

Semester IX

Paper I Labour and Industrial Law – I (Credit : 7)

Code: 9.1

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

Detailed Syllabus

Marks

Unit 1: Introduction to Labour and Industrial Law 16

The Indian Trade Union Act, 1926
History of trade union movement in India, trade unionism, need, objects, types and functions.
Registration of trade unions, rights and privileges of a registered trade union, advantages of registration.
Rights, privileges, liabilities and immunities of a registered trade union, amalgamation and dissolution of trade unions.
Penalties and procedure, collective bargaining and trade disputes

Referred Case :

1. *Rangaswami and Another Vs. Registrar of Trade Unions*, AIR 1962 Mad. 231

Unit 2: The Industrial Disputes Act, 1947 16

Preliminary : appropriate government, industry, industrial dispute vs. individual dispute, public utility service, workman.
Strikes and lockouts in industrial units, lay-off and retrenchment, compensation theory, special provisions relating to lay-off, retrenchment and closure in certain establishment.
Reference of disputes to board, courts or tribunals.
Un-fair labour practices, penalties and miscellaneous provisions.

Referred Cases :

1. *Rohtas Industries Ltd. And another Vs. Rohtas Industries Staff Union and others* AIR 1976, SC 425.
2. *Bangalore Water Supply and Sewerage Board Vs. A. Rajappa*, 1978 (3) SCR 207
3. *Osmania University Vs. Industrial Tribunal* 1960, LLJ, A.P.
4. *Workmen of Dimakutri Tea Estate Vs. Dimakutri Tea Estate*, 1958, I, LLI. 500 SC

Unit 3: The Factories Act, 1948 16

Preliminary, manufacturing process, factory, occupier, the inspecting staff.
 Health and cleanliness measures, safety arrangement measures in factory.
 Provisions relating to hazardous processes, welfare of workers.
 Working hours of adults, employment of young persons, employment of women.
 Annual leave with wages, special provisions, penalties and procedures.

Referred Cases :

1. *Lal Mohammad and other Vs. Indian Railway Construction Co. Ltd. & Others*, (1999) 1, SSC 596.

Unit 4: Workmen's Compensation Act, 1923 and The Minimum Wages Act, 1948. 16

Preliminary, object, scope of Workmen's Compensation Act, 1923, dependants, workman, disablements etc.
 Workmen's compensation, procedure for determination of compensation, commissioners etc.
 Introduction, objects and salient features of the minimum wages act, 1948, definition, wages and its classifications etc.
 Procedure for fixation or revision of minimum wages, authorities and their powers, claims etc.

Referred Cases

1. *Saurashtra Salt Manufacturing Co. (Appellant) Vs. Bai Value Raja and Others (Respondents)* AIR 1958 SC 881.
2. *People's Union for Democratic Rights Vs. Union of India*, AIR 1982, SC 1473 (Asiad Games case)
3. *Bandhua Mukti Morcha Vs. Union of India and Others*, AIR 1984, SC 802 (Bonded Labour case)

Unit 5: The Assam Shops and Establishment Act, 1961 16

Introduction, definitions, hours of work, leave and wages.
 Employment of children and women, prohibition, health and safety.
 Enforcement and inspector, offences, penalties and procedure.

Internal Assessment : 20**Recommended Books:**

1. Labour and Industrial Law by S.N. Mishra.
2. Labour and Industrial Law by P.M. Mallick.
3. Nabhi's Labour Laws by Ajay Garg.
4. The Assam Shops and Establishment Act, by B.P. Todi etc.

Paper II	Environmental Law	(Credit : 6)
Full Marks: 100 [80+20]		Time : 3 hours
Pass marks: 45 [36+9]		
Detailed Syllabus		Marks
Unit 1:	Introduction	16
	Meaning of environment, meaning of environmental pollution and causes of environmental pollution	
	Global issues of depletion of ozone layer and global warming (green house effect), importance of green house effect and global warming and action plan.	
	International concern for environmental protection	
	Indian scenario and people's response.	
	Environment and Indian Constitution.	
	Referred case:	
	1. <i>Indian Council for Enviro-legal action v. Union of India</i> , AIR 1996 SC 1446	
Unit 2:	Environmental Pollution- Legal Remedies and Procedure	16
	Remedies under law of Torts	
	Nuisance	
	Negligence	
	Trespass	
	Strict Liability	
	Absolute Liability	
	The writ Jurisdiction	
	Statutory remedies	
	Criminal law remedies	
	India penal code	
	Code of Criminal procedure	
	Remedies for environmental justice	
	Damages	
	Injunction	
	Public Interest Litigation	
	New dynamic role of the Judiciary	
	Emergence of Public Interest Litigation	
	Public Interest Litigation entering the Area of Environmental	

