

# **SEMESTER-VIII**

## **PAPER-I:**

### **LABOUR LAW-II**

#### **Unit-I:**

##### **The Code of Wages, 2019**

The Remunerative Aspects – Wages – Concepts of wages - Minimum, Fair, Living Wages - Wage and Industrial Policies - Whitley Commission Recommendations - Provisions of Payment of Wages Act 1936 – Timely payment of wages - Authorized deductions – Claims - Minimum Wages Act 1948 - Definitions - Types of wages - Minimum rates of wages - Procedure for fixing and revising Minimum Wages – Claims -Remedy.

#### **Unit-II:**

Bonus – concept - Right to claim Bonus – Full Bench formula - Bonus Commission - Payment of Bonus Act 1965 - Application – Computation of gross profit, available, allocable surplus - Eligibility of Bonus -

Disqualification of Bonus - set on – set off of allocable surplus- Minimum and Maximum Bonus-Recovery of Bonus.

#### **Unit-III:**

Employees Security and Welfare aspect - Social Security - Concept and meaning - Social Insurance - Social Assistance Schemes. Social Security Legislations - Law relating to workmen's compensation – The Employee's Compensation Act 1923 – Definitions -Employer's liability for compensation - Nexus between injury and employment - payment of compensation - penalty for default - Employees State Insurance Act 1948 –Application - Benefits under the Act - Adjudication of disputes and claims – ESI Corporation.

#### **Unit-IV:**

Employees Provident Fund and Miscellaneous Provisions Act 1952 – Contributions -Schemes under the Act - Benefits. The Maternity Benefit Act 1961 - Definitions-Application - Benefits. The Payment of Gratuity Act 1972 – Definitions – application - Payment of gratuity - eligibility – forfeiture – Nomination – Controlling authorities.

**Unit-V:**

The Factories Act 1948 - Chapters dealing with Health, Safety and Welfare of Labour. Child Labour - Rights of child and the Indian Constitution - Salient features of the Child Labour (Prohibition and Regulation) Act 1986 – The Equal Remuneration Act, 1976.

**Suggested Readings**

1. S.N.Misra, *Labour and Industrial Laws*, Central law publication
2. V.G. Goswami, *Labour and Industrial Laws*, Central Law Agency.
3. Khan & Kahan, *Labour Law*-Asia Law house, Hyderabad
4. K.D. Srivastava, *Payment of Bonus Act*, Eastern Book Company
5. K.D. Srivastava, *Payment of Wages Act*
6. K.D. Srivastava, *Industrial Employment (Standing Orders) Act 1947*
7. S.C.Srivastava, *Treatise on Social Security*
8. Sukumar Singh, *Labour Economics*, Deep& Deep, New Delhi
9. V.J.Rao, *Factories Law*

**PAPER-II:****INTERPRETATION OF STATUTES****Unit-I:**

Meaning and Definition of Statutes — Classification of Statues — Meaning and Definition of Interpretation — General Principles of Interpretation — Rules of Construction under the General Clauses Act, 1897.

**Unit-II:**

Grammatical Rule of Interpretation — Golden Rule of Interpretation – Rule of Interpretation to avoid mischief – 60<sup>th</sup> Report of Law Commission of India, 1974 and 183<sup>rd</sup> Report of Law Commission of India, 2002 on General Clauses Act, 1892.

**Unit-III:**

Interpretation of Penal Statutes and Statutes of Taxation — Beneficial Construction — Construction to avoid conflict with other provisions — Doctrine of Harmonious Construction.

**Unit-IV:**

External Aids to Interpretation — Statement of objects of legislation, Legislative debates, identification of purpose sought to be achieved through legislation —

Internal Aids to Interpretation — Preamble, title, interpretation clause, marginal notes, explanations etc. — Presumptions.

### **Unit-V:**

Effect of Repeal — Effect of amendments to statutes — Conflict between parent legislation and subordinate legislation — Methods of interpreting substantive and procedural laws.

