

BUSINESS LAW

PAPER I -FOUNDATION PRINCIPLES OF LAW OF CONTRACT AND ALLIED LAWS

Total Credits 4 Modules 1, & 2 (each module consists of two credit)

Part A.]

Module 1, 2 Credit.

Part A.]

- 1.Fundamental Principles of Law of Contracts
- 2.Natures Object and Multi-dimensional Scope.

Part B.]

- 1.Foundation Theories of Law of Contract
 - 1.1 Individualism:
Freedom of Contract.
Sanctity of contract.
 - 1.2 Encroachment of Freedom of contract.
 - 1.2.1 Legislative Intervention.
 - 1.2.2 Socio-economic factors.
 - 1.3 Limitations on sanctity of Contract

Part C.]

3. Conceptual analysis:
 - 3.1 Contract
 - 3.2 Essentials

Module 2, 2 Credit.

4. Specific Contracts

- 4.1 Standard-form contract, Exemption clauses, Protective Measures.
- 4.2 Quasi- Contracts:
Doctrines of Unjust Enrichment, Law of restitution.
5. Doctrine of Frustration: Grounds and Effects of Frustration
6. Breach of Contract and remedies.
7. U.N. Convention on Sales.

References:

Fundamental Principles of Law of Contract

1. Anson- Law of Contract
2. Cheshire, Fitfoot and Furmston- Law of Contract
3. Pollock & Mulla _Indian Contract Act and Specific Relief Act
4. Chitty's Mercantile Contracts (1st Indian Reprint) 2001
5. Dutt- Indian Contract Act
6. Cheshire and Fitfoot – Cases on Law of Contract
7. Schelsinger- Formation of Contract
8. Law of Contract- Dr. Avtar Singh
9. Dr. MeenaRao- Fundamental Concepts in Law of Contracts.
10. Dr. MeenaRao- Consent in Law of Contract.
11. The Law of Contracts" An Outline (2nd Ed.)- Dr. Nilima Chandiramani.
12. United Nations Convention on Sales by the United Nations Commission.
13. Sale of Goods and Partnership (For U.N. Convention on Sales)- dr. Nilima Chandiramani.

Alternative Disputes Resolution-(ADR)

14. Justice Bachawat's Law of Arbitration and Conciliation.
15. O.P. Malhotra- Arbitration and Conciliation Act
16. Pao P.C. and William Sheffield- alternative Disputes Resolution- What it is and how it works.
17. Kwatra G.K.- The Arbitration and Conciliation Law of India with case Law on UNCITRAL Model on Arbitration.
18. Bansal A.K- Law of International Commercial Arbitration.
19. Law of Arbitration and Conciliation- Dr. Avtar Singh.

PAPER II -GLOBAL TRADE UNDER WORLD TRADE ORGANISATION

Total Credits 4 Modules 1, & 2 (each module consists of two credit)

Module 1, 2 Credit.

1. World Trade Organisation (WTO) Agreement

- 1.1 Introduction to World Trade Organisation.
- 1.2 Bretton woods Conference.
- 1.3 General Agreement on Tariffs and Trade (GATT)
- 1.4 World Trade Organisation (WTO) – Establishment, Scope, Functions, Structure, Secretariat, Status, Decision- Making, Withdrawal, etc.

2. Trade in Good

- 2.1 General Agreement on Tariffs and Trade (GATT) Rules.
- 2.2 Most Favoured Nation (MFN)
- 2.3 National Treatment
- 2.4 QRs, tariff bindings
- 2.5 Textile and clothing
- 2.6 Investment Measures
- 2.7 Anti dumboing, Safeguard and Countervailing measures.
- 2.8 Customs valuation, pre-shipment inspection
- 2.9 Rules of origin, import licensing
- 2.10 Agreement on Agriculture
- 2.11 Sanitary and Phyto-sanitary norms.

Module 2, 2 Credit.

