

III semester

COURSE-I: JURISPRUDENCE

Objectives:

Any academic discipline, worthy of the name, must develop in the student the capacity for critical thought. Legal education needs to teach both law and its context- social, political and theoretical.

At the heart of legal enterprise is the concept of law. Without deep understanding of this concept neither legal practice nor legal education can be a purposive activity. This course in Jurisprudence is designed, primarily, to induct students into a realm of questions concerning nature of law. Therefore, the first part of the course is concerned with important questions like, what is law, what are the purposes of law?, the relationship between law and justice and the like. The second part is concerned with the important sources of law. The emphasis is on important issues concerning law with reference to ancient and modern Indian Legal Thought.

One important branch of Jurisprudence consists in analysis of legal concepts. The law of contract and tort is concerned with different rights which one person may have against another. Jurisprudence, on the other hand, studies the meaning of the term “rights” in the abstract and seeks to distinguish various kinds of rights which are in theory possible under a legal system. Similarly, it investigates other legal concepts and tries to build up a general and more comprehensive picture of each concept as a whole. This course is designed primarily on English model but native India Orientation is given wherever possible.

Course contents:

UNIT – I

Meaning and nature of ‘Jurisprudence’ - Purpose and value of Jurisprudence -Schools of Jurisprudence: Natural law, Imperative Theory, Legal Realism, Historical School, Sociological School.

UNIT – II

Functions and purpose of law, questions of law, fact and discretion - Justice and its kinds - Civil and Criminal Administration of Justice - Theories of Punishment and Secondary functions of the Court.

UNIT – III

Sources of Law: Legislation, Precedent and Custom - A Comparative study

UNIT – IV

Legal Concepts: Right and Duty, Kinds, Meaning of Right in its wider sense; Possession: Idea of Ownership, kinds of Ownership, Difference between Possession and Ownership; Nature of Personality, Status of the Unborn, Minor, Lunatic, Drunken and Dead Persons.

UNIT – V

Liability: Conditions for imposing liability - Wrongful act: *Damnum Sine Injuria*, causation, *mens rea*, intention, malice, negligence and recklessness, strict liability, vicarious liability, obligation. Substantive Law and Procedural Law.

Prescribed Books:

Fitzgerald, *Salmond on Jurisprudence*, (Bombay: Tripathi, 1999).

Dias, R.W.M., *Jurisprudence*, (Delhi: Aditya Books, 1994)

Reference Books:

W. Friedman, *Legal Theory*, (New Delhi: Universal, 1999)

V. D. Mahajan, *Jurisprudence and Legal Theory*, (Lucknow; Eastern, 1996 Reprint)

Paton, G.W., *Jurisprudence*, ELBS, (Oxford, 1972)

Bodenheimer, Edgar, *Jurisprudence*, (Harvard University Press, 1974)(Revised Edition)



ಕರ್ನಾಟಕ ರಾಜ್ಯ ಕಾನೂನು ವಿಶ್ವವಿದ್ಯಾಲಯ

ನವನಗರ, ಹುಬ್ಬಳ್ಳಿ - 580025.

ನ್ಯಾಕ್ 'ಎ' ಗ್ರೇಡ್ ಮಾನ್ಯತೆ

ದೂರವಾಣಿ/ಫ್ಯಾಕ್ಸ್: 0836-2222392, 2223392

ಸಂಖ್ಯೆ: ಕರಾಕಾವಿ/ವಿದ್ಯಾಮಂಡಳ/ಪಠ್ಯಕ್ರಮ/2019-20/2330

ದಿನಾಂಕ: 26.02.2020.

