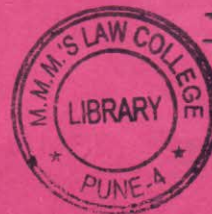


① H-R ② Cyber
③ C.P. ④ I.P.R.
FACULTY OF LAW

NO. 117

Diploma.



Syllabus for the

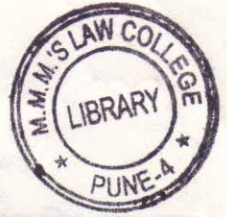
1. Diploma Course in Human Rights
2. Diploma Course in Cyber Laws
3. Diploma Course in Consumer Protection Laws
4. Diploma Course in Intellectual Property Rights Law

(From 2004-2005)



UNIVERSITY OF PUNE

Price : Rs. 35/-



Publisher's Note

The University of Pune has great pleasure in publishing the Syllabus for the **1. Diploma Course in Human Rights 2. Diploma Course in Cyber Laws 3. Diploma Course in Consumer Protection Laws 4. Diploma Course in Intellectual Property Rights Law Examination** under the Faculty of law.

It is hoped that this syllabus will be most useful to be students of this course.

On behalf of the University, I thank the experts and authorities of the University for the interest taken and co-operation extended by them whole-heartedly in bringing out this publication.

University of Pune,
Ganeshkhind, Pune-411 007.

Dr. D. D. Deshmukh
Registrar



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Dr. B. D. Deshpande
Registrar

University of Pune,
Gandhinagar, Pune-411 007.

पुणे विद्यापीठ

परिपत्रक क्र. २८७ / २००४

विषय : विधी विद्याशाखेतर्गत नव्याने प्रस्थापित होणाऱ्या पदविका परीक्षांबाबत.

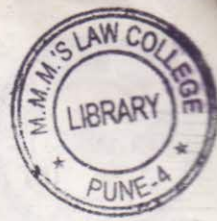
या परिपत्रकाद्वारे सर्व संबंधितांस विद्यापीठ अधिकार मंडळाने घेतलेल्या निर्णयानुसार असे कळविण्यात येत आहे की, शैक्षणिक वर्ष २००४-०५ पासून विधी विद्याशाखेतर्गत खाली नमूद केलेले पदविका अभ्यासक्रम नव्याने प्रस्थापित होत आहेत :

1. Diploma Course in Human Rights
2. Diploma Course in Cyber Laws
3. Diploma Course in Consumer Protection Laws
4. Diploma Course in Intellectual Property Rights Law

(सोबत-पदविका अभ्यासक्रम)

गणेशखिंड, पुणे-४११००७.
आवक. क्र : सीबी/ ४१८८
दिनांक : १९/७/२००४

सही/- डी.एम. देवके
संचालकांकरिता
(म.वि.वि.मं)



DIPLOMA IN HUMAN RIGHTS

Paper - I

Human Rights and Duties-Conceptual Perspective

100 Marks

1. Concept of Human Rights :
 - (a) Meaning and nature of the Human Rights.
 - (b) Criteria to determine a particular right as human right-What are Human Rights.
 - (c) Sources of Human Rights.
 - (d) Cultural relativism and Universalisation of Human Rights.
2. Legal and Philosophical Perspectives of Human Rights:
 - (a) Natural law and natural rights, concept of rights, legal rights constitutional and fundamental rights.
 - (b) Ancient Indian concept of duty, Theories of rights and duties.
 - (c) Classification of Rights and Duties : Moral, Social, Cultural, Economical, Civil and Political.
 - (d) Human Duties and Responsibilities : Duties towards self, Family, Community, Society, Nation, State, Humankind and other beings and Mother Earth.
 - (e) Rule of Law :
 1. Concept Origin and Importance.
 2. Notion of Rule of Law under the Constitution of India.
3. Human Rights Ideas and Traditions in Religious Context (Intercultural Background) :
 - (a) Hindu traditions and ideas : concept of rights and duties and caste system.

- (b) Islamic traditions and ideas : concept of rights and duties.
- (c) Christian traditions ideas : rights and duties.
- (d) Buddhist tradition and ideas.
4. National Freedom Struggle and Constitutional Development :
- A. In other countries :
- (a) French Revolution and Declaration of Rights of Man and Citizen, 1789.
- (b) American Declaration of Independence and Bill of Rights.
- (c) Magna Carta : Debate on the Bill of Rights in U.K.
- B. In pre-Independence India : (brief sketch) :
- (I) Constitution of India Bill 1895 (Swaraj Bill).
- (II) Congress Resolution at Bombay 1918 on Declaration of Rights of People of India Bill.
- (III) Annie Beasant's Commonwealth of India Bill-1925.
- (IV) Congress Resolution at Madras (1927).
- (V) Motilal Nehru Report (1928).
- (VI) Congress Resolution at Karachi (1931).
- (VII) Sapru Committee Report (1944-45).
- (VIII) Objective Resolution in Constituent Assembly by Nehru on
5. Global and regional Development of Human Rights and Duties :
- A. Global :
- (1) Human Rights prior to 1945.

