

**Shri Rawatpura Sarkar University,
Raipur**



Examination Scheme & Syllabus

for

B.A.-L.L.B.

Semester-VIII

(Effective from the session: 2019-20)



Faculty of Law,
Shri Rawatpura Sarkar University, Raipur
B.A.-L.L.B.
Semester-VIII
Examination Scheme
(Effective from the session: January-June 2023)

S. N	Name of Subject	Paper Code	Th/Pr	Type of Paper	Teaching hours per week				Examination Scheme				Total Marks
					L	T	P	TC	Theory		Practical		
									EX	IN	EX	IN	
1	Labour and Industrial Law-I	BALLB8 01	Th	Core	3	1		4	70	30			100
2	Labour and Industrial Law-II	BALLB8 02	Th	Core	3	1		4	70	30			100
3	Human Rights and Public International Law	BALLB8 03	Th	Core	3	1		4	70	30			100
4	Insurance Law	BALLB8 04	Th	Core	3	1		4	70	30			100
5	Alternative Dispute Resolution Act	BALLB8 05	Th	Core	3	1		4	70	30			100
Total contact hrs. per week					20				Total	Credit		Grand Total	
					20				500				



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Course Title	Labour and Industrial law -I				
Course Code	BALLB801				
Course Credits	L	T	P	TC	
	3	1		4	
Prerequisites	Introduction about Labour and Industrial Law-1				
Course objectives	The objective of this Subject is to communicate the laws related to wages Act, Industrial disputes Act, Trade Unions Act, Payment of wages act.				
Course Contents	<p>UNIT-I General Introduction- Industrial Jurisprudence, Labour Policy in India, Industrial Revolution of India, Evil of Industrialization, Labour Problems, Principles of Labour Legislation, Growth of Labour Legislation in India, Classification of Labour and Industrial Legislations.</p> <p>UNIT-II Industrial Disputes Act, 1947—Preliminary, (Sec. 1-2), Authorities under this Act (Sec. 3-9), Notice of change (Sec. 9A-9B), Reference of Certain Individual Disputes to Grievance Settlement Authorities (Sec. 9C), Reference of Disputes to Boards, Courts or Tribunals (Sec. 10-10A), Procedure, Power and Duties of Authorities (Sec. 11-21), Strikes and Lockouts (Sec. 22-25), Lay-Off and Retrenchment (Sec. 25A-25J), Unfair Labour Practice (Sec. 25T-25U), Penalties (Sec. 26-3</p> <p>UNIT-III The Trade Unions Act, 1926--Preliminary, (Sec. 1-2), Registration of Trade Unions (Sec. 3-14), Rights and Liabilities of Registered Trade Unions (Sec. 15-28), Regulations (Sec. 29-30), Penalties and Procedure (Sec. 31-33). The Workmen's Compensation Act, 1923--Preliminary, (Sec. 1-2), Workmen's Compensation (Sec. 3-18), Commissioners—Reference to Commissioners, Appointment and Powers of Commissioners, Powers and Procedure of Commissioners, Appeals (Sec. 19-21), Rules 32-</p>				



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	<p>36, All Schedules, All Schedules and amendments made from time to time.</p> <p>UNIT-IV</p> <p>The Payment of Wages Act, 1936--Preliminary, (Sec. 1-2), Responsibility for Payment of Wages (Sec. 3-6), Deductions which may be made from wages (Sec. 7-13), Authorities under the Act, Inspectors, Facilities to be afforded to Inspectors, Authorities to hear claims, Single application in respect of claims from unpaid group, Appeal (Sec. 14-17), Power of authorities appointed under section 15 (Sec. 18-19), Miscellaneous Provisions (Sec. 20-26).</p> <p>B):-The Minimum Wages Act, 1948--Preliminary, (Sec. 1-2), Fixing of minimum rates of wages (Sec. 3-6), Advisory Board (Sec. 7-9), Wages in kind (Sec. 10-17), Maintenance of Registers and Records, etc. (Sec. 18-21), Penalties, etc. (Sec. 22-26), Power of Govt. to make rules (Sec. 27-31), All Schedules and all amendments made from time to time</p> <p>UNIT-V</p> <p>LEADING CASES:</p> <ul style="list-style-type: none"> • A Maikenji Vs. J.S. Ishaq AIR 1970 SC 1906 • Bangalore Water Supply and Sewerage Board Vs. A. Rajappa and Others AIR 1978 SC 553 • Pottery Majdoor Panchayat Vs. The Perfect Pottery Co. Ltd. A.I.R. 1979, S.C. 1356.
<p>Course outcomes</p>	<p>Demonstrate knowledge of the legal and procedural structure of Labour and Law-I</p> <ul style="list-style-type: none"> • To make them understand the terminology relating to Labour Law-I • To analyze concept and sources of Industrial law-I
<p>Text Books</p>	<p>1:- 1. H.K. Sharey-Industrial & labour laws in India (Prentice-Hall) New Delhi.</p> <p>2. I.A. Sayieed-Labour laws, Himalayan Publishing Co. Nagpur</p> <p>3. Reshma Arora-Labour law, Himalayan Publishing Co. Nagpur</p> <p>4. S.K. Mishra-Labour and Industrial law-Allahabad law agency H.N. 387, Sector 16-A Faridabad.</p>
<p>Reference Books</p>	<p>1:- S.N. Mishra - Labour & Industrial laws CLA Allahabad.</p> <p>2:- P.L. Malik - Hand Book of Labour and Industrial laws, EBC Lucknow.</p>