Pollution

Referred cases:

1. *Shri Ram Gas Leak Case, M.C. Mehta v. Union of India* AIR, SC, 965,982, 1086
2. *Raylands v. Fletcher*, (1868) LR 3 HL330
3. *A.P. Pollution Control Board v. Prof M.V. Nayadu*, AIR, 1999 SC 812
4. *Vellore Citizens Welfare Forum v. Union of India*, AIR 1996, SC 2715
5. *Narmada Bachoo Andolan v. Union of India* (2000) 10 SCC 664

Unit 3: Sustainable Development and Law 16

The concept of International perspective
 Stock Declaration, (ii) Montreal Protocol
 Brundtland Commission
 Earth Summit 1992
 1. Rio Declaration
 2. Agenda 21
 3. Convention on climate change
 U.N. Commission on Sustainable Development
 Kyoto Conference
 Earth Summit 2002, Johannesburg Declaration on Sustainable Development
 Copenhagen Summit
 Salient principle of sustainable development
 Precautionary principle
 Polluter principle

Referred case:

1. *Taj Trapeziun case. M.C. Mehta v. Union of India* AIR, 1997 SC 734

Unit 4: Water, Air and Noise Pollution and Its Control 16

The Water (Prevention and Control of Pollution) Act, 1974
 Introduction
 Meaning of Water Pollution
 Sources of Water Pollution
 Central Pollution Control Board
 State Pollution Control Board
 Prevention and Control of Water Pollution
 Offences and Penalties
 The Air (Prevention and Control of Pollution) Act, 1981
 Introduction
 Meaning of Air Pollution
 Sources of Sources of Pollution
 Effects of Air Pollution

Central pollution Control Board
 State Pollution Control Board
 Prevention and Control of Air Pollution
 Offences and Penalties
 Noise Pollution
 Meaning of Noise Pollution
 Sources and Effect of Noise Pollution
 Legal control

Unit V: 16

5. 1 Environment (Protection) Act) 1986
 Salient Features
 Power and function of Central Govt.
 Prevention, Offences and penalties of Environment pollution
 Citizen's suit provision
 The National Environment Appellate Authority Act, 1997
 Principle of no fault and the Public Liability Insurance Act, 1991
 liability
 Forest conservation and the Law
 Indian Forest Act, 1927
 Forest Conservation and Judicial Attitude

Internal Assessment : 20

Recommended Books:

1. Dr. S.K. Nanda, Environmental Law
2. Dr. S.C, Tripathi, Environmental Law
3. Dr. I.A. Khan, Environmental Law
4. Gurdip Sing, Environmental Law in India
5. Kailash Rai, Environmental Protection Law and Policy in India

Paper III Principles of Taxation Law (Credit : 7)

Code: 9.3

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

Detailed Syllabus Marks

Unit 1: Introduction 16

1.1 What is Tax, Classification Taxes, characteristics, Principles or canons of Taxation, Requirements of Good Tax system, concept of Equity in Taxation,

Modern Principles of Taxation, Cost of Service Principles and Benefit

1.2 Principles – Direct and Indirect Tax, Merits and Demerits, Single Taxation and Multiple Taxation – Advantages and Disadvantages of Multiple Taxation – Impact and Incidence of Taxation – Distinction between them – Shifting of Taxation etc.

Unit 2 : Goods and Services Tax Act-I

16

2.1 Concept and history of indirect taxation in India, Features of Constitutional 122nd Amendment, GST Council, Constitution and decisions, Main features of GST Act.

2.2 Definitions, aggregate turnover, mixed supply and composite supply, composition levy, GST compliance rating, advantages and limitations of GST

Unit 3 : Goods and Services Tax Act-II

16

3.1 GST concept, CGST, SGST/UTGST, IGST, Goods and services network(GSTN), Filing of GST compensation act

3.2 State Goods and Services Act, 2017

Unit 4: Income Tax Act, 1961-I

16

4.1 Preliminary, Definitions, Basis of Changes, Changes of Income Tax, Scope of Total Income, Incomes not included in Total Income, Income of 100% export-oriented undertaking, etc.

4.2 Computation of total Income, Salaries, Income from house property, profits and gains of business or profession, capital gains, Income from other Sources, Aggregation of Income, carry forward and set-off.

Unit 5: Income Tax Act, 1961 -II

16

5.1 Incomes forming part of total income on which no Income Tax is payable, Relief in respect of Income Tax, Double Taxation relief, special provisions relating to avoidance of Tax etc.

