

SEMESTER IX

BAL 901:LABOUR AND INDUSTRIAL LAW-I	
Teaching Scheme Lectures: 4 Hr/Week Tutorial: 1hr/Week Credit: 5	Examination Scheme: Class test- 12marks Teacher Assessment: 6 marks Attendance: 12 marks End Semester Exam: 70 marks

Course Objectives

1. To acquire knowledge about the origin, growth, and objectives of Labor Jurisprudence
2. To understand the need and importance of the industrial jurisprudence
3. To gain the knowledge about the protective legislations i.e. The Factories Act 1948, The Minimum Wages Act 1948, The Workmen's Compensation Act 1936 etc. against the abuse of the industrial environment and exploitation in reducing labor-management friction in order to ensure the peace and security of the state
4. To analyze the various legislative enactments and labor laws and their impact on the society.
5. To critically assess the role of Judiciary as a pillar of labor and industrial jurisprudence.
6. To recommend the health , safety , and welfare measures for the workers and to ensure social justice to both employers and employees .

DETAILED SYLLABUS

1. The Industrial Disputes Act, 1947:

- a. Definition, Deemed Industrial disputes.
- b. Authorities under the Act Notice of change – Reference of individual disputes to Grievance settlement mechanism.
- c. Reference of Disputes.
- d. Procedure, power and duties of the authorities.
- e. Strikes and lockout: Lay off and Retrenchment.
- f. Special provision relating to lay off retrenchment closure etc.
- g. Unfair Labour Practice.
- h. Penalties.

2. The Trade Unions Act, 1926:

- a. Definitions.
- b. Registrations of Trade Unions.
- c. Rights and Liabilities of the Trade Unions.
- d. Membership of the Trade Unions.

3. The Industrial Employment (standing orders) Act, 1946:

- a. Standing orders.
- b. Draft orders.
- c. Finalization of orders.
- d. Enforcement of orders.

Books Recommended:

1. O.P. Malhotra – Industrial Dispute Act.
2. P.L. Malik – Hand book of Labour and Industrial Law.
3. S.N. Mishra – Labour Law.
4. V.V. Giri – Trade Union Movements in India.
5. Dr. K.L. Bhatia – Trade Unions in India.
6. R. Mathrubutham and R. Srinivasan – The Indian Factories and Labour manual, an exhaustive Commentary with Case 4 Law on the Factories Act, 1948 and Appendices.
7. R.K. Gupta – Overview of Industrial and Labour Laws.
8. Srikanta Mishra – Modern Labour Laws and Industrial Relations.
9. S.K. Puri – Labour and Industrial Laws.
10. Labour Law Journal.
11. Factory Law Reports.

COURSE OUTCOMES:

After completing the course, the students will be able to :

1. Become aware of the genesis and purposes of the Labour laws
2. Understand the sources of labour laws in India and their significance in protecting the workers' interests.
3. Apply their legal knowledge in preventing the further exploitation and victimization of the workers in India.
4. Become acquainted with the various labour enactments and strive for their effective enforcement for advancing the well-being of labour community.
5. Come to understand the role of independent judiciary in promoting social justice in the society.
6. Spread awareness about the various labour laws and measures amongst the poor, weak and vulnerable sections of society .

BAL 902: INFORMATION TECHNOLOGY LAW	
Teaching Scheme Lectures: 4 Hr/Week Tutorial: 1hr/Week Credit: 5	Examination Scheme: Class test- 12marks Teacher Assessment: 6 marks Attendance: 12 marks End Semester Exam: 70 marks

Course Objectives

1. To introduce the object and subject matter of the information technology.
2. To deal with the concept of digital signature and its use in the government record.
3. To understand the concept of cyber crimes.
4. To understand the abuse of technology.

DETAILED SYLLABUS

Information Technology Law

1. Introduction:

- i) Object of the Information Technology Law.
- ii) Subject matter of Information Technology Law.
- iii) Concept of Computer, Computer System, Computer Net Work and Internet.
- iv) History and Development of Information Technology Law in the U.S.A., the U.K. and India.

2. Jurisdiction in Cyberspace:

Jurisprudential Overview – Territoriality of Law and nature of information Technology Law.

