

THIRD LL.B.

FIFTH SEMESTER

LABOUR LAW I

Industrial Disputes Act 1947

UNITS: 35

1. Definition concept and scope of industrial dispute
2. Concept of Industrial dispute ambit and basic conditions
3. Concept of workmen, Employer, and Wages under Industrial Disputes Act
4. Various authorities under the Act, scope of their powers, functions and dispute settlement procedures
5. Define appropriate government , reference mechanism and powers of appropriate government
6. Retrenchment, meaning concept implications and procedures
7. Lay off, meaning concept implications and procedures
8. Strike and lock out
9. Collective Bargaining , techniques and procedure
10. Unfair practice and its obligations
11. Protection to striking workmen under the Act
12. Domestic enquiry, various subjects and procedures

Trade Union Act 1926

UNITS: 15

1. Trade union movement in India
2. The concept of trade unionism and the need for legislation
3. Procedure for registration of a trade union
4. Matters to be provided in the bylaws of a registered trade union
5. The purpose for which general funds of Trade Union could be spent
6. The Idea of political fund, purpose and manner of collection and its use
7. Immunities available to a trade union
8. Procedure for amalgamation of a trade union.

Industrial Employment (Standing Orders) Act 1946

UNITS: 10

1. Procedure for certificate of standing orders
2. Matters that should be contained in the standing orders
3. Certifying officers and his powers

Factories Act 1948

UNITS: 15

1. Definitions
2. Approval Licensing and registration of factories –inspecting staff
3. Health and cleanliness
4. The precautions relating to safety in the installation and operating of Machines
5. Provisions relating to Hazardous processes
6. The welfare of workers
7. The working hours of adult workers
8. The employment of children and adolescents
9. The annual leave with wages to workers

Note: The units mentioned above include internal assessment hours.

Recommended Books

Malhotra O.P. ---- Industrial Disputes Act

Srivastava S.C. --- Labour Law and Industrial Relations

Mallik –Industrial Law

Mishra S.N. ----- Labour Law

N.D.Kapoor --- Industrial Law

S.K.Puri—Labour and Industrial Law

K.M .Pillai--- Labour and Industrial Law

CIVIL PROCEDURE CODE

Civil Procedure Code and Limitation Act

1. Definitions UNITS: 01
2. decree, Order, Mesne profits, Foreign Judgment, etc. UNITS: 02
3. Suits in general UNITS: 02
4. Jurisdiction of courts, Res Judicata, Place of suing, Institution of Suits, Summons and discovery, Judgment and Decree, Interest, Costs. UNITS: 03
5. Execution(sections and 0. 21) UNITS: 01
6. Court by which a Decrees may be executed, Transferees and Legal Representative, procedure in execution, Arrest and detention, attachment, Sale, Distribution of Assets. UNITS: 04
7. Commissions. UNITS: 01
8. Suits in particular cases UNITS: 02
9. by or against Government or Public Offices, by alien and by or against Foreign Rulers or Ambassadors, interpleader. UNITS: 02
10. Special proceedings UNITS: 01
11. Arbitration, Special Case, Public nuisance.UNITS: 01
12. Supplemental proceedings UNITS: 01
13. Appeals UNITS: 01
14. from Original Decree, from Appellate Decree, from Orders, appeal to Supreme Court. UNITS: 02
15. Reference, Review, Revision. UNITS: 01
16. Special provisions relating to the High Court. UNITS: 02
17. Rules UNITS: 01
18. Miscellaneous -Caveat, Inherent powers etc UNITS: 02
19. Party to suits UNITS: 01
20. Frame of suits UNITS: 01
21. Recognized agents and pleaders. UNITS: 01
22. Institutions of suits. UNITS: 01

23. Issue and service of summons. UNITS: 02
24. Pleadings generally. UNITS: 01
25. Plaint. UNITS: 02
26. Written statement, Set off and Counter Claim. UNITS: 02
27. Appearance of parties and consequence at non-appearance. UNITS: 01
28. Examination of parties by the court. UNITS: 01
29. Discovery and inspection UNITS: 01
30. Admissions UNITS: 01
31. Production, impounding and return of documents UNITS: 01
32. Settlement of issues and determination of suits on issues of law UNITS: 01
33. Disposal of suits at the first hearing. UNITS: 01
34. Summoning and attendance of witnesses. UNITS: 02
35. Attendance of witnesses UNITS: 01
36. Adjournments. UNITS: 01
37. Hearing of the suit and examination of witnesses. UNITS: 01
38. Affidavits UNITS: 01
39. Judgment and Decree. UNITS: 02
40. Death, Marriage and insolvency of parties. UNITS: 01
41. Withdrawal and Adjustment of suits. UNITS: 01
42. Payment into Court. UNITS: 01
43. Security for costs. UNITS: 01
44. Commissions. UNITS: 01
45. Suits by or against Minors and persons of unsound mind etc. UNITS: 01
46. Suits by or against Minors and persons of unsound mind etc. UNITS: 01
47. Interpleader Suit UNITS: 01
48. Special case. UNITS: 01
49. Summary procedure. UNITS: 01
50. Arrest and attachment before judgment UNITS: 01

51. Temporary Injunction and interlocutory order UNITS: 02

52. Appointment of Receivers. UNITS: 01

Indian Limitation Act UNITS:05

Definitions.

