

## V SESSION 2011-12

### **CODE-501: PAPER-I: CIVIL PROCEDURE CODE AND LIMITATION ACT**

Max. Marks: 100

Time: 3 Hours

**Note:** (i) The Entire Syllabus of the theory has been divided into **four units**. But the question paper shall have **five units**. Unit **I** to **IV** of the question paper will have two questions from each **unit** of the syllabus. The student will be required to attempt one question from each **unit**.

**Unit V** of the question paper shall have compulsory question, divided into **four parts** and each part carrying a question from the above **four units** of the syllabus.

(ii) All questions shall carry equal marks.

#### **Unit-I**

Definition, Jurisdiction of Civil Courts, Suits of Civil Nature (Sec. 9)

Stay of suits, *Res-judicata*, Foreign Judgments (Ss. 10-14)

Place of Suing, Transfer of Suits (Ss. 15-25)

Joinder of Parties, Representative Suits, Splitting of Claims and Reliefs, Joinder of Cause of Actions (order I & II)

#### **Prescribed Case**

Muni Bibi v. Triloki Nath, AIR 1931 SC 114

#### **Unit-II**

Summons to Defendants (Order-V)

Appearance of Parties, *Ex-parte* Decree ( O. IX,X)

Discovery and Inspection (O. XI)

Settlement of Issues( O, XIV, XV)

Summons to Witnesses (O, XVI,XVII,XIX)

Hearing of Suits (O, XVIII); Judgment and Decree (O,XX)

Awarding of Interest and Costs(Ss. 34 to 35)

Restitution, Inherent Powers of the Courts

Miscellaneous Provisions (Ss. 132-158)

#### **Prescribed Case**

Babbar Sewing Machine Co. v. Triloki Nath, AIR 1978 SC 1436

#### **Unit-III**

Commissions (Ss. 75-78, Order XXVI)

Suits against Government (Ss. 79-80)

Suits in cases of Minors, Indigent Persons (Order XXXII, XXXIII), Inter Pleader Suit (Sec. 88, Order XXXV)

Supplemental Proceedings- Arrest and Attachment before Judgment, Temporary Injunctions, Interlocutory Orders, Appointment of Receivers, (Ss. 94-95)(Orders XXXVIII to XL), Appeals- First and Second Appeal; Procedure in Appeal (Ss. 96-108, Order XLI)

#### **Prescribed Case**

Amar Nath Dogra v. Union of India, 1963 SC 424

#### **Unit-IV**

Reference, Review, Revision (Ss. 113-115, Order XL VI-XLVII)

Execution-Basic Provisions (Ss. 36-74)

Execution-(Order XXI) with all rules

Limitation of Suits, Appeals and Applications (Ss. 3-11)

Exclusion of Time (Ss. 12-15)

Effects of Death, Fraud Acknowledgment, Payment etc of Limitation (Ss. 16-22)

#### **Prescribed Case**

Major S.S. Khanna v. Brig. F.J. Dillon, AIR 1964 SC 497

#### **Books Recommended**

1. Matta : The Code of Civil Procedure
2. Saha, A.N. : The Code of Civil Procedure
3. Mitra, B.B. : H.C. Mitra's Indian Limitation Act.
4. Takwani, C.K. : Civil Procedure

### **CODE-502: PAPER-II: LABOUR AND INDUSTRIAL LAW-I**

Max. Marks: 100

Time: 3 Hours

**Note:** (i) The Entire Syllabus of the theory has been divided into **four units**. But the question paper shall have **five units**. Unit **I** to **IV** of the question paper will have two questions from each **unit** of the syllabus. The student will be required to attempt one question form each **unit**.

**Unit V** of the question paper shall have compulsory question, divided into **four parts** and each part carrying a question from the above **four units** of the syllabus.

(ii) All questions shall carry equal marks.

#### **Unit-I: Industrial Disputes Act,1947**

Definition of Industry, Industrial Dispute and Workman; Grievance Settlement Authorities-Works Committee, Court of Enquiry, Conciliation Officer and Board of Conciliation, Labour Court, Industrial and National Tribunal; Reference of Dispute to Board, Court and Tribunals (Section 10); Voluntary Reference of Disputes to Arbitration (Section 10A)

#### **Prescribed Case**

Banglore Water Supply and Sewerage Board v. A. Rajappa and others, AIR 1978 SC 548

#### **Unit-II: Industrial Disputes Act,1947**

Strikes and Lockouts, Lay Off and Retrenchment, Transfer and Closure (Chapter VA & VB), Conditions of Service etc. to remain unchanged (Sections 33-33C), Workers Participation in Management, Unfair Labour Practices.

