

**Syllabus of B.A., LL.B. (Hons.) Major-Minor 2022-23 Batch**  
**COURSE-1.5 ಕಾನೂನು ಕನ್ನಡ**

**I. ಚೆಲುವ ಕನ್ನಡ ನಾಡು**

**II. ಸಾಹಿತ್ಯದಲ್ಲಿ ಸಾಮಾಜಿಕ ಮೌಲ್ಯಗಳು ಮತ್ತು ಕಾನೂನು**

ಕಾನೂನಿನ ಜಗತ್ತಿನಲ್ಲಿ ಭಾಷೆ ಮತ್ತು ಸಾಹಿತ್ಯ- ಡಾ. ಪಿ. ಈಶ್ವರ ಭಟ್

1. ದುರ್ಜನರ ಸಂಗ ಬೇಡ-ವಚನ ಸಾಹಿತ್ಯ
2. ಕುಲ ಕುಲವೆಂದು ಹೊಡೆದಾಡದಿರಿ-ದಾಸಸಾಹಿತ್ಯ
3. ಆಳಾಗಬಲ್ಲವನು ಆಳುವನ್ನು-ಸರ್ವಜ್ಞ
4. ಪೆಣ್ಣು ಪೆತ್ತವರು ಪೆರ್ಚುವರು-ಸಂಚಿ ಹೊನ್ನಮ್ಮ
5. ದುಡ್ಡುಕೋಟ್ಟಿದ್ದು ನೋಡಣ್ಣ-ಶಿಶೂನಾಳ ಶರೀಫ್
6. ಕುರಡಕಾಂಚಾಣ-ಅಂಬಿಕಾತನಯದತ್ತ
7. ಕಷ್ಟ ನೀತಿ ನಿರ್ಣಯದ ಹೋರೆ- ಡಿ.ವಿ.ಜಿ.
8. ಯಾವ ಕಾಳದ ಶಾಸ್ತ್ರವೇನು ಹೇಳಿದರೇನು?- ಕುವೆಂಪು
9. ಮೂರನೆಯ ಸಲಹೆ- ಕೆ.ಎಸ್.ನರಸಿಂಹಸ್ವಾಮಿ
10. ವಿಚಾರಣೆ-ಜಿ.ಎಸ್.ಶಿವರುದ್ರಪ್ಪ
11. ಹಕ್ಕು-ಕೆ.ಎಸ್.ನಿಸಾರ್ಅಹಮದ್
12. ಸಾವಿರಾರು ನದಿಗಳು-ಸಿದ್ದಲಿಂಗಯ್ಯ
13. ನ್ಯಾಯಾಧೀಶ-ರವೀಂದ್ರನಾಥರಾಕೂರ್
14. ಎರಡು ನೆನಪುಗಳು-ನವರತ್ನರಾಮರಾವ್
15. ಜೋಗ್ಯೋರಅಚಿಜಪ್ಪನ ಕೋಳಿ ಕತೆ- 'ಶ್ರೀನಿವಾಸ'
16. ಒಂದುಉಪಾಯ! - ಕೋ. ಚನ್ನ ಬಸಪ್ಪ

**III. ಭಾಷೆ ಮತ್ತು ಕಾನೂನು**

1. ಕನ್ನಡ ಭಾಷೆಯ ಪ್ರಾಚೀನತೆ
2. ಆಡಳಿತ ಭಾಷೆಗಾಗಿ ಕನ್ನಡ
3. ಕನ್ನಡದಲ್ಲಿ ಕಾನೂನು ಸಾಹಿತ್ಯ ಬೆಳೆದುಬಂದ ದಾರಿ- ಡಾ. ಪಿ. ಈಶ್ವರ. ಭಟ್
4. ಭಾಷೆ ಮತ್ತು ಸಾಂವಿಧಾನಿಕ ಹಕ್ಕುಗಳು- ಡಾ. ಪಿ. ಈಶ್ವರ. ಭಟ್

**IV. ಕಾನೂನು ಪತ್ರ ವ್ಯವಹಾರ**

1. ಮಾಲೀಕ-ನೌಕರರಕರಾರು ಪತ್ರ
2. ಬಾಡಿಗೆಕರರು ಪತ್ರ
3. ಸಾಲದಕರಾರು ಪತ್ರ
4. ಕ್ರಯಪತ್ರ
5. ಪಾಲು ವಿಂಗಡಣೆ/ವಿಭಾಗ ಪತ್ರ
6. ಅಧಿಕಾರ ಪತ್ರ/ಮೊರು ನಾಮೆ
7. ನೋಟಿಸು
8. ವಾದ ಪತ್ರ
9. ಪ್ರತಿವಾದ ಪತ್ರ
10. ಪ್ರಮಾಣ ಪತ್ರ
11. ಉಯಿಲು

V.ರಚನೆ ಮತ್ತು ಭಾಷಾಭ್ಯಾಸ

1.ಗಾದೆ ವಿಸ್ತರಣೆ

2. ಪ್ರಬಂಧರಚನೆ

3. ಸಂಕ್ಷೇಪ ಲೇಖನ

4. ಭಾಷಾಂತರ

ಅನುಬಂಧ

1. ಎರವಲು ಪದಗಳು

2. ಕಾನೂನು ಪದಕೋಶ

ಗ್ರಂಥಗಳು:

1. ಕಾನೂನು ಕನ್ನಡ - ಕರ್ನಾಟಕ ರಾಜ್ಯ ಕಾನೂನು ವಿಶ್ವವಿದ್ಯಾಲಯದ ಪ್ರಕಟಣೆ
2. ಭಾಷಾ ವಿಜ್ಞಾನದ ಮೂಲತತ್ವಗಳು - ಡಾ. ಎಂ. ಚಿದಾನಂದ ಮೂರ್ತಿ
3. ಸಾಮಾನ್ಯ ಭಾಷಾ ವಿಜ್ಞಾನ - ಡಾ. ಕೆ. ಕೆಂಪೆಗೌಡ
4. ಪರಾವರ್ತನ ಗ್ರಂಥಗಳು;
5. ಆಡಳಿತ ಕನ್ನಡ - ಎಚ್. ಎಸ್. ಕೆ
6. ಕನ್ನಡ ಸಾಹಿತ್ಯ ಚರಿತ್ರೆ - ರಂ. ಶ್ರೀ ಮುಗುಳಿ
7. ವ್ಯವಹಾರಿಕ ಕನ್ನಡ - ಎಚ್. ಎಸ್. ಕೆ

## **OPTIONAL PAPER: INTELLECTUAL PROPERTY RIGHTS-II**

### **Objectives:**

The Laws relating to Intellectual Property are recent one. In view of the important developments that have taken place in the globalized world, the course is designed to understand the concept of copyright, design, plant variety and biodiversity. To understand and become familiar with the system of Intellectual Property, the students are required to study the subject by going through the basic concepts of intellectual property and national and international legal regimes governing them in a right perspective.

### **Course contents:**

#### **UNIT I**

**Indian Copyright Law:** Evolution of copyright law; Object of copyright protection; meaning and nature of copyright: Subject matter of copyright; Neighbouring/Related rights; Computer software and copyright protection; Term of copyright; Author and ownership of copyright; Rights conferred by copyright; Assignment; Transmission; Licences; Infringement of copyright; Acts not amounting to Infringement or permitted Acts; Remedies against infringement of copyright.

#### **UNIT II**

**Biological Diversity Law:** Meaning, Nature and Significance of Biodiversity; Salient features of Biological Diversity Act 2002; Objects of the Act; Regulation of access to Biological Diversity; PBRs; Farmers' Rights; Indigenous Peoples Rights and Community Rights; offences and penalties; National Biodiversity Authority; Functions and powers of Biodiversity Authority; State Biodiversity Board; Biodiversity Management Committee and its functions;

#### **UNIT III**

**Protection of Plant Varieties and Farmers Rights Law:** Meaning and Nature of plant variety; Salient features of Protection of Plant Varieties and Farmers Rights

Act, 2001; Types of variety, Conditions for the registration of plant variety; Procedure for registration; Rights and privileges; Benefit sharing; Compensation to communities; National Gene Fund; Infringement; Relief against infringement; Plant varieties and Farmers Rights Protection Authority; Plant Variety Appellate Tribunal; Powers of Central and State Governments under the Act.

#### **UNIT IV**

**Designs Law:** Basic Principles of designs; Salient Features of Designs Act, 2000; Registrable and Non-registrable designs; Procedure for registration; Rights conferred by registration; Copyright in registered designs; Infringement; Remedies; Powers and duties of Controller;

#### **UNIT V**

**Salient Features of International Legal Instruments:** Paris Convention for the Protection of Industrial Property, 1883 (Relevant Provisions), TRIPs Agreement (Relevant Provisions); Berne Convention; Convention on Biological Diversity; Hague Industrial Design Treaty, 1995; International Treaty on Plant Genetic Resources (“ITPGR”).

##### **Prescribed Books:**

1. V.K. Ahuja, Intellectual Property Rights, Lexis Nexis, New Delhi.
2. William Cornish and David Llewelyn, Intellectual Property: Patents, Copyright, Trademark and Allied Rights, Sweet & Maxwell, London (2003).
3. Elizabeth Verky, Intellectual Property, Eastern Book Publication Co., Nagpur.
4. Lionel Bently and Brad Sherman, Intellectual Property Law, Oxford University Press, 3<sup>rd</sup> edn., (2008).

##### **Reference Books:**

1. Philippe Cullet, Intellectual Property Protection and Sustainable Development, Lexis Nexis (2005).
2. Watal Jayashree, Intellectual Property Rights in the World Developing Countries (Oxford University Press, New Delhi (2001).
3. Ganguli, Prabuddha, Intellectual Property Rights: Unleashed the knowledge Economy, Tata Mc Graw Hill Publishing Co., (2001)

4. E.P. Skone James *et al.*, Copinger & Skone James on Copyright, 16<sup>th</sup> Edition, Sweet & Maxwell, London (2013).
5. P.Narayanan, Copyright and Industrial Design, Eastern Law House, New Delhi, 3<sup>rd</sup> edn., (2002).
6. N.S.Gopalkrishnan & T.G.Ajitha, Principles of Intellectual Property, Eastern Book Co., 2<sup>nd</sup> edn., (2014).

## **History( Major-6)**

### **History of Modern Europe**

#### **Unit 1: Beginning of the modern era**

Renaissance and Reformation in Europe during 1450 to 1670, Scientific revolution-Descartes, Newton, The rise of nationalism and liberal democratic experiments - rise of power of Parliament in Britain- From Magna Carta to Bill of Rights, history of domination of British Parliament.

Rising dominance of people centric philosophy of political power

#### **Unit II: The era of revolutions in Europe**

Industrial revolution in England; History of French Revolution – fall of monarchy and rise of dictatorship – Napoleonic Empire- Napoleon Cultural Achievements.

Vienna Settlement and the Concert of Europe : Role of Metternich liberalism, western economic expansion – national revolutions –democracy and socialism.

#### **Unit III: Rise of Nation States and Soviet experiment:**

Crimean War (1853-56), The Unification of Italy, The Unification of Germany Near Eastern Question, Soviet Revolution and aftermath

#### **UNIT IV: History of World Wars**

Various political dimensions, economic Consequences of world wars.

History of League of Nations and its success and failure.

Development of United Nations after the Second World War.

Various structural system of UNO, UN Charter – historical and political reasons – evolutions

#### **UNIT V: Post war history and History of International Bodies:**

Post War history of growth and development of various Financial Institutions as a part of UN movement, Bretton Wood Agreements – IMF & IBRD – Lead to World Bank – various other bodies like UNDP - Historical background of various trade and tariff negotiations leading to grand design of WTO-History of ICJ as an independent organ of UN, various other non-governmental initiative to strengthen ICJ in course of its history and development History of War Tribunals, Tribunals for enforcement of HR law – Movements leading to establishment of International Criminal Courts

#### **Books prescribed:**

1. Norman Davies (1996), *Europe, a history* , Oxford University Press, New York -chapter VII to XI

2. Euan Cameron (Edt) (2004), *Early Modern Europe*, Oxford University Press, New York
3. David Thomson (1990) , *Europe since Napoleon*, Penguin Books London 110
4. Joll, James, Europe since 1815
5. Ketelby, C.D.M., A History of Modern Times from 1789
6. Thomson, David, Europe Since Napoleon
7. Burns, Edward McNall, et.al, World Civilizations, Volumes B and C

## 5.1 COURSE – I, **HONS.-I: INTELLECTUAL PROPERTY RIGHTS -I**

### **Objectives:**

Intellectual Property Law has assumed a great importance in recent times as a result of the recognition that “knowledge is property”. The creations of the human brain as IP are required to be understood and protected. The syllabi encompassing all relevant IP legislations in India with a view to understand and adjust with changing needs of the society because creative work is useful to society and law relating to innovation/creativity i.e. Intellectual Property is one of the fastest growing subjects all over the globe because of its significance and importance in the present era. Disseminate information on national and international IPR issues. The course is designed with a view to create IPR consciousness; and familiarize the learners about the documentation and administrative procedures relating to IPR in India.

### **Course contents:**

#### **UNIT I**

Overview of the concept of property, Industrial property and non-industrial property, Historical background of IPR theories relating to IPR, Different forms of IP and its conceptual analysis, Need for protecting IPR.

#### **UNIT II**

**Patents:** Introduction and overview of patent protection, History of Patent protection, definition of invention and new invention, basic requirements of patent protection, Object of and scope patent protection, salient features of the Patent Act, difference between product patent and process patent, Procedure to obtain patent- non-patentable inventions, filing of patent applications, specifications, opposition proceeding and grant of patents; Rights and obligations of patentee, Transfer of Patent Rights- voluntary and compulsory licences, Government use of inventions, Revocation and surrender of patents, Infringement of Patents and remedies, Offences and Penalties.

#### **UNIT-III**

**Trade Marks:** Introduction and overview of trademark, Evolution of trade mark law, Object and scope of trade mark protection, Features of good trade mark, Different forms of trade mark, Trade mark registry and register of trademarks, basic requirements of trademark protection- Registrable and non-registrable marks, procedure, term of protection; Assignment franchising and transmission, Rectification of register, Infringement of trade mark and remedies, Offences and penalties.

Passing off action- essential requirements, defences and remedies.

#### **UNIT-IV- Geographical Indication of Goods**

History of geographical indication of goods protection, meaning of geographical indication of goods, Nature and scope of protection, salient features of The Geographical Indications of Goods (Registration and Protection) Act, 1999 - procedure for obtaining geographical



indication protection, registration, right to use the geographical indication tag, infringement and remedies, role and functions of Registrar of geographical indications, conflict between Trademark and geographical indications.

## **UNIT V**

International Convention and Treaties: Paris Convention: Background; Salient features of Paris Convention; Governing rules of Paris Convention; Patent Cooperation Treaty: Background; Objectives of PCT; Salient features of PCT; Madrid Convention: Salient features; International registration of marks; Relevant provisions of TRIPS Agreement 2005- Impact of TRIPS on Indian IPR regime, World Intellectual Property Organisation- Background, Salient features WIPO, Organisation of WIPO and its functions.

### **Prescribed Books:**

1. Elizabeth Verkey, Intellectual Property Rights, Eastern Book Company, 2007.
2. V. K. Ahuja, Intellectual Property Rights, Lexis Nexis, New Delhi.
3. W.R. Cornish, Intellectual Property: Patents, Copyright, Trade Marks and Allied Rights, Universal Law Publishing Co. Pvt. Ltd., Delhi (2001).
4. Ranabhir Singh, Law relating to Intellectual Property, Vols. 1-3, Universal Law Publishing Co. Pvt. Ltd., Delhi.

