

**GONDWANA UNIVERSITY  
GADCHIROLI**

**FACULTY OF LAW  
LL.B. Three Year Course**

**DETAILED SYLLABUS FOR  
IV<sup>th</sup> SEMESTERS**

**LL.B. –IVth Semester ( 3yrs)**

**Course Code 4.1**

**ADMINISTRATIVE LAW**

**Pattern of Question Paper**

- ❖ The question paper shall consists of **80 marks**.
- ❖ It consists of **TWELVE QUESTIONS**, out of which Students are required to answer **EIGHT** Questions in all .
- ❖ **Question No. 1 is compulsory** and it shall consists of **TEN Objective/Multiple Choice Questions**.
- ❖ All Questions carry Equal Marks.

**UNIT-I**

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

**UNIT -II**

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

**UNIT -III**

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

**UNIT -IV**

Judicial Control of Administrative Action - Grounds of Judicial Control — Principles of Natural Justice <sup>2</sup> Administrative discretion and its control.

**UNIT –V**

Remedies available against the State — Writs — Lokpal and Lok Ayukta — Liability of the State in Torts and Contracts — Rule of Promissory Estoppel —Administrative Tribunals - Commissions of Inquiry - Conciliation & Mediation through social action groups- Central Vigilance Commission<sup>2</sup> Public Corporations.;

**Books suggested for reading:**

1. M.P. Jain and S.N. Jain, Principals of Administrative Law, Wadhwa and Company, Nagpur.
2. Dr. S. P. Sathe , Administrative Law, Butterworths, New Delhi.
3. Durga Das Basu and A.K.Nandi, Administrative Law, Kamal Law House,Calcutta.
4. H.W.R. Wade and Christopher Forsyth, Administrative Law, Clarendon Press,Oxford
5. A. K. Shrivastav, Administrative Law (2 Vols.), Delhi Kamal Prakashan
6. Indian Law Institute, Cases and Materials on Administrative Law in India
7. J.C. Garner, Administrative Law,Butterworths,New Delhi

**Course Code 4.2**

## Intellectual Property Law

### Pattern of Question Paper

- ❖ The question paper shall consist of **80 marks**.
- ❖ It consists of **TWELVE QUESTIONS**, out of which Students are required to answer **EIGHT** Questions in all .
- ❖ **Question No. 1 is compulsory** and it shall consist of **TEN Objective/Multiple Choice Questions**.
- ❖ All Questions carry Equal Marks.

#### UNIT-I

Meaning, Nature, Classification and protection of Intellectual Property — The main forms of Intellectual

Property — Copyright, Trademarks, Patents, Designs etc..

#### UNIT –II

Introduction to the leading International instruments concerning Intellectual Property Rights The Berne Convention — Universal Copyright Convention — The Paris Union — Patent Cooperation Treaty -- The World Intellectual Property Organization (WIPO) and the UNESCO, International Trade Agreements concerning IPR — WTO — TRIPS.

#### UNIT -III

The Copyright Act, 1957 - Historical evolution—Meaning of copyright — Copyright in literary, dramatic and musical works, computer programmes and cinematograph films Neighbouring rights — Rights of performers and broadcasters, etc. — Registration of Copyright Term of Copyright; Ownership and Assignment of copyright — Author's special rights Notion of infringement — Criteria of infringement — Infringement of copyright in films, literary and dramatic works — Authorities under the Act — Remedies for infringement of copyright.

#### UNIT –IV

Intellectual Property in Trademarks and the rationale of their protection - The Trade Marks Act, 1999—Definition of Trademarks — Service Mark, Well known Trade Mark & Certification Marks; Distinction between Trademark and Property Mark - Registration — Passing off Infringement of Trademark — Criteria of Infringement — Remedies. The Designs Act, 2000 — Definition and characteristics of Design — Law in India — Protection and rights of design holders—Copyright in design —Registration — Remedies for infringement. Trademark and Domain Name Interface

#### UNIT –V

Patents — Concept of Patent — Historical overview of the Patents Law in India — Patentable Inventions — Kinds of Patents — Procedure for obtaining patent — The Patents Act, 1970 Recent amendments- Rights and obligations of a patentee — Term of patent protection — Use and exercise of rights — Exclusive Marketing Rights — Right to Secrecy — The notion of 'abuse' of patent rights — Infringement of patent rights and remedies available.