#### **Prescribed Case**

Syndicate Bank v. K. Umesh Nayak, 1994 1 LLJ 836(SC)

### **Unit-III: Trade Union Act,1926**

Definitions of Trade Union, Trade Disputes, Procedure of Registration of Trade Unions Cancellation of Registration, Dissolution of Trade Union, Rights, Liabilities and Immunities of the Members of Registered Trade Union, Recognition of Trade Union, Collective Bargaining.

### **Industrial Employment (Standing Orders) Act,1946**

Concept and Meaning of Standing orders, Certification Process; Its Operation and binding Effect, Modification of Standing Orders and Temporary Application of Model Standing Orders.

#### **Prescribed Case**

In re Indian Steam Navigation Workers Union, AIR 1936 Cal. 57

### **Unit-IV: Equal Remuneration Act,1976**

Payment of Equal Remuneration to Men and Women Workers, Prohibition of Discrimination while Recruiting Men and Women Workers, Advisory Committee and the Role of the Appropriate Government to Appoint Authorities for Deciding Claims.

**Child Labour (Prohibition and Regulations) Act,1986-** Prohibition of Employment of Children in Certain Occupations and Processes, Regulation of Conditions of work of Children Penalties.

#### **Prescribed Case**

M/s Mackinnan Mackenzie and Co. Ltd. V. Andrey D'Costas and another, (1987) ILLJ 536(SC)

#### **Books Recommended**

1. Malhotra O.P. : Industrial Dispute Act,1947
2. Mishra, S.N. : Labour and Industrial Laws
3. Varandani, G. : Social Security for Industrial Workers in India
4. Puri, S.K. : Labour and Industrial Laws
5. Goswami, V.G. : Labour Law and Industrial Laws
6. Varandani, G. : Workers Participation in Management
7. Varandani, G. : Child Labour and Women Worker
8. Sabharwal, R.K. : Job Security of Industrial Workers

## **CODE-503: PAPER-III: LAND LAWS INCLUDING TENURE AND TENANCY SYSTEM**

Max. Marks: 100

Time: 3 Hours

**Note:** (i) The Entire Syllabus of the theory has been divided into **four units**. But the question paper shall have **five units**. Unit **I** to **IV** of the question paper will have two questions from each **unit** of the syllabus. The student will be required to attempt one question form each **unit**.

**Unit V** of the question paper shall have compulsory question, divided into **four parts** and each part carrying a question from the above **four units** of the syllabus.

(ii) All questions shall carry equal marks.

**Unit-I: The Punjab Land Revenue Act, 1887**

Definitions (Section-3), and Exclusion of Certain land from Operation of Act (Section 4)

Revenue Officers: Classes and Powers (Ss. 6-22)

Records (Ss. 31-47)

Collection of Land Revenue (Ss. 61-96)

Partition (Ss. 110-126)

**Prescribed Case**

Harsih v. Grisha Ram, AIR 1981 SC 695

**Unit-II: The Punjab Tenancy Act, 1887 (As applicable to Haryana)**

Definitions (Sec. 4)

Right of Occupancy (Ss. 5-11)

Rent (Ss. 12-34)

Relinquishment, Abandonment and Ejectment (Ss. 35-50)

Improvement and Compensation (Ss. 61-74)

**Prescribed Case**

Chandu Lal v. Kalia & Gorla, 1976 PLR 607

**Unit-III: The Haryana Ceiling on Land Holding Act,1972**

Definitions (Sec. 3); Permissible Area (Sec. 4)

Exemptions (Sec. 5)

Ceiling on Lands etc. (Ss. 7-17)

**The Punjab Village Common Lands (Regulation) Act,1961 (As applicable to Haryana)**

Definitions (Sec. 2) and Lands to which this Act Applies (Sec. 3)

Vesting of Rights and Regulations of use and Occupation etc. of Lands (Ss. 7-12)

Ban of jurisdiction of Civil Courts (Ss. 13-15)

**Prescribed Case**

Om Parkash v. State of Haryana, 1987 (i) Cur.L.J. 791 (FC)