### **Reference Books:**

1. Peter Drahos, *A Philosophy of Intellectual Property* (Dartmouth Publications Co., 1996).
2. Campbell, Dennis and Susan Cotter (Eds.) *International Intellectual Property Law: Global Jurisdictions* (John Wiley & Sons, UK, 1996).
3. P. Narayanan, *Intellectual Property Law* (Eastern Law House, New Delhi and Kolkota, 4th edn., 2020).
4. Prabuddha Ganguly, *Intellectual Property Rights: Unleashing the Knowledge Economy* (Tata McGraw-Hill Publishing Company Limited, New Delhi, 2001).
5. Jayashree Watal, *Intellectual Property Rights in the WTO and Developing Countries* (Oxford University Press, New Delhi, 2001).
6. N.S. Gopalakrishnan and T.G. Ajitha, *Principles of Intellectual Property* (Eastern Book Company, 2<sup>nd</sup> edn., 2014).

## **HISTORY (MAJOR-I, PAPER -5)**

### **HISTORY OF KARNATAKA**

#### **UNIT-I : Introduction**

Sources of Karnataka History

The Formation of States in ancient Karnataka – The Satavahana, The Kadambas, The Early Chalukyas.

Administration of Rashtrakutas.

Vijayanagara - Administration, Trade and Commerce.

Bahamanis - Muhamad Gawan's achievements

Administration of Bahamanis

#### **UNIT-II: Religion and Philosophy**

Jainism - Jaina Centres - New Religious Sects (Advaita, Dvaita, Vishistadvaita,) Minor Cults (Kalamukhas and Shaktas) Lingayat Movement - Haridasas – Sufism Movement in Karnataka.

**Unit-III:** Rise of Hyder Ali and Tippu Sultan - Anglo - Mysore Wars –

Administration of Tippu Sultan.

The Wodeyars - Krishnaraja Wodeyar III, Divan Poornaiah - Nagara revolt of 1831.

Commissioner's Rule (1831 – 1881) – Mark Cubbon and L.B. bowring .

Rendition – Mysore under Divans – Rangacharlu - Sheshadri Iyer - Sir, M. Vishveshwaraya - Mirza Ismail.

**UNIT- IV:** Impact of West - Growth of Nationalism- Freedom movement in Karnataka- Gandhi & National Movement in Karnataka:- Non co-operation Movement – Vidhurashwatha sathyagraha, Shivapura Flag Movement , Isur Tragedy

## **UNIT-V: Unification of Karnataka.**

**Contemporary Issues: 1. Backward class and depressed Class Movements - Prajmitra Mandali- Miller Commission L.G. Hawanoor Commission**

**Progressive Movements, Gokak Chaluvali**

**Peasant Movement: Kagodu Satyagraha – Land reforms Acts of 1962 and 1974 – Karnataka Rajya Raita Sangaha**

**Border Dispute (Mahajan Commission). River - Water Disputes.**

### **Reference Books:**

1. R R Diwakar - Karnataka Through the ages
2. R R Diwakar - Kanataka Paramapare (Kannada Two Vol)
3. G S Dikshit - Keladiya Nayakaru 1969
4. Saki - Making History
5. Doreswamy H S - Horatada Ditta Hejjegalu 1972
6. H Thipperudraswamy - Karnataka Samskruti Sameekshe (Kannada)
7. Shamba Joshi - Karnataka Samskrutiya Poorva Peetike
8. Chidananda Murthy M - Kannada Shasanagala Samskrutika Adhyayana
9. G M Moras - The Kadamba Kula
10. C. Hayavadana Rao - History of Mysore 3 Vol
11. G S Halappa & Krishna Rao - History of Freedom Movement Two Volumes
12. K. Raghavendra Rao : Imaging the Unimaginable
13. S U Kamat - Karnataka Sankshipta Ithihasa
14. D V Gundappa - Jnapaka Chitrashale
15. S Rajashekar - Karnataka Art & Architecture
16. K R Basavaraj - History and Cultural of Karnataka
17. M.V.Krishna Rao Hallappa - History of freedom Movement in Karnataka.
18. P.B. Desai. - History of Karnataka.

**COURSE-4.3 History (Major-Paper 4)**

**Legal History**

**UNIT-I Early Developments (1600- 1780)**

Charters of the East India Company: 1600, 1661, 1726 and 1753

Settlements: Surat, Madras, Bombay and Calcutta

Establishment of Mayor's Court of 1726

Warren Hastings: Judicial Plans of 1772, 1774 and 1780

**UNIT- II Development of Judicial System:**

Regulating Act, 1773

Establishment of Supreme Court of 1774 and Its Failure.

The Act of Settlement 1781, defects

Landmark Cases: Raja Nanad Kumar, Kamaluddin, Patna Case, and Cossijurah

Pitts India Act, 1784;

Lord Cornwallis: Judicial Plans of 1787, 1790 and 1793

Lord William Bentinck (With special focus on Appraisal of Criminal law)

**UNIT-III Evolution of Law and Legal Institutions:**

Development of Personal Laws

Development of Civil law in Mufassil: Special Emphasis on Justice, Equity and Good Conscience.

Codification of Laws: Charter of 1833, the First Law Commission, the Charter of 1853, the Second Law Commission.

Establishment of High Courts, 1861

Privy Council and Federal Court: Appeals and working of Privy Council, Appraisal of Privy Council, Features of Federal Court.

#### **UNIT-IV Constitutional History**

Government of India Act, 1858.

The Indian Councils Act, 1861.

The Indian Councils Act, 1892.

Government of India Act (Morley- Minto Reforms), 1909.

The Government of India Act 1919.

The Government of India Act, 1935.

Cripps and Cabinet Missions.

#### **UNIT-V Legal Profession and Education**

Early Developments through Mayor's Court, Supreme Court, Company's Adalat, High Court.

Legal Practitioners Act of 1879.

The Chamber and Indian Bar Committee of 1951.

The Advocates Act of 1961: Provisions and Disciplinary powers.

Law Reporting: Theory of Precedents, Features of Law reporting from 1773 to 1950.

Legal Education: History and Basic Aims of Legal Education.

#### **Prescribed Books:**

- 1 V.D. Kulshretha – Landmarks of Indian Legal and Constitutional History.
- 2 M.P. Singh – Outlines of Indian Legal History.
- 3 H.V. Sreenivasamurthy., History for Law students, Vol. II.

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**COURSE-3.3 History (Major-Paper 3)  
(History of Karnataka)**

**UNIT-I Introduction**

Sources of Karnataka History

The Formation of States in ancient Karnataka – The Satavahana, The Kadambas, The Early Chalukyas.

Administration of Rashtrakutas.

Vijayanagara - Administration, Trade and Commerce.

Bahamanis - Muhamad Gawan's achievements

Administration of Bahamanis

**UNIT-II Religion and Philosophy**

Jainism - Jaina Centres - New Religious Sects (Advaita, Dvaita, Vishistadvaita,) Minor Cults (Kalamukhas and Shaktas) Lingayat Movement - Haridasas – Sufism Movement in Karnataka.

**UNIT-III:**

Rise of Hyder Ali and Tippu Sultan - Anglo - Mysore Wars – Administration of Tippu Sultan.

The Wodeyars - Krishnaraja Wodeyar III, Divan Poornaiah - Nagara revolt of 1831.

Commissioner's rule ( 1831 – 1881) – Mark Cubbon and L.B. Bowring .

Rendition – Mysore under Divans – Rangacharlu - SheshadriIyer - Sir M. Vishveshwaraya - Mirza Ismail.

**UNIT-IV:**

Impact of West - Growth of Nationalism- Freedom movement in Karnataka- Gandhi & National Movement in Karnataka:- Non co-operation Movement - Vidhurashwathasathyagraha, Shivapura Flag Movement, Isur Tragedy.

## **UNIT-V:Unification of Karnataka.**

Contemporary Issues: Backward class and depressed Class Movements -

PrajamitraMandali- Miller Commission, L.G. Havanur Commission

Progressive Movements, Gokak Chaluvalli

Peasant Movement: Kagodu Satyagraha – Land Reforms Acts of 1962 and 1974 -

Karnataka RajyaRaitaSangha.

Border Dispute, Mahajan Commission, River - Water Disputes.

### **Prescribed books:**

1. R RDiwakar - Karnataka Through the ages
2. R RDiwakar - KanatakaParamapare (Kannada Two Vol)
3. G S Dikshit - KeladiyaNayakaru 1969
4. Saki - Making History

### **Reference Books:**

1. Doreswamy H S - HoratadaDittaHejjegalu 1972-
2. H Thipperudraswamy - Karnataka SamskrutiSameekshe (Kannada)
3. Shamba Joshi - Karnataka SamskrutiyaPoorvaPeetike
4. Chidananda Murthy M - Kannada ShasanagalaSamskrutikaAdhyayana
5. G M Moras - The Kadamba Kula

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**COURSE-2.3 History (Major-Paper 2)**  
**(Modern India and National Movement)**

**UNIT- I: Modern India**

Advent of European Powers - Expansion and Consolidation of British Power – Wellesley's Subsidiary Alliance – Dalhousie's Doctrine of Lapse.

Land Revenue Settlements – Cornwallis and Permanent Revenue Settlement; Thomas Munroe and Ryotwari; Mahalwari System – Changes in the Agrarian Economy and Condition of Peasantry – Famines.

The Revolt of 1857.

Queen's Proclamation Act 1858; Beginning of Colonial Rule.

**UNIT- -II: Cultural Changes and Social and Religious Reform Movements**

Introduction of Western Education.

Socio-Religious Reform Movements BrahmoSamaj, AryaSamaj, Theosophical Society, Ramakrishna Mission, Aligarh Movement; Anti-Caste Movements, JyotibhaPhule, Narayana Guru, PeriyarRamaswamyNaicker and Dr. B.R. Ambedkar.

**UNIT- 3: Indian National Movement**

Factors for the rise of Nationalism – Political ideology and organizations; Formation of Indian National Congress – Three Phases of Freedom Struggle-Moderate Phase, Extremist Phase, Swadeshi Movement, Rowlett Satyagraha and JallianwalaBagh and Gandhian Era - Non-Cooperation, Civil Disobedience and Quit India Movement.

**UNIT- IV: Revolutionary, Working class and Peasant Movement**

Indian National Army and Subhash Chandra Bose.

Revolutionary Movement: Gadhar Party – Bhagath Singh – Chandra Sekhar Azad and others; Left-Wing Movement – Rise of Socialist and Communist Parties - Peasant and Workers Movements.

Emergence of Communal Politics and Mohd. Ali Jinnah



## UNIT- V: Independence and Partition

Negotiations for independence and partition

Popular movements

Partition riots

Emergence of a New State

Making of the Constitution

Integration of Princely States

### Prescribed Books:

1. C. A. Bayly, Indian Society and the Making of the British Empire, New Cambridge History of India.
2. Bipan Chandra, Rise and Growth of Economic Nationalism in India.
3. SuhashChakravarty, The Raj Syndrome: A Study in Imperial Perceptions, 1989.
4. J.S. Grewal, The Sikhs of the Punjab, New Cambridge History of India.

### Reference:

1. Dharma Kumar and TapanRaychaudhuri, eds., The Cambridge Economic History of India, Vol. II.
2. R.C. Majumdar, ed., History and Culture of Indian People, Vols. IX and X. British Paramourncy and Indian Renaissance.
3. Judith Brown, Gandhi's rise to Power. 1915-22.
4. Paul Brass, The Politics of India Since Independence, OUP, 1990.
5. Bipan Chandra, Nationalism and Colonialism in Modern India, 1979.

**PAPER 13: SPECIALISATION PAPER 7:**  
**LAW RELATING TO WRITS AND PUBLIC SERVICE**

**Objectives:**

Rights without remedy are of no use. As the student studies fundamental rights and other rights he is supposed to know about where lies the remedy in case of violations of rights. Prerogative writ remedies which have their genesis in United Kingdom have been replicated under Article 32 and Article 226 of the Constitution of India. A student shall study the genesis of the writ remedies. The scope of writ remedies under Article 32 and Article 226 of the Constitution of India the context and reasons for the Supreme Court to adopt such a narrow construction of writ remedies under Article 32 during 1980 and adopting of liberal construction in the post 1980 period. It is significant to analyse the British unwritten Constitutional law, which is the source and inspiration for many provisions of the constitution of India including provisions relating to writ remedies but functioned differently in Indian setting and also to study the comparative analysis of prerogative writs and the present working of writ remedies under Indian and UK law.

Protection of rights of public servants against the mighty state is yet another ever-evolving area of constitutional law. While the constitutional provisions and the service rules by the Governments at the union and at the state 's level regulate the matter, the principles and doctrines like, the doctrine of pleasure having its origin in UK and finding its place in our constitution as delineated in a catena decisions by a judiciary assumes significance. The extent and degree of protection of interests of public servants under the constitutional regime needs to be studied. Further, law governing administrative tribunals and judicial interpretation of constitutional provisions pertaining to them and rules and procedure governing disciplinary actions against public servants and the extent of judicial review of the disciplinary committee's decision shall also be studied for the comprehensive understanding of the service law.

**Course Outcomes:**

On successful completion of the course the student will be able to -

1. analyse the distinction between the prerogative writs and judicial writs
2. compare and appreciate the Indian law on specific writs
3. describe who can apply and against whom writs may be applied, and where to apply.
4. examine the role of judiciary in relation issuing of writs.
5. explore the nature and scope of jurisdiction of administrative tribunals.

**Course content:**

**Unit I**

Importance of constitutional remedies; Evolution of writs in UK and India; Nature of writs in England; prerogative writs- meaning and distinction between prerogative writs and judicial writs. Comparative study of English law and Indian law on specific writs- Habeas Corpus, Mandamus, Certiorari, Prohibition, & Quo-Warranto.

## **Unit II**

General principle of writ jurisdiction: who may apply for writs and against whom writ may be issued- government, local authority and other authorities. Law relating to exhaustion of local remedies. Locus standi- Exceptions, Public Interest Litigation; territorial jurisdiction, alternative remedy; delay and laches; res judicata.

Procedures-impleading of proper parties. Dismissal in limine. No dismissal of petition without speaking orders. Raising of a new plea. Relief and prayers in petition, review petition.

## **Unit III**

Writ Jurisdiction of the supreme court under Articles 32 of the constitution of India and jurisdiction of the High Court under Art. 226 and 227; Grounds and procedure for filing specific writs-Habeas Corpus, Mandamus, Certiorari, Prohibition, & Quo-Warranto; interpretation of the expression 'for any other purposes' under Article 226.

Practice & procedure in writ petitions: pleadings, content of writ petitions Supreme Court rules- Provisions relating to writ procedure. Application for enforcement of fundamental rights; Karnataka High Court rules governing writ petitions; applicability of CPC; drafting of writ pleadings. Evidentiary matters.

## **Unit IV**

Service regulation under the Constitution; constitutional safeguards-rights of civil servants- doctrine of pleasure and its limitations- domestic inquiry- compassionate appointments- voluntary retirement- compulsory retirement.

## **Unit V**

Departmental remedies; representation, review and appeal under CCA Rules- Procedure for imposing penalties- remedies before the Administrative Tribunal; Its jurisdiction, scope and procedure – Administrative Tribunal Act, 1985, Articles 323 A and 323 B- Exclusion of judicial review- judicial Review of service matters- limited jurisdiction of judicial review against disciplinary proceedings.