5.2 Special provisions relating to incomes of non-residents and certain companies etc.

5.3 Income Tax authorities: Appointment control, jurisdiction, powers, procedure for return income, notice of demand, special provisions, refunds, appeals revisions and penalties etc.

Case laws(not exhaustive)

Union of India v. Mohit Minerals Pvt. Ltd. (2022) 10 SCC 700

Union of India v. VKC Footsteps India Pvt. Ltd. (2022) 2 SCC 603

Sheen Golden Jewels(India) Pvt. Ltd. V. the State Tax Officer(IB) -1 W.P.(C) No. 11335 of 2018 in the High Court of Kerala at Ernakulam

Gurucharan Singh v. Ministry of Finance (2021) SCC online Delhi 1918

Recommended books:

Books on income Tax

1. *Taxmann's Master Guide to Income Tax*, (Taxman, New Delhi, 33rd edn., 2023)
2. Naveen Mittal, *Principles of Income Tax Law and Practice*, (Cengage Learning India Pvt. Ltd. New Delhi, 1st edn., 2019)
3. Dr. Kailash Rai, *Taxation Laws (Laws of Income Tax)* (Allahabad Law Agency, Prayagraj, 11th edn., 2018)
4. TN Manoharan and GR Hari, *Students' Handbook on Taxation*, (Snow White, Mumbai, 2024)
5. Ramamurthy .S., *Introduction to Taxation* (Company Law Institute, Chennai, 1st edn., 2023)
6. Pithisaria & Pithisaria, *Taxmann's Law and Practice of Income Tax* (3 vol.s), (Taxmann, New Delhi, 2022)

Books on GST

1. Ramakrishnan Viraraghavan, *The Law of Goods and Services Tax A Comprehensive commentary* (Oak Bridge, Gurgaon, 2023)
 2. R.K. Jain, *GST Law Manual* (2 vol.s), (Centax Law Publication Pvt. Ltd., New Delhi, 19th edn., 2024-25)
 3. Jaya Vasudevan Suseela, *Indirect Taxes (GST & Other Indirect Taxes)* (EBC, Lucknow, 1st edn., 2019)
 4. Arpit Haldia and Mohd. Salim, *Taxmann's GST Law & Practice* (Taxmann, New Delhi, 5th edn., 2023)
 5. Tarun Jain, *Goods and Services Tax-Constitutional Law and Policy* (Eastern Book Company, Lucknow, 1st edn., 2018)
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Paper IV Insurance Law

Code: 9.4

Full Marks: 100 (80+20)

Pass Marks: 45 (36+9)

Credit : 5

Unit 1: Introduction

16

- 1.1 Definition, Nature and history of Insurance in India, brief outline of Insurance in England, Contract of Insurance, General Principles of Law of Insurance common to all: Insurable Interest, need of Utmost Good Faith, Indemnity, Consideration, Subrogation, Insurance policy.
- 1.2 Constitutional Perspective
 - 1.2.1. List-I – Entries 24, 25, 29, 30 and 47.
 - 1.2.2. List-III Concurrent List- Entries 23 and 24.
- 1.3 Premium, Commencement of policy, assignment and construction.
- 1.4 Insurance and Wager

Referred Cases

1. Prudential Insurance Co. V. Inland Revenue Commissioner (1904) 2 KB658.

2. Carlill v. Carbolic Smoke Ball Co. (1893) 1 QB 256.
3. Wier v. Bell (1878) 3 Ex. Ch. D 238.
4. Derry v. Peek 1889 UKHL-1 LR 14 App. Cas. 337 (1889)

Unit 2: General Principles of Law and Insurance

16

- 2.1 Insurance Act-1938, Insurance Regulatory Authority Act-2000, Salient features, duties, powers, functions and constitution of IRDA.
- 2.2 Public Liability Insurance Act-1991 - Section 2 to 21.
- 2.3 Assignment and alteration
- 2.4 The General Insurance Act-1972
- 2.5 Regulation of Insurance business

Referred Case

1. Harris v. Poland (1941) All ER 204: KBD 204.
2. Simmonds v. Cockell (1920) All ER 162.
3. VikramGreentech (I) Ltd. v. New India Assurance Co. Ltd. AIR 2009 SC 2493.

Unit 3: Life Insurance

16

- 3.1 Nature and scope, event insured against life insurance contract, kinds of insurance policy.
- 3.2. LIC Act-1956, LIC role and functions, object, nature and scope of life insurance
- 3.3 Formation of life insurance contract, circumstances affecting the risk, amount recoverable under life insurance policy, persons entitled to payment from settlement of claims, payment of money, Effect of war upon policy.
- 3.4 Mutual insurance companies and co-operative life insurance societies, Double insurance, Reinsurance.
- 3.5 Nomination, assignment and alteration of life policies.