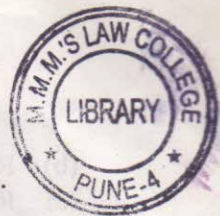
- (2) UN Charter and Human Rights.
- (3) International Bill of Rights.
- B. Regional :
- (1) European Convention on Human Rights.
- (2) American charter on Human and People's Rights.
6. General Problems of Human Rights : .
Poverty, Illiteracy, Discrimination and Sustainable Development.

Paper - II

International Human Rights Norms and Standards

100 Marks

1. Classification and Inter - relationship between different Human Rights.
2. Civil and Political Rights-I :
 - (a) Right of life.
 - (b) Rights to liberty and security of individual.
 - (c) Due process of Law.
 - (d) Right to privacy, right to respect, interception of mail and telephone tapping, dignity, personality and name.
 - (e) Right to die-Debate on Euthanasia.
 - (f) Death Penalty.
 - (g) Freedom of movement and residence-Freedom to leave country.
 - (h) Right to self-determination-Scope and its limitations.
3. Civil and Political Rights - II
 - (a) Freedom of thoughts and expression.



- (b) Right to equality and non-discrimination.
 - (c) Rights of minorities.
 - (d) Freedom of conscience and religion.
 - (e) Right against inhuman and degrading treatment.
 - (f) Right to property.
 - (g) Terrorism and Human rights.
 - (h) Rights during emergency : Derogation of Human rights.
 - (i) International Humanitarian law and Human Rights War crime and Crimes against humanity.
4. Social and Economic Rights – I
- (a) Right to work and favorable conditions of employment.
 - (b) Forced labour and compulsory labour, bonded labour, slavery and traffic in human beings, child labour.
 - (c) Right to strike and to form Trade Unions.
 - (d) Right to social security assistance and social welfare.
 - (e) Right to health and adequate standard of living (Housing), adequate food.
 - (f) Right to education and training.
5. Social and Economic Rights – II :
- (a) Protection of families and children – Right to marry and found a family. Families right to protection, Right of children to protection, Right in marriage.
 - (b) Right to Development and Right to Future – UN Declaration on the Right to Development.

6. Cultural Rights :
- (a) Right to take part in cultural life.
 - (b) Cultural rights of indigenous population.
 - (c) Lack of cultural humanist values in education.
 - (d) Problems of composites culture – rights of minorities.
7. Third Generation Solidarity Rights (Group Rights) :
- (i) Right of Tribal population.
 - (ii) Rights of Refugees.
 - (iii) Rights of Women.
 - (iv) Rights of Children.
 - (v) Rights of Prostitutes/ Gays.
 - (vi) Rights of Disabled persons.
 - (vii) Rights of Aged persons.

Paper – III

Protection System and Implementation of Human Rights and Duties

100 Marks

1. Domestic Application and Enforcement of Human Rights Norms :
- (a) Relationship between-International Law and Municipal Law in context of Global Human Rights Standard.
 - (b) Theory of Monism and Dualism and Practice of States.
2. Human Rights Protection System of the United Nations (Under Covenants of Political and Civil Rights) :
- (a) The UN Commission on Human Rights.
 - (b) The UN High Commission for Human Rights.
 - (c) The UN Human Rights Committee (UNHRC) –

Composition and Organization, Powers and Procedures, State Communication, Individual Communication and Supervision.

3. European System of Protection of Human Rights :
 - (a) European Commission of Human Rights (ECHR) – Composition, Structure, Competence and procedure.
 - (b) European Court of Human Rights – Composition, Organization, Jurisdiction and Procedure.
4. American System of Protection of Human Rights :
 - (a) Inter-American Commission of Human Rights. Functions, Powers and Procedure.
 - (b) Inter-American Court and Human Rights. Jurisdiction and Procedure.
5. African system of Protection of Human Rights – 1981: African Commission and Court of Human and Peoples Rights.
6. UNESCO and Human Rights :
7. ILO and Human Rights.
8. Role of Non-Governmental Organizations :
 - (a) Role of voluntary agencies, educational institutions and NGO's in the promotion and protection of Human Rights.
 - (b) Role of social activists, public opinion and the press, media in promotion and protection of human rights.