### **Select Bibliography:**

1. D.D. Basu- Constitutional Remedies and Writs (Kamal Law House, Kolkata, 3<sup>rd</sup>Edn., 2009)
2. Justice C.K. Takker and MC Thakker, V.G. Ramachandran's Law of Writs(EBC, Delhi, 6<sup>th</sup>edn., 2007)
3. M.R. Malick, Writs Law & practice (EBC, New Delhi, 2<sup>nd</sup>edn., 2009)
4. Justice P.S. Narayana , Law of Writs (Asia Law House, New Delhi, 2<sup>nd</sup>edn., 2009)
5. P.M. Bakshi, Public Interest Litigation (Ashoka Law House, New Delhi, 3<sup>rd</sup>edn., 2012)
6. S.A. De Smith, Judicial Review of Administrative Action (Cambridge University Press, 2009)

7. H. M. Seervai, Constitutional Law of India (Universal Law Publishing Co. Ltd., 4<sup>th</sup>edn., 2015)
8. Halsbury' s Laws of England Vol II (Lexisnexis, UK, 5<sup>th</sup>edn., 2020)
9. Justice M. Rama Jois, Services under the state (Indian Law Institute, New Delhi, 2007)
10. G.B. Singh's Commentary on the CCS and CCA Rules
11. ILI- Judicial review through writ petitions
12. Sharpe, Law of Habeas Corpus
13. Chaudary& Chaturvedi- Law of Writs
14. Samaraditya pal- Law Relating to public Service- 3<sup>rd</sup>edn., Lexisnexis, 2011 re pt. 2017.

## **PAPER 11: SPECIALISATION PAPER 5:**

### **LAW AND ADMINISTRATION**

#### **Objectives:**

The complex responsibilities by the State have necessitated devolution of authority on numerous State functionaries. The number of functionaries in carrying out these tasks has ever been on the increase due to proliferation of human needs. The aggregate of such functionaries is an essential component of modern administration. There is a need of understanding the nature and scope of powers and functions of administration.

This course will deal with the nature, scope and functions of administrative authorities, the nature and control of delegated legislative power, regulation of discretionary powers and general principles of administrative adjudication. One of the perennial problems of the civilized society is to control the exercise of public power. In the course of time a formidable body of law has come into existence for the purpose of exercising control over administration. Law is concerned with controlling the misuse of public power, by laying down general norms of administrative behaviour. A course on law and administration must, therefore, lay emphasis on understanding the structure and modus operandi of administration.

This course further deals with the role played by courts in disciplining the administration. The focus is on their role in protecting the rights of individuals against abuse of administrative power. In addition adjudicatory powers of the administration and liability of administrative authorities are also studied in this course.

#### **Course Outcomes:**

On successful completion of the course the student will be able to –

1. identify range of current issues currently influencing developments of Indian Administrative Law.
2. demonstrate the ability to contribute to the scholarly discussion surrounding current developments in administrative law.
3. expand their knowledge of administrative law principles and develop their ability to apply them in a variety of practical and theoretical contexts.
4. discuss the principles and theory of administrative law in the landmark judgments.

#### **Course content:**

##### **Unit I**

Administration Process, Nature and Scope: Rule of Separation of Powers; Control of Delegated Legislation; Administrative Discretion.

##### **Unit II**

Judicial Control of administrative Action; Doctrine of Ultra vires; Discretion and Justiciability; Procedural Fairness- Principles of Natural Justice.

### **Unit III**

Constitutional Protection of the Civil Servants; Liability of Police Authorities- Tortious Liability, Contractual Liability; Emerging Trends- Personal Accountability, Compensatory Jurisprudence.

### **Unit IV**

Right to Information; Official Secrecy' Executive Privilege; Security of Staff and Control on Information; Promissory Estoppel.

### **Unit V**

Control on Mal-admission- Ombudsman, Evolving Indian Models; Lokayukta and Lokpal; Commission of Enquiry; Vigilance Commission; The CBI; Inquiries by Legislative Committees; Judicial Enquiries; The Administrative Tribunal.

### **Select Bibliography:**

1. Jain and Jain, Principles of Administrative Law.
2. S.P. Sathe, Administrative Law.
3. De Smith, Judicial Review of Administrative Action.
4. M. P. Jain, the Evolving Indian Administrative Law.

**PAPER 15: SPECIALISATION PAPER IX:**  
**LAW OF INTELLECTUAL PROPERTY RIGHTS, HUMAN RIGHTS AND**  
**ENVIRONMENT**

**Objectives:**

Intellectual property laws are important in achieving sustainable development, ensuring human health and protecting the environment. A desire to establish an inherent balance between the moral and economic rights of inventors and the wider interests and needs of society in terms of protection of human rights and environment has led to adoption and amendment of laws relating to intellectual property periodically at national and global levels. The students are required to understand the nature and gravity of the interrelationship between IPRs, human rights and environment and also national and international legal instruments and regulatory mechanisms available in such a legal framework.

**Course Outcomes:**

On successful completion of the course the student will be able to –

1. demonstrate evolution of human rights law, environmental law and IPRs
2. examine the interface between IPR and environmental laws and IPR and human rights.
3. examine the issues of violation of human rights and environmental rights by implementation of IPR

**Course Content:**

**UNIT: I** – Evolution of human rights; National and international history of laws relating to human rights and environment related laws and IPR; environment and human rights.

**UNIT: II** - Relevant provisions of international legal instruments governing human rights and IPR- the UN Charter, the Universal Declaration of Human Rights, 1948, Covenant of Social, Economic and Cultural Rights, 1976, Declaration on the Right to Development.

Indian aspects of laws relating to human rights: Relevant provisions of The Constitution of India – Preamble, Fundamental Rights, and other constitutional provisions relating to protection of human rights. The Protection of Human Rights Act, 1993.

**UNIT: III**– Stockholm Declaration, 1972, Brundtland Commission Report and Rio Declaration, 1992; Johannesburg Declaration, 2002; Sustainable Development Goals.

Relevant provisions of The Constitution of India to protect the environment. Laws relating to environment: the Forest (Conservation) Act, 1980, The Environment (Protection) Act, 1986.

**UNIT: IV** – The interface between the IPR and environment and IPR and human rights affecting the various interests and human rights as obtaining under the Patents Act, 1970, the Protection of Plant Varieties and Farmers' Rights Act, 2001 and Biological Diversity Act, 2002.

**UNIT: V** – Balancing provisions mentioned under TRIPs Agreement and Convention on

Biological Diversity, 1992.

International institutions governing the human rights and IPR: UNO, FAO, UNESCO, UNICEF, UN Economic and Social Council, United Nations High Commissioner for Human Rights; WTO, WIPO, TRIPs Council.

### **Prescribed Books:**

1. Philippe Cullet, Intellectual Property Protection and Sustainable Development, Lexis Nexis, 2005.
2. Elizabeth Verkey, Intellectual Property Rights, Eastern Book Company, 2007.
3. Vandana Shiva, Biopiracy: The Plunder of Nature and Knowledge, South Press, 1997.
4. Vandana Shiva, Protect or Plunder: Understanding Intellectual Property Rights, Zed Books Ltd., London, 2001.
5. Shiv Sahai Singh (Ed.), "The Law of Intellectual Property Rights" (Deep and Deep Publications Pvt. Ltd, New Delhi, 2005).
6. Suman Sahai, "Biodiversity Act Falls Short of National Needs" in Kanchi Kohli (Ed.) Understanding the Biological Diversity Act 2002: A Dossier (Kalpavriksh, GRAIN and IIED publication, 2006).
7. Upendra Baxi, Inhuman Wrongs and Human Rights: Unconventional Essays, Har-Anand Publications, New Delhi (1994).
8. M. P. Jain, Indian Constitutional Law, Lexisnexis , Nagpur (2018).
9. Paul Torremans, Intellectual Property And Human Rights, Kluwer Law International, 2008.

### **Reference Books:**

1. Drahos P. and J. Braithwaite, Information Feudalism: Who owns the Knowledge Economy? Oxford University Press, New Delhi (2003).
2. Pinstrop-Andersen Per and Rajul Pandya-Lorch, A Vision for Food, Agriculture and the Environment, the Commonwealth Ministers Reference Book.
3. Graeme B. Dinwoodie, William O. Hennessey and Shira Perlmutter, International and Comparative Patent Law, LexisNexis, New Jersey (2002).
4. S.M. Mohamed, Manual on Good Practices in Public Health Sensitive Policy Measures and Patent Laws, Third World Network, May 2003.
5. Jaffe A. and J. Lerner, Innovation and its Discontents, Princeton University Press (2004).
6. Sell S., Private Power – Public Law: The Globalisation of IPRs, Cambridge University Press (2003).
7. Watal Jayashree, Intellectual Property Rights in the WTO and Developing Countries, Oxford University Press, Delhi (2001)
8. P.M. Baxi, Intellectual Property: Indian Trends.
9. N.S. Gopalakrishnan & T.G. Ajitha, Principles of Intellectual Property, Eastern Book Company, 2nd edn., 2014.
10. Lionel Bently & Brad Sherman, Intellectual Property Law, Oxford University Press, 3rd edn., 2008.



## PAPER 14: SPECIALISATION PAPER VIII:

### LAW OF INTELLECTUAL PROPERTY AND INFORMATION TECHNOLOGY

#### Objectives:

Protection of intellectual property has an important bearing on the economic development of the country. The emergence of the global digital electronic communications network, i.e., Internet and associated digital revolution created a parallel digital world called cyberspace and enhanced the opportunities for the speedy growth of economy of countries. While the advancement in information technology has enhanced the ability to access, store, and transmit vast amounts of information in digital form, instantaneous means of reproduction, publication and dissemination have enhanced opportunities to violate Intellectual Property Rights. While the traditional legislations relating to intellectual property rights safeguard the intellectual property rights within territorial limits of the country, borderless environment created by the information technology poses new challenges in detecting the infringement and effective law enforcement in the cyberspace. The response of legal systems to tackle these issues are to be acquainted with. Hence, the students are required to understand the evolving legal regime designed to respond to the issues of violation of intellectual property in the digital world revolutionised by information technology.

#### Course Outcomes:

On successful completion of the course the student will be able to –

1. demonstrate the impact of technology on IPR rights of the individual
2. examine the limitations of implementing domestic IPR legislations in the cyber space
3. examine the online issues of trademark and copyright infringement
4. evaluate the remedies available for IPR violation in cyberspace.

#### Course Content:

**UNIT I :** History of Internet, evolution of concept of cyberspace, Interface of Technology and Law, Jurisdiction in Cyber Space and Jurisdiction in traditional sense, Internet Jurisdiction, IPR related issues in cyberspace, Jurisdictional issues relating to enforcement of IPRs, Need for trans -border protection of IPRs.

**UNIT II:** – Meaning of domain name, Domain name registration, Domain Name Disputes: Cybersquatting, typo-squatting and Meta tagging and Online protection of trademarks under Trademarks Act, 1999 and passing off Action.

**UNIT III:** Basic requirements for copyright protection under Copyright Act, 1957; Online Copyright infringement: Linking, framing, caching, uploading and downloading of copyrighted material, doctrine of fair use, remedies for infringement under Copyright Act, 1957. Applicability of Digital Millennium Copyright Act, 1996.

**UNIT IV:** The relationship between the IPR and information technology (IT): online piracy of computer programme, modes of piracy, Legal position of Computer programme position

in Europe, U.S. and India. Available protection under the Copyright Act, 1957, The Patents Act, 1970 and the Information Technology Act, 2000 and amendment till date.

Protection of Databases in Digital World- position in USA, EU and India.

**Unit V:**WIPO and dispute settlement mechanism, Domain Name Disputes-UDRP and INDRP; WIPO ADR Mechanism for IPR Issues.

Applicable international instruments- WIPO Copyright Treaty, 1996 and WIPO Performer's and Phonograms Treaty, 1996.

**Prescribed Books:**

1. Vakul Sharma, Information Technology: Law and Practice (Law & Emerging Technology, Cyber Law & E-Commerce) (Universal Law Publishing, New Delhi 3rd edn., 2011)
2. Karnika Seth, Computers, Internet and New Technology Laws, Lexisnexis, Nagpur.
3. Gupta and Agarwal, Cyber Laws, PREMIER Publishing Co.
4. Resolving IP and Technology Disputes Through WIPO ADR -Getting back to business, WIPO Arbitration and Mediation Centre (2016) available at, <https://www.wipo.int/publications/en/details.jsp?id=4053>

**Reference Books:**

1. Krishna Kumar (Ed.), Cyber Laws: Intellectual Property and E-Commerce Security, Dominant Publishers and Distributors, New Delhi.
2. Justice Yatindra Singh, Cyber Laws, Universal Law Publishing Co. Pvt. Ltd., Delhi.
3. Pavan Duggal, Cyber Law: the Indian Perspective, 1<sup>st</sup>Edn, Saakshar Law Publication, New Delhi.
4. Rodney D. Ryder, Intellectual Property and the Internet, Lexis Nexis Butterworth's Wadhwa, Nagpur (2004) .
5. Cris Reed and John Angel, Computer Law, 5<sup>th</sup>Edn., Oxford University Press Inc. New York.
6. Drahos P. and J. Braithwaite, Information Fuedalism: Who Owns the Knowledge Economy? Oxford University Press, New Delhi (2003).
7. Pankaj Jain & Sangeet Rai Pandey, *Copyright and Trademark Laws relating to Computers* (Eastern Book Co, New Delhi).
8. Verma S.K. and Raman Mittal, *Legal Dimensions of Cyber Space* (Indian Law Institute, New Delhi, 2004).
9. David Lindsay, International Domain Name Laws, Hart Publishing, 2007.
10. N.S. Gopalakrishnan & T.G. Ajitha, Principles of Intellectual Property, Eastern Book Company, 2nd edn., 2014.
11. Lionel Bently & Brad Sherman, Intellectual Property Law, Oxford University Press, 3rd edn., 2008.
12. Pavan Duggal, Legal Framework on Electronic Commerce &Intellectual Property Rights, Universal Publishing House, 2014.
13. R.P. Merges, P.S. Menell, M.A. Lemley and T.M. Jorde, Intellectual Property in the New Technological Age, Aspen Law and Business, New York (1997).

**PAPER 13: SPECIALISATION PAPER VII:**  
**LAW OF INTELLECTUAL PROPERTY AND BIODIVERSITY**

**Objectives:**

The laws relating to intellectual property (IP) and biodiversity are recent one. Both the IP and biodiversity concepts have their own historical roots. While, biodiversity evolved with the evolution of nature and civilisations, the intellectual property system has been evolved through statutes to protect the improvements made to the biological resources and grant monopoly rights to the inventor. To understand and become familiar with the system of IP and biodiversity, the students are required to study the subject by going through the historical background of both concepts and national and international laws governing them in a right perspective.

**Course Outcomes:**

On successful completion of the course the student will be able to –

1. Acquaint with the basic terminologies such as ‘genetic material’, ‘genetic resources’, ‘biological resources’, ‘benefit-sharing, etc
2. Analyse the impact of TRIPS Agreement and Convention on Biological Diversity on Indian biodiversity.
3. Evaluate the provisions of access to biological material and benefit sharing in Indian scenario
4. Examine the scope of protection given to traditional knowledge under biodiversity law and patent Act.

**Course Content:**

**UNIT: I** – Conceptual analysis of biodiversity, significance of biodiversity, meaning of ‘genetic material’, ‘genetic resources’, ‘biological resources’, and ‘benefit-sharing’; reasons for loss of biodiversity, the importance of technological growth and its impact on socio-economic growth of the country, impact of IPR on biodiversity conservation.