**Unit-IV: The Haryana Panchayati Raj Act, 1994**

General Provisions applicable to Gram Panchayat, Panchayat Samiti and Zila Parishads (Ss. 3-6)

Sabha Area Establishment. Constitution of Gram Sabha and Gram Panchayat (Ss. 7-12)

Gram Panchayat (Ss. 13-38)

Control (Ss. 46-54)

Panchyat Samiti (Ss. 56-87)

Supervisions (Ss. 106-116)

Zila Parishad (Ss. 117-143)

Supervision of Zila Parishad (Ss. 155-160)

Provisions Relating to Election (Ss. 162-188)

**Prescribed Case**

Sunita Devi v. F.C. Haryana, 1999(ii) R.C.R. (Civil); 356 (P&H)

**Books Recommended**

1. Agarwala, O.P. : The Punjab Land Revenue Act,1887
2. Agarwala, O.P. : The Punjab Tenancy Act,1887

3. Jain's : The Punjab village Common Lands (Regulation) Act, 1961  
4. Jaiswal and Chawla : A Commentary on Haryana Panchayati Raj Act, 1994  
5. Saini, Baryam Singh : Treatise on Village Common Land (Punjab and Haryana)  
6. Narula, D.P. : Punjab and Haryana Land Laws

**CODE-504: PAPER-IV: OPTION (I): CYBER LAW**

Max. Marks: 100

Time: 3 Hours

**Note:** (i) The Entire Syllabus of the theory has been divided into **four units**. But the question paper shall have **five units**. Unit **I** to **IV** of the question paper will have two questions from each **unit** of the syllabus. The student will be required to attempt one question from each **unit**.

**Unit V** of the question paper shall have compulsory question, divided into **four parts** and each part carrying a question from the above **four units** of the syllabus.

(ii) All questions shall carry equal marks.

**Unit-I**

**Introduction to Information Technology Act, 2000**

1. Historical Background and Objectives of the Act.
2. Definition under the Act.
3. Digital Signatures.
4. Electronic Records.
5. Authorities under the Act.
6. Cyber Appellate Tribunal.

**Prescribed Case**

State of Maharashtra v. Marwanjee F. Desai (2002) 2 SCC 318.

**Unit-II Cyber Crimes.**

1. Tempering with Computer Source Documents.
2. Hacking with Computer System.
3. Publishing of Obscene Information in Electronic Form.
4. Breach of Confidentiality and Privacy.
5. Publishing of False Digital Signature Certificate.
6. Offences Committed Outside India.
7. Powers of Adjudication and Investigation.

**Prescribed Case**

R.v. Whiteley (1991) 93 Cr. App. R 25.

**Unit-III International Regime of Cyber Law.**

1. Personal Jurisdiction in Cyber Space.
2. International Jurisdiction In Cyber Space.
3. The issues relating to online Defamation.

### **Prescribed Case**

Rambabu Saxena v. State, AIR 1950 SC 155.

### **Unit-IV Cyber Law And Related Issues.**

1. Freedom of Expression in Cyberspace.
2. Computer Forensic and the Process of Confiscation.
3. Network Service Provider.

### **Prescribed Case**

Ben Ezra, Weinstein & Co. v. America Online Inc. 206.F. 3d 980 (10<sup>th</sup> cir 2000)

### **Books Recommended :**

1. Information Technology Act, 2000.
2. Information Technology Manual.
3. Diane Rowland : Information Technology Law.  
Elizabeth Macdonald
4. Nandan Kamath : A Guide to Cyber Laws and the Information  
Technology Act, 2000 with Rules and Notification.
5. Rodney, D. Ryder : Guide to Cyber Laws.
6. Yogesh Barua & Denzyl : Cyber Crimes
7. Sharma, Vakul : Information Technology Law and Practice
8. Justice Yathindra Singh : Cyber Laws
9. Bakshi, R.M. : Cyber & E-Commerce Laws

## **CODE-504: PAPER-IV: OPTION (II): HUMAN RIGHTS AND LAW OF DISABILITY**

Max. Marks: 100

Time: 3 Hours

**Note:** (i) The Entire Syllabus of the theory has been divided into **four units**. But the question paper shall have **five units**. Unit **I** to **IV** of the question paper will have two questions from each **unit** of the syllabus. The student will be required to attempt one question from each **unit**.