Paper – IV
Human Rights and Duties in India

100 Marks

- I. A. The Constitution and Human Rights and Duties:
 - (a) Evolution of composite culture, of India, contribution of diverse religions.
 - (b) Impact of Universal Declaration of Human Rights on the drafting of Part – III and Part IV of the Constitution.
 - (c) Concept of Human Welfare, Rights and Duties.
 - (d) Indian Declaration to the International Covenant (1979).
- B. Human Rights Philosophy and Inter – Relationship between Part-III and Part-IV of the Constitution :
 - (a) Inter – relationship between Fundamental Rights and Directive Principles of State Policy.
 - (b) Expansion of Basic needs – Judicial Interpretation on Widening of the Directive Principles.
- Legislative Incorporation of Human Rights Norms in Indian Legislation of :
 - (a) Protection Civil Rights Act, 1955.
 - (b) Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.
 - (c) Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993.

3. The Protection of Human Rights Act, 1993 :
 - (a) National Commission of Human Rights in India
 - (b) National Human Rights Commission – Powers, Functions, Structure and Composition.
 - (c) Human Rights Courts.
 - (d) Evaluation of the working of the Commission.
4. Other Commissions :
 - (a) National Commission for Women.
 - (b) National Commission for Minorities.
 - (c) National Commission for SC/ST.
5. Judicial Activism and Human Rights Jurisprudence :
 - (a) Poverty and inaccessibility of legal redress.
 - (b) Role of Judiciary in protecting Human Rights in India and Legal aid.
 - (c) Judicial activism in the field of protection of : Women in Private and Public domain, Children, Bonded labour and Prisoners, in the light of leading cases.
6. Contemporary Indian Problem and Human Rights :
 - (a) Reservations and right to equality.
 - (b) Uniform Civil Code and Personal Laws.
 - (c) Protection of Minorities.
 - (d) Health and violation of Human Rights : Problems of health and environmental protection, population control, family planning, HIV / AIDS

Paper – V

Dissertation / Field Based Project Report. Guidelines for the Students

100 Marks

Candidates are required to submit a dissertation / field based project work of about 50 pages on a topic of Human Rights. The work is expected to be an indepth and critical analysis of a problem of contemporary significance in the field of Human Rights. It must be an original work and not just copied and it must indicate some degree of research and reflection of already available material. The candidate will be examined at an oral examination. (Viva-Voce) on the strength of dissertation/Research work.

- (a) Dissertation / research work

OR

- (b) Report of the Field work

- (i) Dealing with the Human Rights case
- (ii) Visit to various institutions like Jail, Police Station, Prison, Brostal school, Remand Home
- (iii) Visit to National or State Human Rights Commission, National/State Commission for women, National/State Commission for Children, Human Rights Organizations.
- (iv) Important decisions of Supreme Court

Distribution of Marks-

For Journal – 80 Marks

For Viva-Voce – 20 Marks

DIPLOMA COURSE IN INTELLECTUAL PROPERTY RIGHTS LAW

Eligibility for Admission :

To be eligible for admission, the candidate must be a graduate of any faculty either of this university or of any other university, whose degrees are recognized as equivalent to the corresponding degrees of this University.

Duration of the Course :

Duration of the course shall be one academic year commencing from June only.

Medium of Instruction :

The medium of Instruction at the Diploma course in Intellectual Property Rights Law shall be English

Examination :

The examination shall be held at the end of the every academic year, on the dates to be announced by the University. Second half examination may be held in case of students who have failed.

Standard of Passing or exemption :

- a. Each paper shall carry 100 marks.
- b. The standard of passing for the Diploma course in Intellectual Property Rights Law is 35% marks in individual paper/subject and 50% marks in aggregate. The candidate obtaining between 50% and 54% marks will be declared to have passed in SECOND CLASS, between 55% and 59% marks shall be placed in HIGHER SECOND CLASS. The candidate obtaining between 60% and 69% marks will be declared to have passed in FIRST CLASS. The candidate obtaining 70% marks and above will be declared to have marked in FIRST CLASS WITH DISTINCTION.

Candidate who obtains atleast 50% of the full marks in a paper shall at his option, be exempted from that paper at subsequent examination. He / She shall, however, have to pass in the remaining paper or papers in accordance with standard of passing laid above, such exemption is for six years only.

Course in

Intellectual Property Rights Law

- ✓ Paper I – Patent Law
 - ✓ Paper II – Copyright and Neighbouring Rights
 - ✓ Paper III – Trade Mark
 - ✓ Paper IV – Industrial Designs, Geographical Indications and Layout designs of Intergrated Circuits
 - ✓ Paper V – Dissertation or Research or work or Project work or Important decisions of supreme court and Vivo-voce.
- Distribution of Marks–
- | | | |
|-----------|---|----------|
| Journal | – | 80 Marks |
| Viva-Voce | – | 20 Marks |

Paper I

Patent Law

The subject will be discussed in the context of the Indian Patent Law- the patents Act, 1970, the patents (amendment) Act, 2002; International Treaties/conventions: Paris convention, PCT and the TRIPS Agreement; Important regional arrangements.

