



M. KRISHNA LAW COLLEGE, HASSAN.

(under the Auspices of the Malnad Technical Education Society ®. Hassan)

(Affiliated to the Karnataka State Law University, Hubballi)

Accredited by the NAAC with B+ Grade.

Salagame Road, Behind All India Radio, HASSAN - 573 202. (Karnataka)

Phone.: (O) : 08172-245406, Fax (P) : 245414, (R) : 231924

e-mail: principalmkchsn@yahoo.co.in

Ref. No. : MKLC


Date : 21-06-2024

1.3.1 Cross Cutting Issues...

This is to certify that, following is the list of subjects which highlights the cross cutting issues.

Semester	Title of the paper	Cross cutting issues	Page no
I	Family Law –I (Hindu Law) Criminal Law –I (Indian Penal Code)	Stridhana-Women’s Property, Matrimonial remedies to women Bodily offences against women	1 – 5
I	Constitutional Law -I	Preamble, State Action, Concept of Equality, Right Life and Personal Liberty, Directive Principles	6 – 7
II	Family Law –II (Mohammedan Law) Labour Law -I	Rights of women under Mohammedan Law Collective Bargaining, Strike and Lockout , Safety issues for women	8 – 12
II	Constitutional Law- II	Federal System, Collective responsibility, State liability	13 – 14
III	Labour Law –II	Prevention of sexual harassment at work place , maternity and health benefits Equal remuneration, child protection	15 – 17
IV	Clinical Course-I : Professional Ethics	Advocacy Skills, conduct court and Court Manners	18 – 20
IV	Human Rights Law and Practice	Jurisprudence Of Human Rights, Universal protection Human rights, Rights of women, children, tribal’s, aged and minorities	21 – 22
VI	Environmental Law	Sustainable Development, Pollution, Polluter Pays and Precautionary Principles, Doctrine of Public Trust, Inter Generational Equity, Role of Judiciary	23 – 24




Principal
M. Krishna Law College
Hassan

**SCHEDULE COURSES PRESCRIBED FOR
THREE YEAR LL.B DEGREE COURSE**

1st Semester of 3 yrs :
LL.B Course

1. Constitutional Law – I ✓
2. Contract – I
3. Law of Torts
4. Family Law – I: Hindu Law ✓
5. Criminal Law – I: Indian Penal Code ✓
6. English (For those who write examinations in Kannada)

2nd Semester of 3 yrs :
LL.B Course

1. Constitutional Law – II ✓
2. Contract – II
3. Labour Law – I ✓
4. Property Law
5. Family Law – II: Mohammedan Law & Indian Succession Act
6. Kannada / Kannada Kali

3rd Semester of 3 yrs :
LL.B Course

1. Jurisprudence
2. Labour Law – II ✓
3. Law of Taxation
4. Criminal Law – II: Cr.P.C., JJ Act & Probation of Offenders Act
5. Administrative Law

4th Semester of 3 yrs :
LL.B Course

1. Public International Law
2. Optional – I: Human Rights Law and Practice / Insurance Law ✓
3. Optional – II: Banking Law / Right of Information
4. Clinical Course-I: Professional Ethics & Professional Accounting Systems. ✓
5. Clinical Course – II: Alternative Dispute Resolution Systems

5th Semester of 3 yrs :
LL.B Course

1. Company Law
2. Civil Procedure Code & Limitation Act
3. Optional – III: Intellectual Property Rights-I / Penology & Victimology
4. Optional – IV: Interpretation of Statutes & Principle of Legislation / Competition Law
5. Clinical Course – III: Drafting, Pleading & Conveyance

6th Semester of 3 yrs :
LL.B Course

1. Law of Evidence
2. Environmental Law ✓
3. Optional – V: Intellectual Property Rights-II / White Collar Crimes
4. Optional – VI: Land Law / Law Relating to International Trade Economics
5. Clinical Course – IV: Moot Courts Exercise and Internship

FAMILY LAW-1 HINDU LAW

OBJECTIVES:

This course is designed to endow the students with knowledge of both the codified and uncodified portions of Hindu Law. The course concerns itself with the sources, schools, institutions, succession, maintenance, menace of dowry, etc.

COURSE CONTENTS:

UNIT-I

The Concept of Dharma - Sources of Hindu Law Ancient and Modern, Importance of Dharma Shastra on Legislation Mitakshara and Dayabaga Schools of Hindu Law-Application of Hindu Law.

UNIT-II

Marriage and Kinship Evolution of the Institution of Marriage and Family- Law Prior to Hindu Marriage Act -A detailed study of Hindu Marriage Act, 1955 - Matrimonial Remedies Maintenance and Alimony; Customary Practices and legislative provisions relating to dowry prohibition.

