

ગુજરાત યુનિવર્સિટી

સેકન્ડ એલએલ.બી. પરીક્ષા (નવો અભ્યાસક્રમ)જુન-૧૯૯૯

પેપર	નો-ચુન સેપાર્ટર	માર્ક્સ
(૧) ફેમિલી લો - ૧ (Family Law-I)		૧૦૦
(૨) લેબર લોઝ - (Labour Laws)		૧૦૦
(૩) ટેક્સેશન લોઝ - (Taxation Laws)		૧૦૦
(૪) અડમિનિસ્ટ્રેટીવ લોઝ - (Administrative Law)		૧૦૦
(૫) માનવ અધિકારો અને અનિર રાષ્ટ્રીય કાયદો (Humanrights and International Law)		૧૦૦

પેપર	નો-ટર સેપાર્ટર	માર્ક્સ
(૧) જ્યુરીસ્પ્રુડન્સ - (Jurisprudence)		૧૦૦
(૨) ફેમિલી લો - ૨ (Family Law -2)		૧૦૦
(૩) લેન્ડ લોઝ - (Land Laws including ceiling and any other local Laws)		૧૦૦
(૪) Interpretation of Statutes		૧૦૦

GUJARAT UNIVERSITY

SECOND LL. B.
New Syllabus in force from June-1999

Family Law - I (Paper-I) Marks : 100

NOTE :- Family Laws Paper-I is not to be taught as traditional papers on personal Laws i.e. Hindu Law, Mohammedan Law, Christian Law, Parsi Law etc. as separate distinct and compartmentalised systems of law based on different religions. Instead the various statutory provisions and customs are to be examined in the context of constitutional values of equality, fraternity, justice (including gender justice, non discrimination and freedom from exploitation. The approach shall be informative, critical and comperative.

- 1 : Nature and Development of concepts of Family and Family Laws.
- 2 : Sources and Schools of various Family Laws.
- 3 : Marriage.
- 4 : Dissolution of marriage.
- 5 : Alimony, maintenance of wife, children and parents.
- 6 : Custody of Children.
- 7 : Remarriage.
- 8 : Marriage and dissolution under special Marriage Act.

Statutory Materials :
Bare Acts :

- i) The Special Marriage Act, 1954
- ii) The Hindu Marriage Act, 1955
- iii) The Dissolution of Muslim Marriage Act, 1939
- iv) Muslim Women (protection of rights on Divorce Act, 1986)
- v) Parsi Marriage and Divorse Act, 1936
- vi) Indian Christian Marriage Act, 1972
- vii) Indian Divorce Act, 1869
- viii) Hindu Adoption and Maintenance Act, 1956
- ix) The Family Courts Act, 1984.

(A) INDUSTRIAL RELATIONS : 50 marks

- 1) Industrial Disputes Act, 1947.
 - i) Concepts : Appropriate Govt. Industry, Industrial Dispute, Workman, Unfair Labour practice.
 - ii) Authorities for settlement and adjudication of disputes.
 - Works Committee.
 - Conciliation Officers.
 - Boards of Conciliation
 - Courts of Inquiry.
 - Labour Courts.
 - Industrial tribunals
 - National Tribunals.
 - iii) Concepts of Settlement and award.
 - Provisions and procedure relating to settlement and award.
 - iv) Concepts of Strike, Lock-Out, Lay off, Retrenchment and Closure.
 - Provisions and Procedure relating to Strike, Lockout, Lay-off, Retrenchment and Closure.
 - v) Miscellaneous :
 - Conditions of service etc. to remain unchanged during pendency of proceedings, Sec.33, 33A.
 - Recovery of money due from an employer. Sec.33 D
 - Representation of parties
 - Notice of change
 - Voluntary arbitration
 - Protection of persons.

Procedure, Powers and
Duties of Authorities

(2) Bombay Industrial Relations Act, 1946

- Application of BIT Act.
- Approval of Unions & categories of unions.
- Change.
- Joint Management Council Settlement/Adjudication of authorities
- Conciliation
- Arbitration
- Labour courts
- Wage Boards
- Arbitration Tribunal
- Legality of Strike/lock out

(B) Working Conditions, Standing orders, Trade Unions Marks 50.
Social security Marks - 50

(1) Factories Act, 1948

- Concepts of Factory, Worker, Occupier, Manufacturing process, Hazardous process.
- Approval, License & Registration of Factories General duties of the occupier.
- Enforcement .. Factory Inspectors. Functions/powers
- Provisions relating to Health, Safety, Special provisions relating to hazardous process, welfare.
- Working hours, holidays of adults, Adolescent, women.
- Provisions relating to annual leave with wages.
- Penalties.