**UNIT: II** –Salient features of international legal instruments governing the biodiversity: The International Plant Protection Convention, 1951, Declaration on the Permanent Sovereignty over Natural Resources, 1962, International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA), 2001, the Convention on Biological Diversity (CBD), 1992, the Cartagena Protocol on Bio-safety to the Convention on Biological Diversity, the Bonn Guidelines on Access to Genetic Resources and Fair and Equitable Sharing of Benefits arising out of their utilization; the interrelationship between the CBD and TRIPS Agreement and the CBD and UPOV.

**UNIT: III**- Evolution of biodiversity law in India, Objects of the Biological Diversity Act, 2002, the salient features of the Biological Diversity Act, 2002, interface between the IPRs, PBRs, Farmers’ Rights, Indigenous Peoples Rights and Community Rights.

**UNIT: IV** –Regulation of Access to Biological Diversity: composition, powers, functions and duties of the National Biodiversity Authority (NBA), State Biodiversity Boards (SBB) and Biodiversity Management Committees (BMCs);

Prior Approval, Prior Intimation, Prior Approval for making application for obtaining IPR, Benefit-sharing.

**UNIT: V** – Powers, functions and duties of the Central and State Governments under the Act; Offences and Penalties, Appeals; the interrelationship between the Biological Diversity Act, 2002 and the Patents Act, 1970, the protection of Plant Varieties and Farmers' Rights Act, 2001 and Geographical Indications of Goods (Protection and Registration) Act 1999.

### **Prescribed Books:**

1. Philippe Cullet, Intellectual Property Protection and Sustainable Development, Lexis Nexis, 2005.
2. Elizabeth Verkey, Intellectual Property Rights, Eastern Book Company, 2007.
3. Vandana Shiva, Biopiracy: The Plunder of Nature and Knowledge, South Press, 1997.
4. Vandana Shiva, Protect or Plunder: Understanding Intellectual Property Rights, Zed Books Ltd., London, 2001.
5. Shiv Sahai Singh (Ed.), "The Law of Intellectual Property Rights" (Deep and Deep Publications Pvt. Ltd, New Delhi, 2005).
6. Suman Sahai, "Biodiversity Act Falls Short of National Needs" in Kanchi Kohli (Ed.) Understanding the Biological Diversity Act 2002: A Dossier (Kalpavriksh, GRAIN and IIED publication, 2006).
7. V. K. Ahuja, Intellectual Property Rights, Lexis Nexis, New Delhi.

### **Reference Books:**

1. W.R. Cornish, Intellectual Property: Patents, Copyright, Trade Marks and Allied Rights, Universal Law Publishing Co. Pvt. Ltd., Delhi (2001).
2. Ranabhir Singh, Law relating to Intellectual Property, Vols. 1-3, Universal Law Publishing Co. Pvt. Ltd., Delhi.
3. Bibek Debroy (Ed.), Intellectual Property Rights, B.R. Publishing Corporation (India) Ltd. (1998).
4. F.H. Erbisich and K.M. Maredia (Eds.), Intellectual Property Rights in Agricultural Biotechnology, CAB International, Wallingford, Oxon, UK (1998).
5. Ashok Soni, A Complete Reference of Intellectual Property Laws, Vols. 1&2.
6. S. K. Verma & Raman Mittal (ed.), Intellectual Property Rights a Global Vision, Indian Law Institute, New Delhi, 2004.
7. Lionel Bently & Brad Sherman, Intellectual Property Law, Oxford University Press, 3rd edn., 2008.
8. N.S. Gopalakrishnan & T.G. Ajitha, Principles of Intellectual Property, Eastern Book Company, 2nd edn., 2014.
9. Watal Jayashree, Intellectual Property Rights in the World Developing Countries

(Oxford University Press, New Delhi, 2001).

10. CEERA, A Primer on Biological Diversity and Access and Benefit Sharing (CEERA and UNDP Publications, 2019). Available at, <https://ceerapub.nls.ac.in/wp-content/uploads/2019/05/A-Primer-on-Biological-Diversity-and-Access-and-Benefit-Sharing.pdf>.
11. CEERA, Handbook on Biodiversity Law, Access and Benefit Sharing (CEERA Publications, 2019). Available at, <https://ceerapub.nls.ac.in/wp-content/uploads/2019/05/Handbook-on-Biodiversity-law-Access-and-Benefit-Sharing.pdf>.

**PAPER 12: SPECIALISATION PAPER VI:**  
**LAW OF INTELLECTUAL PROPERTY AND PLANT VARIETIES**

**Objectives:**

Agriculture, plant breeding and cultivation were based on community and traditional practice in olden days. Due the introduction of modern technology and privatisation and monopolisation, agriculture, plant breeding and cultivation activities have undergone tremendous change in modern days. Introduction of IPR to these sectors transformed the tradition of free distribution of seeds into controlled cultivation and gradually led to the evolution of system of Plant Breeders' Rights (PBRs). India being a signatory to TRIPS Agreement, had to introduce *sui generis* form of protection to new plant varieties. While enacting legislation to protect the plant breeders, rights of the farmers' community was also recognised as an explicit part of the Indian legal system. Therefore, students are required to acquaint themselves with the national and international legal regimes governing the PBRs to understand the different legal frameworks and their impact on socio-economic conditions and legal framework of India in particular and world in general.

**Course Outcomes:**

On successful completion of the course the student will be able to –

1. Describe the meaning and scope of Plant variety protection
2. explore the requirements for new plant variety protection and the rights of the breeder
3. analyse the scope of the rights of farmers in protecting their varieties
4. give practical advice on the remedies available for violation of the rights relating to these plant varieties..

**Course Content:**

**UNIT: I** – Historical background leading to modern legislations; meaning of seeds, plants, propagating material and relevant provisions of the Seeds Act, 1966.

Meaning of plant variety, new variety, plant breeder, farmer, cultivator, plant breeders' rights (PBRs), farmers' rights; distinction between the PBRs and IPRs (patent), impact PBRs system on socio-economic growth of the country.

**UNIT: II** –Basic requirements of plant variety protection in India; The salient features of the Protection of Plant Varieties and Farmers' Rights (PPV&FR) Act, 2001- Conceptual analysis of New Variety, Essentially Derived Variety (EDV), Farmer Variety and extant variety.

**UNIT: III** – Conditions or requirements for the registration of a plant variety, registrable and non-registrable plant varieties, procedure for the registration of different kinds of plant varieties, opposition proceedings and grounds of opposition, rights available to the plant breeders, researchers, farmers and communities upon the registration of a variety, term of protection available for different registered varieties and benefit-sharing; surrender and revocation of certificate and rectification of register.

**UNIT: IV** – Transfer of rights or interest: Assignment, Transmission and Licenses, Different kinds of licenses- voluntary and compulsory; Remedies for infringement of breeders’ rights, offenses and penalties; Protection of Plant Varieties and Farmers’ Right Authority and Registry, Plant Varieties Protection Appellate Tribunal, Powers of the Central and State Governments under the PPV&FR Act, 2001.

**UNIT: V** – Provisions of international legal instruments having a bearing a on plant variety protection: TRIPs Agreement, 1994, Intergovernmental Convention for the Protection of New Varieties of Plants (UPOV), International Treaty on Plant Genetic Resources for Food and Agriculture.

**Prescribed Books:**

1. Philippe Cullet, Intellectual Property Protection and Sustainable Development, Lexis Nexis, 2005.
2. Elizabeth Verkey, Law of Plant Varieties Protection, Eastern Book Company, 2007.
3. Vandana Shiva, Biopiracy: The Plunder of Nature and Knowledge, South Press, 1997.
4. Vandana Shiva, Protect or Plunder: Understanding Intellectual Property Rights, Zed Books Ltd., London, 2001.
5. Shiv Sahai Singh (Ed.), “The Law of Intellectual Property Rights” (Deep and Deep Publications Pvt. Ltd, New Delhi, 2005).
6. Suman Sahai, “Biodiversity Act Falls Short of National Needs” in Kanchi Kohli (Ed.) Understanding the Biological Diversity Act 2002: A Dossier (Kalpavriksh, GRAIN and IIED publication, 2006).
7. Watal Jayashree, Intellectual Property Rights in the World Developing Countries (Oxford University Press, New Delhi, 2001).
8. V. K. Ahuja, Intellectual Property Rights, Lexis Nexis, New Delhi.

**Reference Books:**

1. W.R. Cornish, Intellectual Property: Patents, Copyright, Trade Marks and Allied Rights, Universal Law Publishing Co. Pvt. Ltd., Delhi (2001).
2. Ranabhir Singh, Law relating to Intellectual Property, Vols. 1-3, Universal Law Publishing Co. Pvt. Ltd., Delhi.
3. R. R. Hanchinal and Raj Ganesh, Protection of Plant Varieties and Farmers Rights: Law Practice and Procedure, Eastern Law House(2018).
4. N.S. Gopalakrishnan & T.G. Ajitha, Principles of Intellectual Property, Eastern Book Company, 2nd edn., 2014.
5. Bibek Debroy (Ed.), Intellectual Property Rights, B.R. Publishing Corporation (India) Ltd. (1998).
6. F.H. Erbisich and K.M. Maredia (Eds.), Intellectual Property Rights in Agricultural Biotechnology, CAB International, Wallingford, Oxon, UK (1998).
7. Lester Nelson, Digest of Intellectual Property Laws of the World Vols. 1,2,3&4.
8. S. K. Verma& Raman Mittal (ed.), Intellectual Property Rights a Global Vision, Indian

Law Institute, New Delhi, 2004.

9. Lionel Bently & Brad Sherman, *Intellectual Property Law*, Oxford University Press, 3rd edn., 2008.
10. CEERA, *A Primer on Biological Diversity and Access and Benefit Sharing* (CEERA and UNDP Publications, 2019). Available at, <https://ceerapub.nls.ac.in/wp-content/uploads/2019/05/A-Primer-on-Biological-Diversity-and-Access-and-Benefit-Sharing.pdf>.
11. CEERA, *Handbook on Biodiversity Law, Access and Benefit Sharing* (CEERA Publications, 2019). Available at, <https://ceerapub.nls.ac.in/wp-content/uploads/2019/05/Handbook-on-Biodiversity-law-Access-and-Benefit-Sharing.pdf>.



**PAPER 11: SPECIALISATION PAPER V:**  
**LAW OF DESIGNS, INTEGRATED CIRCUITS, GEOGRAPHICAL INDICATIONS**  
**AND CONFIDENTIAL INFORMATION**

**Objectives:**

Designs, integrated circuits, geographical indications and confidential information are modern concepts. All these four types of industrial properties have their own significance in the field of intellectual property. While designs are used in attracting the customers; integrated circuits are required to distinguish one company from another in devising and integrating the machines and apparatus; geographical indications indicate the prominence of the products which carry the essence of the climatic conditions of the particular region or geographical area; and confidential information meant for protecting the interest of the manufacturer/employer from disclosure of their trade secrets. In modern days legal framework has been devised to govern and regulate these types of IPRs at national and international level. Students are required to acquaint themselves by studying the national and international legal regimes governing the designs, integrated circuits, geographical indications, and confidential information in a detailed manner.

**Course Outcomes:**

On successful completion of the course the student will be able to –

1. demonstrate evolution and growth of of designs, integrated circuits, and geographical indications law in India
2. explore the interrelation between designs, integrated circuits, geographical indications and confidential information
3. analyse the basic requirements for protection of designs, geographical indications and integrated circuits
4. give practical advice on the remedies available for violation of the rights relating to these intellectual properties.

**Course Content:**

**UNIT: I** – Indian and international history of designs, integrated circuits, geographical indications and confidential information, significance of these concepts in modern times of socio-economic, technological and industrial growth; interface between designs, integrated circuits, geographical indications and confidential information.

**UNIT: II** – Basic principles of Designs, the salient features of the Designs Act, 2000, Registrable and Non-registrable designs, procedure for registration, rights of holder, design piracy, remedies.

**UNIT: III** - Basic principles of GI, The Geographical Indications of Goods (Registration And Protection) Act, 1999- salient features, Background of the enactment, meaning and definitions of geographical indications, registered proprietor, authorised user, deceptively

similar, and producer; procedure and duration of registration, effect of registration, rectification and correction of register; infringement and remedies: civil and criminal.

**UNIT: IV-** Confidential Information and Trade Secrets: Meaning and nature of confidential information and Trade Secrets, difference between trade secret and confidential information, Nature of trade secrets, Modes of protection of trade secrets- legislative measures, Technology Transfer Agreements, non-disclosure agreements.

Semiconductor Integrated Circuits Layout Designs Act, 2000- Salient features of the Act, Conditions and Procedure for Registration, Duration and Effect of Registration, Assignment and Transmission.

**UNIT: V** –Salient features of international legal instruments: Paris Convention for the Protection of Industrial Property, 1883, TRIPs Agreement, Hague Industrial Design Treaty, 1959; Hague Agreement Concerning the International Deposit of Industrial Designs, 1925; Locarno Agreement: Locarno Agreement Establishing an International Classification for Industrial Designs, 1968, Lisbon Agreement for the Protection of Appellations of Origin and their International Registration, 1958, Madrid Agreement for the Repression of False or Deceptive Indications of Source on Goods, 1891, Treaty on Intellectual Property in Respect of Integrated Circuits, 1989.

**Prescribed Books:**

1. William Cornish and David Llewelyn, Intellectual Property: Patents, Copyright, Trade Marks and Allied Rights, Sweet and Maxwell, London (2003).
2. L. Bently and B. Sherman, Intellectual Property Law, Oxford University Press, Oxford.
3. Ranabhir Singh, Law relating to Intellectual Property, Vols. 1-3, Universal Law Publishing Co. Pvt. Ltd., Delhi.
4. Andrew Christie, Integrated Circuits and their Contents: International Protection, Sweet and Maxwell, London (1995).
5. Elizabeth Verky, Intellectual Property, Eastern Book Publication Co., Nagpur.
6. V. K. Ahuja, Intellectual Property Rights, Lexis Nexis, New Delhi.
7. Lionel Bently & Brad Sherman, Intellectual Property Law, Oxford University Press, 3rd edn., 2008.

**Reference Books:**

1. Hilary E. Pearson and Clifford G. Miller, Commercial Exploitation of Intellectual Property, Universal Law Publishing Co. Pvt. Ltd., Delhi (1997).
2. Department of Business Laws, NLSIU, Bangalore, International Legal Instruments of Intellectual Property Rights Law, Vols. I&II.
3. Ashok Soni, A Complete Reference of Intellectual Property Laws, Vols. 1&2.
4. Bibek Debroy (Ed.), Intellectual Property Rights, B.R. Publishing Corporation (India) Ltd. (1998).
5. R. Anita Rao and V. Bhanoji Rao, Intellectual Property Rights: A Primer, Eastern Book Company, Lucknow (2008).
6. W.R. Cornish, Intellectual Property: Patents, Copyright, Trade Marks and Allied Rights, Universal Law Publishing Co. Pvt. Ltd., Delhi (2001).

**PAPER 10: SPECIALISATION PAPER IV:**  
**LAW OF COPYRIGHTS**

**Objectives:**

Copyright is a non-industrial property which came to the fore to protect the creator from unauthorised reproduction of the work. With the advent of technology, new forms of copyright and allied rights have emerged and the legislations of India in particular and world in general have undergone many changes to extend protection to the copyright holder from unauthorised use of the same especially in the context of technological revolution. In order to understand the subject matter in which copyright protection subsists, students are required to study the legal regimes of copyrights and allied rights to the fullest and deepest level to be professionally relevant in contemporary society.