UNIT -III


Hindu undivided family - Mitakshara Joint Family, Formation and Incidents - Property under both Schools Kartha: His Position, Powers, Privileges and Obligations - Debts - Doctrine of Pious Obligation - Partition and Reunion - Religious and Charitable Endowment.

UNIT-IV

Inheritance and Succession Historical perspective of traditional Hindu Law relating to Inheritance - Hindu Succession Act, 1956. Stridhana- Woman's Property - Amendments to Hindu Succession Act; Gifts and Testamentary Succession - Wills.

UNIT-V

Law relating to Hindu Minority and Guardianship: Kinds of Guardians; Duties & Powers of Guardians; A detailed study of Hindu Adoption and Maintenance Act, 1956; Maintenance: Traditional Rights and Rights under Hindu Adoption & Maintenance Act 1956.


PRINCIPAL
M. KRISHNA LAW COLLEGE
HASSAN

PRESCRIBED BOOKS:

- Diwan, Paras, Modern Hindu Law, (Faridabad: Allahabad Law Agency, 1993)

REFERENCE BOOKS:

- John D Mayne, A Treatise on Hindu Law and Usage, 9th Edition, (Madras: Higginbotham, 1922)
- Mulla, Principles of Hindu Law, (New Delhi: Lexis Nexis, Butterworths, 2007)
- Diwan, Paras, Law of Adoption, Ministry, Guardianship and Custody (Universal:2000)
- JDM Derrett- Hindu Law-Past and Present (Calcutta: A Mukherjee & Co. 1957)
- N. Raghavachar, Hindu Law

[Handwritten signature]
 PRINCIPAL
 M. KRISHNA LAW COLLEGE
 HASSAN

ed and
hools,

arma
Hindu

or to
edies
owry

nder
ne of

g to
ts to

s of
nce:

CRIMINAL LAW - I: INDIAN PENAL CODE

OBJECTIVES:

This course is designed to understand the meaning of crime, methods of controlling them and the essential principles of criminal liability by a study of a range of offences under the Indian Penal Code

COURSE CONTENTS:

UNIT-I

General Principles of Crime; Conceptions of Crime; Distinction between Crime and other wrongs under Common Law.

Principles of criminal liability- Actus reus and mens rea (also statutory offences) and other maxims; Variations in liability - Mistake, intoxication, compulsion, legally abnormal persons; Possible parties to the crime, Principal in the 1st degree; Principal in the IInd degree; Accessories before the fact; Accessories after the fact.

Indian Penal Code General Explanation: From sections 1 to 5, sections 6, 7, Sections 21 to 30, 32 to 37 and section 52 & 52A, Punishment; From Sections 53 to 55A, 63, 64, 65, Section 73 to 75.

UNIT-II

General Exceptions: Sections 76-106; Abetment Sections 107-120; Criminal Conspiracy; Sections 120A & 120B; Offences against State; Sections 121-130; Offences against the public tranquillity: Sections 141 - 160; Difference between Section 34 & 149 ; Offences relating to election: Contempt of lawful Authority and Public Servants (Brief discussion) Sections 172-190.

False evidence - Sections 191- 197, 208 - 212; Offences relating to coins and Government Stamps: Sections 230 to 240 & 263A; Public Nuisance & Private Nuisance: Offences relating to religion Section 295 - 298.

UNIT-III

Offences affecting human life: (Section 299 to 311)-Hurt, Grievous Hurt Wrongful restraint - Wrong confinement-Criminal force and Assault.

UNIT -IV

Kidnapping, Abduction, Sexual offences; Rape; Custodial rape, marital rape (Sections 375 - 377), Offences against property. Theft, robbery and Dacoit-Criminal Misappropriation of property criminal breach of trust - Receiving of stolen property-Cheating - Fraudulent deeds and disposition of property.

UNIT-V

Mischief - Criminal Trespass - Offences relating to document and property marks: Offences relating to marriage (Sections 493 - 498 A) ; Defamation (Sections 499 502); Criminal intimidation and annoyance and attempt to commit such offences (Sections 506- 511)

PRESCRIBED BOOKS:

- Rathanlal and Dhirajlal, The Indian Penal Code, (New Delhi; Lexis Nexis Butterworths Wadhwa Nagpur 2012)
- Turner, Cecil J.W. Kenny's Outlines of Criminal Law (New York; Cambridge University Press 2013).