3. Electronic Governance:

- i) Legal recognition of electronic records.
- ii) Use and retention of e-records.
- iii) Electronic Gazette.
- iv) Electronic records and Electronic Evidence.

4. Digital Signature:

- i) Concept of Digital Signature.
- ii) Use of Digital Signatures in Government records.
- iii) Secure Digital Signatures.
- iv) Certifying Authority.
- v) Digital Signature Certificates.
- vi) Duties of Subscribers.

5. Abuse of Information Technology and Civil Liability.

6. The Cyber Regulations Appellate Tribunal.

7. Offences under Information Technology Law:

- i) Concept of Cyber Crimes.
- ii) Hacking in Cyberspace.
- iii) Cyber Fraud.
- iv) Cyber Theft.
- v) Cyber Terrorism.
- vi) Cyber Pornography.

8. Liability of Network Service Providers.

9. Powers of Police Officers and Other Authorities.

Books Recommended:

1. Bainbridge David – Introduction to Computer Law.
2. Rodney D Ryder – Guide to cyber laws (information technology act, 2000, e-commerce, data protection and the internet).
3. Vakul Sharma – Information technology law and practice: Law and emerging Technology Cyber Law and E-commerce.
4. Nandan Kamath, (ed) – Law relating to computers, internet and e-commerce.
5. Dr. M. Dasgupta – Cyber Crime in India: a Comparative Study.
6. S.K. Bansal – Cyber crime.
7. R.C. Mishra – Cyber crime: impact in the new millennium.
8. Parag Diwan, (ed) – Bharat's Cyber and E-commerce Laws.
9. Chris Reed and John Angel, (ed) – Computer Law.
10. Donn Parker – Crime by Computer.

11. Chris Reed – Internet Law Text and Materials.
12. L.J. Lloyd – Information Technology Law.
13. S.K. Verma and Raman Mittal (ed) – Legal Dimensions of Cyberspace (ILI Pub.).

Course Outcome

After completing the course students will be able to

1. Acquire Knowledge of electronic governance and e-records.
2. Understand the offences under IT laws.
3. Understand the powers of police and authorities.

BAL 903: PRINCIPLES OF TAXATION	
Teaching Scheme Lectures: 4 Hr/Week Tutorial: 1hr/Week Credit: 5	Examination Scheme: Class test- 12marks Teacher Assessment: 6 marks Attendance: 12 marks End Semester Exam: 70 marks

Course Objectives

1. To know about the main aim of Taxation Law as well as of Methods of Imposition of taxes according to their Residential Status and income arise in India.
2. To understand the five Basis of charging Income and their computation process.
3. To Know about Deductions and income which are not part of total income.
4. To understand the platforms of Assessment, Appeal and revision under Income Tax.

DETAILED SYLLABUS

Taxation Law

I: Income-tax:

1. Important definitions in the Income-tax Act, 1961. Basis of charge, Concepts of previous year and assessment year, Charge of Income Tax, Residential status of Assesses and scope of total income, Income deemed to be received/deemed to accrue or arise in India.
2. Incomes which do not form part of total income.
3. Heads of income.
4. Special provision relating to incomes of political parties.
5. Provision governing computation of income under the heads:
 - i) Salaries,
 - ii) Income from house property,
 - iii) Capital gains.
6. Deduction from gross total income.
7. Computation of total income and tax payable thereon.
8. Relief when salary, etc, is paid in arrears or in advance.
9. Assessment Procedure- Inquiry before assessment, self assessment, best judgement assessment, escaped assessment, appeals, revision and reference.
10. General principles of value added tax and Service tax.

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Books Recommended:

1. Chanda Manindra Chandra and Ray Sankar – A Study of the income-tax law in India.
2. K. Chaturvedi and S.M. Pithisaria – Chaturvedi and Pithisaria’s income tax companion.
3. Mukesh Bhargava and Rakesh Bhargava – Taxmann’s Supreme court on direct taxes with judicial analysis (1950-1987).
4. A.N. Aiyar – A.N. Aiyar’s Indian Tax Laws (1984): containing the Finance Act of 1978.
5. S.E. Dastur and J.E. Dastur – Direct Tax Laws.
6. Arvind P. Datar – Guide to central excise procedures.
7. S.K. Makati – Taxation of Public Trust & Institutions.

