Sex Crime, Alcoholism and drug addiction, Cyber Crime, Forms of Punishment, Theories of Punishment, Criminal Justice System of Bangladesh, Penal Policy of Bangladesh, Constitutional Rights as to Detention and Trial, The Police System, Juvenile Justice System, The Prison System, Principles of Sentencing, Probation, Parole and other Modes of Sentencing.

BOOKS RECOMMENDED

1. George B. Vold: Theoretical Criminology, Oxford University Press, New York, 1998. 2. Edwin H. Sutherland: Principles of Criminology, Bombay, 1968.
2. Mike Maguire and Rod Morgan: The Oxford Handbook of Criminology, Clarendon Press, Oxford, 1997
3. Wayne Morrison: Theoretical Criminology: From Modernity to Post Modernism, Cavendish Publishing Ltd, 1995.
4. Katherine S. Williams: Textbook on Criminology, Blackstone, London, 1997
5. Ahmed Siddique: Criminology: Problems and Perspectives, Delhi, 1983.
6. Titus Sue Reid: Crime and Criminology, Mc Graw Hill, New York, 1997.
7. A F. Muller: Criminology, Mc Graw Hill, New York, 1996.
8. Richard Quinney: Criminology, Boston, 1979.

PL 412: Penal Laws

Crimes and civil injuries, origin and development of Criminal Law, essential elements of crime, guilty mind, grounds of exemption from criminal responsibility, joint liability, presumption of innocence, mistake of fact and mistake of law, general exceptions, attempts, abetment and conspiracy, punishment: its objects and limit.

Specific offences: (a) offences against the state and other public interest (b) offences affecting the human body: homicide, murder, causing miscarriage, concealment of birth, exposure of infant, diminished responsibility and suicide. Non-fatal offences against person: hurt, grievous hurt, criminal force, assault, wrongful restraint and confinement, kidnapping, abduction, slavery and forced labour, rape and unnatural offences. Offences relating to property: theft, extortion, dacoity, criminal misappropriation of property, criminal breach of trust, stolen property, cheating, mischief, criminal trespass and forgery. Other interest of the individuals: offences relating to marriage, defamation, criminal intimidation, insult, prejudicial act and annoyance.

Special Laws: Nari O Shishu Nirjatan (Bishesh Bidhan) Ain, 2000, Special Powers Act, 1974, Acid Throwing Act, 2002.

BOOKS RECOMMENDED:

DLR	: Penal Code, Dhaka, (1 st Edition), 2003.
Ratanlal	: Law of Crimes
L. Kabir	: Lectures on Penal Code with leading cases
Zahurul Huq	: Penal Code
Ratanlal	: Law of Crimes
Abdul Matin	: The Law of Crimes
Zahirul Islam	: The Law of Crimes
Smith & Hogan	: Criminal Law, Oxford University Press, 2002.
Michael Jefferson	: Criminal Law, Pitman Publishing, 1999.
Ansaruddin Sikdar	: Law of Crimes, Commentary on the Penal Code, 1995
V B Raju	: Indian Penal Code, 1860

(A list of additional books, journal Articles, leading cases will be circulated by the Course Teacher concerned)

CRPC 413: Law of Criminal Procedure (I)

Constitution and power of criminal courts, arrest of persons, process to compel appearance, process to compel production of things, maintenance of public order and tranquility, preventive action of police, the information to police and the process of investigation, jurisdiction of criminal courts in inquiries and trials, initiation of proceedings, complaints to magistrates, charge, trial of cases by magistrates, summary trials, trials before courts of sessions, mode of taking and recording evidence, judgment, death sentence confirmation.

