

# **CHHINDWARA UNIVERSITY, CHHINDWARA**

## **LL.B. PART -II SEMESTER - IV**

### **PAPER-I ADMINISTRATIVE LAW**

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

1. Meaning,
2. Administrative Law – The Concept definitions, nature, historical development, sources, relationship with Constitutional law),
3. Rule of law and separation of powers,
4. Classification of administrative functions and distinction between them.
5. Droit administrative,

#### **UNIT –II Delegated Legislation**

1. Meaning and its kinds,
2. Administrative directions
3. Distinction between delegated legislation and administrative directions.
4. Control over delegated legislation procedural, judicial and parliamentary
5. control,
6. Principles of natural justice,
7. Civil services in India.

#### **UNIT – III Administrative discretion**

1. Judicial control of discretionary powers,
2. Act of State,
3. Tortious liability of the State.
4. Contractual liability of the State

#### **UNIT –IV Government privileges in legal proceedings.**

1. Meaning and kinds, Estoppel and Waiver
2. Official secrets

3. right to information
4. lokpal and lokayukt
5. Central Vigilance Commissions
6. Commission of inquiry.

### **UNIT-V Administrative Tribunals**

1. Definition of Administrative Tribunals
2. Merits, demerits,
3. Reasons of growth
4. Distinction between courts and Tribunals
5. Public corporation - classification characteristics, controls, formation
6. Remedies - Constitutional and ordinary.

### **Leading Cases:**

1. Kasturilal v. State Of Up (AIR 1965 SC 1039)
2. A.K. Kraipak v. Union Of India (AIR 1970 S.C. 150)
3. S.L. Kapoor v. Jagmohan (AIR 1981 SC 130)
4. Board Of Trust Case Of The Port Of Bombay v. Dilip Kumar Nadkarni (AIR 1986 SC 109)
5. Sadharam V. Delhi Transport Corporation (AIR 1983 SC 156)

### **Select bibliography**

1. C.K. Allen, Law and Orders (1985).
2. D.D. Basu, Comparative Administrative Law (1998).
3. M.A. Fazal, Judicial Control of Administrative Action in India, Pakistan and Bangladesh (2000), Butterworths – India
4. Franks, Report of the Committee on Administrative Tribunals and Inquiries, HMSO, 1959.
5. Peter Cane, An Introduction to Administrative Law (1996) Oxford.

6. Wade, Administrative Law (Seventh Edition, Indian print 1997), Universal, Delhi.
7. J.C. Garner, Administrative Law (1989), Butterworths (ed.B.L.Jones).
8. M.P. Jain, Cases and Materials on Indian Administrative Law, Vol I and II (1996), Universal, Delhi.
9. Jain & Jain, Principles of Administrative Law (1997), Universal, Delhi.
- 10.S.P. Sathe, Administrative Law (1998) Butterworths, India, Delhi.

# **CHHINDWARA UNIVERSITY, CHHINDWARA**

## **LL.B. PART -II SEMESTER - IV**

### **PAPER – II CRIMINOLOGY & PENOLOGY**

#### **UNIT-I**

1. Definition, Nature, Scope and Importance of Criminology; Methods of Criminological Studies;

#### **UNIT-II**

1. Schools of Criminology; Future Directions in Criminology with Special Reference to Peace-making
2. Criminology, Postmodern Criminology and Feminist Criminology, Cause of Crime

#### **UNIT III**

1. Concept of Punishment; Relationship between Criminology and Penology; Forms of Punishment - From Ancient to Modern;
2. Theories of Punishment; Capital Punishment; ) Death Penalty by Public hanging

#### Capital punishment in India

- a. Death Penalty or life imprisonment
- b. Rarest of the rare cases
- c. Constitutionality and grounds of capital punishment
- d. Minority judgement of justice Bhagwati

#### **UNIT IV**

1. Police and its Role in Crime Prevention;
2. Concept of Treatment with Special Reference to Prison,
3. Indian Jail Reforms Committee Report 1919-20 (Recommendations)
4. Plea for setting up Prison Panel

5. Role of Prisons in Modern Penology
6. The problem of Overcrowding in prisons
7. The problem of prison Discipline
8. The problem of Prisoners' Health
9. Probation and Parole;
10. New Dimensions of Penology - Compensation to the Victims of Crime; Victimology.

### **UNIT-V Imprisonment**

1. Simple Imprisonment
2. Rigorous Imprisonment
3. Solitary confinement
4. Imprisonment for life
5. Monetary Punishment
  - a) Fine
  - b) Forfeiture of Property

### **Select Bibliography**

1. E. Sutherland, White collar Crime (1949).
2. Prof. N.V. Paranjape Criminology and penology.
3. Dr. Yamuna Shankar Sharma penology.
4. Om Prakash Shrivastava Principles of Criminal Law

# **CHHINDWARA UNIVERSITY, CHHINDWARA**

## **LL.B. PART II SEMESTER III**

### **PAPER – III**

#### **INTELLECTUAL PROPERTY LAWS**

##### **UNIT – I Concept**

###### **1. Concept of Property vis-a-vis Intellectual Property**

- a) Concept of Property and Theories of Property - An Overview.
- b) Theories of Intellectual Property Rights.
- c) Social and Economic Development and Role of Intellectual Property System.
- d) Need for Protecting Intellectual Property - Policy Consideration - National Perspectives and International Demands.

