

Fourth Year

LL.B. 401: Labour Law [100 Marks]

1. Background and Development of Labour Laws in Bangladesh.
2. Statute: Bangladesh Labour Law, 2006 (Covers a wide range of issues relating to workers and their employments in Industries)

Individual Chapters Include

- (a) Classification of workers and conditions of employment.
- (b) Employment of adolescent.
- (c) Safety and welfare of workers including maternity benefit. Health and hygiene safety of building and machinery.
- (d) Working hours and leave.
- (e) Wages and their payment.
- (f) Worker's compensation for injury by accident.
- (g) Trade unions and, industrial relations.
- (h) Settlement of Industrial disputes. Labour Court, Labour Appellate Tribunal.
- (i) Worker's participation companies profits.
- (j) Apprenticeship.
- (k) Penalty and Procedure.

Books Recommended

1. Nirmolendu Dhar : Bangladesh, Sromo Ain, 2006
Abong Anushongik Sromo Ain Shomuho, 1st Edition, 2006.
2. **DLR**: Bangladesh Labour Code, Dhaka, 1997.
3. K.D, Srivastava : Industrial Employment, Eastern Book Company, Lucknow, 1998.
4. M.G. Saadullah Mumtaz : Digest on Labour Cases,

Lahore Law Times Publications, Lahore, 1982.

5. S.M. Chaturvedi: Labour and Industrial Law, Central Law Agency, Allahabad, 2001.
6. K.W. Wedderburn: Cases and Materials on Labour Law, Cambridge University Press, 1967.
7. Jagdish Lal: Labour Manual, Delhi; Law House, Delhi, 1985.

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

LL.B. 402: Fiscal Law [100 Marks]

Direct Taxes and Indirect Taxes. Income Tax: History of Income Tax in Bangladesh. Income Tax Ordinance, 1984. Definitions : Agricultural Income, Annual Value Assessment, Assessment, Assessment year and Income Year. Capital Assets and Capital Gains, Company, Dividend, Fair Market Value, Fees for Technical Services, Income Perquisite, Person, Principal Officer, Profits in Lieu of Salary, Resident, Royalty, Salary, Speculation Business, Total Income and Taxable Income, Written Down Value and Depreciation. Income Tax Authority and Powers of Income Tax Authority. Charge of Income Tax. Scope of the Total Income, Income Deemed to Accrue or Arise in Bangladesh. Unexplained Investments Deemed to be Income.

Heads of Income : Agricultural Income, Deductions from Agricultural Income. Salary, Interest on Securities, Deduction from Interest on Securities- Income from House Property, Deduction from Income from House Property. Income from Business or Profession, Deduction from Income from Business or Profession. Deduction from Interest, on, Securities. Income from House Property & Deduction there from. Capital Gain. Income from other sources. Method Of Accounting. Carry forward and set off of Losses Computation of

Total Income Exemption and Allowances. Advance Payment of Tax. Tax Deducted at Source. Return of Income. Different Types of Assessment. Liability in Special Cases. Special Provision Relating to Avoidance of Tax. Requirement of Furnishing Certain Information. Imposition of Penalty. Recovery of Tax, Double Taxation Relief, Refunds Appeal & References.

Books Recommended :

1. Government Publication on Income Tax.
2. Government Publication on 'Gift Tax.
3. Government Publication on Value Added Tax.
4. Government Publication on Customs Act.
5. M. Nurunnabi: A Commentary on Income Tax Laws, Published by Mrs. Gulshan Ara, Rajshahi, 2001.
6. Sampat Iyenger: Law of Income Tax, 9th Edition, 7 Vols., 1997.
7. A.N. Aiyer: Income Tax Pleadings, Practice & Procedure, 4th Edition, Vinod Publication, 2002.
8. M.A. Barea: Practice & Procedure of Bangladesh Income Tax, UPL, 1992.
৯. প্রিয়তোষ দেওয়ানজী: আয়কর আইন ও প্রয়োগ, প্রকাশক : এম. বি. দেওয়ানজী, চিটাগং, ১৯৯৯।
১০. লালবাহাদুর অধিকারী: আয়কর আইন সমগ্র (৪ খণ্ড), সুপ্রীম প্রকাশনী, ঢাকা, প্রথম সংস্করণ, ২০০৪।

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

Governing Legislation :

- The Income Tax Ordinance, 1984 (Ordinance No. XXXVI of 1984).

- Customs Act, 1969 (Act. No. IV of 1969).
- দানকর আইন, ১৯৯০ (১৯৯০ সনের ৪৪ নং আইন).
- মূল্য সংযোজন কর আইন, ১৯৯১ (১৯৯১ সনের ২২ নং আইন).

LL.B. 406 : Business Law (100 Marks)

Law of Sale of Goods : Introduction, Contract of Sale of Goods, Conditions and Warranties, Passing of Property, The 'nemo dat quod non habet' Rule, Remedies of Buyer and Seller. CIF and FOB Contracts : Introduction, CIF Contracts, Obligations of Parties. Incoterms: CIF, FOB Contracts, Obligations of Parties. Incoterms: FOB, Ancillary Types of Contracts. Documentary Credits in Sale of Goods : Introduction, The Uniform Customs and Practice for Documentary Credits (UCP), Remedies. 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. 934. Law of Insurance: Introduction, Insurable Interest, Proposal, Cover Note, Acceptance, *Uberrimae Fidel*, 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, Dishonour, Discharge.

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. Shaikat Mahmood : Negotiable Instruments Act, Legal Research Centre, 3rd Revised & Enlarged Edition, 1991.
10. A.M. Choudhury: The Negotiable Instruments Act, All Pakistan Legal Decisions, 9th Edition, Lahore.