1. Understand the provisions related to why and How Government imposes tax and by what way the residential status works in Computation of taxes and Income if Arise in India.
2. Understand the Basis of Charges, Business & Profession, House Property, Salary, Capital Gain and other and how and on what basis it will be computed.
3. In computation process what and how much deductions are provided and concept of Income which is not a part of total income.
4. Understands How the assessment took place and if person is not satisfied on which platform they can claim and in what manner revision will be made.

BAL 904: INSURANCE LAW	
Teaching Scheme Lectures: 4 Hr/Week Tutorial:1hr/Week Credit: 5	Examination Scheme: Class test- 12marks Teacher Assessment: 6 marks Attendance: 12 marks End Semester Exam: 70 marks

Course Objectives

1. To provide knowledge and understanding of the laws which form the background to the operation of insurance
2. To learn about the different kind of insurance.
3. To understand the concept of risk.

DETAILED SYLLABUS

Law of Insurance

1. General Principles of Insurance Contract:

Concept of Insurance in global economy, History of Insurance in India, Formation of Insurance contract, Utmost Good faith, Insurance Interest, the risk and the policy and its Types, Assignment of Subject matter, Agency. Doctrine of privity of contract, Duty of disclosure and claims procedure.

2. Life Insurance:

Formation of life Insurance, Proposal and Policy, Assignment, Nomination, Tax Law and Life Insurance, Claims and Title to policy, Representations and warranties.

3. Marine Insurance:

Nature and scope. Classification of Marine Policies, the Marine Insurance Act, 1963, Regulation of Insurance Business and Protection of Policy Holder.

4. Motor Insurance:

Object behind this policy, Concept of Motor Vehicles, Use and Indemnity Public place. **Motor Vehicles Act, 1988:** Third Party risk insurance, condition of liability, Defence to insure

5. Fire Insurance:

Characteristics of fire Insurance and types of policies of fire Insurance.

6. Liability Insurance:

Scheme and authority under Public Liability Insurance Act 1991.

7. Health Insurance: Concept and object behind it.

8. Protection of Policy Holders:

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Books Recommended:

1. Tapan Sinha – Privatization of the Insurance Market in India from British Raj to Monopoly Raj to Swaraj.
2. A. Vijay Kumar – Globalization of India Insurance Sector Issues & Challenges.
3. S.N. Mishra – Labour and Industrial law.
4. Colin Vaux – Law of Insurance.
5. Ivami – Law of Insurances

Course Outcome

At the end of the course, student will be able to:

1. Understand basic legal concepts and general principles of law;
2. Gain knowledge and understanding of the laws relevant to insurance;
3. Gain knowledge and understanding of the system which applies these laws;
4. Develop an analytical approach to the application of knowledge and skills to simple problems

BAL 905:PRACTICAL TRAINING III ALTERNATIVE DISPUTE RESOLUTION	
Teaching Scheme Lectures: 4 Hr/Week Tutorial: 1hr/Week Credit: 5	Examination Scheme: Viva: 30 marks Written: 40 marks File:30 Marks

Course Objectives

1. To understand the meaning, utility and emergence of Alternate Dispute Resolution System.
2. To understand the basic concepts of various mechanisms of alternate dispute resolution. For eg. Arbitration and conciliation, mediation, Lok Adalat etc.
3. To provide students with a theoretical and practical understanding of alternate dispute resolutions.
4. To help the students to acquire through familiarity with various dispute resolution methods that are “alternative” to traditional methods on both practical and theoretical level.

DETAILED SYLLABUS

Alternate Dispute Resolution

1. Negotiation skills to be learned with simulated programme.

2. Conciliation skills.

3. Arbitration Law and Practice including International Arbitration and Arbitration rules. Marks: 100

The course is required to be conducted with the help of senior legal practitioners through simulation and case studies. Evaluation may also be conducted in practical exercise at least for a significant part of evaluation.

COURSE OUTCOME

After completing this course the students will be able to-

1. Understand the meaning, need and history of alternate dispute resolution system.
2. Understand the basic procedure of different methods of alternate dispute resolutions.
3. To acquire skills, procedures, techniques, and characteristics needed to engage in various forms of alternate dispute resolution.
4. Apply practically the different methods of alternate dispute resolution.