Referred Case

1. Bresford v. Royal Assurance Co. (1938) AC 586.
2. Bernarasi Devi v. New India Assurance Co. Ltd. AIR 1959 PAT 540 AIR 1959.
3. Kulta Ammal v. Oriental Government Security Life Assurance Co. Ltd. AIR 1954 Mad. 636.
4. Life Insurance Corporation of India v. AshaGoel AIR 2001 SC 549.
5. Mithoolal Nayak v. Life Insurance Corporation of India AIR 1962 SC 814.
6. Kasim Ali Bulbul v. New India Assurance Co. AIR 1968 J&K 39.
7. Smt. Krishna Wanti Puri v. Life Insurance Corporation of India AIR 1975 Del. 19.

Unit 4: Insurance against Accident

16

- 4.1 Insurance and M.V Act-1988, Necessity of Insurance against Third Party.
- 4.2 Risk, Requirement of policies and limits of liability, Rights of Third party against insurance as to insured, effect of death, cause of action.
- 4.3 Claims Tribunal Procedure, Process of Tribunal, Applications.
- 4.4 Assessment of Compensation, contributory negligence, Apportionment of compensation and liability

Referred Case

1. New Sholme Bros. V. Road Transport & General Insurance Co. (1929) 34 Ll. L. Rep. 247

2. Moore v. Evans (1917) UKHL 533, 55SLR 533.
3. Hobbs v. Morlowe (1977) UKHL –JO 33H.

Unit 5 Marine Insurance and Property Insurance

16

5.1 The Marine insurance act-1963, Nature and scope of marine insurance, Insurable value, voyage deviation, Perils of the sea, proximate cause, notice of abandonment, total valuation of liability.

5.2 Fire insurance, definition, nature and scope of fire insurance, rights after loss, amount recoverable

5.3 Important of social insurance and need, commercial insurance and social insurance, workmen compensation, risk covered, industrial accidents, occupational diseases, cash benefits, incapacity, dependents.

5.4 Property Insurance. Burglary Insurance, Crop Insurance, Livestock insurance, Aviation insurance, Train accident insurance.

Referred Case

1. Pink v. Fleming (1890) 25 QBD 396.
2. Bresford v. Royal Assurance Co. (1938) ac 586.

Books:

1. M.N. Srinivasan, *Principles of Insurance Law (In Two Volume)*, Lexis Nexis, New Delhi, Eleventh Edition, 2021.
2. K.S.N. Murthy & K.V.S Sarma, *Modern Law of Insurance in India*, Lexis Nexis, New Delhi, Sixth Edition, 2019.

Paper V Professional Ethics & Professional Accounting System (Credit : 5)

Code: 9.5

Full Marks: 100 [60+40]

Pass marks: 45 [27+18]

Theory : 60, Pass Marks : 27

Time : 2 hours

Practical with Viva-voce : 40 (30+10), Pass Marks : 18

[For Unit - 1, 2 & 3 there will be written examination of 60 marks of 2 hour duration. Pass mark in the written examination will be 27 marks. Practical examination with viva-voce will be of 40 marks. Pass mark for practical examination with viva-voce will be 18 marks.]

Detailed Syllabus

Marks

Unit 1: Introduction

20

Aim and Objective of Professional Ethics

Need for the Code of Legal Ethics

Need for the Professional Accounting System

Bar-Bench Relation

Mr. Krishnamurthy Iyer's book on 'Advocacy'

Unit 2: The Contempt Law and Practice 20

Prescribed legislation :

The Contempt of Court Act, 1971.

Unit 3: The Bar Council Code of Ethics 20

Prescribed legislation :

2. *Bar Council of India Rules on Standards of Professional Conduct and Etiquette. (Rules under Sec. 49(I)(c) of the Advocates Act, 1961 read with proviso thereto)*
3. *Relevant portions of the Advocates Act, 1961 (Sec. 35, 36, 36(A), 36(B), 37, 38, 39, 40, 41, 42, 42(A), 43 & 44).*
[Prescribed book for this Unit 3 is “Selected Judgements on Professional Ethics published” by Bar Council of India Trust from Page No. 3 to 21.]

Practical Projects: 30

- (a) 50 selected opinions of Disciplinary Committees of Bar Councils and 10 major judgments of the Supreme Court on professional misconduct.

