

LL.B. 6TH SEMESTER
SESSION 2022-23

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

W.e.f 2022-23

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 will consist of one compulsory question divided in to 8 parts. carrying two parts from each unit of the syllabus. The student will be required to attempt any four parts.

(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. Dalhouse 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. 117-138); 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.

The Integrated Goods and Services Tax Act, 2017

Aims and Objectives of the Act; Definitions under the Act, Administration, Levy and Collection of Tax, Determination of Nature of Supply; Place of Supply of Goods or Services, Refund of Integrated Tax, Zero rated Supply; Apportionment of Tax and Settlement of Funds, Miscellaneous

Prescribed Case:

Union of India v. Mohit Mineral Pvt. Ltd., SCC 2018 SC 1727. Date of Decision 03-10-2018

Books Recommended

1. Bhattacharya's

: Law and Practice of Income Tax

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| 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 |

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LL.B.6TH SEMESTER
SESSION 2022-23

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 will consist of one compulsory question divided into 8 parts, carrying two parts from each unit of the syllabus. The student will be required to attempt any four parts.

(ii) All questions shall carry equal marks.

Unit-I:

The Employee's Compensation Act, 1923

Definition of Total and Partial Disablement, Employee, Employer, Dependent, Wages, Employer's Liability for Compensation, Methods of calculating Wages, Distribution of Compensation, and Commissioner's

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. Yadav, Sunil: : Labour and Industrial Laws
3. Puri, S.K. : Labour and Industrial Laws
4. Goswami, V.G. : Labour Law and Industrial Laws
5. Sabharwal, R.K. : Job Security of Industrial Workers
7. Inter State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979

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CODE-603: PAPER-III: OPTION (I): INTELLECTUAL PROPERTY LAWS

W.C.F. 2022-23

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 will consist of one compulsory question divided into 8 parts, carrying two parts from each unit of the syllabus. The student will be required to attempt any four parts.

(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:

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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

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

w.e.f - 2022-23

Max. Marks: 100

Time: 3 Hours

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Unit-V will consist of one compulsory question divided in to 8 parts, carrying two parts from each unit of the syllabus. The student will be required to attempt any four parts.

(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 with special reference to women, Sexual Harassment of Women at Workplace(Prevention, Prohibition and Redressal) Act, 2013: Preliminary; constitution of internal Complaints Committee; Constitution of Local Complaints Committee; Complaint; Inquiry into complaint; duties of Employer, Duties and powers of district officer; Miscellaneous.

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; The pre-conception and Pre-natal diagnostic techniques (Prohibition of Sex selection) Act, 1994: Preliminary; Regulation of Genetic Counseling Centres, Genetic Laboratories and Genetic Clinics; Regulation of Pre-Natal Diagnostic Techniques; Central Supervisory Board; Appropriate Authority and Advisory Committee; Registration of Genetic Counseling Centres; Genetic Laboratories and Genetic Clinics; Offences and Penalties.

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

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| 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 |

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LL.B. 6th Semester

Session-2022-23

CODE- 603 (iii): (Optional) PAPER-III : ANIMAL PROTECTION LAWS

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 will consist of one compulsory question divided in to 8 parts, carrying two parts from each unit to the syllabus. The student will be required to attempt any four parts.

(ii) All questions shall carry equal marks.

Unit-I

Historical Perspective of Animal Protection Laws, Nature , Object and Scope of the Animal Protection Laws. Constitutional Provisions, Provisions Under Indian Penal Code and Criminal Procedure Code, Consumer Protection Laws. International Perspective: Universal Declaration on Animal Welfare, Animal Welfare Standards in International Trade, Treaties and Free Trade Agreement.

Case: Maneka Gandhi v. Union Territory of Delhi, ILR 1995 Delhi 49.

Unit-II

Wildlife Protection Act,1972: Definitions, Authorities, Hunting of Wild Animals, Sanctuaries, National Park and Closed areas, Trade or Commerce in Wild Animals, Animal Articles and Trophies; Preventions and Detection of Offences, Miscellaneous.

Forest Rights, Animals v. Humans, National Zoo Policy.

Case: Afjal Baig v. State of Orissa CBLAPL No. 2002 of 2015

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Unit-III

The Prevention of Cruelty to Animals Act, 1960: Definitions, Animal Welfare Board of India, Cruelty to Animals generally, Experimentation on animals, Performing animals, Offences and Penalties, Miscellaneous.

Prohibition of Animal for Entertainment, Experimentation, Business, Food, Sports and Transport.

Case: Laxmi Narain Modi v. Union of India (2014(3) SCC 143)

Unit-IV

Cattle Trespass Act, 1971: Objective and scope; pounds keepers, Duties of pound keepers, Impounding cattle, Delivery or sale of cattle, penalties.

Elephant's Prevention Act, 1879: Object, scope and salient features of the Act, Powers of Government to declare what are main road and canals and to make rules as to licences, penalties.

Animal Health and Welfare Act, 2013: Prevention and Control of Animal Diseases, Animal Welfare, Regulations relating to Animal Health and Welfare, Enforcement Machinery, Local Authority.

Case: Ram Ratan alias Ratan Ahir & Ors. v. State of Bihar & Ors. 1965 AIR 926. 1965 SCR(1) 293.

Suggested Books:

1. Animal Laws of India, Raj Panjwani, Qzair Husain, Maneka Gandhi
2. Animal Rights: A very Short Introduction, David DeGrazia
3. Current Debates and New Directions (edited by Cass Sunstein and Martha Nussbaum)
4. An introduction to the Policy Process, Thomas Birkland
5. Animal Property and the Law, Gary L Francione
6. Animal Law: Welfare, Interest and Rights, David Favre

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CODE-604: PAPER-IV: INTERPRETATION OF STATUTES

W.e.f. - 2022-23

Max. Marks: 100

Time: 3 Hours

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Unit-V will consist of one compulsory question divided in to 8 parts, carrying two parts from each unit of the syllabus. The student will be required to attempt any four parts.

(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

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|----------------------|---|
| 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 |

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

W.C.F. 2022-23

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 1st 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

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