**Unit V** of the question paper shall have compulsory question, divided into **four parts** and each part carrying a question from the above **four units** of the syllabus.

(ii) All questions shall carry equal marks.

### **Unit-I**

Human Rights, Concept, Nature and Scope; Human Rights under the U.N. Charter, Universal Declaration of Human Rights; Human Rights Commission in India, National Human Rights Commission; Constitution, Powers and Functions

### **Unit-II**

International Humanitarian Law and Four Geneva Conventions of 1949 relating to:

- I. Amelioration of the condition of Wounded and Sick in Armed Forces.
- II. Amelioration of the conditions of Wounded, Sick and Shipwrecked members of armed Forces at Sea.

- III. Treatment of Prisoners of War
- IV. Protection of Civilian Persons during War

**Unit-III**

The persons with disabilities (Equal opportunities, protection of Rights and full participation) Act, 1955; Object and Scope, Definitions (Sec.2), the Central Coordination Committee (Sec. 3 to 12), The State Coordination Committee (Sec. 13 to 24) Prevention and Early Detection of Disabilities (Sec. 25), Education for Children with disabilities (Sec. 26 - 30)

**Unit –IV**

Employment for person with disabilities (Ss. 32 -41) Affirmative action of the Government for welfare and development of disable persons (Ss. 42 to 43) Non-discrimination (Ss. 44 to 47)

Recognition of institutions for person with Disabilities (S. 50 - 55) Institutions for person with severe disabilities (S. 56) the Chief Commissioner and Commissioners for person with disabilities (S. 57- 64)

Social Security (Ss. 66 - 68) Miscellaneous (Ss. 69 - 73)

**Books Recommended:**

1. Awasthi, S.K., Kataria, R.P.: Law Relating to Protection of Human Rights
2. Verma, S.K. : Rights of Persons with Disabilities
3. The Persons with disabilities (Equal opportunities, protection of Rights and full participation) Act 1995
4. Baxi, Upendra : Human rights Accountability and Development, Indian Journal of International Law, 279(1978)
5. Schwarzenberger, G. : Manual of Human Rights
6. Kazmi, F. : Human Rights
7. Kapoor, S.K. : International Law and Human Rights.
8. Aggarwal, H.O. : International Law and Human Rights

**CODE-505: PAPER-V: COMPULSORY CLINICAL COURSE:  
ALTERNATE DISPUTE RESOLUTION**

Max. Marks: 100

Time: 3 Hours

**i. Negotiation Skills With simulated Program.**

**ii. Conciliation Skill**

Conciliation- Purpose and Scope (Sec.61).

Conciliation Skills.

Conciliation Proceedings (Ss.62-71).

Settlement Agreements in Conciliation (Ss. 72-75).

Miscellaneous Provisions (Ss. 76-81).

**iii. Arbitration Law and Practice including international Arbitration and Arbitration Rules**

Nature of Arbitration Proceedings, Objectives of Arbitration & Conciliation Act, 1996, Preamble.

Definitions and General Provisions (Ss. 2-6).

Composition of Arbitral Tribunal (Ss. 10-15).

Jurisdiction of Arbitral Tribunal (Ss. 16-17).

Conduct of Arbitral Proceedings (Ss. 18-23).

Making of Arbitral Awards and Termination of Proceedings (Ss. 28-33).

Setting aside Finality and Enforcement of Award (Ss. 34-36).

Miscellaneous Provisions (Ss 37-43).

International Arbitration and Arbitration Rules.

Enforcement of Foreign Awards- New York Convention Award (Ss.44-52).

Geneva Convention Awards (Ss. 53-60).

**Note:** The Course will be conducted through Simulation and Case Studies.

Evaluation may also be conducted in Practical exercises.

**Books Recommended :**

1. Saraf B.P. & Jhunjhunwala S.M. : Law of Arbitration & ADR In India.
2. Tripathi, S.C. : Arbitration and Conciliation Act.
3. Kohli, Hari Dev : New Case Law Reference on Arbitration & Conciliation Act.
4. Datta, C.R. : Law Relating to Commercial and Domestic Arbitration.
5. Destha, Sunil : Lok Adalats in India.