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	<p>3:-Seth D.D. - Commentaries on Industrial Act (Law publishing house - Allahabad)</p> <p>4:-K.D. Shrivastava -Commentary of payment of wages act (1998) EBC Lucknow.</p>
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Course Title	Labour and Industrial Law -II				
Course Code	BALLB802				
Course Credits	L	T	P	TC	
	3	1		4	
Prerequisites	Introduction of labour and Industrial law -II				
Course objectives	<ul style="list-style-type: none"> This course is designed to endow the students with the knowledge of both the codified and uncodified portions of labour and Industrial law -II 				
Course Contents	<p style="text-align: center;">UNIT-I</p> <p>The Employees' State Insurance Act, 1948— Preliminary (Definitions) (Sec. 1-2), Corporation, Standing Committee and Medical Benefit Council (Sec. 3-25), Finance and Audit (Sec. 26-37), Contributions (Sec. 38-45), Benefits (Sec. 46-59), Adjudication of Disputes and Claims (Sec. 74-83), Penalties (Sec. 84-86).</p> <p style="text-align: center;">UNIT-II</p> <p style="text-align: center;">Factories Act, 1948--Preliminary (Definitions) (Sec. 1-7), Inspecting Staff (Sec. 8-10), Health (Sec. 11-20), Safety (Sec. 21-41), Welfare (Sec. 42-50), Working hour of Adults (Sec. 51-66), Employment of Young persons (Sec. 67-77), Annual leave with wages (Sec. 78-84).</p> <p style="text-align: center;">UNIT-III</p> <p style="text-align: center;">Child Labour (Prohibition and Regulation) Act, 1986- Preliminary (Definitions) (Sec. 1-2), Prohibition of Employment of Children in certain occupations and processes (Sec. 3-5), Regulation of condition of work of children (Sec. 3-5), Miscellaneous (Sec. 14-26). Causes of child labour and Present prospect of child labour in India.</p> <p style="text-align: center;">UNIT-IV</p> <p style="text-align: center;">Maternity Benefits Act, 1961--Preliminary (Definitions) (Sec. 1-3), Employment of, or work by woman prohibited during certain period, Right to payment of maternity benefit, Notice of claim for maternity benefit and payment thereof, Payment of maternity benefit in case of death of a woman, Payment of medical bonus, Leave for miscarriage, Other leaves, Nursing breaks, Dismissal during absence of pregnancy, Deduction of wages, Appointment of Inspectors, Powers and duties of Inspectors (Sec. 4-22), Cognizance of Offence (Sec. 23).</p>				



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	UNIT-V
	<p>Gratuity Act, 1972--Preliminary(Definitions)(Sec. 1-2), Controlling Authority, Payment of Gratuity, Nomination (Sec. 3-6), Determination of the amount of gratuity (Sec. 7), Inspector, Recovery of gratuity, Penalties (Sec. 8-9), Cognizance of Offences (Sec. 11-14), Power to make rule (Sec. 15)</p> <p>LEADING CASES:.</p> <p>(1) B. Shah Vs. Labour Court AIR 1978 SC 12</p> <p>(2) Ahmedabad Private Primary Education Association Vs. Administrative Officers (2004) ISCC 755</p> <p>(3) Peoples Union for Democratic Rights Vs. Union of India AIR 1982 SC 1480</p>
Course outcomes	<ul style="list-style-type: none">• After completion of this course students will be able;-• To understand labour and Industrial Law in Depth• To apply various provisions under labour Law and other Laws.• To demonstrate provisions of wages act, industrial law
Text Books	<ol style="list-style-type: none">1. H.K. Shrey-Industrial & labour laws in India (Prentice-Hall) New Delhi.2. I.A. Sayeed-Labour laws, Himalyan Publishing Co. Nagpur3. Reshma Arora-Labour law, Himalyan Publishing Co. Nagpur4. S.K. Mishra-Labour and Industrial law-Allahabad law agency H.N. 387, Sector 16-A Faridabad.
Reference Books	<ol style="list-style-type: none">1. Taxmann-Labour laws-Bare Act (Taxmann allied series, Allahabad)2- S.C. Shrivastava-Treatise on social security and labour laws EBCLucknow.3. S.N. Mishra-Labour & Industrial laws CLA Allahabad.4 P.L. Malik-Hand Book of Labour and Industrial laws, EBCLucknow.5 Seth D.D.-Commentaries on Industrial Act (Law publishing house-Allahabad)