ಸುತ್ತೋಲೆ

- ವಿಷಯ: 2018-19ನೇ ಸಾಲಿನ ವಿದ್ಯಾರ್ಥಿಗಳಿಗೆ ಲೇಬರ್ ಲಾ-II ವಿಷಯದ ಪಠ್ಯಕ್ರಮವನ್ನು ನೀಡುವ ಕುರಿತು
- ಉಲ್ಲೇಖ:1. ಈ ವಿಶ್ವವಿದ್ಯಾಲಯದ ಸುತ್ತೋಲೆ ಸಂಖ್ಯೆ:ಕರಾಕಾವಿ/ವಿ.ಮಂ./ಬಿ.ಓ.ಎಸ್. (ಯು.ಜಿ.) /ಪಠ್ಯಕ್ರಮ/2018-19/0790 ದಿನಾಂಕ: 24.07.2019.
2. ಈ ವಿಶ್ವವಿದ್ಯಾಲಯದ ಸುತ್ತೋಲೆ ಸಂಖ್ಯೆ:ಕರಾಕಾವಿ/ವಿದ್ಯಾಮಂಡಳ/ ಪಠ್ಯಕ್ರಮ/2018-19/0228, ದಿನಾಂಕ: 20.04.2019
3. ಮಾನ್ಯ ಕುಲಪತಿಗಳು ಅನುಮೋದನೆಯ ದಿನಾಂಕ 17.02.2020.

ಮೇಲ್ಕಾಣಿಸಿದ ವಿಷಯಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ, ಈ ಮೂಲಕ ಸಂಯೋಜಿತ ಎಲ್ಲ ಕಾನೂನು ಮಹಾವಿದ್ಯಾಲಯಗಳ ಪ್ರಾಚಾರ್ಯರಿಗೆ ತಿಳಿಯಪಡಿಸುವದನೆಂದರೆ, 2016-17, 2017-18 ಮತ್ತು 2018-19ನೇ ಸಾಲಿಗೆ ಪ್ರವೇಶ ಪಡೆದ ಕಾನೂನು ವಿದ್ಯಾರ್ಥಿಗಳಿಗೆ ಉಲ್ಲೇಖ 2ರಲ್ಲಿ ಈಗಾಗಲೇ ತಿಳಿಸಿದಂತೆ ಲೇಬರ್ ಲಾ-II ರ ಪಠ್ಯಕ್ರಮ ತಯಾರಿಸಿ ಕಳುಹಿಸಲಾಗುತ್ತಿದೆ. ಅದು ಈ ಕೆಳಗಿಂತ ವಿವರಣೆಯನ್ನು ನೀಡಲಾಗಿದೆ

ಕ್ರಮ ಸಂಖ್ಯೆ	ಪ್ರವೇಶಾತಿ ಪಡೆದ ವರ್ಷ	ಕೋರ್ಸುಗಳು	ಸೆಮಿಸ್ಟರ್	ವಿಷಯ
01	2016-17	5ವರ್ಷದ ಬಿ.ಎ/ಬಿ.ಬಿ.ಎ/ಬಿ.ಕಾಂ.,ಎಲ್.ಎಲ್.ಬಿ.	8ನೇ ಸೆಮಿಸ್ಟರ್	ಲೇಬರ್ ಲಾ-II
02	2017-18	5ವರ್ಷದ ಬಿ.ಎ/ಬಿ.ಬಿ.ಎ/ಬಿ.ಕಾಂ.,ಎಲ್.ಎಲ್.ಬಿ.	8ನೇ ಸೆಮಿಸ್ಟರ್	ಲೇಬರ್ ಲಾ-II
03	2018-19	5ವರ್ಷದ ಬಿ.ಎ/ಬಿ.ಬಿ.ಎ/ಬಿ.ಕಾಂ.,ಎಲ್.ಎಲ್.ಬಿ.	6ನೇ ಸೆಮಿಸ್ಟರ್	ಲೇಬರ್ ಲಾ-II
04	2018-19	3ವರ್ಷದ ಎಲ್.ಎಲ್.ಬಿ.ಕೋರ್ಸಿಗೆ	3ನೇ ಸೆಮಿಸ್ಟರ್	ಲೇಬರ್ ಲಾ-II

ಈ ಮೇಲಿನ ರೀತಿಯಾಗಿ ಇರುವ ಲೇಬರ್ ಲಾ- II ಪಠ್ಯಕ್ರಮವನ್ನು ಈ ಸುತ್ತೋಲೆಯ ಜೊತೆಗೆ ಲಗತ್ತಿಸಲಾಗಿದೆ. ಆದ್ದರಿಂದ ಸದರಿ ವಿಷಯವನ್ನು ಸಂಬಂಧಪಟ್ಟಿರುವ ಶಿಕ್ಷಕರಿಗೆ ಹಾಗೂ ವಿದ್ಯಾರ್ಥಿಗಳ ಗಮನಕ್ಕೆ ತಂದು ವ್ಯವಸ್ಥಿತವಾಗಿ ಪಠ್ಯಕ್ರಮವನ್ನು ಜಾರಿಗೆ ತರಲು ಈ ಮೂಲಕ ತಿಳಿಸಲಾಗಿದೆ.