#### UNIT - VI

Geographical indication.-Plant varieties-Traditional knowledge.-Bio piracy, Patentability of Biotechnology and micro organize

#### Suggested Readings :

- 1) G.B. Reddy - Intellectual property Rights & Law, Gogia Law agency Hyderabad.
- 2) Comish W.R. 0 Intellectual Property, Patents, Trademarks, Copyrights and Allied Rights.
- 3) Vikas Vashisht - Law and Practice of intellectual Property, (1999), Bharat Law House Delhi.
- 4) P. Narayanan - Intellectual Property Law, (1999), (ed), Eastern Law House, Calcutta.
- 5) Bibeck Debroy - (ed), Intellectual Property Rights, (1998), Rajiv Gandhi Foundation, Delhi.
- 6) U.I.F. Anderfelt - International Patent Legislation and Developing Countries, (1971).
- 7) Comish W.R. - Intellectual Property, (3<sup>rd</sup> Edn), (1996), Sweet & Maxwell.
- 8) W.R. Mann - Transfer of Technology (1982).
- 9) Mata Din - Law of Passing Off and Infringement Action of Trademarks (1986).
- 10) P.S. Sangal & Kishore Singh - Indian Patent System and Paris Convention - Legal Perspectives (1987).

**Course Code 4.3**

**Labour Law-II**

**Pattern of Question Paper**

- ❖ The question paper shall consist of **80 marks**.
- ❖ It consists of **TWELVE QUESTIONS**, out of which Students are required to answer **EIGHT** Questions in all .
- ❖ **Question No. 1 is compulsory** and it shall consist of **TEN Objective/Multiple Choice Questions**.
- ❖ All Questions carry Equal Marks.

**UNIT-I**

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

**UNIT -II**

Bonus ± concept - Right to claim Bonus – Full Bench formula - Bonus Commission - Payment of Bonus Act 1965 - Application – Computation of gross profit, available, allocable surplus - Eligibility of Bonus - Disqualification of Bonus - set on – set off of allocable surplus- Minimum and Maximum Bonus-Recovery of Bonus.

**UNIT -III**

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

**UNIT -IV**

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

**UNIT -V**

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

**Suggested Readings**

1. S.N.Misra, *Labour and Industrial Laws*, Central law publication-22<sup>nd</sup> edition. 2006.
2. N.G. Goswami, *Labour and Industrial Laws*, Central Law Agency.
3. Khan & Kahan, *Labour Law-Asia Law house*, Hyderabad
4. K.D. Srivastava, *Payment of Bonus Act*, Eastern Book Company
5. K.D. Srivastava, *Payment of Wages Act*
6. K.D. Srivastava, *Industrial Employment (Standing Orders) Act 1947*
7. S.C.Srivastava, *Treatise on Social Security*
8. Jidwitesukumar Singh, *Labour Economics*, Deep& Deep, New Delhi
9. V.J.Rao, *Factories Law*

**Course Code 4.4**

**Public International Law**

**Pattern of Question Paper**

- ❖ The question paper shall consists of **80 marks**.
- ❖ It consists of **TWELVE QUESTIONS**, out of which Students are required to answer **EIGHT** Questions in all .
- ❖ **Question No. 1 is compulsory** and it shall consists of **TEN Objective/Multiple Choice Questions**.
- ❖ All Questions carry Equal Marks.

**UNIT-I**

Nature, definition, origin and basis of International Law; Sources of International Law; Relationship between Municipal and International Law; Subjects of International Law.

**UNIT- II**

States as subjects of International Law: States in general; Recognition; State territorial sovereignty.

**UNIT –III**

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

**UNIT – IV**

State and Individual - Extradition, Asylum -Nationality-diplomatic envoys, consuls and other representatives; the law and practice as to treaties- Formation of Treaties - Modes of Consent, Reservation and termination.

