

## Third Year

### LL.B. 301: Law of Criminal Procedure (100 Marks)

Constitution and Power of Criminal Courts. Arrest of Persons. Process to Compel Appearance. Process to Compel Production of Things. Maintenance of Public Order and Tranquillity. Preventive Action of Police. Information to Police and the Process of Investigation. Jurisdiction of Criminal Courts in Inquiries and Trials. Initiation of Proceedings. Complaints to Magistrates. Commencement of Proceedings before Magistrates. Charge. Trial of Cases by Magistrates. Summary Trials. Trial before Courts of Sessions. Modes of Taking and Recording Evidence. Judgment. Death Sentence Confirmation. Appeal. Reference and 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. Government Publication: The Code of Criminal Procedure (Act V of 1898).
2. Md. Sohul Hussain: Cr. P.C. Today, Comilla, 1996.
3. Abdul Matin: The Code of Criminal Procedure with Criminal Rules and Orders, 1st Edition, 1995.
4. Md. Zahurul Islam: The Code of Criminal Procedure, Dhaka, 2000.
5. Ratanlal and Dhirajlal: The Code of Criminal Procedure, Wadhwa and Company, Agra, 1997.
6. S.R. Roy: B.B. Mitra on the Code of Criminal

- Procedure, Kolkata, 1991.
7. Shaukat Mahmood: The Code of Criminal Procedure, Lahore, 1984.
  8. Gopal Chandra Paul: Rights and Privileges of Accusee, Person, Dhaka, 2003.
  9. Al-Haj Zaburul Haq: Law and Practice of Criminal Procedure, Dhaka, 2003.
  ১০. গাজী শামছুর রহমান: ফৌজদারী কার্যবিধির ভাষ্য, খোশরোজ কিতাব মহল, ঢাকা, ২০০৩।

(A List of Additional Books, Journal Articles, Leading Cases, Reports, Websites etc. will be circulated by the Course Teacher concerned)

**Governing Legislation :**

- The Code of Criminal Procedure, 1898 (Act No.V of 1898).

**LL.B. 302: Law of Evidence [100 Marks]**

General Principles : Nature and Scope, Interpretation Clause, Presumption of Facts, Relevancy of Facts Facts in Issue, Relevant Facts. Admission : Definition, Parties, Relevancy, Confession, Statement by Persons Who cannot be Called as Witness. Statements Made Under Special Circumstances: Entries Into Books, Public Records, Maps, Charts and Plans: Public Notifications, Statements in Law Books, Proof of Statements. Judgements of Courts of Justice When Relevant : Relevancy of Previous Judgment in Barring a Second Suit or Trial, Relevancy of Judgments in Probate and Other Jurisdiction, Fraud or Collusion in Obtaining Judgement.

Opinion of Third Persons When Relevant : Opinions of Experts, Opinion As to the Existence of Any Right or Custom, Opinions As to Usages and Tenets, Opinion on

Relationships, Character When Relevant : Civil Cases, Criminal Cases, Relevancy of Previous Character, Character As Affecting Damages. Proof : Facts Which Need not be Proved, Of Oral Evidence, Of Documentary Evidence, Public Documents, Presumption as to Documents, Of the Exclusion of Oral by Documentary Evidences, Production and Effect of Evidence, of Improper Admission and Rejection of Evidence. The Burden of Proof : On Whom the Burden Lie, Burden of Proof of Particular Facts, of Witnesses, Estoppels. Of the Examination of Witnesses.

**Books Recommended :**

1. D.L.R. : The Evidence Act, 3rd Edition, 1999.
2. Rupert Cross: Evidence, 15th Edition.
3. S.L. Phipson on Evidence, Sweet & Maxwell, 12th Edition, 1976.
4. Heydon: Evidence, Cases and Materials, Butter worths, 1975.
5. Sarkar and P. Manohar: Evidence (in India, Pakistan, Bangladesh, Burma, Ceylon, Malaysia and Singapore) Vols. I and 11, 15th Edition, Law Publishers, India, 2003
6. M. Monir: Principles and Digest of the Law of Evidence, Vols. I and 11, 13th Edition, Universal Law Publishing Co., India, 2002,.
7. Field C.D.: Oral Documentary Evidence, 2nd Edition, Law Publishers, India, 2004.
8. Ratanlal and Dhirajlal: Law of Evidence (Student Edition), 24th Edition, Law Publishers, India, 2004.
৯. গাজী শামছুর রহমান: সাক্ষ্য আইনের ভাষ্য, ঢাকা, ১৯৯৫।
১০. ডঃ মোঃ নূরুল হক: সাক্ষ্য আইন ও আলোচনা, ১৯৯১।

(A List of Additional Books, Journal Artcils, Leading Cases, Reports, Websites etc. will be circulated by the



Course Teacher concerned)

**Governing Legislation -**

- The Evidence Act, 1872 (Act No. 1 of 1872).
- The Banker's Books Evidence Act, 1891 (Act No. XVIII of 1891).
- The Commercial Documents Evidence Act, 1939 (Act No. XXX of 1939).