SEMESTER X

BAL 1001:LABOUR AND INDUSTRIAL LAW II	
Teaching Scheme Lectures: 4 Hr/Week Tutorial: 1hr/Week Credit: 5	Examination Scheme: Class test- 12marks Teacher Assessment: 6 marks Attendance: 12 marks End Semester Exam: 70 marks

Course Objectives

7. To acquire knowledge about the origin, growth, and objectives of Labor Jurisprudence
8. To understand the need and importance of the industrial jurisprudence
9. To gain the knowledge about the protective legislations i.e. The Factories Act 1948, The Minimum Wages Act 1948, The Workmen's Compensation Act 1936 etc. against the abuse of the industrial environment and exploitation in reducing labor-management friction in order to ensure the peace and security of the state
10. To analyze the various legislative enactments and labor laws and their impact on the society.
11. To critically assess the role of Judiciary as a pillar of labor and industrial jurisprudence.
12. To recommend the health , safety , and welfare measures for the workers and to ensure social justice to both employers and employees .

DETAILED SYLLABUS

1. The Factories Act, 1948:

- a. Preliminary
- b. Inspecting Staff
- c. Health
- d. Safety
- e. Welfare
- f. Employment of young persons.

2. The Minimum Wages Act, 1948:

- a. Definitions – Minimum wage, Fair wage and Living wage.
- b. Fixing of Minimum Wages – Procedure and payment.
- c. Inspectors
- d. Claims
- e. Cognizance of offences
- f. Contracting out.

3. The Payment of Wages Act, 1936:

- a. Definitions
- b. Wage periods and disbursement of wages.
- c. Inspectors
- d. Payment of undisbursed wages.

4. The Workmen's Compensation Act, 1923:

- a. Definitions
- b. Workmen's Compensation – Employee's Liability.
- c. Commissioners – Their powers and Functions.

5. The Employee's State Insurance Act, 1948:

- a. Definitions.
- b. E.S.I. Corporation, Standing Committee and Medical Benefit Council.
- c. Contributions.

6. The Fatal Accidents Act, 1855:

Compensation to the family of a person for loss occasioned to it by his death by actionable working.

Books Recommended:

- 1. R. Mathrubutham and R. Srinivasan – The Indian Factories and Labour manual, an exhaustive commentary with Case 4 Law on the Factories Act, 1948 and Appendices.
- 2. R.K. Gupta – Overview of Industrial and Labour Laws.
- 3. Srikanta Mishra – Modern Labour Laws and Industrial Relations.
- 4. P.L. Malik – Hand book of labour and Industrial Law.
- 5. S.K. Puri – Labour and Industrial Laws.
- 6. Labour Law Journal.
- 7. Factory Law Reports.

COURSE OUTCOMES:

After completing the course, the students will be able to :

1. aware of the genesis and purposes of the Labour laws
2. Understand the sources of labour laws in India and their significance in protecting the workers' interests.
3. Apply their legal knowledge in preventing the further exploitation and victimization of the workers in India.
4. Become acquainted with the various labour enactments and strive for their effective enforcement for advancing the well-being of labour community.
5. Come to understand the role of independent judiciary in promoting social justice in the society.
6. Spread awareness about the various labour laws and measures amongst the poor, weak and vulnerable sections of society .

BAL 1002: OFFENCES AGAINST CHILD AND JUVENILE OFFENCES	
Teaching Scheme Lectures: 4 Hr/Week Tutorial: 1hr/Week Credit: 5	Examination Scheme: Class test- 12marks Teacher Assessment: 6 marks Attendance: 12 marks End Semester Exam: 70 marks

Course Objectives

- 1.To Understand the Objectives of Socialization Approach and Control Theory and Emergent delinquency in urban and rural areas.
- 2.To Understand Offences Against Children under different Legislations.

3.To know the objective of the Juvenile Justice Act and provisions determining the age of a Juvenile Delinquent

4.To understand the purpose of Institutions to apprehend, treatment and rehabilitation of Juvenile Offenders in India.

DETAILED SYLLABUS

1. Theoretical Explanation of Juvenile Offence:

Socialization Approach and Control Theory and Emergent delinquency in urban and rural areas.