## **CODE-601: PAPER-I: PRINCIPLES OF TAXATION LAW**

Max. Marks: 100

Time: 3 Hours

**Note:** (i) The Entire Syllabus of the theory has been divided into **four units**. But the question paper shall have **five units**. Unit **I** to **IV** of the question paper will have two questions from each **unit** of the syllabus. The student will be required to attempt one question from each **unit**.

**Unit V** of the question paper shall have compulsory question, divided into **four parts** and each part carrying a question from the above **four units** of the syllabus.

(ii) All questions shall carry equal marks.

### **Unit-I**

Need and importance of Income Tax in India, history of the development of Income Tax, nature of Income Tax

Concepts; Income (Sec. 2(24)), Total Income (Sec.2(45)), Agriculture Income (Sec. 2(1A)), Assessee (Sec.2(7)), Assessment Year and Previous Year (Sec. 2(9)) and Revenue; Charge of Income Tax; Income of other persons included in assessed total Income(Ss. 60-65); Income which do not form part of total Income (Ss. 10-13A)

#### **Prescribed Case**

C.I.T. v. Raja Benoy Kumar Sahas Roy, 32 ITR 466 SC (1957)

### **Unit-II**

Salary (Ss. 15-17); Income from House Property (Ss. 2-27); Profits and gain of business or Profession (Ss. 24 to 44 AD & 68 to 69 AD; Depreciation Allowance and Development Rebate; Capital Gains (Sections 45-55 A); Income from other Sources (Ss. 56 to 59)

#### **Prescribed Case**

C.I.T. v. Dalhousie Properties Ltd. 1984 Tax. L.R. 1334 (SC)

### **Unit-III**

Set off and carry forward of losses (Ss. 70-80); Procedure for Assessment (Ss. 139-158); Liability in special cases (Ss. 159-181); Special Provisions Applicable to Firms (Ss. 184-189 A)

#### **Prescribed Case**

Bhushan Lal Parduman Kumar v. C.I.T., 1978 Tax L.R. 1346 SC

### **Unit-IV**

Income Tax Authorities (Ss. 1176-138); Appeal, Reference and Revision and Special Provisions for Avoiding Repetitive Appeals; Collection, Recoveries and Refund (Ss. 190-234) and (237-245); Penalties, Offences and Prosecution.

#### **History of Sales Tax, Nature of Sales Tax**

Central Sales Tax: History of Sales Tax, Nature of Sales Tax, Definition of Dealer, Goods, Sale price and Turnover; Sale in Course of inter-state trade or commerce, outside state sales and sale in the course of import and export; liability to Tax on inter-state sales; Registration of Dealer; Levy and Collection of Tax, Penalties; Goods of Special Importance and rate of Tax

### **Prescribed Case**

Consolidated Coffee Board v. Coffee Board Bangalore, AIR 1980 SC 1468

### **Books Recommended**

1. Bhattacharya's : Law and Practice of Income Tax
2. Chaturvedi, Kothari : Central Sales Tax Act
3. Jain, S.N. : Central Tax Act
4. Kanga and Pai : Law and Practice of Income Tax
5. Saxena, A.,K. : Income Tax Act,1996
6. Ravi, K. : Law of Income Tax
7. Sampath Iyenger : Law of Income Tax
8. Kailash Rai : Law of Income Tax

### **CODE-602: PAPER-II: LABOUR AND INDUSTRIAL LAW-II**

Max. Marks: 100

Time: 3 Hours

**Note:** (i) The Entire Syllabus of the theory has been divided into **four units**. But the question paper shall have **five units**. Unit **I to IV** of the question paper will have two questions from each **unit** of the syllabus. The student will be required to attempt one question from each **unit**.

**Unit V** of the question paper shall have compulsory question, divided into **four parts** and each part carrying a question from the above **four units** of the syllabus.

(ii) All questions shall carry equal marks.