Trade in Services

- 2.12 General Agreement on Trade in Services (GATS) Agreement
- 2.13 Financial Services
- 2.14 Maritime Transport
- 2.15 Professional Services
- 2.16
- 3. Trade Related Aspects of Intellectual Property (TRIPS)
- 3.1 Patents

- 3.2 Copyright
- 3.3 Industrial Designs
- 3.4 Trademarks
- 3.5 Geographical Indications
- 3.6 Integrated Circuits
- 3.7 Undisclosed Information

4. Dispute Settlement Process

References:

- 1. GATT Agreements- World Trade Centre Publication
- 2. WTO in the New Millenium- MVIRDC World Trade Centre- ArunGoyal
- 3. Trade, Development and WTO (Handbook)- IMF Publication ed. Bernard Hoekman, AadityaMattoo + Philip English
- 4. WTO and Globalisation- NilimaChandiramani

PAPER III -CORPORATE LAW

Module 1, 1 Credit.

1. FORMATION OF COMPANY

- 1.1 Concept of Corporate Personality
- 1.2 Registration and Incorporation
- 1.3 Memorandum of Association
- 1.4 Articles of Association
- 1.5 Kinds of Companies

2. ORGANISATION AND MANAGEMENT

- 2.1 Managerial Personnel
- 2.2 Meetings
- 2.3 Corporate Governance
- 2.4 Professional Management
- 2.5 Legal Regulations of Multi- National- Coolaboration Agreements
- 2.6 Amalgation of Companies

Module 2, 1 Credit.

3. CORPORATE FINANCE

- 3.1 Meaning, importance and scope of Corporate Finance

- 3.2 Capital Requirements
- 3.3 Prospectus
- 3.4 Share Capital, Kinds of Shares, Shareholders, allotment of Shares.
 - 4. AUDIT, ACCOUNTS AND DIVIDENDS
 - 4.1 Auditors
 - 4.2 Audit of accounts
 - 4.3 Dividends

5. SECURITIES. BORROWING, DEBENTURE

- 5.1 Nature, issue, Class
- 5.2 Mortgages and Charges
- 5.3 Transfer and transmission of securities
- 5.4 Dematerialisation of Securities.

6. PROTECTION OF INVESTORS AND CREDITORS

- 6.1 NEED FOR Protection
- 6.2 Protection and rights of Creditors
- 6.3 Protection of Investors
- 6.4 Rights of Shareholders and Members
- 6.5 Majority Powers and Minority Rights.

Module 3, 1 Credit.

7. ADMINISTRATIVE REGULATION ON CORPORATE FINANCE

- 7.1 Security Exchange Board of India- (SEBI).
- 7.2 Central Government Control
- 7.3 Control by Registrar of Companies
- 7.4 Control by Company Law Board

8. PREVENTION OF OPPRESSION AND MISMANAGEMENT

- 8.1 Oppression
- 8.2 Mismanagement
- 8.3 Preventive Measure
- 8.4 Powers of Company Law Board
- 8.5 Powers of Central Government

9. WINDING UP

- 9.1 Winding Up and Dissolution of Company

Types of Winding Up.

9.2 Winding Up by Court.

9.3 Voluntary Winding Up.

9.4 Process of Winding Up.

9.5 Winding up of Defunct Companies, Sick undertakings, Unregistered Companies and Foreign Companies.

References:

1. Gower- The Principle of Modern Company Law
2. Sethna- Indian Company Law.
3. Mayson, French & Ryan, Company law. (15th ed.). 2000 (1st Indian reprint)
4. Palmer
5. Pennington- Formation of Companies
6. Madon- Management of Corporations.
7. Mazumdar D.L.- towards a Philosophy of the modern Corporation.
8. Sen S.C- The New Frontiers of Company Law.
9. Ramaiya A- Guide to the Companies Act 3 Vols.
10. Taxmann's Corporate Laws.
11. Taxmann's Company Law and Practice.
12. Company Law- Dr. avtar Singh.
Statutory Material-
13. Companies act and Laws relating to SEBI, depositories, Industrial Financing.

PAPER IV – LAW RELATING TO CUSTOMS AND FOREIGN EXCHANGE

Module 1, 1 Credit.