(2) Industrial Employment (Standing Orders) Act, 1946

- Application of Act.
- Concepts - Industrial Establishment, standing orders, Model standing orders.
- .. Certification of standing orders
- .. Interpretation of standing orders.
- .. Misconduct
- .. Departmental enquiry for disciplinary action
- .. Subsistence allowance.

(3) Trade Unions Act, 1926

- Concepts of Trade Union, Trade disputes.
- .. Registration of trade unions.
- Rights and Liabilities of Registered Trade Unions.

(4) Employees State Insurance Act, 1948

- Concepts of Employee, Dependant, Family, Principal employer, Contribution.
- Application of Act.
- Constitution of ESI Corporation Standing Committee Medical Benefit Council
- Benefits :
- ESI Fund
- Purposes for which the Fund may be expended.
- Adjudication of disputes and claims.

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SECOND LL.B. : (Paper - III)

	<u>TAXATION LAWS</u>	MARKS	100
*	Income Tax	50 marks	
*	Sales Tax	35 marks	
	- Central Sales-tax		
	- Gujarat Sales-tax		
*	Wealth Tax	15 marks	
		<u>100</u>	

Statutory Materials :

- 1 Income Tax Act
 - 2 Central Sales Tax Act, 1965
 - 3 Gujarat Sales Tax Act, 1969
 - 4 Wealth Tax Act, 1957
- Chapters : 1, 2, 3, 4, 5, 6 and 8 only.
Sections 35 and 43.

- 1 Nature and Development of Administrative Law.
- 2 Basic Constitutional Principles :
 - (a) Rule of Law
 - (b) Separation of powers.
- 3 Classification of Administrative actions :
 - (a) Legislative, Executive and Judicial functions.
 - (b) Judicial and Quasi-judicial functions.
 - (c) Administrative and Quasi-judicial functions.
 - (d) Admn. Instructions/Guide lines/Directives.
4. Delegated Legislation :
 - (a) General Principles.
 - (b) Controls and Safe-guards.
5. Concept of Natural Justice :
Need, and Principles of natural justice.
6. Judicial Review of administrative action.
 - (a) Grounds.
 - (b) Judicial and other remedies.
7. Administrative Tribunals (including Arts. 323 A-B of Constitution of India) and Commissions of Inquiry.
8. Liability of the State.
 - (a) Contractual liability.
 - (b) Tortious liability.
 - (c) Liability under public trust.
9. Public Corporations.
- 10 Lokpal and Lokayukta.

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Human Rights and International Law :

Human Rights

Marks - 50

Marks 100

- I Human Rights : Nature, concept - Origin and Development - Importance - Classification.
- II Civil and Political Rights : International Instruments - Part III of the Constitution of India.
- III Social and Economic Rights : International Instruments - Part IV of the Constitution of India.
- IV Human Rights and Vulnerable Groups : Rights of women, Children, Disabled, Tribals, Aged and minorities - National and International Legal Developments - Part - IV A of the Constitution of India. (Fundamental duties).
- V Police and Prison : Organization, powers, Rights of accused and prisoners - Custodial violence.
- VI Enforcement of Human Rights and Remedies thereof -
(i) International Agencies (ii) Regional and National Agencies such as NHRC, National Commission for minority, NCW and State Commission, if any. (iii) Role of Legal profession. (Judicial activism) and NGO's. (iv) Remedies -
- PIL Writs. Art. 142

International Law : Marks 50

1. Nature, origin, Basic, Source and Subjects of International Law.
2. Relation between International Law and State Law,
3. Nature of State at International Law and State Recognition.
4. The State and the Individual -
 - (i) Nationality.
 - (ii) Rights and duties of State with regard to aliens.
 - (iii) Extradition, Rendition and Asylum
5. Treaties.
6. Peaceful and Forcible means of settlement of International disputes.
 - (i) War and its effects.
 - (ii) The Law of War -
International Humanitarian Law
 - (iii) Modes of termination of war.
- 7 International Institutions (Powers and Functions)
UNO, General Assembly, Security Council,
International Court of Justice, ILO, WHO.