#### **Unit-I: Workmen's Compensation Act,1923**

Definition of Total and Partial Disablement, Workman, Employer, Dependent, Wages Employer's Liability for Compensation, Modes of Calculating wages, Distribution of Compensation, Commissioners

#### **Employees' State Insurance Act,1948:**

ESI Corporation, Standing Committee and Medical Benefit Council, Contributions and Benefits, Adjudication of Disputes & Claims

#### **Prescribed Case**

M. Mackenzie v. I.M. Issak, AIR 1970 SC 1006

#### **Unit-II: The Employees' Provident Funds and Miscellaneous Provisions Act,1952**

Object and Scope of the Act, Employees' Provident Fund Scheme, Authorities, Central Board of Trustees, State Board of Trustees, Regional Committees, Determination of Money due from employer, Mode of recovery of money, Power to recover damages (Section 14-B)

#### **The Payment of Gratuity Act,1972**

Object, Scope and Concept of Gratuity, Payment of Gratuity, Ceiling of Gratuity, Determination and recovery of Gratuity

#### **Prescribed Case**

Jeewan Lal (1929) Ltd. V. Appellate Authority and Others, 1984 II LLJ 464(SC)

### **Unit-III: The Factories Act,1948**

Definition of Factory, Worker, Hazardous process, Occupier, Adult, Adolescent and child, Provisions relating to Health & Cleanliness, Safety, Hazardous process and welfare of workers. Employment of children and Adolescents. Annual leave with wages, penalties and procedure

### **Inter State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979**

Definition, Registration of Establishments, Employing Inter-State Migrant Workmen; Licensing of Contractors; Duties and Obligations of Contractors, Wages, Welfare and other facilities, Inspecting Staff.

#### **Prescribed Case**

Delhi Cloth and General Mills Co. Ltd. V. The Chief Commissioner, Delhi, AIR 1971 SC 344

### **Unit-IV: The Minimum Wages Act, 1948**

Definition of minimum Wages, Fixation of Minimum rates of Wages, Procedure for Fixation, Revision and Disposal of Claims

### **The Payment of Wages Act, 1936**

Object and Scope of the Act, Responsibility for Payment of Wages, Deductions Fines, Claims arising out of Deduction and delay in payment, Enforcement Machinery- their powers and functions

### **Bonded Labour System (Abolition) Act, 1976**

Object and main features of the Act, Abolition of Bonded Labour System, Extinguishment of Liability to Repay Bonded Debt, Implementing Authorities, Vigilance Committee

#### **Prescribed Case**

Bandhua Mukti Morcha v. Union of India, AIR 1984 SC 802

#### **Books Recommended**

1. Mishra, S.N. : Labour and Industrial Laws
2. Varandani, G. : Social Security for Industrial Workers in India
3. Puri, S.K. : Labour and Industrial Laws
4. Goswami, V.G. : Labour Law and Industrial Laws
5. Varandsani, G. : Child Labour and Women Worker
6. Sabharwal, R.K. : Job Security of Industrial Workers
7. Inter State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979

## **CODE-603: PAPER-III: OPTION (I): INTELLECTUAL PROPERTY LAW**

Max. Marks: 100

Time: 3 Hours

**Note:** (i) The Entire Syllabus of the theory has been divided into **four units**. But the question paper shall have **five units**. Unit **I** to **IV** of the question paper will have two questions from each **unit** of the syllabus. The student will be required to attempt one question from each **unit**.

**Unit V** of the question paper shall have compulsory question, divided into **four parts** and each part carrying a question from the above **four units** of the syllabus.

(ii) All questions shall carry equal marks.

### **Unit-I: International Law on Intellectual Property**

1. Introductory to Intellectual Property
2. The World Intellectual Property Organization (WIPO) Convention
3. TRIPS Agreement.
4. Paris Convention, Berne Convention and Universal Copy Right Convention
5. Phonogram Treaty

### **Unit-II: Law of Patent and Copy Right in India**

1. Inventions not Patentable (Ss. 3-50)
2. Applications of Patents and Examinations of Applications (Ss. 6-24)
3. Applications to Grant of Patent and Anticipation (Ss. 25-34)
4. Grant and Sealing of Patents and Rights Conferred (Ss. 43-53)
5. Surrender and Revocation of Patents (Ss. 63-66)
6. Copyright (Ss. 13-16)
7. Ownership of Copyright and Rights of owner (Ss. 17-22)
8. Term of Copyright (Ss. 22-29)
9. Registration of Copyright (Ss. 44-50A)
10. Infringement of Copyright and Civil Remedies (Ss. 51-62)

#### **Prescribed Case**

R.G. Anand v. Deluxe Films, AIR 1978 SC 1613

### **Unit-III: Law of Trade Marks in India**

1. Definitions (Sec. 2)
2. The Register and conditions for Registration (Ss. 3-17)
3. Procedure for Registration and Duration for Registration (Ss. 18-26)
4. Effects of Registration (Ss. 27-36)
5. Certification of Trade Marks (Ss. 69-82)

#### **Prescribed Case**

National Garments v. National Apparels, (1990) PTC 90

### **Unit-IV: Changing Dimensions of IPR**

#### **Protection Plant Varieties and Farmer's Rights Act, 2001**

1. Protection of Plant Varieties and Farmer's Rights Authority
2. Registration of Plant Varieties, Duration and Effect of Registration
3. Revocation and Surrender of Registration
4. Plant Varieties Protection Appellate Tribunal: Composition, Procedure and Penalties under the Act.