1. Law relating To Customs
 - 1.1 Custom of charging customs duties
 - 1.2 Rules relating to interpretation of custom law
 - 1.3 Prohibition on importation and Exportation of Goods
 - 1.4 Chargeability and Levy of Customs duties
 - 1.5 Exemption from Customs duties
 - 1.6 Refund of Customs duties
 - 1.7 Clearance of imported Goods and Export Goods
 - 1.8 Warehousing of Goods
 - 1.9 Powers of Customs Officers.
 - 1.10 Adjudicatory Proceedings

- 1.11 Appeals
- 1.12 Criminal Proceedings

Module 2, 1 Credit

Law Relating to Foreign Exchange

- 2.1. Historical background to Foreign Exchange Regulation Act (FERA) and Foreign Exchange Management Act (FEMA)
- 2.2 Foreign Exchange and currency
- 2.3 Foreign Exchange Management and Noteworthy Features of Foreign Exchange Management Act (FEMA)
- 2.4 New Concepts under Foreign Exchange Management Act (FEMA) Resident

Capital Account Transactions

Current Account Transactions

Export

Person

Service

Transfer

- 2.5 Export of Goods and services
- 2.6 Adjunction , Appeals and Penalties
- 2.7 Foreign Direct Investment in India
- 2.8 Foreign Trade, Development & Regulation Act, 1992.

References

- 1. Customs Law, Practice and procedure – T.P. Mukherjee
- 2. Custom Law, Practice and procedure – justice Roy
- 3. A Guide to Customs Act – NilimaChandramani
- 4. Foreign Exchange Management Act – DilipSheth
- 5. Foreign Exchange Management Manual – Taxmann.

PAPER V – LAW OF INSURANCE

Module 1, 1 Credit

- 1. Introduction
 - 1.1 The nature of risk and insurance
 - 1.2 Risk management – Principles and Practices.
 - 1.3 Need and importance of Insurance, Future of Insurances.

1.4 Kinds of Insurance , Types of Insurance Polices, Law Of Contract, Proposal, Consideration

1.5 Re-insurance and Double Insurance.

2. General Principles of Law of Insurance.

2.1 Need for utmost Good Faith

2.2 Insurable interest.

2.3 The risk – Commencement, attachment and duration.

2.4 Indemnity

2.5 The Law of Proximate cause

2.6 Subrogation

2.7 Assignment and nomination.

3. Indian Insurance Law – General.

3.1 Nationalisation, Privatisation and Globalisation of Insurance Sector.

3.2 Principles of General Insurance.

3.3 The Insurance Regulatory Development Authority At, 2000...

4. Insurance pertaining to Life and Personal Accidents / Hositalisation.

4.1 Life Insurance – Nature, Principles and Scope

4.2 Events insured against life insurance contract.

4.3 Factors affecting rist

4.4 Mediclaim, Sickness Insurance, Personal Accidents.

5. Marine Insurance.

5.1 Marine Insurance- Nature, Principles and Scope

5.2 Marine Insurance Policy – Conditions - Warranties

5.3 Seaworthiness

5.4 Perils of the Sea and other Insured Perils in Marine Policies

5.5 Hull and Cargo Insurance.

6. Property Insurance.

6.1 Fire Insurance

6.2 Risks Insurance

6.3 Policies covering risk of explosion, earthquake, flood.

- 6.4 Policies covering accidental loss, damage to property, construction risks.
- 6.5 Burglary, Theft, Civil commotion and Strikes, other Endorsements.

- 7. Insurance Against Third Party Risks Under Statute.
 - 8.1 Relevant Provisions of Motor Vehicles Act, 1988.
 - 8.2 Claims Tribunal: Constitution, functions, procedures, powers and awards.
 - 8.3 Liability Insurance P : Contractual and Legal Liabilities
 - 8.4 Public Liability Insurance

Reference:

- a. Colinvaux – Law of Insurance (1977)
- b. E. R. Hardy Ivamy - Principles of Insurance (1979)
- c. Marine Insurance – Hardy Ivamy
- d. Charmers Marine Insurance Act 1906
- e. Mitra B.C. – Law of Marine Insurance – (1997)
- f. Brijandan Singh – Law of Insurance – (1997)
- g. Banerjee, Law of Insurance – (1994)
- h. Birds, Modern Insurance law – (1997)
- i. John Hanson and ChristopalsHenly – All Risks Property Insurance (1999)
- j. M. N. Srinivasan – Insurance Law
- k. K.S.N. Murthy and Dr. K.V.S. Sarma – Modern Law Insurance.
- l. The Insurance Act – 1938
- m. The Life Insurance Corporation Act, 1956.
- n. The Insurance Regulatory Authority Act, 1999.