Following are the 50 selected opinions of the Bar Councils on professional misconduct:

Financial Misappropriation:

1. K.V. Umere vs. Smt. Venubai, O Dase and Anr.
Civil Appeal No. 2385 of 1977.
2. Smt. Siya Bai vs. Sitaram Singh
BCI Tr. Case No. 8/1987
3. Smt. Urmila Devi vs. Sita Ram Singh
BCI Tr. Case No. 21/1987
4. Secretary, Karnataka Khadi Gram Udyog Samyukta Sangha vs. J.S. Kulkarni
BCI Tr. Case No. 12/1990
5. Devendra Bhai Shankar Mehta vs. Rameshchandra Vithaldas Sheth & Anr.
Civil Appeal No. 4437 of 1990
6. Mr. M.S. Patwardhan vs. V.V. Karmarkar
BCI Tr. Case No. 93/1991
7. Upendra D. Bhatt vs. Vijay Singh M. Kapadia
D.C. Appeal No. 23/1993
8. Allahabad Bank vs. Girish Prasad Verma

BCI Tr. Case No. 49/1993

9. Regional Officer, Allahabad Bank vs. J.P. Srivastava
BCI Tr. Case No. 20/1995
10. Prof. Krishnaraj Goswami vs. Viswanath D. Mukasikar
D.C. Appeal No. 40/1995
11. Mrs. Suresh Joshi vs. L.C. Goyal
BCI Tr. Case No. 44/1995
12. Tek Chand vs. Promod Kumar Choudhury
BCI Tr. Case No. 22/1998

Suppression of Material Facts.

13. Smt. Sudesh Rani & Ors. V.. Munish Chandra Goel
BCI Tr. Case No. 43/1996

Misuse of Signed Documents & Forgery

14. M. Veerabhadra Rao vs. Tek Chand
Civil Appeal No. 1019/1978
15. In the matter of 'A' an Advocate
Supreme Court 1887
16. Surendranath Mittal vs. Dayanand Swaroop
BCI Tr. Case No. 63/1987
17. Smt. Farida Choudhury vs. Dr. Achyut Kumar Thakuria
BCI Tr. Case No. 1/1993
18. Pratap Narain vs. Y.P. Raheja
BCI Tr. Case No. 40/1993
19. Vikramaditya vs. Smt. Jamila Khatoon
D.C. Appeal No. 21/1996
20. S.K. Nagar vs. V.P. Jain
D.C. Appeal No. 14/1997
21. D.P. Chadha vs. Triyugi Narain Mishra & Ors.
Civil Appeal No. 1124/1998
22. R.N. Tiwari vs. Ketan Shah
D.C. Appeal No. 9/1999
23. Ashok Kumar Kapur vs. Bar Council of Punjab & Haryana
D.C. Appeal No. 18/1999

Purchase of Property of the Client in Dispute

- 24. P.D. Gupta vs. Ram Murti & Anr.
Civil Appeal No. 15496/1986
- 25. Ram Sewak Patel vs. Vir Singh
D.C. Appeal No. 32/1992
- 26. Ajmer Singh vs. Jagir Singh
D.C. Appeal No. 11/1994

Duty to the Client

- 27. V.C. Rangadurai vs. D. Gopalan & Ors.
Civil Appeal No. 839/1978
- 28. Chandrashekhar Soni vs. Bar Council of Rajasthan & Ors.
Civil Appeal No. 258/1977
- 29. Prahlad Sharan Gupta vs. Bar Council of India & Anr.
Civil Appeal No. 3588/1984
- 30. In Re: An advocate
Civil Appeal No. 316/1987
- 31. Manjit Kaur, Etc. vs. Deol Bus Service Ltd.
Civil Misc. No. 4905/1988
- 32. Smt. P. Pankajam vs. B.H. Chandrashekhar
B.C.I. Tr. Case No. 86/1992
- 33. John D'Souza vs. Edward Ani
Civil Appeal No. 3206/1993
- 34. In the matter of Mr. 'P' an advocate
Supreme Court of India

Contingent Fees

- 35. H.G. Kulkarni & Ors. Vs. B.B. Subedar
D.C. Appeal No. 40/1996

And
B.B. Subedar vs. H.G. Kulkarni & Ors.
D.C. Appeal No. 36/1996
- 36. Rajendra V. Pai vs. Alex Fernandes, Baptist Fernandes and
Francisco Fernandes
D.C. Appeal No. 11, 12, 13/2000