REFERENCES BOOKS:

- K.D., Gaur, A Text Book on the Indian Penal Code, (New Delhi; Universal Publishing Co., 2012).
- K.I, Vibhuti, P.S Achutham Pillai's Criminal Law (Lexis Nexis Butterwords Wadha Nagpur 2012)
- Williams, Glanville, Text Book of Criminal Law, (New Delhi: University Publishing Co., 2012)


 PRINCIPAL
 M. KRISHNA LAW COLLEGE
 HASSAN

am and
Indian

l other

l other
rsons;
egree;

: 21 to
ection

iracy;
public
ing to
: 172-

ment
lating

aint -

375 -
m of
leads

**1st SEMESTER OF 3 YEAR LL.B COURSE
CONSTITUTIONAL LAW - I**

OBJECTIVES:

The purpose of the course is to acquaint the students with the idea that the Indian Constitution is a normative Constitution with value aspirations. The Indian Constitution envisages establishing a justice system with legal technique. The basic postulate of Constitution like the Constitutional Supremacy, Rule of law and Concept of Liberty are emphasized in this paper. Exhaustive analysis of Fundamental Rights and committed approach to Directive principles would form the essence of the course.

UNIT-I

Meaning & Definition of Constitution: kinds of Constitution, Constitutionalism, Salient features of Indian Constitution. Preamble: Meaning, Scope, Importance, Objectives and Values enshrined in the Preamble. Citizenship- modes of acquisition & termination.

UNIT- II

State: Definition under Article 12, New Judicial trends on concept of State Action- need for widening the definition.

Definition and Meaning of Law: Pre- Constitutional and Post- Constitutional Laws, Doctrine of Severability and Doctrine of eclipse, Judicial Review and Article 13.

Equality and Social Justice: General Equality Clause under Article 14, New Concept of Equality, Judicial Interpretation on Equality.

UNIT-III

Protective Discrimination and Social Justice under Articles 15 and 16, New Judicial trends on Social Justice, Constitutional Provisions on Un-touchability under Article 17.

Right to Freedom: Freedom of Speech and Expression, Different dimensions - Freedom of Assembly, Association, Movement and Residence, Profession, Occupation, Trade or business, Reasonable restrictions.

UNIT- IV

Rights of the Accused: Ex-post facto Law - Double jeopardy - Right against self incrimination (Article 20). Rights of the arrested person, Preventive Detention Laws (Article 22), Right to Life and Personal Liberty, Various facets of Life and Liberty (Article.21), Right against Exploitation, Secularism - Freedom of Religion, Judicial interpretation, Restrictions on freedom of religion,

UNIT- V

Cultural and Educational Rights of minorities - Recent trends - Right to Constitutional Remedies: Article 32 and 226 - kinds of writs - Right to property (prior to 1978 and the present position), Directive Principles of State Policy and Fundamental Duties- inter relation between fundamental rights and directive principles.

PRESCRIBED BOOK:

- Dr. V. N. Shukla - Constitution of India
- M. P. Jain- Indian Constitutional Law

REFERENCE BOOKS:

- H. M. Seervai – Constitutional Law of India
- T. K. Tope - Constitutional Law
- D.D. Basu Shorter Constitution of India
- S. Shiva Rao- Framing of Indian Constitution
- Subhash. C. Kashyap - Parliamentary Procedure
- Subhash. C. Kashyap - History of Indian Parliament
- R. C. Agarwal-Constitutional Development and National Movement
- A. B. Keith- Constitutional History of India.
- D.J. De - The Constitution of India Vol. I and II


PRINCIPAL
M. KRISHNA LAW COLLEGE
HASSAN

**FAMILY LAW- II MOHAMMEDAN LAW
& INDIAN SUCCESSION ACT**

,2012)

OBJECTIVES:

The knowledge of family laws is important for lawyers. This course is designed to endow the students with knowledge of both the codified and uncodified portions of Mohammedan Law. The course concerns itself with the sources, schools, institutions, succession, maintenance, menace of dowry, etc., In addition the students have to familiarize themselves with the provisions of the Indian Succession Act.

14)

Agency

COURSE CONTENT:

UNIT- I


Development of Islamic law: Advent of Islam & development of Muslim law, Schools of Islamic Law, Who is a Mohammedan; Conversion and its consequences on family; Marriage, Guardianship, Succession; Child and Family the Shariat Act, 1937; Sources of Islamic Law; Concept of Marriage: Definition, Objects, nature, essential requirements of a Muslim marriage, classification of marriage – Legal effects of valid, void and irregular marriage – Muta marriage Customary practices and State regulation: Polygamy; Child marriage; Option of Puberty; Dower; Kinds of Dower; Dower when confirmed; Widow's Right of Retention.