**Course Outcomes:**

On successful completion of the course the student will be able to –

1. demonstrate evolution and growth of copyright law
2. understand the significance of copyrights and neighboring rights
3. analyse the basic requirements of copyrightability
4. examine the requirements of assignment and licensing of copyright
5. give practical advice on the remedies available for copyright infringement.

**Course content:**

**UNIT: I** – Indian and international history of Copyright law, meaning and nature of copyright; Basic concepts of copyrights; subject matter of copyright; the meaning of literary, dramatic, musical, artistic works and cinematograph films and sound recording.

**UNIT: II** –Basic principles underlying the copyright law in India compared with that of U.K., U.S. and E.U. The salient features of the Indian Copyright Act, 1957 as amended up-to-date. Authorship and ownership of copyright; rights conferred by Copyright; work of joint authorship; term of copyright.

**UNIT: III** – Transfer of copyrights- Assignment, Transmission and licenses; relinquishment of Copyright.

Neighbouring rights: Performer's Rights and Rights of Broadcasting Organisations. Copyright Societies; Copyright Board.

**UNIT: IV** –Infringement of Copyright: infringement of copyright in different works; Remedies: Civil (Injunctions- Anton Piller, Mareva, John Doe Orders), Administrative and criminal; threat of legal proceedings and slander of title; Appeals.

**UNIT: V** –Salient features of international legal instruments on copyright and related rights: Berne Convention for the Protection of Literary and Artistic Works, 1886; Universal Copyright Convention (UCC), 1954; TRIPs Agreement, 1994, Rome Convention:

International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organisations, 1961; WIPO Copyright Treaty, 1996; WIPO Performances and Phonogram Treaty, 1996.

**Prescribed Books:**

1. William Cornish and David Llewelyn, Intellectual Property: Patents, Copyright, Trade Marks and Allied Rights, Sweet and Maxwell, London (2003).
2. P. Narayanan, Copyright and Industrial Design, 3<sup>rd</sup>Edn., Eastern Law House, New Delhi and Kolkata (2002).
3. L. Bently and B. Sherman, Intellectual Property Law, Oxford University Press, Oxford.
4. Melville B. Nimmer and Paul Edward Geller, International Copyright Law and Practice, Mathew Bender & Co., (1998).
5. Sam Ricketson, The Berne Convention for the Protection of Literary and Artistic Works: 1886-1986, Kluwer London (1987).
6. E.P. Skone James *et al*, Copinger and Skone James on Copyright, 13<sup>th</sup>edn., Sweet and Maxwell Limited, London (1991).
7. V. K. Ahuja, Intellectual Property Rights, Lexis Nexis, New Delhi.

**Reference Books:**

1. Department of Business Laws, NLSIU, Bangalore, International Legal Instruments of intellectual Property Rights Law, Vols. I & II.
2. W.R. Cornish, Intellectual Property: Patents, Copyright, Trade Marks and Allied Rights, Universal Law Publishing Co. Pvt. Ltd., Delhi (2001).
3. Elizabeth Verky, Intellectual Property, Eastern Book Publication Co., Nagpur.
4. Mira SundaraRajan, Moral Rights: Principles, Practice, and New Technology, Oxford University Press, 2011.
5. Robert A Gorman, Jane C. Ginsburg, Copyright Cases and Materials, Foundation Press, 2011.
6. Paul Goldstein International Copyright: Principles, Law, and Practice, Oxford University Press, 2012.
7. N.S. Gopalakrishnan & T.G. Ajitha, Principles of Intellectual Property, Eastern Book Company, 2nd edn., 2014.
8. Ashok Soni, A Complete Reference to Intellectual Property Laws, Vols. 1&2.
9. Lionel Bently & Brad Sherman, Intellectual Property Law, Oxford University Press, 3rd edn., 2008.
10. Ranabhir Singh, Law relating to Intellectual Property, Vols. 1-3, Universal Law Publishing Co. Pvt. Ltd., Delhi.

## **PAPER 9: SPECIALISATION PAPER 3:**

### **LAW OF TRADE MARKS**

#### **Objectives:**

Trademarks are recognized as a form of industrial property because trademarks make the goods of manufacturer or trade known to the public and thereby enable them to secure profits through the reputation gained by the mark. Therefore trademarking and branding of goods and services occupy an important and prominent place in modern marketing system in which each and every goods and services is sold under their brand name or trademark. Protection of a trademark is necessary not only for an honest trader but also for the benefit of the purchasing public against imposition and fraud. Hence, it is essential for students to equip them to effectively serve the different interest involved in their professional capacity.

#### **Course Outcome:**

On successful completion of the course the student will be able to –

1. trace the evolution and growth of trademark law
2. evaluate the advantages of trademark registration
3. describe the procedure for registration of trademarks
4. address infringement and other related issues of trademark

#### **Course Content:**

**UNIT: I** –Indian and international history of trade marks law, meaning and definition of mark and trademark, functions of a trade mark and different kinds of trademarks: Conventional and non-conventional trademarks, Service Marks, Collective Marks, Certification Marks, Well Known Trademarks; Distinctiveness- Inherent and acquired.

**UNIT: II** –Basic principles underlying the trade mark law in India compared with that of U.K., U.S. and E.U. The salient features of the Trade Marks Act, 1999. Deceptive similarity, difference between similarity of marks, near resemblance and deceptive similarity of marks, and their effects on trademark protection.

**UNIT: III** – Registrable and non-registrable marks, registration of marks: procedure for the registration of trade mark, certification marks and collective marks; opposition to registration, grounds for opposition; concurrent registration; effect of registration; rectification of register. Transfer of trade mark- assignment, transmission and licenses and registered users.

**UNIT: IV** – Powers and functions of Registrar, powers of Central Government, constitution and composition of Appellate Board, powers and functions of Appellate Board; infringement of trade mark- action for infringement, Goodwill and passing off action; distinction between infringement and passing off, offences and penalties, remedies for infringement, threat of legal proceedings and trade libel.

**UNIT: V** –Salient features of international legal instruments on trademarks law: Paris Convention for the Protection of Industrial Property, 1883 (Relevant provisions); TRIPs Agreement, 1994 (Relevant provisions); Madrid Agreement Concerning the International Registration of Marks, 1891 and Protocol Relating to Madrid Agreement Concerning the International Registration of Marks, 1989; Trade Mark Treaty (TLT), 1994; Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks, 1957; Role of international institutions in implementation and harmonisation of trade mark legal system such as WIPO and WTO.

#### **Prescribed Books**

1. W.R. Cornish, Intellectual Property: Patents, Copyright, Trade Marks and Allied Rights, Universal Law Publishing Co. Pvt. Ltd., Delhi (2001).
2. Christopher Wadlow, The Law of Passing Off: Unfair Competition by Misrepresentation, Sweet and Maxwell, 2011.
3. P. Narayanan, Law of Trade Marks and Passing Off, Eastern Law House, New Delhi and Kolkata.
4. A. K. Bansal, Law of Trademark in India, Thomson & Reuter, 2014.

#### **Reference Books:**

1. Alan S. Guterman and Bentley J. Anderson, Intellectual Property in Global Markets, Kluwer Law International, London, The Hague, Boston (1997)
2. William Cornish and David Llewelyn, Intellectual Property: Patents, Copyright, Trade Marks and Allied Rights, Sweet and Maxwell, London (2003).
3. Hilary E. Pearson and Clifford G. Miller, Commercial Exploitation of Intellectual Property, Universal Law Publishing Co. Pvt. Ltd., Delhi (1997).
4. L. Bently and B. Sherman, Intellectual Property Law, Oxford University Press, Oxford.
5. V. K. Ahuja, Intellectual Property Rights, Lexis Nexis, New Delhi.
6. T.A. Blanco White and Robin Jacob, Patents, Trade Marks, Copyright and Industrial Designs, Sweet and Maxwell, London and N.M. Tripathi Private Ltd., Mumbai.
7. T.A. Blanco White and Robin Jacob, Kerly's Law of Trade Marks and Trade Names, Sweet and Maxwell, London and N.M. Tripathi Private Ltd., Mumbai.
8. Department of Business Laws, NLSIU, Bangalore, International Legal Instruments of Intellectual Property Rights Law, Vols. I&II.
9. Ashok Soni, A Complete Reference of Intellectual Property Laws, Vols. 1&2.
10. Elizabeth Verky, Intellectual Property, Eastern Book Publication Co., Nagpur.
11. V. K. Ahuja, Intellectual Property Rights, Lexis Nexis, New Delhi.
12. N.S. Gopalakrishnan & T.G. Ajitha, Principles of Intellectual Property, Eastern Book Company, 2nd edn., 2014.
13. Lionel Bently & Brad Sherman, Intellectual Property Law, Oxford University Press, 3rd edn., 2008.
14. Ranabhir Singh, Law Relating to Intellectual Property, Vols. 1-3, Universal Law Publishing Co. Pvt. Ltd., Delhi.

**PAPER 8: SPECIALISATION PAPER 2:**  
**LAW OF PATENTS**

**Objectives:**

The development of technology and improvements in industrial techniques, which are essential for the economic welfare of human society, which depend largely on the growth of inventions capable of industrial application. A system of granting a limited monopoly to the inventors in return for the research and disclosure of the invention to the public called patents has developed in almost all countries and engaged in their protection by entering into international treaties and agreements. The subject of patent law requires its detailed study by the students in view of the above significance attached to the patent legal framework.

**Course Outcome:**

On successful completion of the course the student will be able to –

1. apply patent law principles to find out the patentability of the invention
2. understand the procedural requirements for patent grant
3. use the remedies available for patent infringement and related issues.
4. analyse the impact of patent law and policy on the society.

**Course Content:**

**UNIT: I** – Basic requirements of Patents; Indian and International history of patent laws; distinction between the invention, discovery and patent; importance of inventions for technological and socio-economic growth of the country in particular and world in general; theoretical justifications for Patent Protection.

**UNIT: II** –Basic principles underlying the patent law in India compared with other national patent systems of U.K., U.S. and E.U.; meaning and nature of patent; meaning of ‘invention’, ‘novelty’, ‘inventive step’ and ‘capable of industrial application’; patentable and non-patentable inventions.

The salient features of the Indian Patent Act, 1970 as amended till date- shift from process patenting to product patenting in food, drug and chemicals.

**UNIT: III** – Procedure to obtain patent, patents of addition, specification- provisional and complete specification, amendments of application and specifications, pre and post grant opposition to grant of patent and grounds for opposition, sealing of patents, term of protection; Rights and obligations of a patentee, transfer of patent rights, Powers of the controller.

**UNIT: IV** –Powers of the central government: use of inventions for the purposes of government and acquisition of invention by central government.

Appeals and appellate board, abuse of patent rights, compulsory licence, revocation: grounds of revocation of a patent; infringement of patents, action for infringement, reliefs and remedies upon the infringement of patent.

**UNIT: V** –Salient features of international legal instruments on patents: Paris Convention for the Protection of Industrial Property, 1883(Relevant provisions); TRIPs Agreement, 1994 (Relevant provisions); Patent Co-operation Treaty, 1970; WIPO Patent Law Treaty (PLT), 2000; WIPO Substantive Patent Law Treaty (SPLT); Budapest Treaty on International Recognition of the Deposit of Micro-organisms for the Purpose of Patent Procedure, 1977.

**Prescribed Books:**

1. W.R. Cornish, Intellectual Property: Patents, Copyright, Trade Marks and Allied Rights, Universal Law Publishing Co. Pvt. Ltd., Delhi (2001).
2. P. Narayanan, Patent Law, 4<sup>th</sup>Edn., Eastern Law House, New Delhi and Kolkota (2006).
3. Elizabeth Verky, Intellectual Property, Eastern Book Publication Co., Nagpur.
4. Jayashree Watal, Intellectual Property Rights in the WTO and Developing Countries, Oxford University Press, New Delhi (2001).
5. V. K. Ahuja, Intellectual Property Rights, Lexis Nexis, New Delhi.
6. N.S. Gopalakrishnan & T.G. Ajitha, Principles of Intellectual Property, Eastern Book Company, 2nd edn., 2014.

**Reference Books:**

1. Graeme B. Dinwoodie, William O. Hennessey and Shira Perlmutter, International and Comparative Patent Law, LexisNexis, New Jersey (2002).
2. William Cornish and David Llewelyn, Intellectual Property: Patents, Copyright, Trade Marks and Allied Rights, Sweet and Maxwell, London (2003).
3. PrabuddhaGanguly, Intellectual Property Rights: Unleashing the Knowledge Economy, Tata McGraw-Hill Publishing Company Limited, New Delhi (2001).
4. L. Bently and B. Sherman, Intellectual Property Law, Oxford University Press, Oxford.
5. Bibek Debroy (Ed.), Intellectual Property Rights, B.R. Publishing Corporation (India)Ltd. (1998).
6. Guttina Leela (Ed.) and V.C. Vivekanandan (Series Ed.), International Treaties and Conventions on IPR, Module IV, NALSAR Proximate Education, NALSAR University of Hyderabad.
7. Srividhya Raghavan (Ed.) and V.C. Vivekanandan (Series Ed.), The American and European Patent System, Module III, NALSAR Proximate Education, NALSAR University of Hyderabad.
8. G.S. Srividhya (Ed.) and V.C. Vivekanandan (Series Ed.), Patenting in India, Module III, NALSAR Proximate Education, NALSAR University of Hyderabad.
9. Martin J. Adelman, Randall R. Rader, John R. Thomas and Harold C. Wegner, Cases and Materials on Patent Law, American Case Book Series, West Group, St. Paul, Minnesota (1998).
10. Carlos M. Correa and Abdulqawi A. Yusuf (Eds.), Intellectual Property and International Trade: The TRIPs Agreement, Kluwer Law International, London (1998).
11. Feroz Ali Khader, The Touchstone Effect: The Impact of Pre-Grant Opposition on



Patents, Lexis Nexis, 2009.

12. Ranabhir Singh, Law relating to Intellectual Property, Vols. 1-3, Universal Law Publishing Co. Pvt. Ltd., Delhi.

**PAPER 4: SPECIALISATION PAPER-I:**  
**CONCEPTUAL STUDY OF INDUSTRIAL AND**  
**INTELLECTUAL PROPERTY RIGHTS**

**Objectives:**

This paper focuses on the conceptual analysis of industrial property in different forms and at different times. Taking into account the industrialisation and post-industrialisation era in which, a shift has occurred in the concept and meaning of property and specifically intellectual property.

**Course Outcomes:**

On successful completion of the course the student will be able to –

1. understand the meaning of property and the nature of intellectual property
2. Examine the evolution of Law of intellectual property from case to case.
3. differentiate industrial property from non- industrial property
4. analyze court decisions that set forth and changed the law of intellectual property.

**Contents**

**UNIT: I** – Meaning and nature of property and intellectual property, characteristics of industrial property and non-industrial property and intellectual property, comparison and distinction between the industrial and non-industrial (intellectual property); Origin and Development of Intellectual Property.

**UNIT – II:** Need for intellectual property rights; rationale for protection of IPR; Theories of IPR: Natural Law Theory, Hegelian Philosophy (Personality Theory), Lockes' Theory of Property (Labour Theory), Incentive Theory, Reward Theory, Prospect Theory, Schumpeterian Theory.

Impact of IPR on Development, health, agriculture and generic resources; impact on traditional life styles, indigenous peoples and farmers.

**UNIT – III:** Different types of industrial property; Salient features of national legal regime on Industrial property: The Patents Act, 1970, the Trade Marks Act, 1999 and Designs Act, 2000; Highlights of international instruments such as TRIPs, and Paris Convention.