ಸಹಿ ಆಗಿದೆ
ಕುಲಸಚಿವರು

ಅಡಕ: ಲೇಬರ್ ಲಾ- II

ಗೆ,

ಕರ್ನಾಟಕ ರಾಜ್ಯ ಕಾನೂನು ವಿಶ್ವವಿದ್ಯಾಲಯಕ್ಕೆ ಸಂಯೋಜನೆಗೊಂಡ ಎಲ್ಲ ಕಾನೂನು ಮಹಾವಿದ್ಯಾಲಯಗಳ ಪ್ರಾಚಾರ್ಯರಿಗೆ.

ಪ್ರತಿಗಳು:

1. ಮಾನ್ಯ ಕುಲಪತಿಗಳ ಆಪ್ತ-ಕಾರ್ಯದರ್ಶಿಗಳು, ಕರಾಕಾವಿ.ಹುಬ್ಬಳ್ಳಿ.
2. ಮಾನ್ಯ ಕುಲಸಚಿವರ, ಆಪ್ತ-ಕಾರ್ಯದರ್ಶಿಗಳು, ಕರಾಕಾವಿ.ಹುಬ್ಬಳ್ಳಿ.
3. ಕುಲಸಚಿವರು (ಪರೀಕ್ಷಾ ವಿಭಾಗ), ಕರಾಕಾವಿ.ಹುಬ್ಬಳ್ಳಿ.
4. ಉಪ ಕುಲಸಚಿವರು ವಿದ್ಯಾಮಂಡಲ ವಿಭಾಗ, ಕರಾಕಾವಿ.ಹುಬ್ಬಳ್ಳಿ.
5. ಗ್ರಂಥಪಾಲಕರು, ಕರಾಕಾವಿ.ಹುಬ್ಬಳ್ಳಿ.
6. ವ್ಯಸಾಹಕರು, ಐ.ಸಿ.ಟಿ. ವಿಭಾಗ, ಕರಾಕಾವಿ. ಹುಬ್ಬಳ್ಳಿ. ಅಂತರ್ಜಾಲತಾಣದಲ್ಲಿ ಅಳವಡಿಸಲು
7. ಕಛೇರಿಯ ಪ್ರತಿ.

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 – 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 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 Karnataka 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.



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No.KSLU/Academic/BOSUG/Taxation/2017-18/ 0606

Date: 07.07.2017.

Notification

- Sub: Change of Syllabus of "Taxation" for 3years LL.B. and 5years B.A.,LL.B. 5years B.B.A., and 5years B.Com., LL.B. Courses.
- Ref: 1. . Resolution of B.O.S. (U.G.) meeting held on 29.06.2017.
2. Approval of Syndicate Meeting held on 01.07.2017, Table Agenda No: 03.
3. Approval of Hon'ble Vice chancellor, dtd: 07.07.2017.

With reference to the above, the Principals of all Law Colleges of Karnataka State Law University are hereby notified that the syllabus of "Taxation" course for 3years LL.B. (3rd Semester), 5years B.A., LL.B. (7th semester), 5years B.B.A.,LL.B. (7th semester), and 5years B.Com., LL.B. (7th semester) programmes is changed as appended to this notification in Annexure-I with effect from the academic year 2017-18. Further, it is notified that the syllabus of "Taxation" course for 3years LL.B. (6th Semester), 5years B.A., LL.B. (10th semester), 5years B.B.A., LL.B. (10th semester) programmes (old 3 and 5 year LL.B. degree programmes) is also changed as appended in Annexure-I with effect from the academic year 2017-18. The same may be brought to the notice of all the teachers and students.