UNIT - II

Parentage Legitimacy, and Acknowledgement of paternity custody, Maintenance and education, Guardianship and parental rights. Matrimonial Remedies under Islamic Law and Indian Divorce Act, 1869 (Amended Act)- Modes of Talaq – Effects of Talaq – Iddat- Nullity Of marriage – Bar to matrimonial relief, Alimony and Maintenance: Alimony and Maintenance as an Independent remedy – A review under Muslim law, Indian Divorce Act, 1869, provisions under the Criminal procedure Code, 1973; Maintenance of divorced Muslim Women under the Muslim Women (Protection of Rights on Divorce) Act, 1986.

UNIT- III

Will-meaning, Limitations on a Mohammedan in making a will; Difference between will and Gift, Will made in death bed or during illness; Gifts (Hiba) : Essentials of Valid Gift; Kinds of Hiba; Revocation of Gifts; Wakf; Essentials of valid Wakf: Mutawalli- Appointment – Powers and Duties of Mutawalli; Law relating Pre-emption; Nature of Rights of Pre-emption; Who can Pre-empt; Formalities; When the Rights of Pre-emption is lost.


PRINCIPAL
M. KRISHNA LAW COLLEGE
HASSAN

UNIT - IV

Muslim law of inheritance –Shia and Sunni Schools; Distribution of Property under Indian Succession Act of 1925 (of Christians, Parsis)- Domicile- Kinds of Domicile – Modes of Acquisition of Domicile; Parsis Intestate succession and Non Parsis Intestate Succession, Succession certificate, Probate and letters of administration, powers and Duties of Executor.

UNIT-V


Wills- privileged and unprivileged Wills- construction of Wills in brief – void bequests, void Wills, Kinds of Legacies; Specific and Demonstrative Legacy; Ademption of Legacies; Protection of Property of the deceased; Appointment of Curator- powers and Duties, Family Courts Act, 1984- Constitution, powers, and its functions; Need for Uniform Civil Code- Article 44 of Indian Constitution.

PRESCRIBED BOOKS:

Mulla, Principles of Mohammedan Law,(New Delhi : Nexis,1906).
Paras Diwan, Law of Intestate and Testamentary Succession, 4th edition, (New Delhi: Universal Law Publishing Co.Ltd,2013)

REFERENCE BOOKS:

- B. B. Mitra Indian Succession Act,1925. 15th Edition, (New Delhi: Jain Book Agency,2013)
- A. A. A.Fyzee, outlines of Mohammedan Law, (Oxford University Press,1974)
- Basu, N. D., Law of Succession, 5th Edition,(Calcutta:Eastern Law House,1974)
- Paras Diwan, Family Law: Law of Marriage and Divorce in India, (New Delhi: Universal Law Publishing Co Ltd, 2011)
- A.M. Bhattachargee, Muslim Law and the Constitution (Calcutta: Eastern Law House,1994)
- Tahir Mohamood, The Muslim Law of India, (Law Book Company,1980)
- Indian Divorce Act,1869- Bare Act


 PRINCIPAL
 M. KRISHNA LAW COLLEGE
 HASSAN

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 Convention 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 there under. 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 und 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 ILO. - 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 - Provision relating to working conditions of employment - Working Hours, Weekly leave, Annual leave facility - provisions reaching to regulation of employment of women, children and young persons

12

II SEMESTER OF 3 YEAR LL.B COURSE CONSTITUTIONAL LAW – II

OBJECTIVES:

This course gives the students a picture of Constitutional Parameters regarding the organization, powers and functions of the various organs of the Government. The emphasis is also on the study of the nature of federal structure and its functioning. A critical analysis of the significant judicial decisions is offered to highlight judicial restraint, judicial activism and judicial balancing. Finally, the students should be able to articulate their independent views over contemporary crucial Constitutional issues.

UNIT-I

Federal system: Organization of State.

Relationship between the Centre and the State: Legislative, Financial and Administrative, Co-operative Federalism and recommendation of Commission.

Freedom of Trade and Commerce, Official Language, Local self-government with special emphasis on 73rd and 74th Amendment.

Constitutional provision of Jammu and Kashmir (Art. 370)

Special provisions relating to specific states (Art. 371-A to 371-F)

UNIT-II

Executive: Centre and State; President and Governor; powers and functions.

Parliament and State Legislature: Bicameralism, Composition, Powers and Function. (Councils of ministers): collective responsibility, Position of Prime Minister and Chief Minister.

UNIT-III

Speaker: Parliament and State Legislature, Powers and Functions, Privileges Anti-Defection Law.