It will deal with :

- Historical and economic background of the Indian patent system in the global context
- Patentable subject matters – issue of discovery, computer software, aesthetic creation etc.

Inventions specifically excluded from patentability – public order, morality, animals, and plants.

Patentability Criteria – novelty, non obviousness or inventive step and Industrial applicability or usefulness.

Procedure of filling patent applications, patent specification, ownership and assignment.

Content of patents rights.

Patents granting procedure.

Revocation; patent infringement and remedies including execution of judgements.

Utility models, short-term patents or petty patents.

Concept of Intellectual property.

Nature of Intellectual property.

Commercial exploitation of Intellectual property.

Enforcement of rights and remedies against Infringement.

Intellectual property and economic development.

International character of Intellectual property.

References will also be made to important Indian court cases on the subject.

Paper – II

Copyright and Neighbouring Rights

The paper will relate to the Copyright Act, 1957 (as amended in 1999); Berne Convention, Universal Copyright Convention, Rome Convention, WIPO Copyright Treaty and the WIPO Performances and Phonograms Treaty, 1996 and the TRIPS Agreement. The paper will cover :

Historical and economic background.

Copyrightable works, literary, artistic, scientific works, computer software, works of applied art, etc.

Content of right including exceptions (for example, fair use); Rights accorded and their contents—moral rights, economic rights and their limitations.

Ownership and transfer of copyright, duration of right, renewal and termination, data base protection.

Neighbouring rights—the rights of performing artists, phonogram producers and broadcasting organisations.

Folklore and folk rights.

Broadcasting rights including satellite and cable distribution

Infringement actions, defences and reliefs including execution of judgements.

Paper – III

Trademark

This paper will be discussed in the context of the trade and Merchandise Marks act, 1958. Trade Marks Act, 1999 : the Paris Convention ; Madrid Agreement : Nice Agreement and the TRIPS Agreement. It will deal with:

Historical and economic background of trade marks.

Kinds of Marks, eg. Trademarks, service and collective marks, associated marks, certification marks;

What can be protected as a mark? Protection requirements-content of the right including the issue of exhaustion of rights.

Trade names and appellations of origin.

Assignment and licensing and other forms of exploitation.

Infringement, right of goodwill, passing off, filching of trade secrets, and execution of judgements.

Domain names and effects of new technology (Internet) on enforcement of trade and service marks.

Paper – IV**Industrial Designs, Geographical Indications and Layout-designs of Integrated Circuits.**

The paper will relate to the Designs Act, 2000, the Geographical Indications of Goods (Registration and Protection) Act, 2000. The Semiconductor Integrated Circuits Layout-Design Act, 2000 and the TRIPS Agreement.

Economic background of designs.

Subject-matter of protection : relationship with copyright protection.

Requirements to qualify as an industrial design, i.e. pattern., shape ornamentation, articles, appeal to eye, novelty, originality, intention to multiply industrially.

Aesthetic design and functional design

Procedure for obtaining design protection and keeping its enforceability

infringement and revocation

Remedies

International arrangements.

Geographical Indications :

Definition of Geographical indications.

Conditions and procedure for registration.

Duration and effect of registration.

Offences, penalties and procedure for seeking relief.

Layout-designs of integrated circuits :

Conditions and procedure for registration.

Duration and effect of registration

Registered users, assignment and transmission.

Readings :

1. Anderfelt, Ulf – International patent Legislation and Developing Countries. (1971)
2. Bainbridge, D.I. – Intellectual Property, 1992.
3. Bodenhausen, G.H – Guide to the Application of the Paris Convention.
4. Cornish, W.R. – Intellectual Property : patents, Copyright, Trademarks and Allied Rights, 2nd ed. 1999.
5. Jhala, H. M. – Intellectual Property and competition law in India with special reference to patents, trade marks, copyrights and know-how contracts, 1985.
6. Merges, Robert P & Ors. – Intellectual Property in the new technological age. 1997.
7. Mittal, D.P. – Indian Patents Law...Cal., E.L. Hse., 1997.
8. Narayana.P. – Intellectual Property Law, 2nd ed. Cal., E.L., Hse., 1997.
9. Philips, J. & Firth, Alison – Introduction to intellectual Property Law, 2nd ed. 1990.
10. Sterling, J.A.L. – Intellectual Property Rights in Social Recordings, Films & Video : Protection of Phonographic and Cinematographic recordings and work in National and International Law, 1992.