BOOKS RECOMMENDED:

1. The Code of Criminal Procedure, 1898
2. Ratanlal & Dhirajlal : The Code of Criminal Procedure, 1997
3. Md Sohul Hussain : Cr. P. C. Today, 1996
4. S R Roy : BB Mitra on the code of Criminal Procedure, 1991
5. Gopal Chandra Paul : Rights and privileges of Accused Person, 2003
6. Abdul Matin : Code of Criminal Procedure, 1995
7. L. Kabir : Code of Criminal Procedure
8. Zahurul Islam : Code of Criminal Procedure, 2000
9. R V Kelkar : Criminal Procedure
10. Dr K N C Pillai : General Principles of Criminal Law
11. Shawkat Mahmud : The Code of Criminal Procedure, 1984

(A list of additional books, journal Articles, leading cases will be circulated by the Course Teacher concerned)

EVID 414: Law of Evidence

Introduction: Object of reading law of evidence, history, The Evidence Act, 1872-definitions

Fundamental Concepts: Relevancy and admissibility- discretionary exclusion-weight

Circumstantial Evidence: circumstantial evidence generally-lies-failure to call a witness or to give evidence-similar fact evidence: an introduction

Judge and Jury: law and fact- judge and jury

Burden and Standard of Proof: evidential and legal burden-civil and criminal standard of proof

Substitutes for Evidence: presumptions- judicial notice

Witnesses: competence & compellability- refreshing memory--special measures (children & adults) - self-incrimination

The Course of Evidence: trial chronology- examination of witness- prior consistent statements- hostile witness cross-examination- further evidence

The Hearsay Rule: Hearsay rule-common law exceptions-statutory exceptions (excluding confessions)

Unreliable Evidence: Confessions to police- cell-confessions by the mentally handicapped- Identification - children- sexual offence victim- accomplice- repressed memory evidence and hypnosis

Legal Professional Privilege: Legal advice privilege- litigation privilege

Character Evidence: Accused's good and bad character- Other character evidence

Documentary Evidence: Weight of evidence-exclusion of oral by documentary evidence.

Opinion Evidence: layman's-expert opinion- Doctrine of estoppel, privilege of communication

BOOKS RECOMMENDED:

1. Sarkar and P Monhar: Evidence
2. Anseruddin Sikder- Law of Evidence
3. Vepa P Sarathi- Law of Evidence
4. Barrister Rafiqur Rahamn- Law of Evidence
5. Nazrul Islam- Law of Evidence
6. Ratanlal and Dhirajlal- Law of Evidence

7. The Evidence Act, 1872
8. M A Karim Law of Evidence
9. DLR- Law of Evidence
10. Dennis- Law of Evidence
11. M Monir: Principles and Digest of the Law of Evidence
12. The Evidence Act 1872
13. Best- Principles of Evidence
14. Taylor – Law of Evidence
15. Woodroff & Amir Ali- Law of Evidence Applicable To British India

Leading Cases

- Abdulla V Abdul Karim 20 DLR (SC) 205
 Brajmdar V Kanshiram ILR Cal 95
 Jaigun Bibi V State 12 DLR (SC) 156
 Nathu Lal V Gomti Kumar 45 CWN 29
 Pakal Narayan V King Emperor 43 CWN 473 PC and other cases suggested by the teacher.

CRPC 421: Law of Criminal Procedure (II)

Appeal, reference, revision, execution, suspension, remission, commutation of sentences, provisions as to bail and bonds, maintenance of wives and children, public prosecutor, irregular proceedings, prevention of offences, security for keeping the peace, unlawful assemblies, public nuisance, disputes to immovable property, preventive action of the police, miscellaneous provisions.

BOOKS RECOMMENDED:

1. The Code of Criminal Procedure, 1898
2. Ratanlal & Dhirajlal : The Code of Criminal Procedure, 1997
3. Md Sohul Hussain : Cr. P. C. Today, 1996
4. S R Roy : BB Mitra on the code of Criminal Procedure, 1991
5. Gopal Chandra Paul : Rights and privileges of Accused Person, 2003
6. Abdul Matin : Code of Criminal Procedure, 1995
7. L. Kabir : Code of Criminal Procedure
8. Zahurul Islam : Code of Criminal Procedure, 2000
9. Shawkat Mahmud : The Code of Criminal Procedure, 1984

(A list of additional books, journal Articles, leading cases will be circulated by the Course Teacher concerned)