Singed.
REGISTRAR (I/c)

Encls: Annexure-I Syllabus of the course on "Taxation."

To

The Principals/ Directors
of all the Law Colleges/Schools affiliated to
Karnataka State Law University, Hubballi.

Copy to:

1. P.S. to the Vice-Chancellor, Karnataka State Law University, Hubballi.

2. P.S. to the Registrar, Karnataka State Law University, Hubballi.
3. P.S. to the Registrar (Evaluation) Karnataka State Law University, Hubballi.
4. D.R./A.R. Academic Section, Karnataka State Law University, Hubballi.
5. ICT Incharge for uploading in the KSLU website.
6. Office copy.

III (3Yr) /VII (5Yr)-SEMESTER - COURSE-III: TAXATION

OBJECTIVES

Legal regime of Tax encompasses the policies, Laws and rules for Taxation process. Income Tax Law is concerned with tax imposed on various sources of income. With regard to indirect tax latest in the pipeline of fiscal policy is introduction of uniform Goods and Service Tax (G S T) regime by July 1, 2017. Tax Policy is related to duties on imports from foreign countries and all compulsory levies imposed by the Government on Individuals firms, limited companies, Govt. organizations, Local Authorities and others for the benefit of the State. The object here is imparting conceptual understanding to the students of the provisions of both direct and indirect tax laws. The students of law are required to know the impact of taxation on business transactions.

COURSE

CONTENTS UNIT-I :

General

Concept of Tax- Nature and characteristics of different types of taxes- Direct and Indirect taxes-Distinction between tax and fees, tax and Cess-Tax evasion, Tax planning and Tax avoidance- Retrospective Taxation-Federal Base of Taxing Power -Power of Taxation under the Constitution, Immunity of State agencies/Instrumentalities- Fundamental Rights and the power of Taxation- Commerce Clause, Inter-State Commerce and Taxation, Scope of Taxing powers of Parliament. Delegation of taxing power to State Legislatures and Local bodies

UNIT-II: Direct Tax Regime

The Income Tax Act 1961: Basis of taxation of Income –Basic concepts, Person, Residential Status and incidence of tax, Income from Salaries-Income from House Property-Income from Business or profession and vocation-Capital gains, Income from other sources-Deemed assessee, Set off and carry forward Loss; Incomes exempt from tax, permissible deductions & Chapter VIA deductions, Assessment, Kinds of assessment, Income tax authorities- Appointment-powers and functions, Provisions relating to collection and recovery of tax-filing of returns, electronic filing, I.T.Portal working and Refund of tax, appeal and revision provisions, offences and penalties.

UNIT-III: Indirect Tax Regime

Concept of Goods and Service Tax (GST)-The Constitution (122nd Amendment) Act 2017. The Central Goods and Services Tax Act, 2017- Dual GST model taxation- GST Council – Central GST (CGST); GST levy on transactions-sale, transfer, Purchase, barter, lease, or import of goods and/or services. IGST /SGST /UTGST/ compensation Law to State Governments GSTN-Goods and Services Tax Network Portal; Tax Invoice, GST on Imports & Exports, benefits of GST to trade, industry, e-commerce & Service Sector and the consumers at large, Impact of GST on GDP of India and Inflation.

UNIT-IV: Indirect Tax Regime:

IGST- Integrated GST (IGST) levied by the Central Government. Inter-state transactions and imported goods or services- State GST (SGST) ; The State Goods & Service tax Law, Power of Central government to levy tax on interstate taxable supply, Impact of GST on State revenue; Indemnifying State Revenue Loss; UTGST-Union Territory Goods and Service Tax Law-GST Exemption on the sale and purchase of securities, Securities Transaction Tax (STT)

UNIT-V: Custom Law

Legislative Background of the levy-ports-Warehouses-Nature and restrictions on exports and imports-Levy, exemption and collection of customs, duties and overview of law and procedure-Clearance of goods from the port, including baggage-Goods imported or exported by post and stores and goods in transit-Duty drawbacks provisions, Authorities-Powers and functions and SEZ Units.