PAPER VI – BANKING LAWS

Module 1, 1 Credit

- 1. Introduction
 - 1.1 Nature and Development of banking
 - 1.2 History of Banking in India and elsewhere – indigenous banking – evolution of Banking in India – different kinds of banks and their function
 - 1.3 Multi - fictional banks – growth and legal issues.

2. Law Relating To Banking companies in India
 - 2.1 Controls by government and its agencies.\
 - 2.1.1. On Management
 - 2.1.2. On accounts and adult
 - 2.1.3. Lending
 - 2.1.4. Credit Policy
 - 2.1.5. Reconstruction and reorganization
 - 2.1.6. Suspension and winding Up
 - 2.2 Contract between banker and customer : their rights and duties.

Module 2, 1 Credit

3. Social Control Over Banking
 - 3.1 Nationalization
 - 3.2 Evaluation : private ownership, nationalization and disinvestments
 - 3.3 Protection of depositors
 - 3.4 Priority lending
 - 3.5 Promotion of under privileged classes
4. The Central Bank
 - 4.1 Evolution of Central Bank
 - 4.2 Characteristics and Functions
 - 4.3 Economic and social objectives
 - 4.4 The Central Bank and the State – as banker bank
 - 4.5 The Reserve Bank of India as the Central Bank
 - 4.5.1 Organisational Structure
 - 4.6 Functions of the RBI
 - 4.6.1. Regulation of monetary mechanism of the economy
 - 4.6.1.1. Credit Control
 - 4.6.1.2. Exchange Control
 - 4.6.1.3. Monopoly of currency issue
 - 4.6.1.4. Bank rate policy formulation
 - 4.7. Control of RBI over Non-banking companies
 - 4.7.1. Financial Companies
 - 4.7.2. Non-Financial Companies

Module 3, 1 Credit

- 5 Relationship of banker and Customer
 - 5.1 Legal Character
 - 5.2 Contract between banker and customer
 - 5.3 Banker's Lien

- 5.4 Protection of Bankers
- 5.5 Customers
 - 5.5.1. Nature and types of accounts
 - 5.5.2. Special classes of customers – lunatics, minor, partnership, corporations
- 5.6. Banking duty to customers
- 5.7. Consumer protection : banking as service

6. Negotiable Instruments :

- 6.1 Meaning and kinds of instruments
- 6.2. Transfer and negotiations
- 6.3. Holder and holder in due course
- 6.4. Presentment and payment
- 6.5. Liabilities of parties

7. Lending By Banks

- 7.1. Good lending principles
- 7.2. Lending to poor masses
- 7.3. Securities for advances
- 7.4. Kinds and their merits and demerits
- 7.5 Repayment of loans : rate of interest, protection against penalty
- 7.6. Default and recovery
- 7.7. Debt recovery Tribunal

8. Recent Trends of Banking System In India

- 8.1. New Techonology
- 8.2 Information Technology
- 8.3. Automation and legal aspects
- 8.4. Automatic teller machine and use odinrwenwr
- 8.5. Smart Card
- 8.6. Credit Cards

References :

1. Negotible Instruments Act – Bhashyam and Adiga
2. Law of Negotiable Instruments NilimaChandiramani
3. Banking Law and Practice in India – M. L. Tannan
4. The Law of Banking and bankers – L.C. Goyle
5. Banking Theory and Practice – K.C. Shelkar
6. Banking Theory and Practice – Varshney
7. Review of current Banking Theory and Practice - Basu A.
8. Pagets Law of Banking – M. Hapgood (ed)
9. Banking Reforms in India – K Subrahmanyam
10. Reports of working Group on Customer Services in Banks – R. K. TYalwar
11. Law of Negotiable Instruments – Dr. P.W. Rege.

HUMAN RIGHTS

Paper I-Concept and Development of Human Rights

Total Credits 2 Modules 1, & 2 (each module consists of one credit)

Module 1, 1 Credit

A.] Human Rights: Concept

1. Human Rights in Indian Tradition: Ancient, Medieval & Modern
2. Human Rights in Western Tradition
3. Development of Natural Rights
4. Human Rights in International and National Law

B.] Classification of Human Rights- First, second and third Generations: Historical Development.