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

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 Common 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. XX of 1934).
- The Negotiable Instruments Act, 1881 (Act No. XVI of 1881).
- বীমা আইন, ২০১০ (২০১০ সালের ১৩ নং আইন)
- The Sale of Goods Act, 1930 (Act No. III of 1930).

LL.B. 404 : Public International Law [100 Marks]

An Introduction to International Law: Definition, Nature and Scope, Customary International Law, Popular Scepticism about IL, Problems of Sanctions & Compliance. International Law & Municipal Law-

Sources of IL: Article 38 of the Statute of ICJ, Codification & Development of IL, Article 13.1.a of the UN Charter, International Law Commission .

Subjects of and Personality in IL: State, Non-State Entities, Status of Individuals. State and Government : Criteria of Statehood. & Government, State Sovereignty -Absolute & Limited, Extra-Territorial Responsibility of a State, Domestic Jurisdiction of a State, Article 2(7) of the UN Charter. Recognition of a State and Government: Doctrines of Recognition, Criteria for Recognition. State Territory: Definition of State Territory, Acquisition of State Territory, "The Common Heritage of Mankind".

Air Law: Theories, the Structure, Freedoms of the Air Chicago Convention, 1944), State Jurisdiction over Air Territory. The Law of the Sea: Different Sea. Zones, Continental Shelf, Freedom of the High Seas, State Jurisdiction : Categories of State Jurisdictions Asylum & Extradition. Immunities from National Jurisdiction: Concept and Rationale of immunity, State Sovereign Immunities, Diplomatic & Consular Immunities. State Responsibility: Nature of State Responsibility, Treatment of Aliens, The Expropriation of Foreign Property. The Law of Treaties : Requirements of Treaty and Clarification, Treaty-making Power and Procedure, Reservation and Modification, Ratification and Registration, Modes of Interpretation, Grounds of Suspension and Termination. State Succession: Succession to Treaties, Succession to State Property, State-debts archives etc., Private Rights. Human Rights and Self-Determination: Human Rights, Universal Declaration of Human Rights & 1966 Covenants, Right of Indigenous People Settlement of Disputes by Peaceful Means : Pacific Means of Settlement of Disputes, Judicial Settlements, The ICJ, The ICC. The United Nations: Its organs.

1. I. Brownie: Principles of Public International Law, (4th Ed.), 1990.
2. A. Cassesse: International Law in a Divided World, 1986.
3. M.N. 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, (2nd Ed.), 1995.
৮. ডঃ মিজানুর রহমান: পরিবর্তনশীল বিশ্বে আন্তর্জাতিক আইন, ঢাকা, ২০০৩।
৯. ডঃ শাহ আলম ঃ সমকালীন আন্তর্জাতিক আইন।
10. D.J. Harris: Cases and Materials on International Law, (5th Ed.), 1998.

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

LL.B. 405 : Drafting and Conveyancing [100 Marks]

Law and Principles of Drafting and Conveyancing 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 name). Mortgage : Essentials of a Mortgage, How to Prepare an Mortgage Deed. Lease : Essentials of a Lease, How to Prepare a Lease Deed. 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. Wakf or Trust : Essentials of a 'Wakf or Trust, How to Prepare a Wakf 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.

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. G. M. 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 Publishes Co., India, 2000.

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

LL.B. 406 : Law of Civil Procedure-II (100 Marks)

Law of Specific Relief : Scope and Object of the Act, Specific Relief How Given, Recovery of Possession of Property, Specific Performance of Contract, Discretion and Power of Courts, Rectification of Instruments, Rescission of Contracts, Cancellation of Instruments, Declaratory Decree, General Injunction, Preventive Relief, Temporary and Perpetual Injunction, Mandatory Injunction, Refusal of Injunction, Injunction to perform Negative Agreement, Contracts Which Can be Specifically Enforced and Contracts Which Can not be Specifically Enforced. Law of Limitation : Scope and Object of the Act, Limitation of Suits, Appeals and Application, Computation of Period of Limitation, Acquisition of ownership by Possession, The First Schedule to the Act Should be Discussed to Explain the Period of Limitation for Important Suits and Applications.

Law on Court Fees and Suits 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. Of the Mode of levying Fees. Miscellaneous, Schedules : *Ad Valorem* Fees, Fixed Fees. Rules Determining the Value of Lind. Valuation of Relief in Certain Suits Relating to Land. Court-Fee Value and Jurisdictional Value to the Same in Certain Suits. Determination of Value of Certain Suits by Supreme Court. Supplemental Provisions.

Books Recommended :

1. D.L.R. : Specific Relief Act, Dhaka, 1997.
2. S. Sarkar : Specific Relief Act, 14th Edition, 2001.
3. D.L.R.: Law of Injunction, Dhaka, 1986.
4. ডঃ মোঃ নুরুল হক: সুনির্দিষ্ট প্রতিকার আইন ও আলোচনা, হক পাবলিকেশন, ঢাকা, ১৯৯৮।

5. D.L.R. : Limitation Act, Dhaka, 1986.
6. R. Mitra: Commentaries on Limitation Act, Law Publishers, India, 2002.
৭. সিদ্দিকুর রহমান মিয়া: তামাদি আইন, ঢাকা, ১৯৯৮।
8. D.L.R. Court Fees Act, Dhaka, 1988.
9. Shaukat Mahmood: Court Fees Act and Suits Valuation Act, Lahore, 1986.
১০. খন্দকার মুহাম্মদ আবুবকর: ১৯৭০ সালের কোর্ট ফি আইন এবং ১৮৮৭ সালের ভেলুয়েশন আইন।

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

Governing Legislation:

- 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).
- The Specific Relief Act, 1877 (Act No. I of 1877).