11. Vashishth, V. – Law & Practice of Intellectual Property in India, New Delhi, Bharat, 1999.
12. Wadehra, B.L. – Law relating to patents, Trade Marks, Copyright Designs & Geographic indications. 2nd ed. Intellectual Property Law Handbook, 1999.

Intellectual Property Rights Law

The aims of the course are :

To impart systematic knowledge of the basic notions of the intellectual property laws in the overall context of WTO/TRIPS rules on intellectual property rights :

To enhance the professional competence and operational efficiency of the students in the field of intellectual property law; and

To acquaint students with the importance and main functions of the intellectual property rights in the national and interantional context.

The Course will cover important international conventions on intellectual property rights-paris Convention, Berne Convention, Rome Convention, Madrid Agreement, WTO/TRIPS Agreement as well as the Indian law of patents, copyright and neighbouring rights trademarks; industrial designs, etc.

DIPLOMA COURSE IN CYBER LAWS

Eligibility for Admission :

To be eligible for admission, the candidate must be a graduate of any other university, whose degrees are recognized as equivalent to the corresponding degrees of the University. The Candidate should have the basic knowledge of computer operation.

Duration of the Course :

Duration of the course shall be one academic year commencing from June only.

Medium of Instruction :

The Medium of Instruction at the Diploma course in Cyber Law shall be English.

Examination :

The examination shall be held at the end of the every academic year, on the dates to be announced by the University. Second half examination may be held in case of students who have failed.

Standard of Passing or exemption:

- a. Each Paper shall carry 100 marks
- b. The standard of passing for the Diploma course in Cyber Law is 35 % marks in individual paper/subject and 50% marks in aggregate. The candidate obtaining between 50% and 54% marks will be declared to have passed in **SECOND CLASS** between 55% and 59% marks shall be placed in **HIGHER SECOND CLASS**. The candidate obtaining between 60% and 69% marks will be declared to have passed in **FIRST CLASS**. The candidate obtaining 70% marks and above will be declared to have marked in **FIRST CLASS WITH DISTINCTION**.

Candidate who obtains atleast 50% of the full marks in a paper shall at his option be exempted from that paper at subsequent examination. He/She shall, however, have to pass in the remaining paper or papers in accordance with the standard of passing laid above. such exemption is for 5 years only.

Paper - I

Basis & Regulatory Framework of Cyberworld

1. Computer systems, Significance of computer system. Structural overview of computer system.
2. Data organization, File systems, Data Management
3. Operating systems, Significance of operating system. G.U.I. (Graphical User Interface), Types of operating systems.
4. Computer Networking, Concept, Types of computer networks. Communication Techniques, Protocols (TCP/IP), other related aspects.
5. Internet Technology, Internet service provider, Domain and Host naming, World wide web, Web Technologies (Web service & Browsers).
6. TCP/IP Services, FTP, UDP, Remote-login procedures.
7. Network Security, Cryptography, Key Encryptions.
8. Encryption Techniques, Types of Encryption, Digital Signatures, Digital certificates RSA algorithms.
9. Role of Law in the cyber world, Private International Laws, Jurisdiction, Applicable Laws, Enforcement Issues.
10. Certifying or governing authorities & scope of government to regulate Internet (censorship). Ethics & etiquette in Cyberspace.
11. Outline of legal and regulatory framework of telecommunication, Indian Telegraph Act 1885.

Telecom Regulatory Authority of India Act 1999, TDSAT, International agencies like ITU, WTO & ATP, Licensing issues.

Paper - II E-Commerce

1. Introduction, Online business setup. Management of domain names. Sites, Regulatory & Licensing requirements, Disclaimers.
2. Contracts, Online contracts, Types of online contracts, required term & conditions. Mechanism of transactions of payment of electronic funds.
3. Consumer protection in the Cyber world, Likelihood of consumer confusion, Cyber squatting, or Cyber pirates, other related issues.
4. Security and evidences for agreement formed electronically, and for reliability of electronic records. Types of evidences.
5. Maintenance & proving of electronic records through the issues like :
Data protection & its principles.
Electronic records retention.
Managing & maintaining admissibility and evidential value issues.
International Control, and Transnational Data Flow.
6. Internet advertising, & associated regulatory issues.
7. Taxation issues, Eligibility or criterions of tax payments, Other taxes like direct, indirect & related issues. Regulations for Corporate Financial Services & related issues.
Need to Tax, Tax structures basics.
8. Virtual banking, Operations, related aspects.

Paper - III**Information Technology Act, 2000**

Historical background, object, Extent, Scope and Commencement of the Act.

Electronic governance

Legal recognition of electronic records and digital signatures.