**UNIT – V**

The United Nations Organisation - Principal organs and their functions; World Trade Organisation- Main features; International Labour Organisation.

**UNIT -VI:**

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

**Recommended Books:**

- 1 J. G. Starke- An Introduction to International Law.
- 2 P.W. Bowett- International Institutions.
- 3 J. B. Brierly - The Law of Nations.
- 4 D. H. Harris - International Law (Cases and Materials).
- 5 Oppenheim - International Law( Volume I, Peace)
- 6 S. K. Kapoor - International Law and Human Rights.
- 7 Bhagirathlal Das ± World Trade Organization .
- 8 Agrawal H O-International Law & Human Rights, Central Law Publication, Allahabad.
- 9 Starke J G, An Introduction to International Law, Aditya Book, Butterworths.

**OPTIONAL PAPER-I**  
**Course Code 4.5.1**  
**BANKING LAW**

**Pattern of Question Paper**

- ❖ The question paper shall consist of **80 marks**.
- ❖ It consists of **TWELVE QUESTIONS**, out of which Students are required to answer **EIGHT** Questions in all .
- ❖ **Question No. 1 is compulsory** and it shall consist of **TEN Objective/Multiple Choice Questions**.
- ❖ All Questions carry Equal Marks.

**UNIT – I**

Indian Banking Structure - Origin—Evolution of Banking Institutions — Types and functions of banks - Commercial banks — Functions — Banking Companies in India — RBI - Constitution, Management and Functions - Banking Regulation Act, 1949—State Bank of India- UTI, IDBI, RRBs’ -Local banks

**UNIT - II**

Employment of funds - Loans and Advances- Guarantees- Advances secured by Collateral securities- Agency Services- Financing of Exports- Special Banking Services —Advances to Priority Sectors and Credit Guarantee schemes- Securitization Act, 2002.

**UNIT - III**

Law relating to Negotiable Instruments, 1881 Act (Read with the amended Act of 2002) - Negotiable Instruments - Kinds - Holder and holder in due course — Parties —Negotiation- Assignment — Presentment — Endorsement — Liability of parties —Payment in due course — Special rules of evidence - Material alteration — Noting and protest—Paying banker and collecting banker — Bills in sets—Penal provisions under NI Act – Banker’s book evidence Act.

**UNIT – IV**

Banker and customer Relationship - Definition of banker and customer — Generalrelationship — Special relationship — Banker’s duty of secrecy, banker’s duty to honour cheques, banker’s lien, and banker’s right to set off - Appropriation of payments - Garnishee order — Customer’s duties towards his banker.Opening of New Accounts — Special types of customers - Minors A/C, Joint A/C, Partnership A/C Company’s A/C Company’s A/C, Married women’s A/C, Trust A/C, joint hindu family A/C Illiterate persons, lunatics, executors - Precautions required in case of administrators, clubs, societies and charitable institutions to open an account

**UNIT – V**

Ancillary Services and E- Banking: Remittances – General, DD, MT, TT, Traveler’s cheques, bank orders, credit card, debit/smart cards, safe deposit vaults, gift cheques, stock invest.E-Banking Definition — E-Banking includes - Internet banking, mobile banking, ATM banking, computerized banking —E- banking services —retail services —wholesale services —E- Cheque-authentication- Cyber Evidence-Banking Ombudsman.

**Prescribed Books:**

1. M. L. Tannan- Law of Banking.
2. M. S. Parthasarathy (Ed.), Khergamvala - Negotiable Instruments Act.
3. Taxman: *Law of Banking*, India Law House
4. R.N. Chaudhary, Banking Laws, Central Law Publications, Allahabad.
5. Avtar Singh ± Negotiable Instruments Act.
6. Basu - Review of Current Banking: Theory and Practice.
7. Paget- Law of Banking.
8. L. C. Goyle- The Law of Banking and Bankers.
9. Relevant provisions of Information Technology Act, 2000

## LL.B. Three Year Course Syllabus

### OPTIONAL PAPER-II

Course Code 4.5.2

#### LAND LAWS

##### Pattern of Question Paper

- ❖ The question paper shall consist of **80 marks**.
- ❖ It consists of **TWELVE QUESTIONS**, out of which Students are required to answer **EIGHT** Questions in all .
- ❖ **Question No. 1 is compulsory** and it shall consist of **TEN Objective/Multiple Choice Questions**.

