

SEMESTER – VII
PAPER-1
LABOUR LAW - I

LABOUR LAW –I

Unit-I

Concept of Labour through the ages- Trade Unions : History of Trade Union Movement-The Trade unions according to Industrial Relations code, 2020 - Definitions-Registration-Rights and Liabilities Of Registered Trade Union-Immunities-Amalgamation and Dissolution of unions--Reorganization of Trade Unions.

Unit-II:

Prevention and Settlement of Industrial Disputes in India-The role of State in Industrial Relations under new Industrial Relations Code 2020- Definition of industry- Industrial Dispute- Individual Dispute- Workmen- special provisions relating Lay Off-Retrenchment- Closure-Award- Strike-Lockout under chapter X of the code.

Unit-III:

Authorities under the ID Code - Works Committee- Conciliation -Limitation to raise dispute-Court Of inquiry-- Tribunals - Powers and Functions of Authorities - Voluntary Arbitration - Alteration of conditions of service -Management rights of action during pendency of proceedings - Recovery of money due from employer- Unfair labour practices- miscellaneous provisions of the Code

Unit-IV:

Standing Orders - concept and Nature of Standing Orders- Certification process- its operation and binding effect- modification and Temporary application of Model standing Orders - Interpretation and enforcement of Standing Orders and provisions contained in the Industrial relations Code 2020.

Unit-V:

Disciplinary proceedings in Industries-Termination of employment, and the notice thereof to be given by employer and workers. - Suspension or dismissal for misconduct, and acts or omissions which constitute misconduct- Means of redress for workers against unfair treatment or wrongful executions by the employer or his agents or servants.

Suggested Readings:

1. Srivastava: *Law of Trade Unions* , Eastern Book Company, Lucknow
2. .Goswami : *Labour and Industrial Law*, Central Law Agency.
3. R.F. Rustomji : *Law of Industrial Disputes* : Asia Publishing House, Mumbai
4. S.N. Misra : *Labour and Industrial Law*, Central Law Agency, Allahabad.
5. J.N. Malik : *Trade Union Law*
6. Khan & Khan : *Labour Law* , Asia Law House, Hyderabad
7. S.C. Srivastava : *Industrial Relations and Labour Law*, Vikas Publishing House.
8. Nick Humphreys, *Trade Union Law and Collective Employment Rights*

PAPER-II:

PUBLIC INTERNATIONAL LAW

Unit-I:

Definition, Nature, Scope and Importance of International Law — Relation of International Law to Municipal Law — Sources of International Law — Codification.

Unit-II:

State Recognition — State Succession — Responsibility of States for International delinquencies — State Territory — Modes of acquiring State Territory

Unit-III:

Position of Individual in International Law — Nationality — Extradition — Asylum — Privileges and Immunities of Diplomatic Envoys — Treaties – Formation of Treaties - Modes of Consent, Reservation and termination.

Unit-IV:

The Legal Regime of the Seas – Evolution of the Law of the Sea – Freedoms of the High Seas – Common Heritage of Mankind – United Nations Convention on the Law of the Seas – Legal Regime of Airspace – Important Conventions relating to Airspace – Paris, Havana, Warsaw and Chicago Conventions – Five Freedoms of Air – Legal Regime of Outer space – Important Conventions such as Outer space Treaty, Agreement on Rescue and Return of Astronauts, Liability Convention, and Agreement on Registration of Space objects, Moon Treaty - Uni space - **Recent development in India's space missions.**

Unit-V:

International Organizations — League of Nations and United Nations —

International Court of Justice —International Criminal Court - Specialized agencies of the UN — WHO, UNESCO, ILO, IMF and WTO.

Suggested Readings:

1. J.G. Starke: *Introduction to International Law*, Aditya Books, 10th Edition, 1989.
2. J.I. Brierly: *The Law of Nations*, Oxford Publishers, London.
3. Ian Brownlie: *Principles of Public International Law*, Oxford Publishers, London.
4. S.K. Kapoor, *Public International Law*, Central Law Agencies, Allahabad.
5. H.O. Agarwal, *International Law and Human Rights*, Central Law Publications, Allahabad.
- 6 S.K. Verma, *An Introduction to Public International Law*, Prentice Hall of India.

Paper–III

ADMINISTRATIVE LAW

Unit-I:

Nature and scope of Administrative Law — Meaning, Definition and Evolution of Administrative Law— Reasons for the growth of Administrative Law — Relationship between Administrative Law and Constitutional Law.

Unit-II:

Basic concepts of Administrative Law — Rule of Law — **Interpretation** of Dicey's Principle of Rule of Law — Modern trends - Theory of Separation of Powers — Position in India, UK and USA

Unit-III:

Classification of Administrative functions — Legislative, Quasi-judicial, Administrative and Ministerial functions — Delegated Legislation — Meaning, Reasons for the growth and Classification of delegated legislation— Judicial and Legislative, **and Procedural** Control of Delegated litigation

Unit-IV:

Judicial Control of Administrative Action - Grounds of Judicial Control — Principles of Natural Justice — Administrative discretion and its control -

Wednesbury Principle(Doctrine of Proportionality) – Doctrine of legitimate expectation .

Unit-V:

Remedies available against the State — Writs — Lokpal and Lokayukta —Right to Information- Liability of the State in Torts and Contracts — Rule of Promissory Estoppels —Administrative Tribunals - Commissions of Inquiry — Public Corporations.

Suggested Readings:

1. Griffith and Street: *Principles of Administrative Law*.
2. H.W.R.Wade: *Administrative Law*, Oxford Publications, London.
3. De Smith: *Judicial Review of Administrative Action*, Sweet and Maxwell.
4. S.P. Sathe: *Administrative Law*, Butterworths.
5. I.P.Massey: *Administrative Law*, Eastern Book Company.