1. Human Rights: Politics and society
2. Colonization, imperialism & Human Rights
3. Power, practices, accountability & transparency
4. Liberalization, Privatization & globalization
5. Human Duties: responsibilities & obligations

Module 2, 1 Credit

- A.] Universality of Human Rights
- B.] Third World Perspective of Human Rights
- C.] Human Rights & Consumerism

References:

1. Angela Hegarty, Siobhan Leonard, Human Rights an Agenda for The 21st Century(1999)
2. LalitParmar, Human RIGHTS(1998)
- 3.
4. David P. Forsythe, Human Rights in International Relations

5. Lon L. Fuller, The morality of Law
6. John Finnis, Natural Law & Natural Rights (1980)
7. Julius Stone, Human Law & Human Justice (2000)
8. M.G.Chitkara, Human Rights: Commitment & Betrayal,(1996)
9. V.D. Kulshreshtra, Landmarks in the Indian Legal & Constitutional History,(1995)
10. Robert Lewngat, The Classical Loaw of India(1998), Oxford.

Paper II -Human Rights and International Order

Total Credits 2 Modules 1, & 2 (each module consists of one credit)

Module 1, 1 Credit

A.] Development of Concept of Human Rights Under International Order

1. Role of International Organisation& Human Rights
- 2 . Universal Declaration of Uman Rights (1948)
3. Covenant of Civil & Political Rights
4. 4.Covenant on Economic, Social & Cultural Rights
5. ILO & other Convention & Protocols dealing with Human Rights

B.] Role of Regional Organisations

1. European Convention on Human Rights
2. Europen Commission on HumOMMISSION OF Human Rightan Rights/ Court of Human Rights
3. American Convention of Human Rights
4. African Convention of Human Rights
5. Other Regional Conventions

Module 2, 1 Credit

A.] Protection agencies & mechanism

1. International Commission of Human Rights
2. Amnesty international
3. Non GovernmentalOrganisations(NGOS)

4. International Criminal Court
5. European Court of Human Rights
6. U N Division of Human Rights
7. International Labour Organisation
8. UNSCO
9. UNICEF
10. National & State Human Rights Commission

B.] International Enforcement of Human Rights

1. Role of ICG & other regional institutions

C.] New International Economic Order

D.] Global Terrorism

References:

1. Benedetto Conforti & Francesco Francioni, Enforcing International Human rights in Domestic Courts, (1997)
2. Francisco Forrest Martin, International Human Rights Law & Practice, (1997)
3. Luck Celements, European Human Rights taking a case under the Convention (1994)
4. Evelyn A. Ankumah, The African Commission on Human Rights & People's right (1996)
5. S.R.K Sinha, Human rights of The World (1997)
6. Philip Alston, The United Nations & Uman Rights Critical Appraisal, (1992)
7. R,S Sharma & R. K.Sinha, Perspectives in Human Rights Development, (1997)
8. The Human Rights Watch Global Report on Women's Human Rights, (2000), Oxford
9. B.P.Singh Seghal, Human Rights in India (1996)
10. Chandan Bala, International Court of Justice : Its functioning & settlement of International dispute ,(1997)

Total Credits 2 Modules 1, & 2 (each module consists of one credit)

Module 1, 1 Credit

A.] History & Development of Human Rights in Indian Constitution

1. Constitutional Philosophy: Preamble
2. Fundamental Rights
3. Directive Principles of State Policy
4. Fundamental Duties

B.] Judicial Activism & Development of Human Rights Jurisprudence Enforcement of Human Rights.

