Definition and concept of international Law
Source of International Law
Historical development of International Law
Relationship of International Law and Municipal Laws
Subject of International Law, place of individuals in International Law
States, recognition
States, succession
Acquisition and loss of state territory
Responsibilities of state CBET
Nationality aliens, Asylum extradition, diplomatic agents treaties
International organizations – U.N.O., including in its organs and International criminal court
Settlement of Disputes
International terrorism, disarmament

Books recommended

S.K. Kapoor International Law
R.P. Anand Salient Documents in International Law
S.C.H. Warzenberger A Manual of International Law
J.G.Starke Introduction to International Law
Gurdeep Singh International Law
D.W. Bowett International Institutions
Oppenheim International Law
Breirly Law of Nations
Jiwaji University, Gwalior
LL.B (3YDC) VIth Semester

Paper – IIInd  Interpretation of statutes

UNIT – I
Interpretation of Statutes

1. Meaning of the term ‘statutes’
2. Commencement, operation and repeal of statutes
3. Purpose of interpretation of statutes

UNIT – II
Aids to Interpretation

1. Internal aids
   1. Titles
   2. Preamble
   3. Heading and marginal notes
   4. Sections and sub-sections
   5. Punctuation marks
   6. Illustrative, exceptions, provisos and saving clauses
   7. Schedules
   8. Non obstante clause

2. External aids
   1. Dictionaries
   2. Translations
   3. Travaux preparatoires
   4. Statues in pari material
   5. Contemporanea Exposito
   6. Debates, inquiry commission reports and Law commission reports

UNIT – III

Rules of Statutory Interpretation

1. Primary rules
2. Literal rule
3. Golden rule
4. Mischief rule (rule in the Heydon’s case)

UNIT – IV
1. Rule of harmonious construction
2. Noscitur a sociis
3. Ejusdem generis
4. Reddendo singula singulis

UNIT – V
Interpretation with reference to the subject matter and purpose
1. Restrictive and beneficial construction
2. Taxing statués
3. Penal statues
4. Welfare legislation

UNIT – VI
Principal of Constitutional Interpretation
1. Harmonious constructions
2. Doctrine of pith and substance
3. Colourable legislation
4. Ancillary powers
5. Residuary power
6. “Occupied field”
7. Doctrine of repugnancy

Selected Bibliography
1. G.P. Singh, Principal of Statutory Interpretation,(7th ed.) 1999, Wadhwa Nagpur
2. P.St. Langan (ed.) Maxwell on The Interpretation of Statues (19760, N.M. Tripathi. Bombay
4. V. Sarathi, Interpretation of Statues, (19894), Easern& co.
7. U. Baxi, INtroduction to Justice K.K.Mathews, Democracy Equality and Freedom (19780 Eastern Lucknow
Jiwaji University, Gwalior
LL.B (3YDC) VIth Semester
Paper – IIIrd Taxation Laws

UNIT- I

Income Tax Act

Basic concepts - basic of charges of tax: Definitions: residential status of assessee – its impact on tax liability

UNIT- II

Heads of income – general concepts – chargeability to tax – admissible & inadmissible deductions, exclusions and deductions from income, set off and carry forward of losses

UNIT- III

Income tax authorities- powers & functions, assessment allotment of permanent account number, economic criteria scheme

UNIT- IV

Rectification, revision, appeal, reference

UNIT- V

Penalties and prosecutions under income tax act, 1961 for non-compliance, contravention, avoidance and evasion of tax
Jiwaji University, Gwalior
LL.B (3YDC) VIth Semester
Paper – IVth Intellectual Property Law

INTELLECTUAL PROPERTY LAW

Syllabus

1. Introductory

The meaning of intellectual property
1.2 Competing rationales of the legal regimes for the protection of intellectual property
1.3 The main forms of intellectual property: copyright trademarks, patents, designs
1.4 The competing rationales for protection of rights in
1.4.1 Copyright
1.4.2 Trade marks
1.4.3 Patents
1.4.4 Designs
1.4.5 Trade secrets
1.4.6 Other new forms such as plant varieties and geographical Indians
1.5 Introduction to the leading international instruments concerning intellectual property rights: the Berne Convention, Universal Copyright Convention, the Paris Union
TRIPS the World Intellectual Property Rights Organisation (WIPO) and the
UNESCO.

2 Select aspects of the law of copyright in India

2.1 Historical evolution of the law
2.2 Meaning of copyright
2.3 Copyright in literary, dramatic and musical works
2.4 Copyright in sound records and cinematograph films
2.5 Copyright in computer programme
2.6 Ownership of copyright
2.7 Assignment of copyright
2.8 Author's special rights
2.9 Notion of infringement
2.10 Criteria of infringement
2.11 Infringement of copyright by films of literary and dramatic works.
2.12 Importation and infringement
2.13 Fair use provisions
2.14 Piracy in internet
2.15 Aspects of copyright justice
2.16 Remedies, especially, the possibility of Anton pillar injunctive relief in India.
Intellectual Property in Trademarks

3.1 The rationale of Protection of trademarks as (a) an aspect of commercial and (b) of consumer rights.
3.2 Definition and concept of trademarks
3.3 Registration
3.4 Distinction between trademark and property mark
3.5 The doctrine of honest Current User
3.6 Protection of well-known marks
3.7 The doctrine of deceptive similarity
3.8 Passing off and infringement
3.9 Criteria of infringement
3.10 Standards of proof in passing off action
3.11 Remedies

4 The law of Intellectual Property: Patents

4.1 Concept of Patent
4.2 Historical view of the patents law in India
4.3 Patentable inventions with special reference to biotechnology products entailing creation of new forms of life.
4.4 Patent protection for computer programme
4.5 Process of obtaining a patent: application, examination, opposition and sealing of patents: general introduction
4.6 Procedure for filing patents. Patent co-operation treaty
4.7 Some grounds for opposition
4.7.1 The problem of limited locus standi to oppose, specially in relation to inventions having potential of ecological and mass disasters
4.7.2 Wrongfully obtaining the invention
4.7.3 Prior publication or anticipation
4.7.4 Obviousness and the lack of inventive step
4.7.5 Insufficient description

4.8 Rights and obligations of a patentee

4.8.1 Patents as chose in action
4.8.2 Duration of patents: law and policy considerations
4.8.3 Use and exercise rights
4.8.4 Right to secrecy
4.8.5 The notion of “abuse” of patent rights
4.8.6 Compulsory licenses
4.9 Special Categories