**UNIT – IV:** Salient features of national legal regime on Copyright and allied rights. Highlights of international instruments such as TRIPs Agreement, and Berne Convention.

**UNIT-V:** Introduction of new forms of intellectual property rights in India after TRIPs Agreement: Salient features of the Geographical Indications of Goods (Registration and Protection) Act, 1999 and Protection of Plant Varieties and Farmers' Rights Act, 2001; Trade secrets; Integrated circuits.

**Prescribed Books:**

1. W.R. Cornish, *Intellectual Property: Patents, Copyright, Trade Marks and Allied Rights*, Universal Law Publishing Co. Pvt. Ltd., Delhi (2001).
2. Lionel Bently & Brad Sherman, *Intellectual Property Law*, Oxford University Press, 3rd edn., 2008.
3. Ranabhir Singh, *Law Relating to Intellectual Property*, Vols. 1-3, Universal Law Publishing Co. Pvt. Ltd., Delhi.
4. Jayashree Watal, *Intellectual Property Rights in the WTO and Developing Countries*, Oxford University Press, New Delhi (2008).
5. Elizabeth Verky, *Intellectual Property*, Eastern Book Publication Co., Nagpur.
6. V. K. Ahuja, *Intellectual Property Rights*, Lexis Nexis, New Delhi.
7. N.S. Gopalakrishnan & T.G. Ajitha, *Principles of Intellectual Property*, Eastern Book Company, 2nd edn., 2014.

### **Reference Books:**

1. Peter Drahos, *A Philosophy of Intellectual Property*, Dartmouth Publications Co., 1996.
2. William Cornish and David Llewelyn, *Intellectual Property: Patents, Copyright, Trade Marks and Allied Rights*, Sweet and Maxwell, London (2003).
3. Campbell, Dennis and Susan Cotter (Eds.), *International Intellectual Property Law: Global Jurisdictions*, John Wiley & Sons, UK (1996).
4. D'Amato and Anthony, *International Intellectual Property Anthology*, Anderson Publishing Co., Cincinnati, Ohio (1996).
5. Doern and G. Bruce, *Global Change and Intellectual Property Agencies: Institutional Perspective*, Pinter, London and New York (1999).
6. R.M. Gadbar and T.J. Richards, *Intellectual Property Rights: Global Consensus, Global Conflicts?*, Westview Press, Boulder, Colorado (1998).
7. Alan S. Gutterman and Bentley J. Anderson, *Intellectual Property in Global Markets*, Kluwer Law International, London, The Hague, Boston (1997).
8. Hilary E. Pearson and Clifford G. Miller, *Commercial Exploitation of Intellectual Property*, Universal Law Publishing Co. Pvt. Ltd., Delhi (1997).
9. P. Narayanan, *Intellectual Property Law*, 4th edn., Eastern Law House, New Delhi and Kolkata (2006).
10. Prabuddha Ganguly, *Intellectual Property Rights: Unleashing the Knowledge Economy*, Tata McGraw-Hill Publishing Company Limited, New Delhi (2001).
11. Bibek Debroy (Ed.), *Intellectual Property Rights*, B.R. Publishing Corporation (India) Ltd. (1998).
12. Guttina Leela (Ed.) and V.C. Vivekanandan (Series Ed.), *International Treaties and Conventions on IPR, Module IV*, NALSAR Proximate Education, NALSAR University of Hyderabad.
13. Daniel Gervais, *The TRIPs Agreement: Drafting History and Analysis*, Sweet and Maxwell, London (1998).

## **PAPER 6: JUDICIAL AND LEGISLATIVE PROCESS[Compulsory]**

### **Objectives:**

A lawyer whether academic or professional is expected to be competent to analyze and evaluate the legal process from a broader juristic perspective. Hence a compulsory paper on judicial process is essential in the LL.M. curriculum. The objective of this section of the paper is to study the nature of judicial process as an instrument of social ordering. It is intended to highlight the role of court as policy maker, participant in the power process and as an instrument of social change. This section of the paper further intends to expose the intricacies of judicial creativity and the judicial tools and techniques employed in the process.

Since the alternate aim of any legal process or system is to pursue justice a systematic study of the concept of justices and its various theoretical foundations is required. This section of the paper therefore, intends to familiarize the students with various theories, different aspects and alternative ways, of attaining justice.

### **Course Outcome:**

On successful completion of the course the student will be able to –

1. explain the concept and development theory of justice.
2. describe the concept of judicial process and its significance in social ordering.
3. express the tools and technique of judicial creativity.
4. describe the relation between law and justice and role of judicial process in the attaining the objectives of justice.
5. understand the process of law making.

### **Course content:**

#### **Unit I**

Nature of Judicial Process: Judicial process as an instrument of social ordering; judicial process and creativity in the law- common law model- legal reasoning and growth of law- change and stability; stare decisis; the Tools and techniques of judicial creativity and precedent; identifying ratio decidendi and obiter dicta; Legal development and creativity through legal reasoning under statutory and codified systems.

#### **Unit-II**

Special Dimensions of Judicial process in the constitutional Adjudications: notions of Judicial review; role in constitutional adjudication- various theories of judicial role; Tools and techniques in the policy making and creativity in the constitutional adjudication; variance of judicial and juristic activism.

#### **Unit-III**

Problems of accountability and judicial law making. Judicial process in India: Indian debate on the role of judges and on the notion of Judicial review; the “independence “ of judiciary and the "political" nature of judicial process; judicial activism and creativity of the supreme court; the tools and a techniques of creativity; institutional liability of course and judicial

activism- scope and limits. structural challenges.

#### **Unit-IV**

Legislation as a source of law: its relation with other sources of law; Supreme legislation: law making by Indian Parliament, interaction between law and public opinion; drafting of Bills; presentation and discussion in a Legislature Houses, subordinate legislation; types of subordinate legislation. major roles of interpretation of statutes: literal are plain meaning rule; golden rule; purposive approach: mischief rule; compromise approach.

#### **Unit V: Legislative Drafting**

Nature of Legislative drafting; diseases of language to be dealt and taken care of; its history in India and England; components or parts of legislation and their purposes; role of legislation in social welfare and transformation; role of draftsman; the skills, traits and abilities he should process; legislative draftman's position, duties and responsibilities: relation with the government legislative division, public and the society at large; impact of constitutional values and provisions on legislative drafting; impact of the General Clauses Act upon legislative drafting; impact of principles of statutory interpretation upon legislative drafting; steps in a legislative drafting: pre- draft preparation; drafting, deliberation with others; post draft refinement; drafting of delegated legislation- limits and cautions; drafting exercise

#### **Select Bibliography:**

1. W. Friedman, Law in a Changing Society
2. Julius Stone, The Province and Function of Law, Part II, Chs. 1, 8-16 (2000), Universal, New Delhi.
3. Cardozo, The Nature of Judicial Process (1995) Universal, New Delhi
4. Henry J. Abraham, The Judicial Process (1998), Oxford.
5. J. Stone, Precedent and the Law: Dynamics of Common Law Growth (1985) Butterworths
6. W. Friedmann, Legal Theory (1960), Stevens, London
7. Bodenheimer, Jurisprudence - the Philosophy and Method of the Law (1997), Universal, Delhi
8. C. K. Allen, Law in the Making
9. C. K. Allen, Law and Orders (2<sup>nd</sup>edn.)
10. Sir Henry Maine, Ancient Law
11. J. Stone, Legal System and Lawyers' Reasonings (1999), Universal, Delhi
12. U. Baxi, The Indian Supreme Court and Politics (1980), Eastern, Lucknow.
13. Rajeev Dhavan, The Supreme Court of India - A Socio -Legal Critique of its Juristic Techniques (1977), Tripathi, Bombay.
14. John Rawls, A Theory of Justice (2000), Universal, Delhi
15. Edward H. Levi, An Introduction to Legal Reasoning (1970), University of Chicago.
16. F. C. Cohen, 'Modern Ethics and the Law' (1934) 4 Brooklyn Law Review 33
17. P. Devlin, 'Judges, Government and Politics' (1978) 41 Modern Law Review 501
18. J. Dickinson, 'The Law Behind Law' (1929) 29 Columbia Law Review 285

19. T.K. Vishwanathan (Ed.) G. Rajagopal's Legislative Drafting: Shaping the Law for the Millennium (Indian Law Institute, 2007)
20. B.R. Atre, Legislative Drafting: Principles and Techniques(Universal, 2014)
21. Helen Xanthaki, Thorton's Legislative Drafting (5<sup>th</sup>ed)
22. G.C. Thorton, Legislative Drafting(Butterworths, 1996)
23. Constantin and Helen Xanthaki,(ed) Drafting Legislation(Ashgate, 2008).
24. Reed Dickerson, Legislative Drafting
25. Reed Dickerson, Interpretation of Statutes
26. G.P. Singh, Statutory Interpretation (14<sup>th</sup> ed.,2018).

## **PAPER 5: LEGAL EDUCATION AND RESEARCH METHODOLOGY**

**[Compulsory]**

### **Objectives:**

A post-graduate student of law should get an insight into the objectives of legal education. The student should be introduced to the legal regime governing legal education so that they can contribute better when involved in activities of centres of legal education. Further, the student should be thoroughly introduced to the idea and methods of legal research to better equip them to effectively discharge their responsibilities in the capacity of both academicians and professionals. This course is designed to equip the students with the requirements of legal education and legal research in contemporary society.

### **Course Outcome:**

On successful completion of the course the student will be able to –

1. apply the best methods of research including the historical and comparative methods which include Case Study to the given situation.
2. critically evaluate the research methodology and their utility in academic legal research.
3. write a research report conveying the findings of the Legal Research in a cogent form

### **Course content:**

#### **Unit I : Introduction to Legal Education**

Legal Education; history of Legal education; National Education Policy; objectives of Legal education, Bar Council of India Rules of Legal education, present problems of Legal education and future perspectives; curriculum making and reform; designing teaching methods to suit the curriculum requirements; diversity in teaching methods and their merits and demerits; legal aid, legal literacy and law reform.

#### **Unit-II: Idea of Legal Research, Methodology and ensuring good quality research**

Legal research: introduction; legal research methodology, purposes and footprints; thinking process in legal research: diverse models; objectivity, value neutrality, originality and ethics in legal research; choosing, designing and building the research theme; formulation and testing of hypothesis; rules against plagiarism, introduction to kinds of research.

#### **Unit-III: Doctrinal Legal Research**

Doctrinal Legal Research as a means of synthesizing facts, thoughts and legal principles; analytical legal for expanding the legal world; historical legal research: implications and applications; philosophical research in law: the possibilities; comparative method of legal research: nature, process and potentiality.

#### **Unit-IV: Non- Doctrinal Methods of Legal Research**

Empirical Legal Research: nature, features and expanding Horizons; tools of data collection in empirical legal research: observation, interview case study, ethnography, questionnaire ,

survey, qualitative legal research; sampling method: varieties and uses; qualitative legal research

**Unit-V: Integrated Methods of Legal Research and Research Reporting:**

Multi -method legal research: nature, features, procedure and potentiality; policy research in law, action research in law, methodology of feminist legal research , legal writing based on Research report writing, writing articles, case comments and notes.

**Prescribed books:**

Bhat Ishwara P., Idea and methods of legal Research (Oxford: Oxford University Press, 2019)

**References:**

1. Whitney F.L., The Elements of Research (rev. edn., Prentice Hall, 1948)
2. Goode William J. and Hatt Paul K., Methods in Social Research, McGraw-Hill Book Company, London
3. Mike McConville and Wing Hong Chi, Research Methods for Law (Edinburg University Press, 2007)
4. Justice A.S. Anand, “Legal education in India- Past, Present and Future” in Lokendra Malik and Manish Arora ed., Legal Education in India: Essays in honour of Professor Ranbir Singh (New Delhi: Universal Law Publishing Co. 2014) pp.11-20.
5. Justice A.R. Lakshmanan, “Legal Education- Role of Bar” in Lokendra Malik and Manish Arora ed., Legal Education in India: Essays in honour of Professor Ranbir Singh (New Delhi: Universal Law Publishing Co. 2014) pp.35-48.



## **PAPER 1: LAW AND SOCIAL TRANSFORMATION IN INDIA [Compulsory]**

### **Objectives:**

This course is designed to offer the teacher and the taught with (a) awareness of Indian approaches to social and economic problems in the context of law as a means of social control and change; and (b) a spirit of inquiry to explore and exploit law and legal institutions as a means to achieve development within the framework of law. The endeavor is to make the students aware of the role the law has played and has to play in the contemporary Indian society.

### **Course Outcomes:**

After successful completion of the course, the student will be able to –

1. Comprehend the provisions in the Constitution regarding Law which impacts social transformation.
2. Assess the continuing tussle between law and morality.
3. Infer and assess that the principles of Law and Social Transformation.
4. Analyse the Indian approaches to social and economic problems in the context of law as a means of social control and change

### **Course content:**

#### **Unit I**

##### **Theory, History, Alternatives and the Constitution**

Law and social transformation: a theoretical discussion

Historical and social discourse on law's role in social transformation Alternatives to legal strategy: Gandhism, sarvodaya, marxism and naxalism, Constitution's orientation and response to social transformation

#### **Unit-II**

##### **Multiculturalism and Social Transformation: Religion, Language, Region and Ethnicity,**

Religion and law

Language and law: towards equality in language rights?

Language rights in education, people's language as the language of courts; perspectives, problems and the needed strategies

Regionalism, law and social transformation

Ethnic pluralism, tribal development and social transformation: a focus on security, self government and social justice

#### **Unit-III**

##### **Social Transformation by Empowerment: Empowering the Backward Classes, Women and Children**

Caste, law and empowerment of the backward classes Constitutional policy and development

towards gender justice Crimes against women and law's response thereto  
Law, child welfare and social transformation

#### **Unit IV**

##### **Modernisation and Social Transformation: Concept, Family Law, Economic Reforms**

Modernisation and law

Family law, modernisation and social transformation

Economic development, law and social transformation: focus on agriculture, industry and environment

#### **Unit V**

##### **Justice Delivery System and Participative Democracy**

Reforms in the justice delivery system, modernization and law

Role of democracy, Panchayat Raj and NGOs in social transformation through law

#### **Prescribed Books:**

Bhat Ishwar P., Law and Social Transformation (Lucknow: Eastern Books Company, 2009)

#### **Reference Books:**

Friedman Wolfgang, Law in a Changing Society (Berkeley: University of California Press, 1959)

Mark Galanter Ed., Law and Society in Modern India (London: Oxford University Press, 1989)

## 10.2 COURSE – II, TAXATION

### **Objectives:**

Legal Regime of tax encompasses the policies, laws and rules for taxation process. Income Tax law is concerned with the tax imposed on various sources of income. With regard to indirect tax, latest in the pipeline of a fiscal policy is introduction of uniform Goods and Service Tax Act (GST) by July 1, 2017. Tax policy is related to duties imports from foreign countries and all compulsory levies imposed by the Government on individual firms, Limited companies, Government organisations, Local Authorities, and others for the benefit of the State. The object here is imparting a conceptual understanding to the students about the provisions of both direct and indirect tax laws. The students of law required to know the impact of taxation on business transactions.

### **Course Outcomes:**

The students who complete the course will be able to

1. Acquire knowledge about the tax regime of India
2. Explain the fundamental concepts of income taxlaw.
3. Employ a broad understanding of tax law.