Module 2, 1 Credit

A.] Formal Enforcement mechanism

1. Role of Supreme Court
2. Role of High Courts
3. Role of Civil & Criminal Courts
4. Statutory Tribunals
5. Special Court

B.] Role of India in implementing International Norms & Standards

References:

1. D.D.Basu, Human Rights in Indian Constitutional Law (1994)
2. Vijay Chitnis (et.al) Human Rights & the Law: National & Global Perspectives(1997)
3. B,P.SinghSehagal Law, Judiciary & Justice in India (1993)
4. James Vadakkumchery, Human Rights & the politics in India(1996)
5. D.R Saxena, Tribals& the Law(1997)
6. PurnimaAdvani, Indian Judiciary : A Tribute,(1997)
7. Justice Venkataramaiah, Human Rights in the changing World(1998)
8. Paramjit S. Jaiswal, Human Rights & the changing world(1998)

Paper IV- Human Rights of Disadvantaged Groups

Total Credits 2 Modules 1, & 2 (each module consists of one credit)

Module 1, 1 Credit

A.] Concept of Disadvantaged Groups

1. Emerging Human Rights Jurisprudence & the role of the Judiciary
2. Rights of Women
3. Rights of the child
4. Rights of Prisoners
5. Rights of Dalits
6. The Tribal & other indigenous People
7. The Mentally ill
8. The unorganized Labour & Bonded Labour
9. Aids Victims
10. Rights of minorities

Module 2, 1 Credit

A.] Enforcement of Human Rights

1. Protection Laws of the Disadvantaged Groups: Problems & issues
2. National agencies for Protection such as National Commission for the Women , National Commission for Children, National Commission for Scheduled Caste/ Scheduled Tribes, National Commission for minorities.

B.] Future Perspectives of the Human Rights of Disadvantaged.

References:

1. G.S.Bhargava& R.M Pal, Hu,man Rights of Dalits, societal violation,(1999)
2. Geraldine Van Bueren, The International Law of the Rights of the Child (1998)
3. Prabhat Chandra Tripathy, Crime Against Working Women,(1998)
4. ParasDiwan&PiyushDiwan , Women & Legal Protection
5. Philip Alstone, Children, Rights & the Law
6. Kelly D. Askin, Dorean M. Koenig, W omen & International Human Rights Law,(1999).
7. N.K Chakrabarti, Juvenile Justicein the Administration of criminal justice
8. Rebecca Wallace, International Human Rights, Text & material(1997)
9. Janaki Nair, Women & Law in colonial India,(1996)
10. Simon Creighton, Vicky King, Prisons & the Law,(1996)

Paper V- International Humanitarian Law &Refugee Law

Total Credits 2 Modules 1, & 2 (each module consists of one credit)

Module 1, 1 Credit

A.] Humanization of Welfare

1. Amelioration of the wounded sick
2. 2.Armed forces in the Field
3. Armed forces at sea
4. The shipwrecked
5. Protection &Facilities
6. Prisoners of war
7. Civilians in times of war
8. Cultural Properties
9. International Convention on Genocide

B.] Humanitarian Law: Implemantation

1.3 Red Cross- Role

1.4 National Legislation

Module 2, 1 Credit

A.] The Concept of Refugees

1. Definition of Refugees & displaced persons, their problems
2. The UN Relief & Rehabilitation, Administration & other International Refugee organizations: International protection
3. Protection under International Laws.

B.] Strategies to combat refugee problems

1. Repatriation , resettlement, local integration& rehabilitation
2. UNHCR- Role
3. UNHCR- & India

References:

1. B.S Chimni, International Refugee Law(2000)awn Askin, War Crimes Ag
2. Jean Yves Calier, Who is a Refugee, A comparative Case Law Study
3. Kelly Dawn Askin, War Crimes against Wom. Hathway, Hohn A. Dent, REFUGEEen,(1997)
4. M.K Balchandran, Rose Varghese, Introduction to International Humanitarian Law(1997)
5. Guy-S. Goodwin-Gill, The Refugee in International Law,(1996)
6. VeralGowlland-Debbas- The problem of Refugee in the light of Contemporary International Law Issues, (1996)
7. Anti- Personnel Landmines Friend or foe?. International Committee of Red Cross (1996)
8. Resettlement Handbook, The United Nations High Commissioners for Refugees
9. James C .Hathway, Hohn A. Dent, Refugee Rights: Report on comparative survey(1995)

Paper- VI- Science, Technology& Human Rights

Total Credits 2 Modules 1, & 2 (each module consists of one credit)

Module 1, 1 Credit

A.]Interrelationship of Science, Technology & Human Rights

1. Implication of Development of Science & Technology
 - 2.1 Right to environment in the development of science & technology.
 1. Right to development in the advancement of science & technology.