**LL.B. 303: Law of Civil Procedure-I [100 Marks]**

Substantive Law and Procedure Law. Civil Procedure Code as Procedural law. Suits of Civil Nature. Organization of Civil Courts. Types of Civil Courts. Jurisdiction of Civil Courts. Place of Suing. Stages in Civil Litigation. Civil Litigation Strategy. Institution of Suits. Parties to the Suits. Framing Of Suits. Claim or Relief in Civil Suits. Joinder of Causes of Action. Pleadings Generally. Plaint. Service of Summons. Written Statement. Appearance of Parties and Consequence of Non-Appearance. Discovery, Inspection. Interrogatories. Admissions. 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. Costs in Civil Suits. Mediation and Arbitration in Civil Suits.

**Books Recommended :**

1. Government Publication: Code of Civil Procedure 1908 with Amendments.
2. P.M. Bakshi: Mulla Code of Civil Procedure (abridged), Butterworths, New Delhi, 2001.
3. S.C. Sarker: The Law of Civil Procedure, Kolkatta, 1973.
4. Midha J.R.: Key to New Provisions in Civil Procedure, Universal Law Publishing Co., India, 2003.
5. M.M.N. Nizami: Code of Civil Procedure, Lahore,

PLD, 1982.

6. Shaukat Mahmood: The Law of Civil Procedure Lahore, 1984.
7. D.L.R.: 36 Years Civil Digest (1949-4984), Dhaka, 1986.
8. Naimuddin Ahmed: Civil Procedure Code, BILIA, Dhaka, 2000.
9. Siddiqur Rahman Miah: Commentary on Civil Rules and Orders, (C.R.&O), Vol. 1, New Warsi, Dhaka, 2001.
১০. গাজী শামছুর রহমানদ: দেওয়ানী কার্যবিধির ভাষ্য, খোশরোজ কিতাব মহল, ঢাকা, ১৯৮৬।

(A List of Additional Books, Journal Articles, Leading Cases, Reports, Websites etc. will be circulated by the Course Teacher concerned)

**Governing Legislations**

- The Code of Civil Procedure, 1908 (Act No.V of 1908).
- The Civil Courts Act, 1887 (Act No. XII of 1887).
- The Limitation Act, 1908 (Act No. IX of 1908).
- The Civil Rules and Orders.
- The Suits Valuation Act, 1887 (Act No. VII of 1887).
- The Court Fees Act, 1870 (Act No. VII of 1870).
- The Stamp Act, 1899 (Act No. II of 1899).

**LL.B. 304: Environmental Law of Bangladesh [100 Marks]**

Nature and Scope of the Subject. Major Domestic Environmental Problems of Bangladesh. Historical Perspective: Development of Environmental Laws in Bangladesh in Different Phases. Overview of the Domestic Environmental Legal Framework of



### Bangladesh. Sources of Environmental Law.

Features of the Domestic Regulatory Regimes on the Environment of Bangladesh. Domestic Environmental Law and Policy-making Process of Bangladesh. Sectoral Laws and Policies Relating to Environment of Bangladesh: Pollution (Air, Water, Sound) Related Laws and Policies of Bangladesh. Waste Disposal Related Laws and Policies of Bangladesh. Forestry Related Laws and Policies of Bangladesh. Wildlife Related Laws and Policies of Bangladesh. Fishery Related Laws and Policies of Bangladesh. Biodiversity Conservation Related Laws and Policies of Bangladesh. Other Sectoral Laws and Policies.

Environmental Court Act. 2010: Powers, Functions and Procedures of the Environmental Court, Effectiveness of Environmental Court. Enforcement of Environmental Laws. Public Interest Litigation: Its Role in the Protection and Conservation of Environment in Bangladesh. Institutional Issues: Role of Governmental and Non-governmental Organisations in the Protection and Conservation of Environment: Ministry of Environment and Forest (MoEF), Department of Environment (DoE), Department of Forest (DoF), Bangladesh Environmental Lawyers Association (BELA) and Other Environmental NGO. Issue of Inter-agency Co-ordination .

### Books Recommended :

1. Mohiuddin Farooque & S. Rizwana Hasan : Law Regulating Environment in Bangladesh. BELA. Dhaka, 1996.
2. Mohiuddin Farooque : Law and Custom on Forests in Bangladesh, Issues & Remedies, BE-LA, 1997.
3. Mohiuddin Farooque : Regulatory Regime on Inland

Fisheries in Bangladesh. BELA, 1997.