Use of electronic records and digital signatures in government and its agencies.

Electronic records

Legal recognition of electronic records

Secure electronic record and procedure thereto

Authentication and Attribution of electronic record

Acknowledgment of receipt of electronic record

Determining time and place of despatch of electronic record.

Digital signatures and Secure digital signatures

Legal recognition of digital signatures

Central government power to make rules in respect of digital signatures.

Issuance of digital signatures by certifying authorities.

Acceptance, suspension and revocation of digital signature certificate

Authorities under the Act**Controller**

Appointment, Functions and Powers of controller

Certifying authority

Norms to be followed by certifying authorities

Licence to issue digital signature certificate.

Application grant, rejection, renewal, suspensions and surrender of licence.

Cyber appellate tribunal

Composition and Powers of cyber appellate tribunal

Qualifications, tenure, salary, resignation, removal, etc. of office bearers.

Appeals to end from cyber appellate tribunal

Advisory Committee**Offences and penalties Under the Act**

Tampering with computer source documents

Hacking with computer system

Publication of obscene material

Misrepresentation

Breach of confidentiality and privacy

Publishing false digital signature certificate

Offences by companies

Damage to computer, computer system, etc.

Powers of adjudication and investigation

Liability of network service providers**Amendments to various enactments**

The Indian Penal Code, 1860, The Indian Evidence Act, 1872. The Bankers Books Evidence Act, 1891. The Reserve Bank of India Act, 1934.

Grey areas of the IT Act

The nature and scale of computer crimes

Types of computer fraud

Theft of information

Hacking/Cracking

Web caching
 Unauthorised modification of computer programmes and data
 Infringement of Intellectual property rights-criminal liability
 The issue of jurisdiction in computer crimes
 Pornography on the Internet
 Use and abuse of email
 Spamming

Paper - IV

INTELLECTUAL PROPERTY RIGHTS IN THE CYBERWORLD

1. Copyright Act; and the related references conventions & treaty.
2. Scope of copyright protection in cyber world, Copyright protection of computer programs, databases, multimedia etc.
3. Data/file sharing technology in peer-to-peer networks and its implications on copyright, Rights of performers, an digital broadcasters in cyber world.
4. Trade Marks online with ref. To Trade Marks Act 1999, Madrid Agreement, & TRIPS Agreement.
5. Cyber squatting of domain names, domain name disputes, ICANN policies & reforms, Use of trade marks as meta-tags, related topics.

Patents protection, Patents Act 1970, Paris Convention, TRIPS Agreement, (PTC and regional arrangement).
 Types of Patents; business method patent, Software patent.
 Application of patents to cyber world & technologies involved.
 Patent to design & protection of semi-conductor chips (Internal hardware computer components) with ref. to semi-conductor Intergrated Circuits Layout Design Act, 2000, Washington treaty 1989, TRIPS Agreement.

Papre - V

DISSERTATION / RESEARCH WORK / FIELD REPORT

Instructions for the students :

Candidate have to submit Dissertation/Research Work/ Field Report of 50 pages or more on a topic of CYBER LAWS.

Study report should be in-depth & critical analysis of problem of contemporary significance in the field of CYBER LAWS.

No specific format of writing the report is required. Every report must be original and (not just copied) must indicate degree of research & analysis, of issues related to CYBER LAW implementations & enhancements. The candidates will be examined at an oral examination (voice) on the basis of written work.

Distribution of Marks

(a) Dissertation/Research Work

OR

- (b) Demonstration of techno Legal aspects
- (i) Observance of cyber cases.
 - (ii) Find out on various internet sites, the institutions, working for cyber law enforcements. List out some of the institutions & their work briefly with specific cases if any.
 - (iii) Mention a Cyber crime case, & discuss the cyber law enforcement in it
 - (iv) Important decisions of courts.

Distribution of marks-

- (a) Journal - 80 Marks
- (b) Viva-Voce - 20 Marks

Selecting Reading :

- ✓ 1. Cyber Law in India by Dr. Farooq Ahmad
Published by-Pioneer Books
- ✓ 2. Law of Information Technology by Taxman
Published by- Taxman Allied Services Pvt. Ltd.
- ✓ 3. Hand Book of Cyber & E-Commerce Laws by R.M. Bakshi
Published by- Bharat Publishing House
- ✓ 4. Law Relating to Computers, Internet & E-Commerce
by Nandan Kamath
Published by- Universal Law Publishing Co. Pvt. Ltd.
- ✓ 5. Guide to Cyber Law by Radney D. Ryder
II Publishing- Wadhwa Co. Nagpur.
- ✓ 6. Cyber Law by Justice. Yatindra Sing
Published by-Universal Law Publishing Co. Pvt. Ltd.
- ✓ 7. Information Technology Act 2000 by S.D. Dighe.