Judiciary: Union and States, appointment, powers, jurisdiction and Transfer of judges.

UNIT-IV

Subordinate Judiciary, Administrative Tribunals.

Public Service Commission: services under the Center and the State, Constitutional protection to Civil Servants.

Election Commission: Powers and functions.

State liability for Torts and Contract.


UNIT-V

Emergency: Types, Effects and effects on Fundamental Rights.

Constitutional Interpretation

Amendment: Basic structure theory.

Schedules. Review of working of the Constitution.



PRINCIPAL
M. KRISHNA LAW COLLEGE
BASSAN

PRESCRIBED BOOK:

- M. P. Jain - Indian Constitutional Law Vol. I & II

REFERENCE BOOKS:

- H. M. Seervai - Constitutional Law of India
- V. N. Shukla - Constitution of India
- T.K Tope - Constitutional Law
- S. Shiva Rao - Framing of Indian Constitution
- Subash C. Kashyap - Parliamentary Procedure
- Subash. C. Kashyap Constitution of India
- D.J. De - the Constitution of India, Vol. I & II
- J.N. Pandey - Constitutional Law of India
- D.D. Basu - Constitutional Law of India


 PRINCIPAL
 M. KRISHNA LAW COLLEGE
 HASSAN

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 Factories Act, 1948, the Child Labour (Prohibition and Regulation) Act, 1986, the Contract Labour (Regulation & Abolition) Act 1970, the Minimum Wages Act, 1948, the payment of Bonus Act, 1965, the Payment of Gratuity Act, 1972, the Employees' State Insurance 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. These legislations are to be analysed by examining historical background, objectives underlying these legislations, judicial interpretations and effectiveness of these legislations in the changing times.

UNIT-I - Constitutional Dimensions of Industrial Relations and Labour

Constitution and Labour welfare - The Bonded Labour System Abolition Act, 1976 The Equal Remuneration Act, 1976 - the Inter-State Migration of Workers Act, 1979 - the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.

Unit II - Wages, Bonus and Gratuity

Concept of Wages - Theories of wages and Kinds of wages. The Minimum Wages Act, 1948 - Definitions - appropriate government, employer, employee, Scheduled employment, etc. - Fixation of Minimum rates of wages - Methods - Regulation of working conditions - Payment of Wages, Working Hours, etc.

Bonus - Context - a claim for share in profits even after payment of wages according to contract of employment? Is it a 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 provisions relating to payment of bonus - judicial interpretations and constitutionality of the provision relating to Govt's power to exempt.

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

Unit III- Protection of Child Labour and Contract 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.

Abolition and regularisation of contract labour, regulation of contract labour under the Contract Labour (Regulation & Abolition) Act 1970 - judicial decisions relating absorption of sham practice of contract labour - evaluation of the working of the Act in the present days.

UNIT-IV - Social Security

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 - Authorities under the Act - Powers, Latest judicial pronouncements.

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

Unit -V - Protection of unorganised labour

Features and scheme of protection of workers in unorganised sector under the Unorganised Workers' Social Security Act, 2008

Necessity of protection of unorganised labour in shops and establishments by regulating their working conditions - the Kamataka 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.

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 - Review of laws to meet new challenges - Legislative and Judicial response/trend towards application of Labour laws- Emergence of laws relating SEZS, etc.

PRESCRIBED BOOKS:

- ❖ K.M. Pillai - Labour and Industrial Laws.
- ❖ S.N.Mishra - Labour and Industrial Laws.
- ❖ S.C.Srivastava, Treatise on Social Security.
- ❖ Sairam Bhat, Privatisation and Globalisation: The Challenging Legal Paradigm
- ❖ Jwitesh Kumar Singh, Labour Economics: Principles, Problems and Practices
- ❖ Joanne Conagham, Labour Law in an Era of globalisation, Transformative Practices and possibilities
- ❖ C. S. Venkata Ratnam, Globalisation and Labour-Management Relations, Dynamics of Change

REFERENCE BOOKS:

- ❖ Dr.V.G.Goswami - Labour Industrial Laws.
- ❖ O.P. Malhotra - The Law of Industrial Dispute.
- ❖ N.G.Goswami - Labour and Industrial Laws.
- ❖ Khan and Khan Labour Law.
- ❖ Bhargava, V.B. - Industrial and Labour Laws.
- ❖ Pai, G.B.-Labour Law in India.
- ❖ Srivatava, S.C. - Industrial Relations and Labour Laws.
- ❖ Singh, S.N. - Law and Social change: Essays on Labour Laws and Welfare research methodology and environmental protection.
- ❖ Report of the First National Commission on Labour (1966-69).
- ❖ Report of the National Commission on Labour, Government of India, 2002.
- ❖ ILO Recommendations.