PAPER-IV:

LAW OF INSURANCE

Unit – I

Growth of Insurance Business in India - Institution of Insurance and Economic Development - Definition of Insurance - Differences between Contract of Indemnity, Contingent, Wager and Insurance - Principle of utmost good faith

Unit – II

Kinds of Insurance - Insurable interest – Premium – Risk - Certificate of Insurance - Doctrine of Subrogation and Contribution - Rights and Liabilities of Insurer and Insured person - Life Insurance Contract - Personal Accident Insurance - Establishment and functioning of LIC-

Unit – III

Nature and scope of Marine Insurance - Classification of marine insurance - Kinds of marine policies – Voyage – Loss - the perils of the sea - Implied warranties in marine insurance contract - Assignment of Marine Policy

Unit – IV

Nature of Fire Insurance Contract - Meaning of the word 'fire' - Scope of Fire Policy, Cover note - Right to contribution and right to average - Principle of Reinstatement - Double insurance and reinsurance - Doctrine of Approximation - Burglary Insurance

Unit-V

Social control on Insurance Business - Purpose of compulsory insurance - Rights of Third Parties - Public Liability Insurance - Adjudicating Authorities of Insurance Claims - Powers and Functions of the Insurance Regulatory and Development Authority.

Suggested Readings:

1. K.S.N. Murthy and KVS Sharma: *Modern Law of Insurance in India*, N.M. Tripathi Pvt. Ltd. Bombay.
2. Ravi Pulirani and Mahesh Pulirani : *Manual of Insurance Law*, Bharat Law House Ltd, New Delhi.
3. Brij Nandan Singh: *Insurance Law*, University Book Agency, Allahabad
4. Michael Parkinson: *Insurance Law*, Sweet and Maxwell, London.
5. M.N. Srinivasan : *Law of Insurance*
6. Bhattacharya: *Law of Insurance*
7. Dr. M.N. Mishra : *Law of Insurance*
8. Harding and Eganly : *General Principles of Insurance*
9. Banerji : *Law of Insurance*, Asia Law House
- 10 Avatar Singh: *Law of Insurance*, Eastern Book Company, Lucknow
11. B.C. Mithra: *The Law relating to Marine Insurance*, The University Book Agency, Allahabad
12. Gyanendra Kumar: *Hand book on Insurance Law*, Delhi Law House
13. J.V.N. Jaiswal : *Law of Insurance*, Eastern Book Company, Lucknow

PAPER-V:

INTELLECTUAL PROPERTY LAW

Unit-I:

Intellectual Property-Meaning, Nature and Classification –Significance and need of protection of Intellectual Property — Main forms of Intellectual Property : Patents, Trademarks, Industrial designs, Geographical Indications of Goods, Copyright and Neighbouring Rights-New forms of Intellectual Property: Plant

Varieties Protection and Biotechnology, GRTK, Layout Designs, Computer Programmes, **Artificial Intelligence and Intellectual Property.**

Unit-II:

Evolution of International Protection of IPRs-Introduction to the leading International instruments concerning Intellectual Property Rights –General Principles of Protection-The Paris Convention,1883- WCT 1996 - The Berne Convention,1886 –The Madrid Agreement,1891 **and Protocol 1989** - The Patent Co-operation Treaty,1970 – The World Intellectual Property Organization (WIPO) Conventions- TRIPS Agreement,1994 **and its impact.**

Unit-III :

Copyright: Meaning, Nature, historical evolution and significance- The Copyright Act, 1957 – Salient Features-Idea-Expression Dichotomy-Subject matter of Copyright Protection- Neighboring rights - Ownership of Copyright –Rights of Authors and owners -Assignment of copyright –Collective management of copyright- infringement of copyright and Criteria –Exceptions to infringement – **Doctrine of Fair Use** - Authorities under the Act — Remedies for infringement of copyright.

Unit-IV:

Intellectual Property in Trademarks and the rationale of their protection - The Trade Marks Act, 1999 — Definition of Trademarks — **and Trade description** - **Kinds of Trade Marks conventional and non conventional** – Trademarks and Internet Domain Names – **Registration of trademarks** – **Rights of trademark owners** - Passing off — Infringement of Trademark - Remedies-Concept of Industrial designs- The Designs Act, 2000 — Definition and characteristics of Design **Registration of Design** - rights of design holders — Copyright in design — Registration Remedies for infringement.

Unit-V:

Patents — Concept of Patent — Historical overview of the Patent Law in India - The Patents Act, 1970 and its salient features — — Patentable Inventions — Kinds of Patents — Procedure for obtaining patent in India and in other countries —Rights and obligations of a patentee —Limitations on patent rights: compulsory licensing, acquisition by government and secrecy directions- Infringement of patent rights and remedies available.

Suggested Readings:

1. P. Narayanan: *Intellectual Patent Rights*, Eastern Law House , 1995.
2. Roy Chowdhary, *Law of Trademark, Copyrights, Patents and Designs*, Kamal Law House
3. G.B. Reddy, *Intellectual Property Rights and the Law* Gogia Law Agency.
4. John Holyoak and Paul Torremans: *Intellectual Property Law*.
5. B.L. Wadhera: *Intellectual Property Law*, Universal Publishers .
6. W.R. Cornish: *Intellectual Property Law*, Universal Publishers .
7. V.K. Ahuja, *Law Relating to Intellectual Property Rights* , LexisNexis
8. Elizabeth Verkey, *Intellectual Property Rights*, Eastern Book Company
9. Elizabeth Verkey, *Law of Patents* , Eastern Book Company