AD 422: Administrative Law

Preliminary: Definition, nature and scope, historical development- USA, England, Bangladesh, constitutional law and administrative law -**Basic Constitutional Principles:** Rule of law, separation of powers- Classification of Administrative Action-needs for classification- executive, legislative and judiciary, quasi-judicial functions- **Delegated Legislation:** Definition, reasons for growth , delegated legislation in England, USA, Bangladesh, permissible and impermissible delegation, control and safeguards, substantive ultra vires and procedural ultra vires- **Natural Justice:** Meaning, growth, principles of natural justice-bias, Audi alterum partem ,reasoned decisions, pre-decisional or post decisional hearing, exclusion of natural justice, effect of breach of natural justice- **Administrative tribunals:** Definition, reasons of growth, administrative tribunal distinguished from court, working of tribunals, administrative tribunals and principles of natural justice- overview of Administrative tribunal Act, 1980, Effect of finality clause- decisions of Administrative Tribunals and judicial review, doctrine of res judicata- Exclusion of judicial Review: Provisions in England, USA, Bangladesh, India- **Judicial review of Administrative Discretion:** Meaning, failure to exercise discretion, abuse of discretion- Judicial and Other remedies: prerogative remedies- various types of writs- Public interest litigation-Ombudsman- **Liability of the Government:** Contractual and tortious liability- debate: Sovereign and non sovereign function-doctrine of estoppel- **Public Corporation:** Definition, classification, rights and liabilities of public corporation- control of public corporation – Constitutional provision on local government

BOOKS RECOMMENDED:

- 1) C K Thacker -Administrative Law
- 2) C K Takwani- Lectures on Administrative Law
- 3) I P Massey -Administrative Law, EBC, Lucknow, 1985 Forwarded by Chief Justice P N Bhagwati, Introduction by Dr. Upendra Baxi
- 4) Garner- Administrative Law
- 5) Christine B Harrington- Administrative Law and Politics (Scott Foresman & Company, 1990)
- 6) H W R Wade And C F Forsyth- Administrative Law
- 7) Mahmudul Islam -Constitutional Law of Bangladesh
- 8) Hood Philips- Constitutional law and Administrative law
- 9) Hilaire Barnett- Constitutional law and administrative Law
- 10) Barrister Abdul Halim-Constitution, Constitutional Law and Politics: Bangladesh Perspective, A Comparative Study of Problems of Constitutionalism in Bangladesh
- 11) M. A. Fazal-Judicial Review Of Administrative Action In India, Pakistan & Bangladesh
- 12) Griffith and Street: Principles of Administrative Law

- 13) V G Ramachandran: Administrative Law
- 14) V G Ramachandran: Law of Writs Under The Constitution
- 15) Dr. Kamal Siddiqui- Local Government
- 16) H K Shaharay- Administrative Law and Tribunals(N M Tripathi Ltd) 1987

LEADING CASE:

1. Indira Gandhi vs. Rajnarayan AIR 1975 SCC 2299
2. Ridge vs. Baldwin (1964) AC 40
3. Kazi Mukhlesur Rahman vs. Bangladesh (1974)
4. Dr. Mohiuddin Farooque vs. Bangladesh 49 DLR AD 1
5. ETV Ltd vs. Choudhury Mahmood Hasan(2002)
6. Kudrat Elahi Panir vs. Bangladesh (1994) and other cases suggested by the course teacher

ADR 423: Alternative Dispute Resolution and Trial Advocacy

A. Alternative Dispute Resolution

Concept of ADR, Why ADR? Emergence of ADR in different Jurisdictions, Supplementary or Complementary to Litigation, Different forms of ADR-- Mediation, conciliation, arbitration, mini trial etc., Salish in Bangladesh, Arbitration Act,

B. Trial Advocacy:

Thinking like a lawyer, Client interviewing, Marshalling of facts, Consultation, Case strategy and planning, opening statement, Examination of witnesses, Cross examination, closing arguments, plea bargaining etc.

The books, papers, case materials are to be supplied by the teacher.