2. Offences Against Children under different Legislations:

i) The Indian Penal Code, 1860.

ii) The Pre Natal Diagnostic Techniques (Prohibition) Act, 1994.

iii) The Juvenile Justice (Care and Protection of Children) Act, 2000.

iv) The Child Labour Prohibition Act, 1976.

v) The Trafficking of Children and Immoral Traffic Prevention Act.

3. Juvenile under the Juvenile Justice Act and provisions determining the age of a Juvenile Delinquent.

4. Institutions to apprehend, treatment and rehabilitation of Juvenile Offenders in India.

5. Use of discretion by the Juvenile Justice Board in disposition of the cases of Juvenile Offenders.

6. Pattern and Problems of Implementation of Juvenile Justice Act and other Legislations relating to offences Against Children.

Books Recommended:

1. K.D. Gaur – Criminal Law and Criminology.

2. Ved Kumari – The Juvenile Justice system in India: from welfare.

3. N.K. chakrabarti (e) – Administration of Justice: The Correctional Services, Vol – II Juvenile Justice.

4. Ahmed Siddique – Ahmed Siddique’ Criminology: Problems and Perspectives.

5. Sue Titus Reid – Crime and Criminology.

6. V.N. Paranjapee – Criminology and Penology.

7. J.P. S. Sirohi – Criminology and Criminal Administration.

8. Edwin H. Sutherland – Principles of Criminology.

9. R.N. Choudhuri – Law relating to Juvenile Justice in India.

Course Outcome

After completing the course students will be able to

1. Understand the Pattern and Problems of Implementation of Juvenile Justice Act and other Legislations relating to offences Against Children.

2.Understand the Use of discretion by the Juvenile Justice Board in Offenders.

3.Understand the Position of the cases of Juvenile..

4.Understand the Objectives of The Trafficking of Children and Immoral Traffic Prevention Act.

BAL 1003:GENDER JUSTICE AND FEMINIST JURISPRUDENCE

Teaching Scheme

Examination Scheme:

Lectures: 4 Hr/Week Tutorial: 1hr/Week Credit: 5	Class test- 12marks Teacher Assessment: 6 marks Attendance: 12 marks End Semester Exam: 70 marks
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Course Objectives

1. To make the students understand the need of gender justice in contemporary society.
2. To make the students understand the need of gender justice in contemporary society.
3. To understand the efforts made by national and international organizations at the global level.
4. To understand the gender inequalities existing in present day personal laws.
5. To understand the gender inequalities prevalent in the society so far as the employment related matters are concerned.

DETAILED SYLLABUS

1. Introduction:

- (a) Meaning, object and utility of study of Gender Justice.
- (b) Feminism- Growth and schools of feminism
- (c) Concept and meaning of patriarchy.
- (d) Socio-legal status of women in pre and post independent India

2. Rights of Women:

- (a) Rights of Women under the Indian Constitutional Law.
- (b) Women's Rights under International Law.
 - i. Universal Declaration of Human Rights-1948
 - ii. The covenant on Economic Social and Cultural Rights 1966.
 - iii. Covenant on the elimination of all forms of discrimination against Women- 1979 (CEDAW)

3. Gender based violence and crime against women: Rape, Marital Rape, Dowry death, Female feticide, eve-teasing and molestation.

4. Some Important legislations:

- The Domestic Violence Act, 2005.
- The Immoral Traffic (Prevention) Act, 1956.

5. Sex Inequalities in the Family Law:

- i. Inheritance Rights of Women under various religious Laws- Hindu, Muslim, Parsi and Christian laws
- ii. Concept and issues of matrimonial property, Occupational Rights and matrimonial homes.
- iii. Divorce and Maintenance Rights of Women under Hindu and Muslim Laws.
- iv. Problems and issues of surrogate mother and her child.
- v. Need for Uniform Civil Code.

6. Sex Discrimination/Dissimilation in Employment Laws:

- Relevant Provisions of the Equal Remuneration Act. The Maternity Benefit Act, 1961.
- Sexual Harassment at work place.

7. Relevant Legal Provisions:

- The Immoral Traffic (Prevention) Act.
- The Indecent Representation of Women (Prohibition) Act.