DIPLOMA COURSE IN CONSUMER PROTECTION LAWS

Eligibility for Admission :

To be eligible for admission, the candidate must be a graduate of any faculty either of this university or of any other university, whose degrees are recognized as equivalent to the corresponding degrees of this University.

Duration of the Course :

Duration of the course shall be one academic year commencing from June only.

Medium of Instruction :

The medium of Instruction at the Diploma Course in Consumer Protection Law shall be English.

Examination :

The examination shall be held at the end of the every academic year on the dates to be announced by the University. Second half examination may be held in case of students who have failed.

Standard of Passing or exemption :

- (a) Each Paper shall carry 100 marks
- (b) The standard of passing for the Diploma Course will be 35% marks in individual paper/subject and 50% marks in aggregate. The candidate obtaining between 50% and 54% marks will be declared to have passed in SECOND CLASS, between 55% and 59% marks shall be placed in HIGHER SECOND CLASS. The candidate obtaining between 60% and 69% marks will be declared to have

passed in FIRST CLASS. The candidate obtaining 70% marks and above will be declared to have marked in FIRST CLASS WITH DISTINCTION.

Candidate who obtains atleast 50% of the full marks in a paper shall at his option be exempted from that paper at subsequent examination. He/She shall, however, have to pass in the remaining paper or papers in accordance with standard of passing laid above, such exemption is for six years only.

Diploma Course in Consumer Protection Laws
Paper - I

Consumer Movement and Consumerism

100 Marks

1. Consumer movement at national and international level, historical perspectives, the post independence scenario.
2. International Convention on Consumer Justice, role of Consumer International (C.I) International Activities for consumers Protection, U.N. guidelines for Consumer Protection.
3. Consumerism : concept of consumerism, consumer, justice and consumer sovereignty.
4. Consumer organizations and consumer actions group, consumer resistance, consumer boycotts, lobbying, consumer guidance.
5. Consumer education : Consumer awareness of rights and duties
6. Role of media in consumer protection

7. Constitutional perspective of consumer justice : Social Justice and welfarism, Rights of producers and traders versus rights of consumers, Right of legal services.
8. Right of Healthy Life and Environment as a consumer right :
Concept of environment, Causes of environmental pollution, Protection of forests and place of public resorts, Salient features of environmental Protection of forests and place of public resorts, Salient features of Environmental Protection Act 1986.
9. Human Rights vis-a-vis Consumer Rights.
10. Concept of public utility services related laws and consumer.

Selected Readings :

1. Gordon Barries. The Development of Consumer Law and Policy (1984).
2. Joel R. Ivans. Consumerism in the United States and Inter - Industry Analysis.
3. Ram Krishana Bajaj - Consumer view - point.
4. M.M. Prasad, Top consumer Behavior (Top Publication, Delhi).
5. Robert N. May. Consumer Movement - Guardians of Market Place (1980).
6. Foo Gaik Sim. 10 CU on Record, A Documentary History of the International Organisation of Consumer Unions 1969-90.
7. United Nations Guidelines on Consumer Protection. 9th April 1985.

8. J.N. Barowalia. Commentary on the Consumer Protection Act, 1986 (1996) Universal Publishing Co.Pvt. Ltd.
9. Kilash Thakur Environment Protection Law and Policy in India.

Paper – II

Consumer Protection Act, 1986

100 Marks

1. Historical and Sociological Background of Consumer Protection, Act
2. Concept of Consumer :
Consumer of goods and services, Professional services – Medical, legal, educational and welfare services.
3. Rights of Consumer under the Act, nature and characteristics.
4. Definitions : complaint, consumer dispute, defect, deficiency in service, unfair trade practices, restrictive trade practices.
5. Consumer Protection Councils, role, objects and composition.
6. Composition, power, functions and Jurisdiction of District Forum, State Commission and National Commission.
7. Law of compensation, approach of Consumer Forum while awarding compensation.
8. Procedure to be followed by consumer redressal agencies, provisions regarding appeal, execution of the order of the redressal agencies.
9. Landmark Judgements of S.C. and NCDRC.

Selected Readings :

1. Yenkat Rao, Law of Consumer Protection, 1998, Asia Law House.
2. G.B. Reddys, Law of Consumer Protection, 1997, Gogia Law Agency.
3. V.K. Agrawal, Consumer Protection Law & Practice 1997. B.L.H. Publishers.
4. D.N. Saraf, Law of Consumer Protection in India 2nd Edn/1995.
5. Consumer Protection Judgements (CPJ) and Consumer Protection Reports (CPR).
6. Dr. Gurjit Singh, The Law of Consumer Protection in India. 1996 Deep and Deep Publication.
7. R.S.Chaudhari, Doctor & Consumer Protection Act, 1994. Maharashtra Law Agency.
8. R.M.Vats, Law relating to Insurance, 1997. Universal Law Publishing Co. Pvt. Ltd.
9. R.M.Vats, Law relating to Telephone, 1996. Universal Law Publishing Co. Pvt. Ltd.