DRAFT 431: Drafting and Conveyance

Law and Principles of Drafting and Conveyance. Distinction between Deeds and other Documents. Sale of Immovable Property: Essentials of a Sale, How to Prepare a Sale Deed, How to Prepare a Contract for Sale Deed (*Bayna nama*). Mortgage: Essentials of a Mortgage, How to Prepare a Mortgage Deed. Lease: Essentials of a Lease, How to Prepare a Lease Deed. Agreements—various kinds of agreement, essential of agreements, how to prepare various kinds of agreements. Exchange of Properties: Essentials of Exchange, How to prepare an Exchange Deed. Gift or *Hiba*: Essentials of Gift or *Hiba*, How to Prepare a Gift or *Hiba* Deed. *Waqf* or Trust: Essentials of a *Waqf* or Trust, How to prepare a *Waqf* or Trust Deed. Will or *Wasiyat*: Essentials of a Will or *Wasiyat*, How to prepare a Will Deed or *Wasiyat* Nama. Power of Attorney. Essentials of Power of Attorney, How to prepare a Power of Attorney. Notice: Different Kinds of Notice, How to prepare different kinds of Notice. Affidavits: Different kinds of affidavits, How to prepare different kinds of affidavits. Drafting of an enactment of Parliament

BOOKS RECOMMENDED:

1. N.S. Bindra: Law of Conveyancing, Draftsman and Interpretations of Deeds, Delhi Law House, 7th Edition, 2002.
2. Mogha: Law of Pleading, Eastern Law House, 16th Edition, 2002.
3. De souza: Conveyancing, Eastern Law House, 13th Edition, 2004.
4. Murali Monohar: The Art of Conveyancing and Pleading, Eastern Book Co., 2nd Edition, 2004.
5. Hargopal: Indian Draftsman, Guide to Legal Drafting, Universal Pub. Co., 2003.
6. GM. Kothari: Principles & Precedents of the Law of Conveyancing, Draftsman, & Interpretation of Deeds & Documents, Law Book Co, 3rd Edition, 1995.
7. A.S. Ramchandran Rao: Modern Commercial Draftsman, Eastern Book Co., 1989.
8. M Mirza : Power of Attorney Act, 1882, Lahore Law Times, 2002.
9. Majumder: Law Relating to Notices, Eastern Law House, 2002.
10. Abbey and Richards: A Practical Approach to' Conveyancing, First Indian Reprint, Universal Law Publishing Co.
11. N R Madhava Menon (Ed) : The Legal Profession, Bar Council of India Trust, New Delhi, 1984

THESIS 432: Project and Thesis

Project and thesis is designed in order to obtain a better knowledge and understanding of any problem of legal philosophy, legal history, and comparative study of any law or any system of positive law, international or municipal. Students will have to dig up facts, unearth new data and discern relationship between facts already known. In furtherance of that the students will have to write up a thesis paper under the supervision of a scholar. The area of legal research may succinctly be as follows:

1. The student may write a historical essay showing the development in a field of law or a particular doctrine.
2. The student may write a kind of survey on the recent developments in law summarizing the most important cases, analyzing how they have followed or deviated from past cases and make informed judgment as to what the courts would do in future.

3. The student may analyze the doctrine to see whether the case law is consistent, ambiguous and to state what in his opinion the correct propositions of law are by applying his own rationale or reasons.
4. The student may write about the relationship between law and other behavioral sciences.

BOOKS RECOMMENDED:

1. O Price Mills & Bitner Harry: Effective Legal Research, Little, Brown & Company, 1969
2. Dr. S N Jain: Legal Research and Methodology, Journal published by Indian Law Institute, New Delhi, 1983

Ext 433: Externship with NGOs

Externship program is designed to add a novelty in clinical legal education. The program will facilitate the students to work with leading human rights oriented NGOs and NGOs engaged in Para legal activities in diverse parts of Bangladesh. It is intended that the externship program will create an impetus among the students and it will contribute in sensitizing and exposing them to the society and people at large.

VIVA- 434: VIVA-VOCE

The students will have to face a viva board as the last area of study about the overall honors courses.