37. R.D. Saxena vs. Balram Prasad Sharma
Civil Appeal No. 1938/2000

Contempt of Court

38. In Re.: Vinay Chandra Mishra
Contempt Petition (Criminal) No. 3 of 1994
39. Suo Motu Enquiry vs. Nand Lal Balwani
B.C.I. Tr. Case No. 68/1999
40. Kanta Prasad vs. Baldev Sahai Rastogi
D.C. Appeal No. 28/1996

Duty to the Court

41. Vijaya Singh vs. Murarilal & Ors.
Civil Appeal No. 1922/1979

Physical Assault

42. Hikmat Ali Khan vs. Ishwar Prasad Arya & Ors.
Civil Appeal No. 4240/1986
43. Saiyed Anwar Abbas vs. Krishna Singh Singh & Ors.
B.C.I. Tr. Case No. 62/1991

Any Other Misconduct

44. Satish Kumar Sharma vs. bar Council of Himachal Pradesh
Civil Appeal No. 5395/1997
45. Sardul Singh vs. Pritam Singh & Ors.
Civil Appeal No. 1763/1993
46. J.N. Gupta vs. D.C. Singhanian & J.K. Gupta
B.C.I. Tr. Case No. 38/1994
47. J.N. Karia vs. M.S. Udeshi and M.S. Udeshi vs. T. Raja Ram Mohan Roy
B.C.I. Tr. Case No. 61/1995 / B.C.I. Tr. Case No. 3/1999
48. Babu Lal vs. Subhash Jain
B.C.I. Tr. Case No. 115/1996
49. Kamal Prasad Misra vs. Mehilal
D.C. Appeal No. 45/2000

50. Sambhu Ram Yadav vs. Hanuman Das Khatri
Civil Appeal No. 6768/2000

All the above opinions are available in the book “**Selected Judgments on Professional Ethics (Published by the Bar Council of India Trust, 21, Rouse Avenue**

Institutional Area, New Delhi – 110002, Phones No. 3231647, 3231648, Fax: 3231767, E-mail: bcindia1@vsnl.com, Price: Rs. 400/-, 2002 edition)”.

It is mandatory for the college to have this book in the library under the BCI Rules, 2008.

From the following Supreme Court cases on Professional Misconducts, the students are required to study any 10 for their practical project.

1. Salil Dutta vs. T.M. and M.C. (P) Ltd. (1993) 2 SCC 185.
2. Vinay Chandra Mishra, In re (1995) 2 SCC 584.
3. C. Ravichandran Iyer Vs. Justice A.M. Bhattacharjee 91995) 5 SCC 457.
4. P.D. Gupta vs. Ram Murti (1997) 7 SCC 147.
5. R.D. Saxena vs. Balram Prasad Sharma (2000) 7 SCC 264.
6. D.P. Chadha vs. Triyugi Narain Mishra (2001) 2 SCC 221.
7. Shambhu Ram Yadav vs. Hanuman Das Khatri (2001) 6 SCC 1.
8. Pravin C. Shah vs. K.A. Mohd. Ali (2001) 8 SCC 650.
9. Bhupinder Kumar Sharma vs. Bar Assn., Pathankot (2002) 1 SCC 470.
10. Ex-Capt. Harish Uppal vs. Union of India (2003) 2 SCC 45.
11. Mahabir Prasad Singh vs. Jacks Aviation (P) Ltd. AIR 1999 SC 287; (1999) 1 SCC 37.
12. John D'Souza vs. Edward Ani, AIR 1994 SC 975, 1994 SCC (2) 64.
13. Bar Council of Maharashtra vs. M.V. Dabholkar, AIR 1976 SC 242, 1976 SCC (2) 291.
14. Pandurang Dattatraya Khandekar vs. Bar Council of Maharashtra, Bombay & Others, AIR 1984 SC 1100, 1984 (2) SCC 556.
15. V.C. Rangadurari vs. D. Gopalan & Others, AIR 1979 SC 281, 1979 SCC (1) 308.

(b) Viva-voce 10

Viva-voce examination of 10 marks will be mainly on the above practical works to test the understanding of the students on the topics.

Note : The written reports evaluated by the teacher along with list of the marks awarded will be placed before the external examiner at the time of viva-voce examination. The teacher of the practical paper will be the internal examiner who along with the external examiner will jointly award final marks on written reports and viva-voce examination. Written reports will not be accepted for final evaluation by the external & internal examiners if they are not submitted and evaluated regularly throughout the semester.