Limitation of suits appeals and application

Computation of period of limitation

Acquisition of ownership by possession

Miscellaneous

Note: The units mentioned above include internal assessment hours.

BOOKS RECOMMENDED

C.K.Takawani : Code of Civil Procedure

Mulla : Code of Civil Procedure

M.P.Tondon : Code of Civil Procedure

J.D. Jain : Limitation Act

LAND LAW

1. The Goa Agricultural Tenancy Act, 1964 UNITS: 15
2. The Goa Daman & Diu Buildings (Lease, rent, eviction) Control Act, 1968 UNITS: 15
3. Land Revenue Code, 1968 UNITS: 15
4. The Mundkar (Protection from Eviction) act 1975 UNITS: 15
5. Mamlatdar's Court Act, 1966 UNITS: 15

Note: The units mentioned above include internal assessment hours.

BOOKS RECOMMENDED

1. Bare acts
2. Goa Law Times

MARITIME LAW (OPTIONAL)

1. Concept of Law - Civil, Criminal Law, Public Law, Private law, Public and private International Law
UNITS: 05
2. Indian contract Act with reference to following :
Agreement, Offer and Acceptance, consideration, consent, capacity to contract, valid void and voidable contracts, quasi contract, breach of contract, remedies for breach, discharge of contract, agency bailment.
UNITS: 03
3. Scope of Maritime Law - Sources, Subjects and objects. Continental Shelf, Exclusive Economic Zone, sea Bed, Admiralty Jurisdiction International, aspects of Registration Ship building contracts and mortgage.
UNITS: 11
Nationality of ships, flags of convenience & flag discrimination.
4. International Maritime Organisation - Its Structure, Objects, & Functions. UNITS: 11
5. Indian Merchant Shipping Act. 1958 in general with special reference to:
UNITS: 12
(IDE) (a) Definitions, Section 3.
(b) Registration of Indian Ships. Sections 20 to 74.
6. Infodlmen & Apprentices. Sections 88 to 218. UNITS: 12
(a) General aspects of Carriage of Goods by Sea Act. 1925.
(b) The Indian Multi modal Transport of Goods Act. 1993.
(c) Hague Visby Rules; Hamburg Rules.
(d) Charter Party- Various Clauses and their Interpretations.
7. Marine Insurance Act. - Insurable interest in a policy, difference between marine insurance Policies and other policies. Different types of marine insurance Policies, perils of sea, claims. Settlement of claims.
UNITS: 11
8. Legal remedies maritime liens, at common law, general legal remedies as given in specific relief act. Writs injunction Indian Arbitration and Conciliation Act. 1996. UNITS: 10

Note: The units mentioned above include internal assessment hours.

Books for Reference

1. Merchant Shipping Act, 1958 Govt. of India
2. The Indian Multi modal Transport of Goods Act. 1993 - Govt. of India.
3. Carriage of Goods by sea Act., 1925 Govt. of India
4. Marine Insurance Act, 1963 Govt. of India
5. The Arbitration and Conciliation Act, 1996 Govt. of India
6. S.T.C.W. Convention, 1978 I.M.O.
7. The Indian Contract Act, 1879 I.M.O.
8. Relevant Shipping Manuals, Conventions & Rules I.M.O.
9. Hague / Visby Rules. Hamburg Rules
10. Charter Parties Scrutton
11. Indian Contract Act Actar Singh

12. Maritime Law of India Gopalan Nair, Editor
13. Shipping Law Charley & Giles
14. Legal Regime of Merchant Shipping Dr.Nagendra Singh
15. Limitation of Liability of ShipownersKhodie Narmada
16. Maritime Liens. Dr. Thomas
17. Carriage of Goods by sea Mitra
18. Business & Law for the Shipmaster F.N.Hopkins
19. Shipping Law Grime R.
20. Law of Carriage of Goods Avatar Singh
21. Law of Arbitration Avatar Singh

AIR AND SPACE LAW (OPTIONAL)