Prescribed Books:

Sumit Dutt Majumder, GST in India, 2nd edn., (New Delhi: Centax Publications Pvt. Ltd., 2016/2017).

Taxmann's Income Tax Act, 60th edn., (New Delhi: Taxmann Publications Pvt. Ltd., 2016/2017).

R. K. Jha and P.K.Singh, A Bird's Eye view of GST, 1st edn., (Hyderabad: Asia Law House, 2017).

Reference Books/websites/Portals

Arvind P Datar, Kanga and Palkhivala's The Law and Practice of Income Tax, 10th edn., (Nagpur: LexisNexis, 2014).

Sampath Iyengar's, Law of Income Tax, 11th edn., (New Delhi: Bharat Law House Pvt. Ltd., 2011).

Income-Tax Act, 1961 and Income-Tax Rules, 1962 as amended by latest Finance Act,2016-17.

COURSE IV: CRIMINAL LAW –II:
CRIMINAL PROCEDURE CODE, 1973, JUVENILE JUSTICE (CARE AND PROTECTION OF CHILDREN) ACT, 2000 AND PROBATION OF OFFENDERS ACT, 1958.

Objectives:

Procedural Law providing for a fair procedure is significant for a just society. The course is aimed at driving home the students how the pre-trial, trial and the subsequent process are geared up to make the administration of criminal justice effective. The course will acquaint the student with organisation of the functionaries under the Code, their power and functions at various stages and the procedure according to which these powers and functions are to be exercised. The students will also undertake the study of two cognate Acts as a part of this course viz.; *Juvenile Justice Act* and *Probation of Offenders Act*. In addition the course teacher shall endeavour to familiarise the students with the case paper like FIR, Police statement, charge sheet, etc.

Course contents:

UNIT -I

Introductory and Pre-trial Process

Meaning of procedure; The organization of the functionaries under the Code; their duties, functions and powers; First Information Report, complaint; Arrest; Inquest, Inquiry, Investigation and Trial ; Features of a fair trial

UNIT - II Trial

Process-I:

1. Magisterial Powers to take cognizance.
2. Commencement of proceedings.
3. Dismissal of complaints.
4. Charge.
5. Processes to compel appearance and production of things.
6. Bail.
7. Preliminary pleas to bar trial .
8. Security for keeping peace and good behaviour

UNIT - III

Trial Process-II

1. Provisions as to Inquiries and Trials.
2. Types of trial
3. Judgment.
4. Appeals, Revision and Reference.
5. Maintenance.

UNIT - IV

Miscellaneous

1. Transfer of cases.
2. Execution, suspension, remission and commutation of sentences.
3. Disposal of property.
4. Irregular proceedings.
5. Limitation of taking cognizance.
6. Compounding of offences and plea bargaining.

UNIT - V

1. Salient features of the Juvenile Justice (Care & Protection of Children) Act, 2000.
2. Salient features of the Probation of Offenders Act, 1958.

Prescribed Books:

Ratanlal&DhirajLal- The Code of Criminal Procedure.
Juvenile Justice (Care & Protection of Children) Act, 2000 -Bare Act
Probation of Offenders' Act, 1958-Bare Act

Reference Books:

R.V.Kelkar- Criminal Procedure.
Report of the Committee on Reforms of Criminal Justice System.



ಕರ್ನಾಟಕ ರಾಜ್ಯ ಕಾನೂನು ವಿಶ್ವವಿದ್ಯಾಲಯ

ನವನಗರ, ಹುಬ್ಬಳ್ಳಿ - 580025

ನ್ಯಾಯಕ 'ಎ' ಶ್ರೇಣಿ ಮಾನ್ಯತೆ

ದೂರವಾಣಿ ಸಂಖ್ಯೆ : 0836-222392

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ಸಂಖ್ಯೆ:ಕರಾಕಾವಿ/ವಿದ್ಯಾಮಂಡಳ/ಸಂಯೋಜನೆ/2019-20/0992