Books Recommended:

1. S.P Sathe – Towards Gender Justice
2. V.K Deewan- Law relating to offences against women
3. Flavia Agnes- Law relating to gender inequality: The Politics of women’s Rights in India.
4. Patric Smith- Feminist Jurisprudence
5. Report of law Commission of India-p- 366.
6. Hilare Barnett- Introduction to Feminist Jurisprudence.
7. Monoca Chawla- Gender Justice:women and Law in India

Course Outcome:

After the course students will able to understand:

1. The students understood the need for gender equality in a society having orthodox norms.
2. The students understood the various efforts made by organizations both at the national and international level to redress the problem of prevalent gender inequality in society.
3. The students understood the position of women as regards the personal laws are concerned.
4. They also understood about gender sensitive labour and employment legislations.

BAL 1004:INTERNATINAL ORGANIZATION	
Teaching Scheme Lectures: 4 Hr/Week Tutorial:1hr/Week Credit: 5	Examination Scheme: Class test- 12marks Teacher Assessment: 6 marks Attendance: 12 marks End Semester Exam: 70 marks

Course Objectives

1. To make the students learn about the objectives behind the formation of United Nations.
2. To make students understand about the specialized agencies under United Nations and its relationship with United Nations.
3. To understand the working of regional organizations.
4. To evaluate the achievements of United Nations.

DETAILED SYLLABUS

1. Concept and Nature of International Organization, Progress of Mankind towards International Organization; Individual Vision and Organized Peace Movement.
2. The League of Nation : General Provision, Organ of league ,Assembly, council, Secretariat; Causes of the Failure of League.
3. A Comparative View of the League Covenant and the U.N. Charter
4. The United Nation;
 - Purposes and Principles
 - Membership
 - Legal Capacity
 - Privileges and Immunities

5. The U.N. Organs ; Their composition, Power and Function
6. Achievements of United Nations
7. Review and Revision of the Charter
8. Specialized Agencies : Concept, Relationship with U.N., UNESCO, ILO, WTO
9. Regional Organization

Books Recommended;

1. J.G. Starke – Introduction to International Law.
1. S.K. Kapoor – A text book on International Law.
2. Radharaman Chakrabarti – UNO: a study in Essentials.
3. Lan Brownline – Principles of Public International Law.
4. Sobhanlal Mukhopadhyay – International Law: a Commentary.
5. L. Oppenheim – International Law: a treatise.

Course Outcome:

After the course students will able to understand:

1. The students understood about the objectives behind the formation of United Nations.
2. The students understood about the relationship of specialized agencies with United Nations
3. The students understood about the various regional organizations working at the global level.
4. The students evaluated the work of United Nations and realized its achievements.

BAL 1005:PRACTICAL TRAINING IV MOOT COURT EXERCISE AND INTERNSHIP	
Teaching Scheme Lectures: 4 Hr/Week Tutorial: 1hr/Week Credit: 5	Examination Scheme: Viva: 30 marks Written: 40 marks File:30 Marks

Course Objectives

1. To understand the concept and importance of moot court.
2. to equip students with the legal research skills.
3. To enhance their legal writing skills.
4. To develop awareness regarding court room discipline.

DETAILED SYLLABUS

Moot court exercise and Internship

This paper may have three components of 30 marks each and viva voce for 10 marks.

1. Moot court:

Every student may be required to do at least three moot courts in a year with 10 marks for each. The moot court work will be on assigned problem and it will be evaluated for 5 marks for written submissions and 5 marks for oral advocacy. **Marks: 30**

2. Observance of Trial in two cases, one Civil and one Criminal:

Students may be required to attend two trials in the course of the last two or three years of LL.B. studies. They will maintain a record and enter the various steps observed during their attendance on different days in the court assignment. **Marks: 30**

3. Interviewing techniques and Pre-trial preparation and Internship diary:

Each student will observe two interviewing sessions of clients at the Lawyer's Office/Legal Aid Office and record the proceedings in a diary, which will carry 15 marks. Each student will further observe the preparation of documents and court papers by the Advocate and the procedure for the filing of the suit/petition. This will be recorded in the diary, which will carry 15 marks.

Marks: 30

4. The fourth component of this papers will be Viva Voce Examination on all the above three aspects. Marks: 10

Course Outcome

After completing the course students will be able to

1. Understand the importance of moot court.
2. Understand the ethical values of a lawyer.
3. Become aware of the practices in court.
4. Understand the drafting of a case file.