2. Right to development health & impact of the development in the Medical Science.

B.] Medicine & Law

3. Organ Transplantation
4. Experimentation on Human beings.
5. Euthanasia (mercy killing)
6. Gene therapy

Module 2, 1 Credit

A.] Issue of Humans Rights Ethics in Scientific & Tehnological Development.

1. Sex Determination Test
2. Induced Abortion
3. Reproductive Technology
4. Cloning
5. Invitro fertilization
6. Artificial Insemination
7. Surrogate Motherhood

B.] Impact of Scientific & technological Progress on Human Rights: Normative Response of the International Community

1. Right to Life
2. Right to Privacy
3. Right to physical Integrity
4. Right to Information
5. Right to benefit from scientific & technological progress
6. Right to adequate standard of living

References:

Diane Rowland, Elezabeth Macdonald, Information Technology Law,(1997)

Suresh T Viswanathan , The Indian Cyber Law(2000)
The International Dimensions of the Cyber Space Law (2000), UNESCO
Publication
D.P.Mittal, Law of Information Technology(Cyber Law) (2000)
Michael Chissick, AlitairKelman, Electronic Commerce, Law & Practice,(1999)
Adwin W. Patterson, Law in a Scientific Age, (1963)
Steve Jones, Borin Van Leon, Genetics for the Begineers, (1993)
Kamenka E, Ideas and Ideologies Human Rights
Galtung, Human RIGHTS IN Another key,(1994)
Akbar M.J., Roits after Riots, (1988)
Baxi U.(ED), Rights to be Humans ,(1986)
Kazmi F, Human Rights,(1987)
Levin L. , Human Rights,(1982)
GromleyW.P. ,Human Rights and Environment,(1976)
Madhavtirtha , Human Rights (1953)
Beddard H, Human RIGHTS AND Europe ,(1980)
Swarup J., Human Rights & Fundamental Freedoms(1975)
Kashyap S. C., Human Rights and Parliament (1978)
Khare S.C., Human Rights and United Nations, (1977)
Moskowitz, Human Rights and World Order, (1958)
Drost, Human Rights as Legal Rights,(1965)
Garling M., Human Rights Hand Book, (1979)
Andrews J.A., Human Rights in Criminal Procedure,(1982)
Kalaiah A.B., Human Rights in International Law,(1985)
Menon I.(ed.) Human Rights in International Law, (1985)
Robertson E., Human Rights in the World,(1972)
Basu D.D., Human RIGHTS IN Constitutional Law(1994)
Krishna Iyer V.R., Human Rights- A Judge's Miscellny, (1995)
Rama Jois.M., Human Rights: Bhartiya Values,(1998).

INTELLECTUAL PROPERTY LAWS

PAPER I- GENERAL PRINCIPLES AND INTERNATIONAL PERSPECTIVE OF INTELLECTUAL PROPERTY RIGHTS

Objective:-

Introduction

General aspects of Intellectual Property Rights- Nature, Meaning and scope of Intellectual Property Laws

Evolution and Development of Intellectual Property Rights at International and National Level

International Conventions and Treaties Relating to Intellectual Properties

Total Credits 4 Modules 1, &2 (each module consists of two credit)

Module 1, 2 Credit.

A.] The World Intellectual Property Organisation established in 1967.

2.) International Convention for the Protection of New Varieties of Plants, 1961 (U.P.O.V.)

3.) Patent Cooperation Treaty (P.C.T.)

4.) Eurasian Patent Convention.

5.) Madrid Agreement relating to the International Registration of Mark (Protocol)

6.) Trade Mark Agreement for Protection of False or Misleading Indications of Sources of Goods.

7.) Trade Mark Law Treaty and Regulations made thereunder.

8.) Universal Copyright Convention (and Protocol).

B.] International Convention for Protection of Performers and Producers of Phonograms and Broadcasting Organisations.

W.I.P.O Copyright Treaty.

W.I.P.OI .Performances and Phonograms Treaty.

Module 2, 2 Credit.

Convention for Protection of Producers Phonograms against Unauthorized Duplication of their Phonograms.

Treaty of International Registration of Audio-Visual Works (Geneva).

The Hague Agreement relating to International Deposits of Industrial Designs.