ದಿನಾಂಕ: 23.08.2019

ಸುತ್ತೋಲೆ

- ವಿಷಯ: ಆಡಳಿತ ಕಾನೂನು (Administrative Law) ಈ ವಿಷಯವನ್ನು 5 ಘಟಕಗಳಾಗಿ ವಿಂಗಡನೆ ಮಾಡಿರುವ ಕುರಿತು
- ಉಲ್ಲೇಖ: 1. ಈ ವಿಶ್ವವಿದ್ಯಾಲಯದ ಸುತ್ತೋಲೆ ಸಂಖ್ಯೆ: ಕರಾಕಾವಿ/ಕುಸ/ವಿದ್ಯಾಮಂಡಳ/ಸಂಯೋಜನೆ /ಬಿ.ಓ.ಎಸ್.ಯು.ಜಿ/ 2015-16/0651, ದಿನಾಂಕ: 17.06.2015
2. ಮಾನ್ಯ ಕುಲಪತಿಗಳ ಅನುಮೋದನೆಯ ದಿನಾಂಕ: 23.08.2019.

ಮೇಲ್ಕಾಣಿಸಿದ ವಿಷಯಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ, ಈ ಮೂಲಕ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಕಾನೂನು ವಿಶ್ವವಿದ್ಯಾಲಯಕ್ಕೆ ಸಂಯೋಜನೆಗೊಂಡ ಎಲ್ಲ ಕಾನೂನು ಮಹಾವಿದ್ಯಾಲಯಗಳಿಗೆ ಪ್ರಾರ್ಜಾಯರಿಗೆ ತಿಳಿಯಪಡಿಸುವುದೆಂದರೆ, ಕರ್ನಾಟಕ ರಾಜ್ಯ ಕಾನೂನು ವಿಶ್ವವಿದ್ಯಾಲಯದ ಪ್ರಶ್ನಪತ್ರಿಕೆಯು ಘಟಕವಾರು ಇರುವುದರಿಂದ ಆಡಳಿತ ಕಾನೂನು (Administrative Law) ಈ ವಿಷಯವನ್ನು 5 ಘಟಕಗಳಲ್ಲಿ ಪುನರ್ ವಿಂಗಡಿಸಿ ಪಠ್ಯಕ್ರಮವನ್ನು ಈ ಸುತ್ತೋಲೆಯ ಜೊತೆಗೆ ಲಗತ್ತಿಸಲಾಗಿದೆ.

ಆದ್ದರಿಂದ ಈ ವಿಷಯವನ್ನು ಆಯಾ ವಿಷಯಗಳ ಶಿಕ್ಷಕರಿಗೆ ಹಾಗೂ ವಿದ್ಯಾರ್ಥಿಗಳ ಗಮನಕ್ಕೆ ತಂದು ವ್ಯವಸ್ಥಿತವಾಗಿ ಪಠ್ಯಕ್ರಮವನ್ನು ಜಾರಿಗೆ ತರಲು ಈ ಮೂಲಕ ತಿಳಿಸಲಾಗಿದೆ.

ಸಹಿ ಆಗಿದೆ
ಕುಲಸಚಿವರು

ಗೆ,
ಕರ್ನಾಟಕ ರಾಜ್ಯ ಕಾನೂನು ವಿಶ್ವವಿದ್ಯಾಲಯಕ್ಕೆ
ಸಂಯೋಜನೆ ಹೊಂದಿದ ಕಾನೂನು ಮಹಾವಿದ್ಯಾಲಯಗಳಿಗೆ

ಅಡಕಗಳು: ಮೇಲೆ ಹೇಳಿದ ಎಲ್ಲಾ ಪ್ರತಿಗಳು ಲಗತ್ತಿಸಲಾಗಿದೆ.