##### UNIT-I:

Classification of lands –Ownership of Land –Absolute and limited ownership (tenancy, lease etc.) –Doctrine of Eminent Domain –Doctrine of Escheat - Doctrine of Bona Vacantia – Maintenance of land records and issue of Pattas

##### UNIT--II:

Law reforms before and after independence – zamindari settlement –ryotwari settlement Mahalwari system –intermediaries –constitutional provisions –abolition of zamindaries, Jagirs and inams –tenancy laws –conferment of ownership on tenants/ryots.

##### UNIT--III:

The Land Acquisition Act, 1894- Preliminary Investigation-Publication Of preliminary notification,- Payment for damages -Declaration of intended acquisition- Award by the collector; Reference to Court and procedure thereon; Temporary Occupation of land ; Acquisition of land for Companies ; Things determined during granting compensation.

##### UNIT--IV:

The Maharashtra Regional and Town Planning Act, 1966-Definitions; Provisions Relating to Regional Plan-Establishment of Region and alteration of limits-Constitution, Power and Duties of Regional Planning Board; Regional plan-Survey-Contents of regional Plan-Submission ,Procedure and Publication of Regional plan; Development Plan -Contents of development Plan- Procedure to be followed in Preparing and sanctioning the development plan-Procedure for Preparation of interim development plan; Penalty for Unauthorized development; Preparation and Contents of Town Planning scheme; New Town Development Authority.

##### UNIT-V:

The Maharashtra Land Revenue Code ,1966-Definitions;Revenue Areas- Historical Perspective of Revenue system-Division of State into Revenue Areas-Constitution of Revenue areas;. Revenue Officers -Their power and duties ; Chief Controlling Authority in revenue matters-Revenue Officers in Divisions- Revenue Officer in District-Survey Officers Combination of officer- Delegation Of power- Temporary Vacancies - Subordination officers- Power and duties of Survey officer; Title of State in all Lands, Public Road ,etc, which are not the property of others- Extinction of right of public on public road; Classes of persons holding land - Disposal of intestate occupancies- Occupancies to be transferable and restriction on transferability;

##### UNIT-VI

The Maharashtra Land Revenue Code ,1966-Procedure for Conversion of use of land from one purpose to another- penalty for using land without permission- Procedure for Construction of Water Course Through others Land; Removal of encroachment of land vesting in Government- Regularization of encroachment- Summary eviction; Relinquishment- Relinquishment of alienated land- Right of to relinquished land; Penalty for default of payment of land revenue- Process of recovery of arrears- Arrest and Detention of defaulter; Boundary and Boundary Marks - Fixation and demarcation of Boundaries-Determination of Village boundaries- Determination of field boundaries- Disputes regarding boundaries - Straightening out crooked boundaries;.Land record- Record of right-Acquisition of right to be reported- Register of Mutation;.Rights of Unoccupied land - .Nistar patrak -Wajib- Ul ±Urj; Appeal ,Revision and Review,Maharashtra Revenue Tribunal

##### Suggested Readings :-

- 1.A. K .Gupte and Dighe , The Maharashtra Land Revenue Code ,1966Hind Law House ,Pune
- 2.Sameer Tendulkar and H. M. Bhatt ,MRTP Act 1966,Noble Law House, Mumbai
- 3 .Bare act , The Maharashtra Land Revenue Code ,1966
- 4.Bare Act ,MRTP Act 1966
5. Bare Act, The Land Acquisition Act,1894
- 6.R. Choudhari ,The Land Acquisition Act,Orient Law agency ,Allahabad.
- 7 . A. B. Puranik, Law Of Land Acquisition & Compensation ,III rd Edition,Orient ,Allahabad.