###### **2. Types of Intellectual Property - Origin and Development - an Overview.**

Intellectual Property Rights as Human Right.

##### **Role of International Institutions**

1. World Intellectual Property Organisation (WIPO)
2. Function of WIPO
3. Membership of WIPO
4. Agreement between the WIPO and the WTO
5. Dispute Settlement - New Treaties

##### **UNIT – II Copyright: National Perspective**

1. Copyright: What and Why?
2. Term of Copyright, Assignments and Licensing
3. Registration and Regulatory Authority
4. Procedure

5. Infringements and Remedies - Contractual, Civil, Criminal and Administrative.
6. An Overview of International Perspective

### **UNIT-III Trademarks**

1. The rationale of protection of trademarks as an aspect of commercial and of
2. Consumer rights, Dilution Theories of trade mark
3. Definition and concept of trademarks
4. Registration of trademark- authorities under the trademark Act
5. Passing off and infringement
6. Remedies

### **UNIT-IV Patents**

1. Concepts and Historical view of the patents
2. Process of obtaining a patent, authorities
3. Procedure for filling patents: patent co-operation treaty
4. Prior publication or anticipation
5. Rights and obligations of a patentee
6. Compulsory licences
7. Infringement - defences
8. Injunctions and related remedies

### **UNIT – V an Overview of:**

1. The Geographical Indications of Goods Act, 1999.
2. The Semiconductor Integrated Circuits Layout- Design Act, 2000.
3. The Protection of Plant Varieties and Farmer's Rights Act, 2001.

### **Selected Bibliography**

1. Cornish W.R. Intellectual Property, Patents, Trade Marks, Copy Right and Allied Right (1999), Asia Law House, Hyderabad.

2. Vikas Vashishth, Law and practice of Intellectual Property 1999 Bharat Law House Delhi.
3. P. Narayanan, Intellectual Property Law (1999), (ed) Eastern Law House, Calcutta
4. Bibeck Debroy (ed). Intellectual Property Right (1998), Rajiv Gandhi Foundation, Delhi
5. U.I.F. Anderfelt, International Patent Legislation and Developing Countries (1971)
6. W.R. Cornish, Intellectual Property (3rd ed) (1996) Sweet and Maxwell
7. K. Thairani, copyright: The Indian Experience (1987)
8. W.R. Cornish, Para and Materials on Intellectual Property (1999) Sweet and Maxwell.



# **CHHINDWARA UNIVERSITY, CHHINDWARA**

## **LL.B. PART II SEMESTER III**

### **PAPER – IV**

#### **SOCIAL SECURITY AND OTHER LABOUR LEGISLATION (LABOUR LAW-II WITH NEW AMENDMENTS)**

##### **UNIT I. Employees States Insurance Act, 1948:**

- (1) Historical Development
- (2) Objects and Application of the Act, Important Definitions
- (3) Employment Injury
- (4) Liability of the Employers for Accidents during and In the Course of Employment.
- (5) Various Benefits Available Under the Act
- (6) Constitution, Jurisdiction and Powers of Employees State Insurance Court.

##### **UNIT II. The Minimum Wages Act, 1948:**

1. Object, Constitutional Validity and Salient Features of the Act
2. Important Definitions
3. Fixation of Minimum Rates of Wages

##### **UNIT III. The payment of Wages Act, 1936:**

1. Scope and Applicability of the Act.
2. Important Definitions
3. Payment of Wages and Deductions from Wages
4. Authorities Under the Act

##### **UNIT IV. The Factories Act, 1948:**

1. Important Definitions
2. Inspecting Staff
3. Health, Safety and Welfare Measures
4. Working Hours of Adults

5. Employment of Young Persons
6. Annual Leave with Wages

#### **UNIT V. The Payment of Bonus Act, 1965:**

1. Scope and Applicability of the Act
2. Important Definitions
3. Minimum Bonus and Maximum Bonus
4. Calculation of Bonus

#### **Selected Bibliography**

1. S.N. Mishra : Labour and Industrial Law, Central Law Publication, Allahabad,
2. S.C. Srivastava: Industrial Relations and Labour Law, Vikas Publishing House, New Delhi
3. Khan and Khan's: Commentary on Labour and Industrial Law, Asia Law House, Hyderabad
4. V.G. Goswami : Labour and Industrial Laws, Central Law Agency, Allahabad) Eligibility and Disqualification for Bonus

# **CHHINDWARA UNIVERSITY, CHHINDWARA**

## **LL.B. PART II SEMESTER III**

### **PAPER – V**

#### **LAW RELATING TO WOMEN AND CHILD**

##### **UNIT I**

1. Legal Position of Women in Pre-Independence Period:
  - a. Legal Position of Women in Ancient India
  - b. Legal Position of Women in Medieval India
  - c. Legal Position of Women in British India
2. Women's Right and Indian Constitution:
  - a. Constitutional Provisions Concerning Equality and Protection of Women in Chapters of
  - b. Fundamental Rights and Directive Principles.

