



MOHANLAL SUKHADIA UNIVERSITY, UDAIPUR

FACULTY OF LAW

THIRD SEMESTER MASTER OF LAWS

(Effective from Session 2016-17)

PAPER – II (PAPER CODE - 43902) : (PAPER NAME – PUBLIC UTILITY LAW)

Max. Marks: 100 (80 External + 20 Internal)

Min. Marks: 40

Candidates are required to attempt four questions. Each Question carry equal marks.

Unit I : 1. Public Utilities

- a. Railways, Electricity, Gas, Road Transport, Telephone, Post and Telegraph Service, Police, Fire Brigade, Banking service etc.
- b. Growth and evolution of Public utilities and their legislation
2. Public Utilities – Why Government Monopoly?
 - a. Administrative Authorities - Structure of the Administrative Authorities.
 - b. Subordinate Legislation.

Unit II : 1. Utilities Legislation – Patterns of –

- a. Administrative Authorities – Structure of the Administrative Authorities.
- b. Subordinate Legislation.
2. Public Utilities and Fair Rearing
 - a. Quasi- Judicial Decision – Administrative Discretion.

Unit III : 1. Public Utilities and Consumer Protection

- a. Rights of consumers protected by the Consumer Protection Act
- b. Rights Arising form Law of Contract and Law of Torts.
2. Public Utilities And their Employees
 - a. Application of Articles 16 and 311 ?
 - b. Application of Industrial Law – right to strike.

Unit IV: 1. Public Utilities and Fundamental Rights

- a. The right to equality :the airhostess case
- b. Are Public utilities “State” for the purpose of article 12 of the Constitution?
- c. Extension of the concept of State.
2. Liabilities and special privileges of public utilities
 - a. In Contract
 - b. In Tort
 - c. In Criminal Law

Selected Bibliography :

1. P.M.Bakshi, Television and the Law (1986)
2. Vasant Kelkar, "Business of Postal Service" 33, I.J.P.A pp. 133-141 (1987)
3. G. Ramesh, " Characteristic of Large Service Organisation in a Developing Country Like India" 32 I.J.P.A 77 (1986).
4. Nalini Paranjpe, "Planning for Welfare in the Indian Railways" 31 I.J.P.A
5. Arvind K.Sharma " Semi-Autonomous Enterprise : Conceptual Portrait-Further Evidence on the Theory of Autonomy" 33, I.J.P.A, p.99-113
6. S.P.Sathe, Administrative Law (1998)
7. Jain & Jain, Principles of Administrative Law (1986)
8. Jagdish Ul, Handbook of electricity Laws (1978)
9. Bhaumik, The Indian Railways Act (1981)
10. Law Commission of India, 38th Report : Indian Post Office Act, 1898 (1968)

Students should consult relevant volumes of Annual Survey of Indian Law published by the Indian Law Institute (Constitutional Law 1 & 11, Administrative Law, Consumers Protection Law and Labour Law).