I : Introduction	UNITS: 08
Definition of Air Law	
Nature, Scope and Source	
Development of Air Law (Paris Convention, 1910; Paris Convention, 1919; Madrid Convention, 1926; Havana Convention, 1928; Warsaw Convention and Chicago Convention, 1944)	
Regulation	
Freedom of the Air and Sovereignty in the Air	
Membership and Organs of ICAO	
Legislative, Administrative and Judicial function.	
Economic and Technical regulations	
II: Bilateralism and Multi-literalism	UNITS: 07
Concept of bilateralism	
Views on multi-literalism	
Merits and demerits	
Regionalism in civil aviation	
India and bilateral agreement	
III: Safety and security in civil aviation	UNITS: 10
The Concept, Aviation terrorism	
International Norms-conventions, protocols and regulations	
Regulation in India : Air safety provisions , Air Traffic management, Legal regime of Air Space and Outer Space, Problem of application of Air, Space and telecommunication laws	
State obligation to provide Air Navigation services, Sovereign rights of States	
IV : New Development in India	UNITS: 10
Technology development and problem in civil aviation	
Airports-leasing and privatization-legal issues	
Liability in International civil aviation	
Manufacturers, operators, operators agents and maintenance contractors	
Third party liability for surface damage	
V	UNITS: 10
Changing Global Trend	
Globalization, de-regulation and liberalisation in international civil aviation-Infra-structural problems of air port	
Private involvement in ownership operation and management of air ports, international regulatory framework	
Rights and Privileges of Air Passengers	
Consumer protection in Civil Aviation, Liability for death, injury and delay	
VI	UNITS: 10
Air Cargo	

International Conventions and Regulations

Aviation related Environmental problems

Aircraft financing and leasing, Aviation Insurance, Settlement of Aviation Related Disputes,

General Principles Role of ICAO and ICJ, Arbitration, Settlement under Municipal Law

VII

UNITS: 10

Space Law

Definition, nature, scope and development

Sources : UN and Outer Space

Space Technology-establishment of COPUOS, International Co-operation for peaceful use

UN Space Treaties, Development of Law by Treaties: The Space Treaty, 1967; The Rescue

Agreement, 1968; The Liability Convention, 1972; The Registration Convention, 1975; The

Moon Treaty, 1979; Partial Test Ban Treaty, 1963; Weather Modification Convention, 1977

VIII

UNITS: 10

International and inter-governmental organizations, Bilateral Agreement in Space Activity,

Satellite Broadcasting and Tele-communications

Use of Space Technology: peaceful and non-peaceful, remote sensing, Disaster prediction, warning and mitigation, management of earth resources, Satellite navigation and location, Space communication

Commercialization of Space Activities: Public and private sector activities, industry-government partnership, IPR Rights, Organisation of Space Activities-DOS, ISRO, Space policy.

Note: The units mentioned above include internal assessment hours.

Books

1. Azbeyratne, RIR, Legal and Regulatory Issues in International Aviation (1996)

2. S. Bhatt, The New Aviation Policy in India (1977)

3. Carole Blackshow, Aviation Law and Regulation

4. V.S.Mani, Recent Trends in International Space and Policy (1966)

PRACTICAL PAPER I – (DPC)

Drafting of Pleading and Conveyancing.

This course will be taught through class instructions and simulation exercises preferably with assistance of practicing lawyers/retired judges. Apart from teaching the relevant provisions of law, the course will include 15 exercise in Drafting carrying a total of 45 marks and 15 exercises in Conveyancing Carrying another 45 marks (3 marks for each exercise)

a. Drafting:-

General principles of drafting and relevant substantive rules shall be taught.

b. Pleadings:

1. Civil

- (i) Complaint
- (ii) Written Statement
- (iii) Interlocutory Application
- (iv) Original Petition
- (v) Affidavit
- (vi) Execution Petition and
- (vii) Memorandum of Appeal and revision
- (viii) Petition under Article 226 and 32 of the Constitution of India.

2. Criminal

- (i) Complaint
- (ii) Criminal Miscellaneous petition
- (iii) Bail Application and
- (iv) Memorandum of Appeal and Revision

c. Conveyancing:

- (i) Sale Deed
- (ii) Mortgage Deeds
- (iii) Lease Deeds
- (iv) Gift Deed
- (v) Promissory Note
- (vi) Power of Attorney
- (vii) Will

The remaining 10 marks will be given in a viva voce examination which will test the understanding of legal practice in relation to Drafting, Pleading and Conveyancing.

PRACTICAL PAPER II (PROFESSIONAL ETHICS, ACCOUNTING AND BAR BENCH RELATIONS)

Professional Ethics, Accountancy for Lawyers and Bar Bench Relations

This course will be taught in association with practicing lawyers on the basis of the following material:

- a. Mr. Krishnamurthy Iyer's Book on Advocacy
- b. The Contempt law and practice
- c. The Bar Council Code of Ethics
- d. 50 selected opinions of the Disciplinary Committee of the Bar councils and 10 major Judgments of the Supreme Court on the subject.

As part of this practical paper, the students are required to attend a lawyer's office for 30 working days as a trainee and submit a detailed report of the work done or observation made in their journal, which should be duly, certified by the lawyer whose office they have attended. Those students who do not intend to enter the profession but would like to take up employment in the fields relating to law may opt to undertake the training with any of the industries or large trading houses wherein they are expected to study the legal process involved in the establishment of such an organization and their day to day working in terms of the legal aspects and issues. Their observations and findings should be recorded in the journal in the form of a project report.

In lieu of the written examination, Colleges may be encouraged wherever appropriate to give seminars and projects where they are expected to research and write persuasive memoranda on topics identified in the above subjects.