### **Suggested Readings:**

1. Vepa P. Sarathi: *Interpretation of Statutes*, Eastern Book Co,
2. Maxwell: *Interpretation of Statutes*, Butterworths Publications
3. Crawford: *Interpretation of Statutes*, Universal Publishers.
- 4 Chatterjee: *Interpretation of Statutes*.
5. G.P. Singh: *Principles of Statutory Interpretation*, Wadhwa and Company,
6. Cross, *Statutory Interpretation*, LexisNexis

### **PAPER-III:**

## **PRIVATE INTERNATIONAL LAW**

### **Unit – I:**

Material validity of contract, obligations arising under the contract, Discharge - Meaning and subject matter of Private International Law – Unification of Private International Law - Evolution of English Private International Law, Indian Private International Law – Theories of Private International Law –Theories of Characterization – Doctrine of Renvoi

### **Unit – II:**

Application of Foreign Law, Foreign Law as question of fact, English Law, Indian Law, exclusion of foreign law, Public Policy, Foreign Penal Code, Foreign Revenue Laws. Domicile, meaning, Domicile of Independent person, Domicile of origin, Domicile of choice, Domicile of Dependants – Jurisdiction of Courts

### **Unit- III:**

Concept of marriage - Validity of marriage, Formal validity of Marriage (English Law, Indian Law) matrimonial causes , Dissolution of marriage, Grounds of Divorce, Recognition of Foreign Divorces, Nullity of marriage, Recognition of Foreign Nullity Decrees, Judicial separation, Grounds for Judicial separation, Recognition of foreign decrees of Judicial Separation -

Restitution of Conjugal Rights, Matrimonial Reliefs in respect of Polygamous marriages, Enforcement of foreign maintenance orders, Foreign Custody Orders, Indian Law, English Law, Choice of Law.

#### **Unit-IV:**

Legitimacy, jurisdiction of courts, Legitimation, Jurisdiction of court, Recognition of foreign legitimation, Indian Law, English Law, choice of law-Adoption, jurisdiction of courts, recognition of foreign adoptions, adoption by foreign parents, Indian Law, English Law. Guardianship and custody, jurisdiction, recognition and enforcement of foreign guardianship and custody orders, Indian law, choice of law.

**Unit-V:** Commercial contracts - Proper law of contract, capacity to contract, Formal and informal contracts.

#### **Suggested Readings:**

1. R.h.Greeveson: *The Conflict of Laws*, Sweet & Maxwell, London.
2. Sir Peter North and J.J. Fawcett: *Cheshire and North's Private International Law*, Lexis Nexis Butterworths
3. Paras Diwan and Peeyushi Diwan: *Private International Law Indian and English*, Deep & Deep, New Delhi

### **PAPER-IV:**

#### **LAND LAWS**

#### **Unit-I:**

Classification of lands — Ownership of Land — Absolute and limited ownership (tenancy, lease etc.) — Doctrine of Eminent Domain — Doctrine of Escheat - Doctrine of Bona Vacantia — Maintenance of land records and issue of Pattas and Title Deeds etc – **The Telangana Rights in Land and Pattadar Act 2020. Land Titling (Torrens Systems) : Title Guarantee, Conclusive Title, and Title Insurance.**

#### **Unit-II:**

Law Reforms before and after independence — Zamindari Settlement — Ryotwari Settlement — Mahalwari System — Intermediaries — Constitutional Provisions — Abolition of Zamindaries, Jagirs and Inams -Tenancy Laws — Conferment of

ownership on tenants/ryots.

### **Unit-III:**

Laws relating to acquisition of property — The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013- salient Features-Procedure for Land Acquisition :Issue of notification , Social impact assessment -Consent of landowners- Award enquiry, Payment of compensation & Reference to civil courts etc

### **Unit-IV:**

Laws relating to Ceiling on Land Holdings — **The Telangana** Land Reforms (Ceiling on Agricultural Holdings) Act, 1973 — Effect of inclusion in the IX Schedule of the Constitution — Interpretation of Directive Principles of State Policy **in relation to land (Articles 36 and 38) – Law relating to and survey of land and sub-division – Land Rights under the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006.**

### **Unit-V:**

Laws relating to alienation — Scheduled Areas Land Transfer Regulation — **The Telangana** Assigned Lands (Prohibition of Transfers) Act, - Resumption of Lands to the Transferor/Government — **Role of Special Tribunals an Courts in Resolution of land disputes.**

### **Suggested Readings:**

1. P. Rama Reddi and P. Srinivasa Reddy : *Land Reform Laws in A.P.*, Asia Law House, Hyderabad.
2. P.S. Narayana: *Manual of Revenue Laws in A.P.*, Gogia Law Agency, Hyderabad.
3. *Land Grabbing Laws in A.P.*, Asia Law House, Hyderabad.
4. G.B. Reddy: *Land Laws in A.P.*, Gogia Law Agency, Hyderabad
5. N. Maheshwara Swamy, Lectures on Land Laws, Asia Law House, Hyderabad

## **PAPER-V:**

### **CITIZENSHIP AND EMIGRATION LAW**

#### **Unit-I:**

Nature and scope of citizenship and its associated concepts – Nationality – Domicile – Multiple Citizenship - Common Wealth Citizenship - Corporate Citizenship - Dual Citizenship - Overseas Citizenship to the People of Indian Origin and Non-resident Indians. **The Citizenship (Amendment) Act. 2019**

#### **Unit-II:**

Historical Evolution of Citizenship - Ancient Citizenship - Constitutional Debates on Citizenship and Citizenship at the Commencement of Constitution of India - Modern Citizenship and Citizenship in the Age of Globalization.