Paper – III

Consumer Protection Legislations

100 Marks

Relevant Provisions under the following acts regarding consumer protection

- (a) The Prevention of Food Adulteration Act, 1954 (salient features).
- (b) Drugs and Cosmetics Act, 1954 (salient features).
- (c) Standards of Weights and Measures Act, 1976. Definition of Director and provisions regarding penalties (Sec.50-70).

- 1) Sale of Goods Act, 1930, Definition of contract, sale and agreement to sale, law relating to warranty and guarantee and doctrine of Caveat emptor.
- 2) Contract Act, 1872, What agreement are contracts, free consent (Sec. 10-30). the consequences of breach of contract, rights of parties, agents and principal (Sec.226-232 and 238), Definitions : (Sec.2), Proposal, acceptance, agreement, consideration, contract, misrepresentation, fraud, void agreements, discharge of contract, contract of guarantee.
- 3) Negotiable Instruments Act, 1881, Definition of Banker, cheque-holder : Negotiable instrument, dishonor of cheque for insufficiency of funds etc. cognizance of offences.
- 4) Indian Penal Code (IPC) 1860, Definition of document, produce a Document in a court of law false document, forge a document. Mischief, trespass, fraud and cheating.
- 5) Indian Evidence Act, 1872 – Definition of evidence, documents, acts, Admissions, statements and admissibility.
- 6) MRTP Act, Power of MRTP Commission, penalties.
- 7) Maharashtra Co-operative Societies Act, 1961 : Definition of Housing Society, Member, Share or interest not liable to attachment, share and debenture of society and disputes (Sec. 2,31,41, and 91).

Selected Reading :

1. Indian Penal Code, 1860 (Amended in 2002) (Sec.29,172,173,425,441,463,466 & 472).
2. Indian Evidence Act, 1872 (Amended in 2002) (Sec. 3,17,35,39 & 65)2001.
3. The Indian Contract Act, 1872 (Sec. 10 to 30, Sec. 73,102,211,215,226,227,228,230 to 233 and 238).
4. Negotiable Instruments Act, 1881, 2002 (Sec. 3,8,12,130,142).
5. The Maharashtra Cooperative Societies Act, 1961. Definition of Housing Society.
6. The Carriers Act, 1865. (2002)
7. The Sale of Goods Act, 1930,2000. (Sec. 2(1), 2(4), 2(11), 4,5,11,12,18, & 20).
8. P. Ramanatha Aiyer, The Sale of Goods Act, 7th Edn : The Universal Book Agency.
9. M.P. Furmston, Cheshire and Fifoot's Law of Contract, 9th Edn. Butterworths.
10. Standards of Weights and Measures Act, 1976.
11. R.V. Ramkrishna's Prevention of Food Adulterations Act, 4th Edn. 1997, Gogia and Co. Hydrabad.
12. S.L. Tripathi's – The Standard of Weights and Measures Act with Rules 1987 Law Publishers India Pvt. Ltd.
13. P.L.Mallik – Law relating to Weight and measures Act, 4th Edn. Eastern Book co.
14. Vijay Malik, Drugs and Cosmetics Act, 1940, 10th Edn, Eastern Book Co.
15. R.K. Naik – Consumer Protection in India Eco-legal treaties Consumer Justice (ILI 1991).

Paper - IV**Dissertation/Research work / Project work.***Guidelines for the students*

100 Marks

Candidates have to submit a Dissertation/Research work/Field Report of about 50 pages on a topic of Consumer Law. Study Report is expected to be an in-depth and critical analysis of problem of contemporary significance in the field of Consumer Laws. There is no specific format for writing the project report. However, it must be original (not just copied), must indicate some degree of research and reflection of issues related to consumer protection. The Candidates will be examined at an oral examination (Viva-voce) on the strength of written work.

Distribution of Marks

(a) Dissertation / research work

OR

(b) Report of the Field work

- (a) Observance of Case in Consumer Forum
- (b) Dealing with the consumer case
- (c) Visit to various consumer related institutions like AGMARK. Department of Weight and Measures. ISI Institute, Department of Food and adulterations, consumer forum / Commission, MRTP etc.
- (d) Visit to consumer organizations.

Distribution of Marks

- (a) Journal - 80 Marks
- (b) Viva-voce - 20 Marks