##### **UNIT II**

1. U.N. Convention on Elimination of Discrimination against Women, 1979.
2. U.N. Machinery for Advancement of Women's Equality and Women's Welfare.
  - a. International Commission on Status of Women
  - b. CEDAW
3. Social Legislation for Women
  - (i) Dowry Prohibition Act, 1961
  - (ii) Dowry Crimes and I.P.C., 1860
    - a) Cruelty against Married Women (Section 498 A)
    - b) Offence of Dowry Death (Section 304 B)
4. Stree Dhan and Matrimonial Property
5. Women's Right to Control their Re-Productivity

### **UNIT III**

- 1- Concept of Child - Determination of Age
- 2- Protection of Children's Rights under Religion - Hindu, Islam and Christian
- 3- UN Declaration of the Rights of Child, 1959
- 4- UN Convention on the Rights of the Child, 1989
- 5- Impact of War on Child and Protection of Child during Armed Conflict

### **UNIT IV**

1. Protection of Children's Rights in Indian Constitution:
4. Child Labour (Prohibition and Regulation) Act, 1986

### **UNIT V**

1. Protection of Child under various Personal Laws
2. Protection of Child under Commercial Laws
3. Child and Delinquency with Special Reference to Juvenile Justice (Care and Protection of Children) Act, 2000

### **Selected Bibliography:**

1. S.K. Agrawal, Public Interest Litigation, 1985, Indian Law Institute, New Delhi
2. O.P. Gupta, Dimension of Social Justice, 1983
3. Lotika Sarkar, Crime And Women, Vikas Publication, New Delhi
4. Roma Mukherji, Women, Law and Free Legal Aid in India (Deep & Deep Delhi)
5. Shobha Sexena Crime Against Women (Deep & Deep, Delhi)

# **CHHINDWARA UNIVERSITY, CHHINDWARA**

## **LL.B. PART II SEMESTER III**

### **PAPER – VI LAND LAWS INCLUDING TENURE AND TENANCY SYSTEM**

#### **Unit – I Concept**

- 1- Objects and Reasons and Basic features of enacting Madhya Pradesh Land Revenue Code, 1959.
- 2- Definitions: Abadi, Agriculture, Agriculture and Revenue years, Board, Bonafide Agriculturist, Co-operative Society, Government Forest, Government Lesees, Holding, Improvement, Land, Landless Person, Land Records, Mango grove, Orchard, Plot number, Rents, Revenue Officer.
- 3- Tenant, Tenure-holder,

#### **Unit – II Revenue Board and Revenue officer**

- 1- Constitution and Conditions of service of members.
- 2- Jurisdiction of Board and Powers of Board.
- 3- Revenue Officers, Their Classes and Powers and Procedure of Revenue
- 4- Officer and revenue courts.
- 5- Powers of State Government to alter the limits
- 6- Powers of State Government of appointing Revenue Officers
- 7- Sub-Divisional Officers
- 8- Powers to transfer Cases
- 9- Conferral of Status of Courts, Inherent Powers and other Powers of Revenue Courts
- 10- Appeal, Revision and Review
- 11- Appellate, Authorities and their powers and limitation for appeals,
- 12- Revision
- 13- Review of orders
- 14- Stay of execution of orders

## **Land and Land Revenue**

- 1- State ownership in all lands, Liability of land to pay land revenue, land exempted from payment of land revenue, and variation of land revenue
- 2- Assessment, Reassessment,
- 3- Revenue Survey and Settlement in Non Urban Area.
- 4- Appointment and Powers of Settlement Officers,
- 5- Revenue Survey,
- 6- Settlement of Rent,
- 7- Assessment and Re-Assessment of Land in Urban Area,
- 8- Land Records
- 9- Formation of circles and appointment of Patwari and Revenue Inspectors,
- 10- Land Records, Field Map, Record of rights,
- 11- Realisation of Land Revenue

## **Unit – III Tenure Holders**

- 1- Bhuswami
- 2- Right of Transfer, Forfeiture, lease, set aside of transfer, Reversion of land of members of aboriginal tribes, Diversion of land, Relinquishment, abandonment, disposal and partition of holding,
- 3- Occupancy Tenants,

## **Unit – IV Government lessee and service land rights and liabilities of Government lessee**

1. Government lease - Appointment, Termination of lease, Service Land
2. Alluvion and Deluvion
3. Consolidation of Holding
4. Village Officers
5. Patels
6. Kotwars

## **Unit – V Rights in Abadi and unoccupied Land**

1. Gram Sabha
2. Wajib-ul-arz
3. Nistar Patrak
4. Rights in forest Easement
5. Exclusive Jurisdiction of Revenue Courts
6. Miscellaneous Provisions

### **Select bibliography**

1. M.P. Land Revenue Code – 1959 (Jindal) 2008 Ed.
2. Basantilal Babel (Diglot) Vedpal Law in India 2007