### **Contents:**

#### **UNIT-I: General**

Concept of tax- nature and characteristics of different types of taxes- direct and indirect taxes- distinction between tax and fees, tax and cess-tax evasion, Tax Planning and tax avoidance- Retrospective taxation- Federal base of taxing power- power of taxation under the Constitution. Immunity of state agencies/ instrumentalities- fundamental rights and the power of taxation- Commerce Clause, inter-state commerce and taxation, scope of taxing powers of Parliament, delegation of taxing power to state Legislatures and Local Bodies.

#### **UNIT-II: Direct Tax Regime**

The Income Tax Act 1961: Basis of taxation if Income-Basic concept, Person, Residential Status and incidence of tax, Income from salaries-Income from House Property -Income from Business or profession and vacation-Capital gains, Income from other sources-Deemed assessee. Set off and carry forward Loss; Income exempt from tax, permissible deductions & Chapter VIA deductions, Assessment, Kinds of assessment, Income tax authorities- Appointment –power and functions, Provisions relating to collection and recovery of tax-filing of returns, electronic filling, I.T. Portal working Refund of tax, appeal and revision provisions, offences and penalties.

### **UNIT-III: Indirect Tax Regime**

Concept of Goods and Service Tax (GST)-The Constitution (122<sup>nd</sup> Amendment )Act 2017. The Central Goods and Services Tax Act, 2017-Dual GST model taxation-GST Council-Central GST (CGST); GST levy on transactions-sale transfer, purchase, barter, lease, or import of goods and/or services. IGST/ SGST/ UTGST/ compensation Law to State Governments GSTN-Goods and Services Tax Network Portal; Tax Invoice, GST on Import & Exports, benefits of GST to trade, industry, e-commerce & Service sector and the consumers at large, Impact of GST on GDP of India and Inflation.

### **UNIT-IV: Indirect Tax Regime**

IGST- Integrated GST (IGST) levied by the Central Government. Inter-state transactions and imported goods or services-State GST (SGST); The State Goods & Service tax Law, Power of Central government to levy tax on interstate taxable supply, Impact of GST on State revenue; Indemnifying State Revenue Loss; UTGST-Union Securities, Securities Transaction Tax (STT).

### **UNIT-V: Custom Law**

Legislative Background of the levy-ports-warehouse-Nature and restrictions on exports and imports- Levy, exemption and collection of customs, duties and overview of law and procedure-Clearance of goods from the port, including baggage-Goods imported or exported by post and stores and goods in transit-Duty drawbacks provisions, Authorities Power and functions and SEZ Units.

### **Prescribed Books:**

1. Sumit Dutt Majumder, *GST in India* (Centax Publication Pvt. Ltd., New Delhi, 2<sup>nd</sup> edn., 2016/2017).
2. *Taxmann's Income Tax Act*, (Taxmann Publications Pvt. Ltd., New Delhi, 60<sup>th</sup> edn., 2016/2017).
3. R.K. Jha and P.K. Singh, *A Bird's Eye view of GST* (Hyderabad Asia Law House, 1<sup>st</sup> edn., 2017).

### **Reference Books/Website/Portals:**

1. Arvind P Datar, Kanga and Palkhivala's *The Law and Practice of Income Tax*, (LexisNexis, Nagpur, 10<sup>th</sup> edn., 2014).
2. Sampath Iyengar's, *Law of Income Tax*, (Bharat Law House Pvt.Ltd., New Delhi, 11<sup>th</sup> edn., 2011).
3. Income-Tax Act,1961 and Income –Tax Rules,1962 as amended by latest Finance Act, 2016-17.

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## Labour Law- II

### OBJECTIVES

In this course, students are to be acquainted with legal frame-work relating to social security and welfare. It is necessary to know the concept of social security, its importance and also Constitutional basis for the same. The importance of ensuring health, safety and welfare of the workmen and social assistance and social insurance schemes under various legislations are to be emphasised. The main theme underlying the programme is to critically examine provisions of the Employees Compensation Act, 1923, the Payment of Wages Act, 1936, the Factories Act, 1948, the Employees' State Insurance Act, 1948, the Minimum Wages Act, 1948, the Employees' Provident Fund (Family Pension Fund and Deposit Linked Insurance Fund) Act, 1952, the Maternity Benefit Act, 1961, the Unorganised Sector Workers' Social Security Act, 2008. These legislations are to be studied with a view to acquaint the students regarding various rights and benefits available to the workmen thereunder. Legislations are to be analysed by examining historical background, objectives underlying these legislations, judicial interpretations and effectiveness of these legislations in the changed economic policies.

#### UNIT-I

Concept and Importance of Social Security - Influence of I.L.O. - Constitutional Mandate. The Employees' Compensation Act, 1923 - Definitions - employee, employer, dependent, partial disablement, total disablement, etc. - Employer's liability for compensation - Conditions and Exceptions - Procedure for claiming compensation. Computation of Compensation. Commissioner- Jurisdiction, Powers, etc.

#### UNIT- II

The Employees' State Insurance Act, 1948 - Definitions - Employment injury, contribution, dependent, employee, principal employer, etc. - Employees' State Insurance Funds - contribution, Benefits available - Administrative Mechanism - E.S.I Corporation, Standing Committee, Medical Benefits Council - Composition, Powers, Duties - Adjudication of Disputes - E.S.I Courts. Comparative analysis of the E.S.I. Act, 1948 with the Employees' Compensation Act, 1923.

#### UNIT-III

The Employees' Provident Fund (Family Pension Fund and Deposit Linked Insurance Fund) Act, 1952 - Definitions - contribution, employee, employer, factory, fund, etc. - Provident Fund Scheme, Family Pension Scheme, Employees' Deposit Linked Insurance Scheme - Scope, Contributions - Benefits Available - Authorities under the Act - Powers.

The Maternity Benefit Act, 1961- Object and Scope of the Act, Definitions - appropriate government, employer, establishment, factory, maternity benefit, etc. - Benefits available under the Act - Inspectors.

Globalisation, privatisation and Open Economy - Effects of Globalisation on Industry and Labour - Constitutional Mandate of Welfare State and effectiveness of Social Security and Social welfare legislations in India under new economic policy- Emergence of laws relating SEZ, etc. Scope, object and implications of The Economic Special Zones Act, 2005.

### Unit III - Wages, Bonus and Gratuity

Context - Necessity of regular and periodic payment of wages without unreasonable deductions. The Payment of Wages Act, 1936 - Definitions - employed person, factory, industrial and other establishment, wages, etc. - Deductions - Authorities - Inspectors and Payment of Wages Authority.

Context - a right to share in profits even after payment of wages according contract of employment? Is it breach of contract or an implied term of the contract? - concepts of bonus and right to share in profits - The payment of Bonus Act, 1965 - definitions - provisions relating to payment of bonus - judicial interpretations and constitutionality of the provision relating to Govt's power to exempt

Context - reward for long drawn loyal service -- employers' liability or good gesture? Historical developments. The Payment of Gratuity Act, 1972 - definitions - judicial restrictive interpretation of the definition of employee. - payment of gratuity - determination of the amount of gratuity - authorities.

### Unit IV - Child Labour

Child labour - practice and reasons for child labour - competing views on necessity and feasibility of abolition of child labour - Human rights perspective and constitutional provisions for the protection of child - the Child Labour (Prohibition and Regulation) Act, 1986 - definitions - provisions relating to prohibition of child labour in certain establishments and processes - regulation of conditions of work - penalties - judicial interpretations. Amendments made through The Child Labour (Prohibition and Regulation) Amendment Act, 2016 and Criticisms.

### Unit V - Provisions applicable to shops and establishments

Necessity of protection of unorganised labour in shops and establishments by regulating their working conditions - a bird's eye view of legislations on shops and establishments in different states and the necessity of common legislation - the Karnataka Shops and Commercial Establishments Act, 1961 - application of the Act, Hours of work, annual leave with wages - wages and compensation - employment of children and women - authorities and penalties.

New labour law Code's-Policy of Ease of doing business with India and Labour Implications - the idea behind Decent Work Agenda from ILO.

#### Books Prescribed:

- S.C. Srivastava - Industrial Relations and Labour Laws
- Dr. V.G. Goswami - Labour Industrial Laws
- S.N.Mishra - Labour and Industrial Laws.
- S.C.Srivastava, Treatise on Social Security.
- Bonded Labour System Abolition Act, 1976,
- Equal Remuneration Act, 1976
- Inter-State Migration of Workers Act, 1979.
- The Protection of Women Against Sexual Harassment Act, 2013
- The Karnataka Shops and Commercial Establishments Act, 1961
- The Child Labour (Prohibition and Regulation) Act, 1986
- The Payment of Gratuity Act, 1972
- The Payment of Bonus Act, 1965
- The Industrial Disputes Act, 1947
- The Payment of Wages Act, 1936
- The Karnataka Shops and Commercial Establishments Act, 1961
- The Unorganised Workers' Social Security Act, 2008
- The Economic Special Zones Act, 2005

#### Reference Books:

- O.P. Malhotra - Law of Industrial Disputes.
- G. Ramanujam - Indian Labour Movements.
- P.L. Malik - Industrial Law.
- Mamoria and Mamoria - Dynamics of Industrial Relations.
- First National Labour Commission Report, 1969.
- Second National Labour Commission Report, 2002.
- International Labour Conventions and Recommendations.



**COURSE I- LABOUR LAW- I**

**OBJECTIVES**

In this course, the students are to be acquainted with the Industrial relations framework. Further, the importance of the maintenance of industrial peace and efforts to reduce the incidence of strikes and lockouts are to be emphasised. The main objective is to critically examine the provisions in the Trade Unions Act, 1926; the machineries contemplated under the Industrial Disputes Act, 1947 for the prevention and settlement of industrial disputes and other matters. Further, the objectives underlying the Industrial Employment (Standing Orders) Act, 1946 and Disciplinary Enquiry for misconduct are to be studied with a view to acquaint misconduct and the procedure to be followed before imposing punishment for misconduct alleged and established.

Referring wherever necessary to the Constitutional provisions and the ILO Conventions and recommendations will do learning of these legislations. We will be looking at the judicial response, legislative response and probable amendments required to the industrial relations laws to meet the challenges posed by economic liberalisation. In order to understand the above-mentioned legislations in their proper perspective, a brief historical background of these legislations will also be examined.

In this course, students shall also acquaint with legal frame-work relating to social security and welfare. The concept of social security, its importance and also Constitutional basis for the same are introduced. The importance of ensuring health, safety and welfare of the workmen, social assistance and social insurance schemes and the regulation of wages under various legislations are to be emphasised. The objective is also to understand the provisions of the Employees Compensation Act, 1923, the Employees' State Insurance Act, 1948, the Payment of Wages Act, 1936, the Factories Act, 1948. These legislations are to be studied with a view to acquaint the students regarding various rights and benefits available to the workmen thereunder. Legislations are to be analysed by examining historical background, objectives underlying these legislations, judicial interpretations and effectiveness of these legislations in the changed economic policies.

**UNIT-I**

Historical aspects - Master and Slave Relationship, Trade Unionism in India and UK - Enactment of the Trade Unions Act, 1926- ILO Conventions relating to Trade Unions and relevant Constitutional provisions.

A bird's eye view of the Act – Definitions - Trade Union, Trade Dispute, etc. - Provisions relating to registration, withdrawal and cancellation of registration - Funds of Trade Union, Immunities, problems of Trade Union, Amalgamation of Trade Union -Recognition of Trade Unions - Methods, need and efforts in this regard, Collective Bargaining - Meaning, methods, status of collective bargaining settlements, collective bargaining and liberalisation.

## UNIT-II

Historical Background and Introduction to the Industrial Disputes Act, 1947 - Definitions - Industry, Workman, Industrial Dispute, Appropriate Government, etc., - Authorities/ Industrial Dispute resolution machinery - Works Committee, Conciliation and Board of Conciliation - Powers and Functions, Court of Inquiry, Grievance Settlement Authority,

Voluntary Arbitration U/S 10-A, Compulsory Adjudication- Government's power of reference U/S- 10 - Critical analysis with reference to decided cases. Compulsory Adjudication - Composition, Qualification, Jurisdiction, powers of adjudication authorities, - Award and Settlement - Definition, Period of operation, binding nature and Juridical Review of award.

## UNIT- III

Law relating to regulation of strikes and lockouts- Definition of strikes and lockouts, Analysis with reference to Judicial Interpretations, Regulation U/Ss 22, 23, 10-A(4-A), and 10 (3), Illegal strikes and lockouts, penalties. - Regulation of Job losses- concepts of Lay-off, Retrenchment, Closure and Transfer of undertakings with reference to statutory definition and Judicial Interpretations - Regulation of job losses with reference to the provisions of chapter V A and V B of the ID Act, 1947 - Regulation of managerial prerogatives - Ss. 9A, 11A, 33 and 33A of ID Act, 1947 - Certified Standing Orders - Meaning and Procedure for Certification, Certifying officers- Powers and Functions, etc.

## UNIT-IV

Concept and Importance of Social Security - Influence of I.L.O. - Constitutional Mandate. The Employees' Compensation Act, 1923 - Definitions - employee, employer, dependent, partial disablement, total disablement, etc. - Employer's liability for compensation - Conditions and Exceptions - Procedure for claiming compensation. Computation of Compensation. Commissioner- Jurisdiction, Powers, etc.

The Employees' State Insurance Act, 1948 - Definitions - Employment injury, contribution, dependent, employee, principal employer, etc. - Employees' State Insurance Funds - contribution, Benefits available - Administrative Mechanism - E.S.I Corporation, Standing Committee, Medical Benefits Council - Composition, Powers, Duties - Adjudication of Disputes - E.S.I Courts. Comparative analysis of the E.S.I. Act, 1948 with the Employees' Compensation Act, 1923

## UNIT-V

The Payment of Wages Act, 1936 - Definitions - employed person, factory, industrial and other establishment, wages, etc. - Deductions - Authorities - Inspectors and Payment of Wages Authority.

The Factories Act, 1948 - Definitions - factory, manufacturing process, occupier, worker, hazardous process, etc. - Provisions of the Factories Act relating to health, safety and welfare of

workers - Provisions relating to Hazardous process - Provisions relating to working conditions of employment - Working Hours, Weekly leave, Annual leave facility - Provisions relating to regulation of employment of women, children and young persons.

**Books Prescribed:**

- S.C. Srivastava - Industrial Relations and Labour Laws.
- Dr. V.G. Goswami - Labour Industrial Laws
- S.N.Mishra - Labour and Industrial Laws.
- S.C.Srivastava, Treatise on Social Security.
- The Trade Unions Act, 1926
- The Industrial Disputes Act, 1947
- The Industrial Employment (Standing Orders) Act, 1946
- The Employees Compensation Act, 1923
- The Employees' State Insurance Act, 1948
- The Payment of Wages Act, 1936
- The Factories Act, 1948

**Reference Books:**

- O.P. Malhotra - Law of Industrial Disputes.
- G. Ramanujam - Indian Labour Movements.
- P.L. Malik - Industrial Law.
- Mamoria and Mamoria - Dynamics of Industrial Relations.
- First National Labour Commission Report, 1969.
- Second National Labour Commission Report, 2002.
- International Labour Conventions and Recommendations.

### 3.4 Course – IV, English

#### Objectives:

In the present scenario, English is an international language through which legal language has a common understanding. English has to be studied to serve the purpose of administering justice and in order to avoid discrepancies in connotation. Hence, literature and linguistics of English is utilized as a tool and technique for understanding, comprehending and interpreting law. It enables the students to understand the various aspects of grammar.