 PRINCIPAL
 M. KRISHNA LAW COLLEGE
 HASSAN

Course:

IV

18

CLINICAL COURSE-I: PROFESSIONAL ETHICS AND PROFESSIONAL ACCOUNTING SYSTEMS

OBJECTIVE:

Professions are noble. The movement of all professions, hitherto, has been from chaos to organization, organization to consolidation and consolidation to autonomy and monopoly. Same is true of the law profession also. The prime reason conferring autonomy and monopoly by the society on the professionals is the fact that they are a body of learned persons and the interest of society and individual is safe in their hands. The Bar should set enviable standards of ethics and scrupulously adhere to them as also enforce them. It is too good of the society to trust the learned body of the professionals to regulate themselves and not to empower an outsider to sit in judgment over their activities. The trust reposed by the society in profession is to be zealously guarded. The Bar should live up to the expectations of the society. The society has a right to expect of the professionals such ideal behaviour. The course is designed to imbue students with these high values forming the basis of the profession so that they can live up to those standards in their professional life.

COURSE CONTENTS:

UNIT-I

The legal profession and its responsibilities; The equipment of the lawyers; Conduct in Court; Professional conduct in general; Privileges of a lawyer; Salient features of the Advocates Act, 1961.

UNIT-II

Duty to the Court; Duty to the profession; Duty to the opponent; Duty to the client; Duty to the self; Duty to the public and the State.

UNIT-III

Contempt of Court Act, 1972.

Selected major judgments of the Supreme Court:

1. In the matter of D. An Advocate, AIR 1956 SC 102.
2. P.J.Ratnam v. D.Kanikaram, AIR 1964 SC 244.
3. N.B. MIRZAN v. The Disciplinary committee of Bar Council of Maharashtra and Another, AIR 1972 SC 46.
4. Bar Council Of Maharashtra v. M.V. Dabholkar, etc., AIR 1976 SC 242.
5. V.C. Rangadurai v, D. Goplan and others, AIR 1979 SC 201.
6. Chandra Shekhar Soni V. Bar Council of Rajasthan and Others, AIR 1983 SC 1012.
7. in Re an Advocate, AIR 1989 SC 245.
8. In Re Vinay Chandra Mishra, 1995 (Vol-I) IBR 118.
9. Supreme Court Bar Association v, Union of India, AIR 1998 SC 1895.
10. Ex-Capt. Harish Uppal v. Union of India, AIR 2003 SC 739.

UNIT-IV

Selected opinions of the Bar council of India

1.	DC Appeal No. 16/93	1998	(Vol. 1)	IBR 135
2.	BCI Tr. Case No. 40/91	1998	(Vol. 1)	IBR 139
3.	DC Appeal No. 8/94	1998	(Vol. 1)	IBR 153
4.	DC Appeal No. 20/94	1997	(Vol. 3&4)	IBR 193
5.	BCI Tr. Case No.76/95	1997	(Vol. 3&4)	IBR 201
6.	DC Appeal No. 43/96	1997	(Vol. 3&4)	IBR 207
7.	DC Appeal No.18/91	1997	(Vol. 1&2)	IBR 271
8.	DC Appeal No. 24/90	1996	(Vol. 1)	IBR 135
9.	DC Appeal No. 19/93	1996	(Vol. 1)	IBR 152
10.	BCI Tr. Case No. 104/90	1996	(Vol. 1)	IBR 155
11.	BCI Tr. Case No. 52/89	1994	(Vol. 1)	IBR 187
12.	BCI Tr. Case No. 127/88	1992	(Vol. 3&4)	IBR 125
13.	BCI Tr. Case No. 39/87	1992	(Vol. 3&4)	IBR 147
14.	BCI Tr. Case No. 39/89	1992	(Vol. 3&4)	IBR 149
15.	BCI Tr. Case No. 16/88	1989	(Vol. 1)	IBR 99
16.	BCI Tr. Case No. 2/88	1989	(Vol. 1)	IBR 102
17.	BCI Tr. Case No. 52/88	1989	(Vol. 2)	IBR 110
18.	DC Appeal No. 41/87	1989	(Vol. 2)	IBR 122
19.	BCI Tr. Case No. 29/81	1989	(Vol. 2)	IBR 245
20.	DC Appeal No. 14/88	1989	(Vol. 2)	IBR 258
21.	BCI Tr. Case No. 14/80	1989	(Vol. 2)	IBR 264
22.	DC Appeal No. 24/87	1989	(Vol. 2)	IBR 273
23.	DC Appeal No. 46/86	1989	(Vol. 2)	IBR 280
24.	DC Appeal No. 3/88	1989	(Vol. 2)	IBR 285
25.	BCI Tr. Case No. 2/80	1989	(Vol. 2)	IBR 289
26.	BCI Tr. Case No. 10/86	1989	(Vol. 3&4)	IBR 520
27.	BCI Tr. Case No. 101/88	1989	(Vol. 3&4)	IBR 524
28.	DC Appeal No. 23/88	1989	(Vol. 3&4)	IBR 532
29.	DC Appeal No. 35/87	1989	(Vol. 3&4)	IBR 536
30.	BCI Tr. Case No. 27/88	1989	(Vol. 3&4)	IBR 542
31.	BCI Tr. Case No. 6/84	1989	(Vol. 3&4)	IBR 560
32.	BCI Tr. Case No. 24/86	1989	(Vol. 3&4)	IBR 563
33.	DC Appeal No. 10/88	1989	(Vol. 3&4)	IBR 572
34.	DC Appeal No. 45/74	1988	(Vol. 1&2)	IBR 182
35.	DC Appeal No. 23/87	1989	(Vol. 1&2)	IBR 187
36.	DC Appeal No. 6/81	1988	(Vol. 1&2)	IBR 264
37.	BCI Tr. Case No. 16/86	1988	(Vol. 1&2)	IBR 197
38.	DC Appeal No. 41/86	1988	(Vol. 1&2)	IBR 200
39.	DC Appeal No. 33/86	1989	(Vol. 3&4)	IBR 354