### **Geographical Indications of Goods (Registration and Protection) Act, 1999:**

1. Concept of Geographical Indications
2. Registration and Protection of Geographical Indications

### **The Biological Diversity Act, 2002**

1. Establishment of National Biodiversity Authority
2. Function and Powers of Biodiversity Authority

### **The Designs Act, 2000**

1. Definitions
2. Registration of Designs
3. Copy right in registered designs
4. Power and Duties of Controller

### **Prescribed Case**

Castrol India Ltd. V. Tide Water Oil Co. Ltd., 1996 PTC (16) 2002

### **Books Recommended**

1. Baxi, U. : The Law of Intellectual Property, Property Law in India (1989)
2. Cornish, W.R. : Intellectual Property: Patent, Copyright, Trade Marks and Allied Rights
3. Narayanan, P. : Law of Patents(1986)
4. Narayanan, P. : Copyright Law (1986)
5. Khosla, K.D. : Know yours Copyright
6. Thairany Kala : Copyright Act,1957
7. Vashisth Vikas : Law and Practice of intellectual Property in India
8. Nagarajan, R.K. : Intellectual Property Law, 2003
9. Raju, K.D. : Intellectual Property Law, 2005

### **CODE-603: PAPER-III: OPTION (II): WOMEN AND LAW**

Max. Marks: 100

Time: 3 Hours

**Note:** (i) The Entire Syllabus of the theory has been divided into **four units**. But the question paper shall have **five units**. Unit **I** to **IV** of the question paper will have two questions from each **unit** of the syllabus. The student will be required to attempt one question form each **unit**.

**Unit V** of the question paper shall have compulsory question, divided into **four parts** and each part carrying a question from the above **four units** of the syllabus.

(ii) All questions shall carry equal marks.

### **Unit-I**

United Nations and Human Rights of Women; Universal Declaration of Human Rights, 1948; Convention of Elimination of All forms of Discrimination Against Women, 1979, Declaration on Elimination of Violence Against Women,1993; Beijing Declaration, 1995.

### **Unit-II**

Concept of Gender Justice, Constitutional Safeguards for the Protection of Women- Right to Equality, Right to Life and Personal Liberty, Right Against Exploitation, Directive Principles of State Policy, Protection of Women from Sexual Harassment at Workplace

**Prescribed Case**

Vishaka v. State of Rajasthan, AIR 1997 SC 3011; (1997) 6 SCC 241

**Unit-III**

The Dowry Prohibition Act,1961-Definition of Dowry, Penalty for Giving, Taking and Demanding Dowry, Ban on Advertisement, Dowry for the benefit of the wife or her heirs, Cognizance of offences, Dowry Prohibition Officers, Dowry Prohibition (Maintenance of Lists of Presents to the Bride and Bridegroom) Rules, 1985; Cruelty by Husband or Relatives of Husband (Section 498-A, I.P.C.); Dowry Death (Section 304-B, I.P.C.).

**Prescribed Case**

Kamesh Panjiyar v. State of Bihar (2005) 2 SCC 388

**Unit-IV**

The Protection of Women from Domestic Violence Act,2005-Definition of Domestic Violence, Powers and Duties of Protection Officers, Service Provider etc; Procedure for Obtaining Orders of Reliefs, Miscellaneous.