Locarno Agreement

TRIP's Agreement

GATT: General Agreement on Tariffs and Trade

PAPER II- LAW RELATING TO PATENTS IN INDIA

Total Credits 4 Modules 1, &2 (each module consists of two credit)

Module 1, 2 Credit.

- 1.) Progressive Development of Patent Law in India.
- 2.) Characteristics of Patent
- 3.) Patentable and non-patentable Inventions
- 4.) Procedure for obtaining Patent
- 5.) Rights and Obligations of Patentee
- 6.) Transfer of Patent
- 7.)

Module 2, 2 Credit.

- 8.) Surrender, revocation and Restoration of Patent
- 9.) Infringement of Patent and Remedies and Remedies thereof
- 10.) Offences and Penalties
- 11.) Patent Authorities and Patent Agents
- 12.) Emerging Issues Relating to Patent.

PAPER III -LAW RELATING TO TRADE MARKS IN INDIA

Total Credits 4 Modules 1, & 2 (each module consists of two credit)

Module 1, 2 Credit.

- 1.) Origin and Development on Indian Law on Trade Marks
- 2.) Basic Features of Trade Mark
- 3.) Service Marks, Collective Marks, Certification Trade Marks, Well Known Trade Marks and Internet Domain Name
- 4.) Registration of Trade Mark
- 5.) Rights of Trade Mark Holder
- 6.)

Module 2, 2 Credit.

- 7.) Assignment and Transmission of Trade Mark
- 8.) Infringement and Passing of Action in Trade Mark
- 9.) Legal Remedies Against Infringement and Passing off a Trademark
- 10.) Authorities under the Trade Marks Act.

PAPER IV- COPYRIGHTS AND OTHER RELATED RIGHTS

Total Credits 4 Modules 1, & 2 (each module consists of two credit)

Module 1, 2 Credit.

- 1.) Introduction to Copyrights
- 2.) International Conventions relating to Copyrights
- 3.) Nature of Copyright
- 4.) Subject matter of Copyright
- 5.) Term of Copyright
- 6.) Author and Ownership of Copyright
- 7.) Rights conferred by copyright
- 8.) Rights of Broadcasting organizations, Producers of Phonograms and Performers

Module 2, 2 Credit.

- 9.) Assignment, Transmission and Relinquishment
- 10.) Licences
- 11.) Publication
- 12.) Infringement of Copyright
- 13.) Remedies against infringement
- 14.) International Copyrights
- 15.) Copyright Office and Copyright Board
- 16.) Registration of Copyright
- 17.) Appeals

Paper V- LAW OF INDUSTRIAL DESIGNS, GEOGRAPHICAL INDICATION, LAYOUT, DESIGNS ETC.

Total Credits 4 Modules 1, & 2 (each module consists of two credit)

Module 1, 2 Credit.

1. Industrial Designs
 - 1.1 Introduction

- 1.2 Appeal to the eye
- 1.3 Novelty and originality
- 1.4 Publication
- 1.5 Registration of designs
- 1.6 Rights conferred by Registration
- 1.7 Infringement of Copyright in a design
- 1.8 Remedies

Module 2, 2 Credit.

- 2. Geographical Indications of Goods
 - 2.1 Introduction
 - 2.2 Register and Conditions for registration
 - 2.3 Procedure for and duration of Registration
 - 2.4 Effect of Registration
 - 2.5 Special Provisions relating to Trademarks and prior users
 - 2.6 Rectification and correction of register
 - 2.7 Appeals
 - 2.8 Offences, Penalties and Procedure.

- 3. Layout- Designs (Topographies) of Integrated Circuits

Paper VI- INFORMATION TECHNOLOGY

Total Credits 4 Modules 1, & 2 (each module consists of two credit)

Module 1, 2 Credit.

- 1. Introduction to information Technology
- 2. UNCITRAL Model Law
- 3. An Overview of the Information Technology Act
- 4. Information Security
- 5. Application
- 6. Digital Signatures and Certificates
- 7. Electronic Governance

Module 2, 2 Credit.

Contract authority Certifying authority

- 8. Software Protection
- 9. Cyber Crimes, Penalties and Adjudication
- 10. Appellate and Prosecution
- 11. Offences by Companies.