#### Course Outcome:

On successful completion of the course students will be able to:

1. Understand and explain the language aspects of the text.
2. To do grammatical exercises on confusables, synonyms, antonyms, appropriate expressions, vocabulary, error identification, grammar, usage and composition etc.

#### Contents:

##### UNIT-I

The Shaping of my Character- Dr.S. Radhakrishnan

What I Cherish Most- Rt. Hon. Shrinivas Shastry

Grammar: Kinds of sentence- simple, compound and complex sentences and use of conjunctives;  
Basic transformations.

##### UNIT-II

Eating for Health- Rajkumari Amrit Kaur T.V.

Should never be held out as a carrot- The WEEK.

Grammar: Active and passive voice; Direct and indirect speech (Reported speech)

##### UNIT-III

Indian crowds- Neeraj Choudhary

Our rising population: Causes and consequences- Dr.R.B.Sahay

Grammar: Propositions, determiners, question tags.

##### UNIT-IV

A dispassionate analysis of the Quit India Movement- V.M.Tarkunde

Federalism in India: Theory and Practice – Prof. S.C.Gangal

Grammar: Some common errors, vocabulary, legal terms, Idiomatic expressions.

##### UNIT-V

The development of Indian Literature- C.Rajagopalachari

Headache – R.K.Narayan

Composition skills: Paragraph writing, Note taking, formal correspondence.

**Text:**

M.Nagarajan, T.Shashishekhara & S.Ramamurthy (ed.)-Indian Prose for effective Communication: A practical Programme for Colleges.

**Books Prescribed:**

R.W.Zandvoort- A handbook of English Grammar.

Quirk, et. al.- Contemporary English grammar- Structure and Composition. Michael Swan- Practical English Usage.

- **This Subject is introduced to enhance the language skills of law students, which is essential for them to enhance their advocacy skills**

**Syllabus of B.A., LL.B. (Hons.) Major-Minor 2022-23 Batch****COURSE 1.2- LEGAL METHODS**

**Objectives:** Law is arguably an autonomous discipline and has its own materials and methods. However, Law is related to other processes in the society- social, political and cultural. This course is designed to familiarize the students with sources of legal materials, to find the law by the use of law library and to make the students to appreciate law in the context of other social processes. The course may help the students to think and act like a lawyer and respond to his law studies accordingly. Therefore, the course introduces the students to the basic concepts of law, sources of law, fundamentals of legal research and primary and secondary sources in legal research.

**Unit-I**

What is Law? Is Law necessary? Essential functions of Legal Process, Essence of Law.

**Unit-II**

Typical Attributes of Law and legal Process; Legal Rules and Society;

**Unit-III**

Divisions of the Law, Using Law Library - understanding how to find law, legal materials, Constituent Assembly Debates, law reports, statutes, gazettes, reports of commissions, etc., Methods of study- text books, technical terms, Using on-line resources.

**Unit-IV**

Case Law Techniques; Interpretation of Statutes.

**Unit-V**

Working out problems; Answering in examinations; application of law to facts, Legal Research; writing assignments, essays, dissertations; citation methods.

**Prescribed Books:**

1. Lloyd Dennis, Idea of Law, London; Penguin Books Chapters 1 and 9.
2. Williams Glanville, Learning the Law, London, Stevens & Sons 1982.
3. Watson Alen, The Nature of Law, Edinbure, University Press, 1977, Chapters 1, 2 & 3
4. Anderson Jonathan *et al*, Thesis & Assignment Writing, New Delhi, Wiley Eastor Ltd., 1971.

Syllabus of B.A., LL.B. (Hons.) Major-Minor 2022-23 Batch  
COURSE-1.5 ಕನ್ನಡ ಕಲಿ

Introduction

Abbreviations

Key to transcription

Part One-Structure

Lesson 1: Introducing each other-1

Lesson 2: Introducing each other-2

Lesson 3: About a cinema

Lesson 4: About the college hostel

Lesson 5: In a shop

Lesson 6: Enquiring about professor

Lesson 7: In a Bank

Lesson 8: To go to hospital

Lesson 9: In College

Lesson 10: About Picnic

Lesson 11 :ದೈನಂದಿನ ಕೆಲಸ ಕಾರ್ಯ

Lesson 12: ದೂರ ಸಲ್ಲಿಕೆ

Lesson 13: ಪ್ರೇಕ್ಷಣೀಯ ಸ್ಥಳಗಳು

Lesson 14: ಕಾನೂನು ಸುದ್ದಿಗಳು

Lesson 15: ಭಾರತ ಸಂವಿಧಾನ

Lesson 16 : ಕನ್ನಡ ಭಾಷೆ

Part Two

1. Script-1 Introduction to primary letters and secondary symbols of vowels

ಮೂಲಾಕ್ಷರ ಮತ್ತು ಗುಣಿತಾಕ್ಷರ ಪರಿಚಯ

1.1.Group 1-10: Letters on the basis of shape similarly.

Traditional alphabet chart

ಸಾಂಪ್ರದಾಯಿಕ ವರ್ಣಮಾಲೆ

## 2. Script-2-Introduction to secondary symbols of consonants

### 2. ವ್ಯಂಜನಾಕ್ಷರಗಳ ಒತ್ತಕ್ಷರ ಪರಿಚಯ

#### 2.1 : Homogeneous Clusters

##### 2.1 : ಸಜಾತಿಒತ್ತಕ್ಷರ ಬಳಕೆ

Group 1: Symbols similar to the primary letters but smaller in size

ಗುಂಪು 1. ಮೂಲಾಕ್ಷರಗಳನ್ನು ಹೋಲುವ ಒತ್ತಕ್ಷರಗಳು

Group2: Symbols which are little deviated from the primary letters

ಗುಂಪು 2. ಮೂಲಾಕ್ಷರದಿಂದ ಸ್ವಲ್ಪ ಭಿನ್ನವಾದ ರೂಪಗಳು

Group3: Symbols which are completely different in shape from the primary letter

ಗುಂಪು 3. ಸಂಪೂರ್ಣ ಭಿನ್ನರೂಪದ ಒತ್ತಕ್ಷರಗಳು

#### 2.2 : Heterogeneous clusters – All the three groups above:

2.2 : ವಿಜಾತಿ ಒತ್ತಕ್ಷರಗಳ ಬಳಕೆ- ಮೇಲಿನ ಎಲ್ಲ ಮೂರು ಗುಂಪುಗಳು

## ಗ್ರಂಥಗಳು:

ಕನ್ನಡ ಕಲಿ - ಕರ್ನಾಟಕ ರಾಜ್ಯ ಕಾನೂನು ವಿಶ್ವವಿದ್ಯಾಲಯದ ಪ್ರಕಟಣೆ

\* This subject is meant for non-Kannadiga students to improve their language skill. It enables them to communicate in Kannada language.



## 1.1 Course – I: ಕನ್ನಡ

### ಉದ್ದೇಶಗಳು:

ಕಾನೂನು ವಿದ್ಯಾರ್ಥಿಗಳಿಗೆ ಸಾಹಿತ್ಯಕ್ಕಿಂತ ಹೆಚ್ಚಾಗಿ ಭಾಷೆಯಲ್ಲಿ ಪ್ರಾವೀಣ್ಯತೆ ಸಾಧಿಸಬೇಕಾಗುತ್ತದೆ. ಆ ದೃಷ್ಟಿಯಲ್ಲಿ ಭಾಷೆ. ಭಾಷೆಯ ಅಗತ್ಯ ಪ್ರಯೋಜನಗಳು, ವಾಕ್ಯಗಳ ರಚನೆ, ವ್ಯಾಕರಣ ಶುದ್ಧತೆ ಇವುಗಳಿಗೆ ಆದ್ಯತೆ ನೀಡಲಾಗಿದೆ, ಅನ್ಯದೇಶಿಯ ಕಾನೂನು ಪಾರಿಭಾಷಿಕ ಪದಗಳ ಬಗ್ಗೆ ಅರಿವು ಮೂಡಿಸುವ ಪ್ರಯತ್ನ ಮಾಡಲಾಗಿದೆ. ಕನ್ನಡ ಭಾಷಾ ವಿದ್ಯಾರ್ಥಿಗಳಿಗೆ ಭಾಷಾಂತರದ ಅನಿವಾರ್ಯತೆಯನ್ನು ಗುರುತಿಸಲಾಗಿದೆ. ಸರಕಾರಿ ಪತ್ರಗಳ, ಕಾನೂನು ಪತ್ರಗಳ ರಚನೆ ಹಾಗೂ ಸ್ವರೂಪದಲ್ಲಿ ಗಮನಿಸಬೇಕಾದ ಸಂಗತಿಗಳನ್ನು ತಿಳಿಸಲು ಪ್ರಯತ್ನಿಸಲಾಗಿದೆ.

### ವಿಷಯದ ಫಲಿತಾಂಶಗಳು:

ಈ ವಿಷಯವನ್ನು ಅಭ್ಯಸಿಸಿದ ವಿದ್ಯಾರ್ಥಿಯು ಸೆಮೆಸ್ಟರ್ ನ ಅಂತ್ಯದಲ್ಲಿ ಕನ್ನಡದಲ್ಲಿ ವಿಮರ್ಶಾತ್ಮಕ ಚಿಂತನೆಯೊಂದಿಗೆ, ಉತ್ತಮ ಸಂವಹನ ಹಾಗೂ ಸೃಜನಶೀಲ ಬರವಣಿಗೆಯ ಕಲೆಯನ್ನು ಬೆಳೆಸಿಕೊಳ್ಳಲು ಸಮರ್ಥರನ್ನಾಗಿ ಮಾಡುತ್ತದೆ.

### ಘಟಕ-೧

ಭಾಷೆ ಎಂದರೇನು? ಭಾಷೆಯ ಸ್ವರೂಪ, ಭಾಷೆಯ ಅಗತ್ಯಗಳು ಮತ್ತು ಪ್ರಯೋಜನಗಳು, ಅನ್ಯದೇಶಿಯ(ಹೆಚ್ಚು ಕಾನೂನುನಿಗೇ ಸಂಬಂಧಿಸಿದಂತೆ), ಪಾರಿಭಾಷಿಕ ಪದಗಳು.

ಕನ್ನಡ ಭಾಷೆ ಬೆಳೆದು ಬಂದದ್ದಾರಿ

### ಘಟಕ-೨

ಪತ್ರ ರಚನೆ, ಪತ್ರ ರಚನೆಯ ವಿವಿಧ ಅಂಗಗಳು

ಪ್ರಬಂಧ ರಚನೆ, ವಾಕ್ಯಗಳ ರಚನೆ, ಅರ್ಥದ ದೃಷ್ಟಿಯಿಂದ ವಾಕ್ಯಗಳ ರಚನೆ, ರಚನೆ ದೃಷ್ಟಿಯಿಂದ ವಾಕ್ಯದ ರಚನೆ, ವಾಕ್ಯದ ವಿವಿಧ ಅಂಗಗಳು, ಶಬ್ದಕೋಶದ ರಚನೆ, (ಶಬ್ದಗಳ ಸ್ವೀಕಾರ) ಬಳಕೆ, ಬೆಳವಣಿಗೆ ಕಾನೂನು ಪದಕೋಶ ಕೆಲವು ಪದಗಳ ಪ್ರಾಯೋಗಿಕ ಬಳಕೆ, ಬೆಳವಣಿಗೆ ಕಾನೂನು ಪದಕೋಶ ಕೆಲವು ಪದಗಳ ಪ್ರಾಯೋಗಿಕ ಬಳಕೆ.

### ಘಟಕ-೩

ಕನ್ನಡ ಭಾಷೆಯ ವಿವಿಧ ಮಜಲುಗಳು- ಹಳಗನ್ನಡ, ನಡುಗನ್ನಡ, ಅಧೀಕೃತ ಪತ್ರ, ಅರೆ ಸರಕಾರಿ ಪತ್ರ, ಜ್ಞಾಪನಾ ಪತ್ರ, ಗೆಜೆಟ್ ಅಧಿಸೂಚನೆ, ಸಭೆಯ ನಡಾವಳಿ, ನೋಟಿಸು, ಲೇಖನ ಚಿಹ್ನೆಗಳು ಭಾಷೆ ಬಗೆಗೆ ಸಂವಿಧಾನಿಕ ನಿಯಮಗಳು.

### ಘಟಕ-೪

ವಚನ ಸಾಹಿತ್ಯ- ಬಸವಣ್ಣ ಅಕ್ಕ ಮಹಾದೇವಿ ವಿಶೇಷವಾಗಿ ಕೇಂದ್ರಿಸಿ ಸಾಮಾಜಿಕ ನ್ಯಾಯ ಕುರಿತು ರಚನೆಗಳು, ದಾಸ ಸಾಹಿತ್ಯ-ಸರ್ವಜ್ಞನ ವಚನಗಳು, ಜಾನಪದ, ನುಡಿಗಟ್ಟು, ಗಾದೆಗಳು, ಅರ್ಥ ಸಂಕೋಚನ, ಅರ್ಥ ವಿಸ್ತರಣೆ, ಅರ್ಥ ವ್ಯತ್ಯಾಸಗಳು.

### ಘಟಕ-೫

ಕನ್ನಡ ಆಡು ನುಡಿ ಮತ್ತು ಶಿಷ್ಟ ಪದಗಳ ಪರಿಚಯ ವ್ಯತ್ಯಾಸ ಧ್ವನಿ ವ್ಯತ್ಯಾಸ (ಅರ್ಥ ವ್ಯತ್ಯಾಸಗಳು-ಸ್ವರ-ವ್ಯಂಜನ, ಮಹಾ ಪ್ರಣಾಕ್ಷರಗಳು) ಆಂಗ್ಲರ ಆಡಳಿತದಲ್ಲಿ ಕನ್ನಡ-ಕಛೇರಿ ಆಡಳಿತದ ಕನ್ನಡ ಪದಗಳ ಪರಿಚಯ.

### ಗ್ರಂಥಗಳು:

ಭಾಷಾ ವಿಜ್ಞಾನದ ಮೂಲ ತತ್ವಗಳು- ಡಾ|| ಎಂ. ಚಿದಾನಂದ ಮೂರ್ತಿ

ಸಾಮಾನ್ಯ ಭಾಷಾ ವಿಜ್ಞಾನ- ಡಾ|| ಕೆ. ಕೆಂಪೇಗೌಡ

ಪರಾಮರ್ಶನ ಗ್ರಂಥಗಳು:

ಆಡಳಿತ ಕನ್ನಡ-ಎಚ್.ಎಸ್. ಕೆ.

ಕನ್ನಡ ಸಾಹಿತ್ಯ ಚರಿತ್ರೆ- ರಂ. ಶ್ರೀ. ಮುಗಳಿ

ವ್ಯವಹಾರಿಕ ಕನ್ನಡ- ಎಚ್. ಎಸ್.ಕೆ.

ಕನ್ನಡ ಸಾಹಿತ್ಯೋತ್ತರ: ಅಪರಾಧ ಮತ್ತು ದಂಡನೆಗಳು-ಡಾ. ಎಚ್. ಎಮ್. ಚನ್ನಪ್ಪಗೋಳ.

ಜಾನಪದದಲ್ಲಿ ಮಾನವ ಹಕ್ಕು ಮತ್ತು ಕರ್ತವ್ಯಗಳ ಪರಿಕಲ್ಪನೆ- ಡಾ. ಜ್ಯೋತಿ ಮುತಾಲಿಕ ದೇಶಪಾಂಡೆ.

- This subject is introduced to enhance the oratory and written language skills of young advocates. This subject teaches them on how to write letters and other types of communications. thereby enables them to learn language skills