Recommended Books:

1. The Advocates Act, 1961.
 2. The Contempt of Court Act, 1971.
 3. Mr. Krishna Iyer's book on *Advocacy*.
 4. *Professional Ethics, Accountancy for Lawyers & Bench-Bar Relations* by Dr. S.P. Gupta.
 5. *Legal Ethics, Accounting for Lawyers & Bench-Bar Relations* by Dr. Kailash Rai.
 6. *Professional Ethics, Accountancy for lawyers & Bench-Bar Relations* by J.R.S. Sirohi.
 7. *Legal Profession & its Ethics* by B.K. Goswami.
 8. *Challenges to the Legal Profession – Law and Investment in Developing Countries* by P.N. Bhagawati.
 9. *Sociology of Legal Profession and Legal System* by J.B. Gandhi.
 10. *Socio-Legal Study of Occupational Status of Law Graduates* by K.L. Bhatia.
 11. "Sociology of Law and Legal Profession: Cross Cultural Theoretical Prospective" by K.L. Sharma in 24 *J.I.L.I.* 528 (1982).
 12. "The Pathology of the Indian Legal Profession" by Upendra Baxi in 13 *Ind. Bar. Rev.* 455 (1986).
 13. "Legal Profession and the Advocates Act, 1961" by A.N. Veeraraghavan in 14 *J.I.L.I.* 229 (1972).
 14. "Legal Profession: Its Contribution to Social Change" by K.K. Sathe in 13 *ICSSR*.
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Honours 7 , any one from following:

Paper VI Health Law (Credit : 6)

Code: 9.6

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

<u>Detailed Syllabus</u>	<u>Marks</u>
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Unit 1:	Introductory	16
	The right to health as emergent from parts III and IV of the Constitution of India	
	National Health Policy	
Unit 2:	Organization of public health care in India	16
	Legal Organization of public hospitals	
	Medico-legal cases and duties of hospitals	
	Medical negligence	

Liability for medical negligence in public hospitals
 Mental health care public hospitals: duties and liabilities
 Legal aspects of private medical practice
 Rural health care

Unit 3: Contemporary Issues

16

3.1 Surrogacy

The Surrogacy (Regulation) Act, 2021

- Regulations of Surrogacy and Surrogacy Procedures
- Rights of Surrogate Mother
- Rights of Surrogate Child
- Offences and Penalties (Sec 38-45)

Legality of Surrogacy Laws in India

Euthanasia and physician assisted suicide

Referred Cases:

1. *Baby Manji Yamada v. Union of India*, AIR 2009 SC 84
2. *Gian Kaur v. The State Of Punjab*, 1996 AIR 946
3. *Aruna Ramchandra Shanbaug v. Union Of India &Ors*, AIR 2011 SC 1290/ (2011) 4 SCC 454)
4. *Common Cause (A Regd. Society) v. Union of India and Anr*, (2018) 5 SCC 1, AIR 2018 SC 1665

Unit 4: Cost of Health Care and Insurance

16

Types of Health Insurance in India

Health of marginalized Groups

Employee's State Insurance Corporation(ESIC)

Unit 5: Organ Transplantation and Mental Health Care

16

5.1 Transplantation of Human Organs Act, 1994

5.1.1 Mode of Signifying Consent for Donation.

5.1.2 MCIR Guidelines

5.1.3 Restrictions on Removal and Transplantation of Human Organs.

5.1.4 Judicial Approaches.

5.2 Mental Health Act, 1987

5.2.1 Definitions- Mentally ill Persons, Mentally ill Prisoners, psychiatrist

5.2.2 Mental Health Authorities

5.2.3 Protection of Human Rights of Mentally ill Persons.

5.2.4 Leave of absence of a mentally ill Persons

5.2.5 Penalties and procedure.

Referred Cases:

1. *Ravinder Kumar Dhariwal v. Union of India*, (2023) 2 SCC 209.
2. *Suchita Srivastava &Anr vs Chandigarh Administration*, AIR 2010 SC 235

Recommended Books:

1. Dr. Nandita Adhikari, Law and Medicine, Central Law Publications
2. Devendra Mohan Mathur, Medical Negligence and Compensation
3. Dr. Lily Srivastava, Law and Medicine, Universal Law Publishing Co.
4. K. Kannan, Medicine and Law, Oxford University Press

OR

Paper VI IPR Litigation in Trade Mark and Design (Credit : 6)