ಪ್ರತಿಗಳು:

1. ಮಾನ್ಯ ಕುಲಪತಿಗಳ ಆಪ್ತಕಾರ್ಯದರ್ಶಿಗಳು, ಕ.ರಾ.ಕಾವಿ, ಹುಬ್ಬಳ್ಳಿರವರ ಮಾಹಿತಿಗಾಗಿ ಸಲ್ಲಿಸಿದೆ.
2. ಮಾನ್ಯ ಕುಲಸಚಿವರ ಆಪ್ತಕಾರ್ಯದರ್ಶಿಗಳು, ಕ.ರಾ.ಕಾವಿ, ಹುಬ್ಬಳ್ಳಿರವರ ಮಾಹಿತಿಗಾಗಿ ಸಲ್ಲಿಸಿದೆ.
3. ಮಾನ್ಯ ಕುಲಸಚಿವರ (ಪರೀಕ್ಷಾಂಗ) ಆಪ್ತಕಾರ್ಯದರ್ಶಿಗಳು, ಕ.ರಾ.ಕಾವಿ, ಹುಬ್ಬಳ್ಳಿರವರ ಮಾಹಿತಿಗಾಗಿ ಸಲ್ಲಿಸಿದೆ.
4. ಉಪ ಕುಲಸಚಿವರು, ವಿದ್ಯಾಮಂಡಳ ವಿಭಾಗ, ಕರಾಕಾವಿ, ಹುಬ್ಬಳ್ಳಿ.
5. ಸಹಾಯಕ ಕುಲಸಚಿವರು, ಪರೀಕ್ಷಾ ವಿಭಾಗ, ಕರಾಕಾವಿ, ಹುಬ್ಬಳ್ಳಿ, ಮುಂದಿನ ಕ್ರಮಕ್ಕಾಗಿ.
6. ಆವಕ-ಜಾವಕ ವಿಭಾಗ, ಪರೀಕ್ಷಾ ವಿಭಾಗ, ಕರಾಕಾವಿ, ಹುಬ್ಬಳ್ಳಿ, ಮುಂದಿನ ಕ್ರಮಕ್ಕಾಗಿ.
7. ಐಸಿಟಿ ವಿಭಾಗ, ಕರಾಕಾವಿ, ಹುಬ್ಬಳ್ಳಿ, ಮುಂದಿನ ಕ್ರಮಕ್ಕಾಗಿ./ಕಛೇರಿಯ ಪ್ರತಿ

COURSE V: ADMINISTRATIVE LAW

Objective:

Administrative law is basically concerned with triple function of administrative authorities, their constitutional limits and statutory limitations, the procedure to be followed in the exercise of their functions and the necessity to study in depth relevant remedies. Constitutional or otherwise in case of administrative arrogance and consequent abuse of power.

Course content

Unit I – Definition of Administrative Law – Nature and scope – The impact and implications of the Doctrine of Separation and the Rule of Law on Administrative Law, Classification of Administrative Action – the necessity

Unit II – Legislative Power of Administration – Doctrine of Vice of excessive Delegation - Judicial and Parliamentary control over delegative legislation – Advantages and disadvantages of delegated legislation – Exclusion of Judicial Review of Delegated Legislation, Administrative directions.

Unit III – Judicial power of Administration – Tests to determine when an administrative authority required to act judicially - Doctrine of Bias – Doctrine of Audi Altrem Partem – Reasoned decision – Exceptions to Natural Justice – Effect of non-compliance with rules of Natural Justice – grounds on which decision of quasi-judicial authority can be challenged before Supreme Court

Unit IV - Administrative Discretion - Grant and exercise of discretion - Judicial review of Administrative Discretion, Control of Administrative Action – Judicial Control – Public Law and Private Law Remedies – distinction

Writs – Theory, Practice and Procedure – ouster clause

Liabilities of the state in the province of Contract and Tort – Constitutional Tort
Doctrine of Promissory Estoppels – Doctrine of legitimate expectation – Doctrine
of proportionality

Unit V - Corporate and Public Undertakings – Control of statutory corporations
and public undertakings - Administrative deviance – Corruption and mal
administration – Control mechanism

Ombudsman in India (Lokpal and Lokayukta) – Central Vigilance Commission –
Parliamentary Committees – Commission of Enquiry

Prescribed Books

M.P.Jain & S.N.Jain, Principles of Administrative law, latest edition

Reference Books

Wade, Administrative Law, latest edition

S.P.Sathe, Administrative Law, latest edition

I.P.Massey, Administrative Law, latest edition