



KARNATAKA PROGRESSIVE EDUCATION SOCIETY'S

Dr. G.M.PATIL LAW COLLEGE

NEAR TAHASHILDAR OFFICE, D. C. COMPOUND, DHARWAD - 580001

Affiliated to Karnataka State Law University, Hubballi.

Recognised By Bar Council of India, New Delhi.

Approved by Government of Karnataka.



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

Semester	Title of the Paper	Cross Cutting Issues	Page No.
IV	Clinical Course-I : Professional Ethics	Advocacy Skills, Conduct in court and Court manners.	1-5
I	Family Law – I (Hindu Law), Criminal Law –I (Indian Penal Code)	Stridhana- Women's Property, Matrimonial Remedies to women Bodily offences against women	6-9
II	Family Law-II (Mohammedian Law), Labour Law-I	Rights of women under Mohammedian Law Collective Bargaining, Strike and Lockout, safety issues for women	10-16
III	Labour Law- II	Prevention of sexual harassment at workplace, maternity and health benefits, equal remuneration, child protection	17-20
I	Constitutional Law –I	Preamble, State Action, Concept of Equality, Right to Life and Personal Liberty, Directive Principles	21-22
II	Constitutional Law II	Federal System, Collective Responsibility, State Liability	23-24
IV	Human Rights Law and Practice	Jurisprudence and evolution of Human Rights, Universal Protection of Human Rights, Rights of women, children, tribal's, aged and minorities.	25-26
VI	Environmental Law	Sustainable Development, Pollution, Polluter Pays and Precautionary Principle, Doctrine of Public Trust, Inter Generational Equity, Role of Judiciary	27-29



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Course-IV**CLINICAL COURSE-I:****PROFESSIONAL ETHICS AND PROFESSIONAL
ACCOUNTING SYSTEM****(Subject Code: 4024)****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 for 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 individuals 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 lawyer; Conduct in court; Professional conduct in general; Privileges of a lawyer; Salient features of the *Advocates Act, 1961*.


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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



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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



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35 DC Appeal No.23/87	1989	(Vol.1& 2)	IBR 187
36 DC Appeal No.6/81	1988	(Vol.1& 2)	IBR 193
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	1988	(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 accounts- 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 client's accounts- Ledger, Trial balance and final accounts- Commercial mathematics.

Mode of assessment: The scheme of evaluation for Clinical Course I : Professional ethics, accounting system shall be as under



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- a. There shall be a viva for 20 marks 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.
- b. Two Written Tests shall be conducted for 40 marks each.
- c. The questions in the test papers should be spread over whole syllabus.
- d. 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

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COURSE IV :**FAMILY LAW-I: HINDU LAW (Subject Code: 4004)****Objectives:**

The course is designed to endow the students with knowledge of both the codified and uncoded 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 Dayabhaga 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 - Recent State and Central Amendments to Hindu Succession Act;


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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.

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)

J. D. M. Derrett – *Hindu Law – Past and Present*, (Calcutta : A Mukherjee & Co., 1957)

N. Raghavachar - *Hindu Law*



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COURSE V :**CRIMINAL LAW-I: INDIAN PENAL CODE****(Subject Code: 4005)****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 I degree; Principal in the II degree; Accessories before the fact; Accessories after the fact.

Indian Penal Code: General Explanation, 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 tranquility: Sections 141 – 160; Difference between Sections 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

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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 dacoity) 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 (Sections 463 – 480) - 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 English 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. Achuthan Pillai's *Criminal Law*, ((New Delhi : Lexis Nexis Butterworths, Wadha Nagpur : 2012)

Williams, Glanville – *Text Book of Criminal Law* (New Delhi: Universal Publishing Co., 2012)


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COURSE V :**FAMILY LAW -II: MOHAMMEDAN LAW AND
INDIAN SUCCESSION ACT (Subject Code: 4011)****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.

Course contents:**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, object, 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


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Talak - Effects of Talak - 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 Mohammeden 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 Right of Pre-emption; Who can Pre-empt; Formalities; When the Right of Pre-emption is lost.

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-



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COURSE III :**LABOUR LAW - I (Subject Code: 4009)****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 Conventions 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 abovementioned 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


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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 thereunder. 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 and 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.


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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 references 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 the 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 of I.L.O. 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,



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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 - Provisions relating to working conditions of employment - Working Hours, Weekly leave, Annual leave facility - Provisions relating to regulation of employment of women, children and young persons.

Books Prescribed :

S.C. Srivastava - *Industrial Relations and Labour Laws*.

Dr. V. G. Goswami - *Labour Industrial Laws*

S. N. Mishra - *Labour and Industrial Laws*.

S.C. Srivastava - *Treatise on Social Security*.

The Trade Unions Act 1926

The Industrial Disputes Act, 1947

The Industrial Employment (Standing Orders) Act, 1946

The Employees Compensation Act, 1923

The Employees' State Insurance Act, 1948

The Payment of Wages Act, 1936

The Factories Act, 1948



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Reference Books :

O.P. Malhotra - *Law of Industrial Disputes*.

G. Ramanujam - *Indian Labour Movements*.


P.L. Malik - *Industrial Law*

Mamoria and Mamoria - *Dynamics of Industrial Relations*.

First National Labour Commission Report, 1969.

Second National Labour Commission Report, 2002

International Labour Conventions and Recommendations.


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Course II**Labour Law - II**
(Subject Code: 4015)**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 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 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 -


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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 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 - definitions - 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 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



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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 Karnataka shops and Commercial Establishments Act 1961 - application of the Act, Hourse, of work, annual leave with 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



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