40.	DC Appeal No. 21/85	1988	(Vol. 3&4)	IBR 359
41.	BCI Tr. Case No. 43/82	1988	(Vol. 3&4)	IBR 364
42.	DC Appeal No. 28/86	1988	(Vol. 3&4)	IBR 374
43.	DC Appeal No. 64/74	1987	(Vol. 2)	IBR 314
44.	DC Appeal No. 30/84	1987	(Vol.2)	IBR 319
45.	DC Appeal No. 40/86	1987	(Vol. 3)	IBR 488
46.	DC Appeal No. 10/86 & 10A/86	1987	(Vol. 3)	IBR 491
47.	DC Appeal No. 7/86	1987	(Vol. 3)	IBR 496
48.	DC Appeal No. 7/81	1987	(Vol.4)	IBR 735
49.	DC Appeal No. 12/86	1987	(Vol.4)	IBR 745
50.	BCI Tr. Case No. 57/87	1987	(Vol.4)	IBR 753

UNIT-V

Accountancy for lawyers:

Need for maintenance of account – books of accounts that need to be maintained- Cash Book, Journal and ledger.

Elementary aspects of bookkeeping; Meaning, Object, journal, double entry system, closing of accounts.

The cash and bulk transaction- The Cash book- journal proper especially with reference to clients accounts- Ledger, Trial balance and final accounts- Commercial mathematics.

1. Mode of assessment: The scheme of evaluation for Clinical Course-

I: Professional ethics and Professional accounting system shall be as under:

- There shall be a viva for 20Marks at the end of the semester. Viva shall be conducted by the course teacher and the principal or a senior faculty member designated by the principal.
- Two Written Tests shall be conducted for 40 marks each.
- The questions in the test papers should be spread over whole syllabus.
- I test shall be at the end of 9 weeks of the semester and the II test shall be by the end of the semester.

PRESCRIBED BOOKS:

- Iyer, K.V. Krishnaswamy, Professional Conduct and Advocacy, (Oxford University Press, 1945)
- B.S.Raman, Financial Accounting, "Elements of Accountancy", (Mangalore: United Publishers, 1998)

REFERENCE BOOKS:

- Menon, N.R. Madhava, Clinical Legal Education, (Eastern Book Co., 2008)
- Dr. B. Malik, Art of Lawyer, (New Delhi: Universal Book Agency, 1999)
- Contempt of Court Act, 1971

OPTIONAL-I HUMAN RIGHTS LAW AND PRACTICE

OBJECTIVES:

The objectives of the course are to prepare for responsible citizenship with awareness of the relationship between Human Rights, democracy and development; to foster respect for international obligations for peace and development to impart education on national and international regime of Human Rights; to sensitize students to human suffering and promotion of human life van dignity; to develop skills on human rights advocacy and to appreciate, relationship between rights and duties and to foster respect for tolerance and development; to impart education on national and international regime of Human compassion for all living creatures.