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Course Title	HUMAN RIGHTS AND PUBLIC INTERNATIONAL LAW				
Course Code	BALLB803				
Course Credits	L	T	P	TC	
	3	1		4	
Prerequisites	Introduction of Human Rights and Public International Law				
Course objectives	The objective of this paper is to focus on laws regarding Human Rights and Public International Law				
Course Contents	<p>UNIT-I HUMAN RIGHTS IN GENERAL</p> <p>a) Human Rights its meaning and Nature. b) Its definitions and classification. c) Human Rights as a Right in juristic Sense. d) Its existence in religions.</p> <p>UNIT-II HUMAN RIGHTS IN INTERNATIONAL PERSPECTIVE:</p> <p>a) Human Rights its development and emerging trend in Universal sphere & Role of NGO's & specialised agencies in its protections. b) International Bill of Rights and Universal Declaration of Human Rights 1948. c) The conventions on the Rights of Child and The conventions on the elimination of discrimination against woman. d) International convention on Economic Social & Cultural Rights 1966.</p> <p>UNIT-III HUMAN RIGHTS IN REGIONAL & NATIONAL PERSPECTIVE</p> <p>a) Constitutional Protection of Human Rights in India. b) Protection of Human Rights Act 1993. c) Human Rights Protection framework of India- National Human Rights Commission its constitutional powers and duties. d)</p>				



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	<p style="text-align: center;">The conventions on the elimination of all forms of racial discrimination and struggle against Apartheid.</p> <p>UNIT-IV PUBLIC INTERNATIONAL LAW & STATE</p> <p>a) Public International Law its definition, Nature, Sources, History and development.</p> <p>b) Relationship between international and Municipal law and difference between Public International law and Law of conflict subjects of PIL.</p> <p>c) State- its nature, evolution, and criteria of statehood, its recognition, succession and responsibility.</p> <p>d) Nationality, Extradition, Asylum and principle of self-determination.</p> <p>UNIT-V INTERNATIONAL LAW AND USE OF FORCE</p> <p>a) Law of War and peace, Intervention and Neutrality, Treaty Covenant, immunities.</p> <p>b) Law of the Sea- Territorial water, continental shelf, seabed, ocean-floor, Economic zone, Blockade, contiguous zone.</p> <p>c) Settlement of International dispute by use of force, by peaceful means. Role of UNO and their specialised agencies.</p>
<p>Course outcomes</p>	<ul style="list-style-type: none"> • After completion of this course student will be able to learn and understand means of Human Rights and Public International laws
<p>Text Book</p>	<ol style="list-style-type: none"> 1. J.K. Starke - An Introduction to the International Law. 2. J.L. Brierley - The Law of Nations (Oxford) 3. A.K. Pillai - National Human Rights Commission. 4. S.K. Verma - An Introduction to Public International Law (Prentice-Hall India)..
<p>Reference Book</p>	<ol style="list-style-type: none"> 5. All the Covenants and Conventions. 6. Shaw M.N. - International Law (CUP). 7. M.C. Nair - The Law of Treaties (Oxford) 8. Paras Diwan & Piyushi Diwan - Human Rights & The Law - Universal & Indian. 9. S.K. Kapoor - Human Rights under International



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Course Title	Insurance law				
Course Code	BALLB804				
Course Credits	L	T	P	TC	
	3	1		4	
Prerequisites	Introduction of Insurance Law				
Course objectives	<ul style="list-style-type: none"> The objective of this paper is to focus on basic orientation of students to legal studies from the point of view of basic concepts of Act related to Insurance Law 				
Course Contents	<p>UNIT-I</p> <p style="text-align: center;">INTRODUCTION, NATURE, HISTORY AND DEVELOPMENT</p> <p>a) Definition and nature of Insurance. Difference between Assurance and Insurance.</p> <p>b) Concept of Insurance and Law of contract and Law of torts.</p> <p>c) History and Development and importance of Insurance, contract of insurance and its characteristics.</p> <p>d) Provision of Insurance Act 1938.</p> <p>UNIT-II GENERAL PRINCIPLES OF INSURANCE</p> <p>a) Various principles of Insurance-Principles of cooperative probability and legal principles, Principles of good faith and non-disclosure, Misrepresentation in insurance contract. Principles of contribution and principles of proximate.</p> <p>b) Principles of insurable interest- The risks, classification of risks, Provision of warranty & Principles of warranty and subrogation.</p> <p>c) Nature, kind and classification of insurance contract.</p> <p>d) The policy- classification of policies, its forms and contents, its commencement, duration, calculation of premium, cancellation, alteration, reduction, rectifications, construction and assignment of subject matter.</p> <p>UNIT-III LIFE INSURANCE AND MARINE INSURANCE</p> <p>a)</p>				