**Prescribed Case**

S.R. Batra v. Taruna Batra, AIR 2007 SC 1118

**Books Recommended**

1. Diwan, Paras : Law relating to Dowry, Dowry Death, Bride Burning, Rape and Related Offences.
2. Panday, J.N. : Constitutional Law of India
3. Shukla, V.N. : Constitution of India
4. Tripathi and Arora : Law Relating to Women & Children
5. Devender Singh : Human Rights, Women and Law
6. Sexena, Shobha : Crimes against women and Protective Laws
7. Indira Jaisingh : Handbook on Law of Domestic Violence
8. Anjani Kant : Law relating to Women and Children
9. Rao, Mamta : Law Relating to Women and Children
10. Anand, A.S. : Justice for Women: Concerns and Expressions

**CODE-604: PAPER-IV: INTERPRETATION OF STATUTES**

Max. Marks: 100

Time: 3 Hours

**Note:** (i) The Entire Syllabus of the theory has been divided into **four units**. But the question paper shall have **five units**. Unit **I** to **IV** of the question paper will have two questions from each **unit** of the syllabus. The student will be required to attempt one question form each **unit**.

**Unit V** of the question paper shall have compulsory question, divided into **four parts** and each part carrying a question from the above **four units** of the syllabus.

(ii) All questions shall carry equal marks.

**Unit-I**

Statute- Meaning and classification, General Principles of Interpretation- The rule of literal Construction, Golden Rule and the Mischief Rule

Harmonious Construction, Statute should be read as a whole, Maxims- Expressio Unius Est Exclusio Alterius, Noscitur A Sociis, Ejusdem Generis

**Prescribed Case**

Harbhajan Singh v. Press Council of India, AIR 2002 SC 1351

**Unit-II**

Internal Aids to interpretation-Short Title, Long Title, Preamble, Marginal Notes, Headings, Definition or Interpretation Clause, Proviso, Illustrations, Exceptions and Saving Clauses, Explanations, Schedules and Punctuation  
Interpretation of Constitution

**Prescribed Case**

Special officer and competent authority urban land ceiling, Hyderabad v. P.S. Rao, AIR 2002 SC 843

**Unit-III**

External Aids to Interpretation- Dictionaries, Foreign Decisions, Text Books, Historical Background, Legislative History, Administrative Conveyancing and Commercial Practice  
Prospective and Retrospective operation of statutes

**Prescribed Case**

Aruna Rao v. Union of India, AIR 2002 SC 3176

**Unit-IV**

Construction of Taxing Statutes and Evasion of Statutes; Remedial and Penal statutes-Distinction; Liberal Construction of Remedial Statues; Strict Construction of Penal Statutes; Mens Rea in Statutory Offences, Construction of Mandatory and Directory Statutes

**Prescribed Case**

Amery Pharmaceuticals v. State of Rajasthan, AIR 2001 SC 1303

**Books Recommended**

1. Langan, P.St.J. : Maxwell on the Interpretation of Statutes
2. Singh, G.P. : Principles of Statutory Interpretation
3. Sarathi, V.P. : Interpretation of Statutes
4. Swarup, Jagdish : Legislation and Interpretation
5. Bindra, N.S. : Interpretation of Statutes
6. Chakravarti, K.P. : Interpretation of Statutes

**CODE-605: PAPER-V: COMPULSORY CLINICAL COURSE: MOOT COURT EXERCISE AND INTERNSHIP**

Max. Marks: 100

Time: 3 Hours

**Note:** This paper will have three components of 30 marks each and a Viva-voce for 10 marks

**(a) Moot Court (30 marks)**

Every student is required to do at least three moot courts in the LL.B. 3-Year (Professional) Course with 10 marks for each. The Moot court work will be on assigned problems and it will be evaluated for 5 marks for written submission and 5 marks for oral advocacy

**(b) Observance of Trial in two cases one Civil and one Criminal (30 marks)**

Students will attend two trials in the 1<sup>st</sup> year of LL.B. 3-Year (Professional) course. They will maintain a record and enter the various steps observed during their attendance on different days in the court assignment. This scheme will carry 30 marks

**(c) Interviewing techniques and Pre-trial Preparations (30marks)**

Each student will observe two interviewing sessions of clients at the Lawyers' 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 Advocates and the procedure for the filing of the suit/petition. This will be recorded in the diary, which will carry 15 marks

(d) The fourth components of this paper will be Viva-voce examination on all the above three aspects. This will carry 10 marks

**Minimum Period of Internship**

- (a) Each registered student shall have completed minimum of twelve weeks of internship during the entire period of legal studies provided that internship in any year cannot be for a continuous period of more than four weeks
- (b) Each student shall maintain internship diary as prescribed by the teacher