#### **Unit-III:**

**Theories of Citizenship - Civic Republican, Liberal, Communitarian, Sociological and Multicultural theories of Citizenship.**

#### **Unit-IV:**

Citizenship after the commencement of the Constitution - Constitutional Provisions of Citizenship, Citizenship Act 1955 - Citizenship Rules 1956 - Citizenship under International Law - Rights and Duties of Citizens and Non-Citizens under the Constitution and other enactments.

#### **Unit-V:**

Meaning and Nature of Emigration and its associated concepts – Migration – Citizenship – Allegiance – Emigration - Visas and Passports - Emigration issues – Statelessness – Refugees – Asylum – Extradition – Deportation - determination of status of illegal migrants - double taxation - Rights and Obligations of the sending and receiving states - Discriminative Practices vis-à-vis Emigrants - Protection of Emigrants by International law and impact of Citizenship Policies on Emigration.

#### **Suggested Readings:**

1. A.N. Sinha: *Law of Citizenship and Aliens in India*, Asia Publishing House, New Delhi, 1962.
2. Meher K. Master: *Citizenship of India*, Eastern Law House, Calcutta, 1970
3. E.S.Venkataramaiah: *Citizenship – Rights and Duties*, Texcom, delhi, 1988.
4. Surya narian Yadav and Indu Baghel: *Citizenship in the Age of Globalisation*, Jnana Prakashan, New Delhi, 2008.
5. Gurubax Singh: *Law of Foreigners, Citizenship and Passports in India*, Universal Law publishers, New Delhi.
6. Subhash C. Kashyap: *Citizenship and the Constitution: Citizenship Values under the Constitution*, Publications Division, Ministry of Information and Broadcasting, Government of India, New Delhi, 2002.
7. B.N. Ray: *Citizenship in a Globalizing World*, Kaveri Books, New Delhi, 2007.
8. S.I.Jafri & K.N. Nath,: *Seth's Law of Citizenship, Foreigners and Passports in India*, Law Publishers (India) Pvt. Ltd.
9. B.S. Chimni(ed): *International Refugee Law – A Reader*, Sage Publications, New Delhi, 2000.
10. Rathin Bandopadhyay: *Human Rights of the Non-citizen – Law and Reality*, deep & Deep, New Delhi, 2007.

## **INTERNSHIP – AFTER SEMESTER-VIII**

**Introduction of viva-voce Examination for internship record for 5YDC (B.A LL.B)**

**Introduction of monitoring the mandatory internship programmed undergone by the students of VIII semester of 5YDC (B.A LL.B)** **Mentoring system for internship:** Mentoring system for internship of students (one mentor for 10 intern students shall be introduced to monitor the allotment of internship provider, the progress of internship, certification of internship provider and submission of internship reports).

- a) Identification of Internship Providers:** Internship Providers can be statutory Bodies, Courts, Judges, Senior Advocate, Commissions, Tribunals, Industries, NGO's, etc. Who can impart practical knowledge and Training to the students.
- b) An Official Letter to be address to the Internship Providers by the Principal of respective college.**
- c) The University-appointed examiner shall conduct Viva-Voce Examination for all the students intern immediately after completion of internship shall award the Grades as under.**

**A----above 80% (Excellent)**

B----above 70% upto 79% (Very Good)

C----above 60% upto 69% (Good)

D----above 50% upto 59% (Satisfactory)

E----Less than 50% (not satisfactory)

**\* Note: No impact on Results**

d) The grades awarded by the examiners appointed by Examination branch on the recommendation of Chairman, Board of Studies in Law, OU shall be submitted in the examination branch of OU to be reflected in the marks memos of IX semester of LL.B (5YDC). The concerned colleges should pay suitable honorarium to the Examiners by way of sitting fee.

The internship Viva-Voce Examination should be conducted for the concerned semester students from the Academic year 2024-25.