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Nature, scope and definition, condition for life insurance contract. The policy and formation of life insurance contract, circumstances affecting the risk. Amount recoverable under the policy and person entitled to payment, settlement of claim and payment of money. Distinction between nomination and assignment and double insurance and reinsurance. Life Insurance Corporation Act 1956.

b) Marine insurance -
Meaning, Scope and History. Essential elements of marine insurance contract, classification, procedure and conditions of marine insurance and provisions of Indian Marine Insurance Act 1963.

c) Tax benefit from life insurance and Life Insurance (Emergency provisions) Act 1956.

d) Provision of the General Insurance Business (Nationalization) Act 1972.

UNIT-IV INSURANCE AGAINST THIRD PARTY RISKS

a) Insurance against third party risks, Motor Vehicle Act 1988 (Chapter XIII)

b) Motion, scope, definition, statutory, contract between Insurer and Driver. Rights of third party. Limitation on third party rights. Duty to inform third party.

c) Effect of insolvency or death on claim certificate of insurance or condition to be satisfied.

d) Claim tribunals' constitutions, functions, application for compensation, Who can apply? Procedure and powers of claim tribunals and its awards.

UNIT-V

MISCELLANEOUS INSURANCES AND PRESENT POSITION IN THE LIGHT OF GLOBALIZATION

a) Miscellaneous insurance, including fire insurance.

b) Provisions of public liability Act 1991 Except Schedule.

c) Insurance in Global perspective and in present scenario.

d) Provisions of Insurance Regulating and Development



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Course outcomes	<ul style="list-style-type: none">• After completion of this course student will be able to learn and develop a comparative understanding of the different legal system, to develop students critical interest in reform of the law.
Text Book	<ol style="list-style-type: none">1. Ivamy-GeneralPrinciplesofInsuranceLaw(1993)Butterworth2. M.N.Shrinivasan-PrinciplesofInsuranceLaw(1997),RamaniyaPublisher,Banglore.3. JohnBirds-ModernInsuranceLaw(1988),Sweet&Maxwell.4. BrijAnandSingh-NewInsuranceLaw(2000)UnionBookPublisher,Allahabad.
Reference Book	<ol style="list-style-type: none">5. M.N.Mishra-LawofInsurance,CentralLawAgency,Allahabad



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Course Title	Alternative Dispute Resolution				
Course Code	BALLB805				
Course Credits	L	T	P	TC	
	3	1		4	
Prerequisites	Introduction of Alternative Dispute Resolution				
Course Objectives	The objective of this paper is to focus on basic orientation of students to legal studies from the point of view of basic concepts of Law and Legal system, and to gain the practical knowledge from Alternative Dispute Resolution				
Course Contents	<p>UNIT-I Arbitration meanings scope and types, Arbitration Agreement-essentials, grounds, Who can enter into arbitration agreement? Validity, Reference to arbitration, Interim measures by Court</p> <p>UNIT-II Arbitral Tribunal, Appointment, Jurisdiction of arbitral tribunal, Grounds of challenge, Powers, Procedure, Court assistance, Award, Rules of guidance, Form and content, Correction and interpretation, Grounds of setting aside an award-- Want of proper notice and hearing, Contravention of composition and procedure, Impartiality of the arbitrator, Bar or limitations, Res judicata, Consent of parties, Enforcement.</p> <p>UNIT-III Appeal and Revision, Enforcement of foreign awards, New York Convention Award, Geneva Convention Awards.</p> <p>UNIT-IV Conciliation: Distinction between “conciliation”, “negotiation”, “mediation” and “arbitration”, Appointment of conciliator, Interaction between conciliator and parties, Communication, disclosure and confidentiality, Suggestions by parties, Resort to judicial proceedings, legal effect, Costs and deposit/peal.</p> <p>UNIT-V Rule making power: Legal Services Authorities Act, Lok Adalat, Legal Camp.</p>				
Course outcomes	After completion of this course student will be able to learn and develop a comparative understanding of the different legal system, to develop student's critical interest in reform of the law.				
Text Book	1:-Avtar Singh : Arbitration and Conciliation. 2:-Goyal: Arbitration and Conciliation Act. 3:-Shukla : Legal remedies.				
Reference Book	1-Dr.N.V.Paranjape: Arbitration and Alternative Dispute Resolution.				