4. পরিবেশ অধিদপ্তর: পরিবেশ আইন সংকলন, ঢাকা, ২০০২।
5. B.C.A.S. : Guide to the Environmental Conservation Act, 1995 & Rules, 1997, Dhaka, 1999.
6. A.R. Masud : The Fish Law, Anupam, Dhaka, 2003.
7. Alimuzzaman Chawdhury: The Forest Laws of Bangladesh.
8. IUCN-Bangladesh: Natural Resources Conservation Strategy.
9. A. Atiq Rahmen (Ed): Environment and Poverty, B.C. A.S., 1998, Dhaka.
10. Jona Razzaque: Public Interest Environmental Litigation In India, Pakistan and Bangladesh, Kluwer Law Publication, 2004.

(A List of Additional Books, Journal Articles, Leading Cases, Reports, Websites etc. will be circulated by the Course Teacher concerned)

### Governing Legislation :

- The Environmental Court Act, 2010 (Act No. LVI of 2010).
- The Environmental Conservation Act, 1995 (Act No. I of 1995).
- বন্যপ্রাণী (সংরক্ষণ ও নিরাপত্তা) আইন, ২০১২ (২০১২ সালের ৩০ নং আইন)।
- The Forest Act, 1927 (Act No. XVI of 1927).
- The Private Forest Ordinance, 1959 (East Pakistan Ordinance No. XXXIV of 1959).
- The Protection of Conservation of Fish Act, 1950 (East Bengal Act No. XVIII of 1950).
- The Territorial Waters and Maritime Zones Act, 1974 (Act No. XXVI of 1974).
- The Marine Fisheries Ordinance, 1983 (Ordinance



**LL.B. 305: Company Law [100 Marks]**

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. Thy 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. 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. 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. Winding-up : Types of Winding-up. Powers Duties of the Liquidator. Partnership: Definition and Nature of Partnership. Formation of Partnership. Test of

Partnership. Kinds of Partners. Relations of Partners to One Another. Relation with Third Parties. Implied Authority. Mutual Rights and Liabilities. Dissolution of a Firm and Consequences. Registration of Firms. Effects of Non-Registration.

**Books Recommended :**

1. Bangladesh Gazette (Latest) : The Company Act, 1994.
2. Dr. M. Zahir : Company Law, UPL, 2000.
3. L.C.B. Gower and Davies : Principles of Modern Company Law, 7th Edition, Sweet and Maxwell, 2003.
4. Clive Schmitthoff : Palmer's Company Law, Stevens & Sons Ltd. London, 1987.
5. Topham and Ivamy's Company Law, 15th Edition, London, Butterworths, 1974.
6. Geoffrey Morse: Charlesworth's Company Law, 16th Edition, London, Sweet & Maxwell, 1999.
7. Andrew Hicks (ed): Cases and Material on Company Law, 4th Edition, Blackstone Press, 2003.
8. Ben Petit: Company Law, Longman Publication, 2001.
9. Avter Singh: Company Law, Eastern Book Co., Lucknow, 2000; Introduction to the Law of Partnership, Eastern Book Co., Lucknow, 2001.
10. Nirmalendu Dhar: Dhar on Company Law and Partnership, Remisi Pub., Dhaka, 1998.

(A List of Additional Books, Journal Articles, Leading Cases, Reports, Websites etc. will be circulated by the Course Teacher concerned)

**Governing Legislation :**

- The Companies Act, 1994 (Act No. XVIII of 1994).
- The Partnership Act, 1932 (Act No. IX of 1932).

- The Bank Companies Act, 1991 (Act No. XIV of 1991).

**LL.B.306: Law of Public Demands Recovery**

[50 Marks]

Nature and Scope of the Public Demands Recovery Law. Filing, Service and Effect of Certificates and Hearing of Objections thereto. Execution of Certificate. Attachment, Sale and Setting Aside of Sale. Resistance to Purchaser after Sale. Arrest, Detention and Release. Reference to Civil Court. Supplementary Provisions. Costs. Compensation. Appeal, Bar to Second. Appeal, Revision, Review. Application of the Limitation Act. Penalties.

**Books Recommended : -**

1. D.L.R.: Public Demands Recovery Act, Dhaka, 1992.
2. Sultan Ahmad: The Public Demands Recovery Act, Anupam Gyan Bhandar, Dhaka, 1991.
3. S.C. Sarkar: Public Demands Recovery Act, Kolkata, 1981.
4. Abdul Matin: The Public Demands Recovery Act, 1913, Dhaka, 1990.
৫. গাজী শামসুর রহমান : সরকারী দাবী আদায়ের ভাষ্য।

(A List of Additional Books, Journal Articles, Leading Cases, Reports, Websites etc. will be circulated by the Course Teacher concerned)

**Governing Legislation :**

- The Public Demands Recovery Act. 1913 (Bengal Act. III of 1913).