Code: 9.6

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

Detailed Syllabus	Marks
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Unit 1:	Trademarks : Trademarks Act, 1999	16
	- Definition and concept of trademarks - Distinction between trademark and property mark - Need for Protection of Trademarks-rationale - As an aspect of commercial and - As consumer rights.	
Unit 2:	Protection of Trademarks	16
	- Procedural Requirements for Protection of Trademarks - Kinds of Trademarks-Registration - International Legal Instruments on Trademarks	
Unit 3:	Indian Trademark Law	16
	- Content of the Rights, Exhaustion of Rights - Assignment and Licensing - Infringement, Right of Goodwill, Passing Off - Criteria of infringement - Standards of proof in passing off action - Remedies	
Unit 4:	Designs - The Designs Act, 2000	16
	- Definition of design - Copyright in Design (duration) - Need for protection of industrial designs - Subject matter of protection and requirements - Procedure for obtaining design protection - Registration of design for articles - Rights in registered design	

Transfer of rights
Cancellation of Design
Piracy or Infringement of copyright in Design
Remedies

Unit 5: Layout – Designs of Integrated Circuits 16

The Semiconductor Integrated Circuits Layout
Requirements and procedure for registration
Duration and effect of registration
Assignment and transmission

Referred cases :

- 1 *Use of trade mark on goods/services: N.R. Dongre v. Whirlpool (1996) 5 SCC 714*
- 2 *Protecting Domain Names as Trade Marks: Satyam Infoway Ltd v. Sifynet Solutions Pvt. Ltd, AIR 2004 SC 3540*
- 3 *Registration of trademark for goods/services: Geep Flash Light Industries v. Registrar of Trade Marks, AIR 1972 Del 179*
- 4 *Relative Grounds of Refusal: Carrefour v. Subburaman, 2007(35) PTC 225*
5. *Parley Products v. J P & Co, AIR 1972 SC 1359*
6. *Bata India Ltd. v. Pyare Lal & Co., AIR 1985 All 242*
7. *Milmet Oftho Industries v. Allergen Inc. (2004) 12 SCC 624*
8. *Balkrishna Hatcheries v. Nandos International Ltd., 2007(35) PTC 295(Bom)*
9. *Bharat Glass Tube Limited v. Gopal Glass Works Limited, 2008 (37) PTC 1 (SC)*

Prescribed Legislations:

1. *Trade Marks Act, 1999*
2. *Design Act, 2000*

Internal Assessment : 20

Recommended Books:

1. Ashwani Kr. Bansal, *Law of Trade Marks in India* (2nd ed., 2006)
2. V.K. Ahuja, *Law Relating to Intellectual Property Rights* (2007)
3. P. Narayanan, *Copyright and Industrial Designs* (2007)
4. P. Narayanan, *Law of Trade Marks and Passing off* (6th ed., 2004)

5. Ashwani Kr. Bansal, *Materials on Copyright* (2004)
6. V.K. Ahuja, *Law of Copyright and Neighbouring Rights: National and International*
7. Alka Chawla, *Copyright and Related Rights: National and International Perspectives* (2007)
8. Wadhera, B.L., *Law Relating to Patents, Trademarks, Copyrights, Designs & Geographic Indications*
9. Mittal, D.P., *Trademarks, Passing Off & Geographical Indications of Goods, Law and Procedure*, (2002)
10. Vashisth, V., *Law and Practice of Intellectual Property in India*, (1999)

OR

Paper VI Legal Framework Governing IR (Credit : 6)

Code: 9.6

Total Marks: 100 (80 + 20)

Pass marks: 45 [36+9]

Unit1: Legal Framework of International Business 16

Nature of International Business, Common Law and its Implications in Business, International Business Contract, And Payment of Taxes.

Unit2: Regulatory Framework of WTO 16

Basic Principles and Charter of GATT/WTO, Regional Groupings, Subsidies, Technical Standards, Anti-dumping duties, Tariff Barriers, Dispute Settlement, GATS, TRIPS and TRIMS, UNCTAD, UNCITRAL, Regulation of Environment, WIPO, Investment and Transfer of Technology

Unit3: Indian Laws and Regulations 16

Governing International Transactions, FEMA, Taxation of Foreign Income, Foreign Investment, Electronic Commerce, Multi-Lateral and Bi-Lateral Treaties.

Unit4: Regulations on Investment 16

Borrowing and Lending of Money and Foreign Currency, Issue of Securities abroad, Issue of Derivatives and Foreign Securities, GDR (Global Depositories Receipt), ADR (American Depository Receipts)

Unit5: Artificial Intelligence and Law 16

Introduction to AI, Legal trends in AI Industry, AI System v. Financial Service, Regulations, AI Law and its Development in India.

Books:

O.P.Motiwal and H.K.Awasthi: *International Trade- The Law and Practice*, Bhowmik & Co., New Delhi, First Edition, 1995. Ishita Chatterjee, *International Trade Law*, Central Law Publication, New Delhi, 2nd Edition, 2023.