COURSE CONTENTS:

UNIT-I

Jurisprudence of Human Rights; Nature, definition, origin and theories of Human Rights.

UNIT-II

Universal protection of human rights- United Nations and Human Rights: Universal Declaration of Human Rights, 1948; International Covenant on Civil and Political Rights, 1966; International Covenant Economic, Social and Cultural Rights, 1966.

UNIT-III

Regional Protection of Human rights- European system- Inter American System- African System

UNIT -IV

Protection of Human Rights at national level; Human rights and the Constitution; The Protection of Human Rights Act, 1993.

UNIT -V

Human Rights and Vulnerable Groups: Rights of Women, Children, Disabled, Tribals, Aged and Minorities - National and International Legal Developments.

PRESCRIBED BOOKS:


- Theodor, Meron, Human Rights and International Law: Legal and Policy Issues, 2 Vols.
- Kapoor, S.K., International Law and Human Rights, Central Law Agency, 2014).

REFERENCE BOOKS:

- Luis, Henkin, "The Rights of Man Today", University of Miami Inter- American Law Review; Vol.,11, Spring 1979 (p.229-244)
- Singh, Nagendra, Enforcement of Human Rights in Peace and War and the future of humanity, (Calcutta: Eastern Law House 1986)

RELEVANT INTERNATIONAL INSTRUMENTS.

- United Nations Charter, 1945.
- Universal Declaration of Human Rights, 1948.
- International Convention on the Elimination of All Forms of Racial Discrimination, 1948.
- International covenant on civil and Political Rights, 1966.
- International Covenant on Economic and Cultural Rights, 1966.
- Convention on Elimination of All forms of Discrimination against Women, 1979.


PRINCIPAL
M. KRISHNA LAW COLLEGE
HASSAN

ENVIRONMENTAL LAW

OBJECTIVES:

Environmental problems have attained alarming proportions. It is essential to sensitise the students to environmental issues and the laws. The important principles in the field like inter-generation equity, carrying capacity, sustainable development, and precautionary principle, polluter pay principles are to be appreciated. The law in practice is to be analysed and evaluated. The course is designed towards these objectives.

COURSE CONTENTS:

UNIT-I

Environment: meaning and components- Pollution: meaning, sources, Kinds, and effects of pollution - Ancient and Medieval Writings Environmental jurisprudence-National environmental policy.

UNIT-II

Environmental Policy and Law: Pre & Post Independence Period-Constitutional provisions on Environment and its Protection: Right to Environment, Duty to protect environment - Public interest litigation and environment - Role of Judiciary on Environmental issue - Doctrines of Environmental Pollution: Evolving new Principles - Absolute Liability - Polluter pays principle - Precautionary principle - Inter generational equity principle - Public trust doctrine.

UNIT-III


International Law and Environmental Protection: Sustainable Development - International conventions in the development of Environmental Laws and its Policy: Stockholm - Rio & Johannesburg Declaration - Trans-boundary Pollution hazards & Regulation; Common Law aspects of Environmental Protection - Criminal Law and environment.

UNIT-IV

Prevention and Control of Water & Air Pollution: Water Act, 1974 and Air Act, 1981 - Pollution Control Boards and its powers and functions - offences and penalties - Remedies in case of water and air pollution - Noise Pollution and its control: Noise Pollution (Regulation & Control) Rules, 2000 - Wildlife Protection Act, 1972: Hunting - Trade in Animal articles - Authorities under Wild Life Protection Act - Role on Judiciary of Wild Life Protection-Forest Conservation Act, 1980-judicial approach.

UNIT-V

Environment Protection Act, 1986 - ECO-Mark, Environmental Audit - Coastal Regulation Zone, Environment Impact Assessment: Discretionary Model and Mandatory Model, Regulation on Bio-Medical Waste - Disposal of Solid Waste.


PRINCIPAL
M. KRISHNA LAW COLLEGE
HASSAN

PRESCRIBED BOOKS:

- ❖ P. Leela Krishnan, Environmental Law in India, Third Edition, Lexis Nexis Armin Rosencranz- Environmental Law and Its Policy in India.
- ❖ S.C. Shastri, Environmental Law, Third Edition, Eastern Book Company.

REFERENCE BOOKS:

- ❖ Lal's Encyclopedia on Environment Protection and Pollution laws, Fifth Edition, Volume 1 & 2, Delhi Law House.
- ❖ Shyam Divan and Armin Rosencranz, Environmental Law and Policy in India (Cases, Materials and Statutes), Second Edition, Oxford University Press.
- ❖ Relevant Bare Acts/Notifications


PRINCIPAL
M. KRISHNA LAW COLLEGE
HASSAN