

DETAILED SYLLABUS FOR THE POST OF MANAGER (PERSONNEL)
APEX SOCIETIES OF CO-OPERATIVE SECTOR IN KERALA (Cat. No.: 202/2020)
MANAGER (PERSONNEL)
KERALA STATE CO-OPERATIVE FEDERATION OF FISHERIES DEVELOPMENT LIMITED
(MATSYAFED) (Cat. No.: 203/2020)

(Total Marks ±100)

Part I MBA (HR) (50 Marks)

Module 1: Human Resource Planning (5 marks)

Definition, objectives, process, and need for HR planning, Job analysis: methods of job analysis, job description, job specification, job design, job rotation, job enrichment, job enlargement

Module 2: Recruitment and training: (5 marks)

Sources of recruitment, Policies and procedure of recruitment. Selection process, Testing and interviews, Placement and induction., Identification of Training Needs, Types of Training; On the Job and Off the Job Methods of Training. Designing and Evaluation of Training Programs

Module 3: Performance appraisal and Compensation management:(5 Marks)

Process of performance appraisal, Methods and problems of performance appraisal, Concept, Principles and Practices, Theories of Compensation, Wage & Salary Administration, Components of Compensation, Incentive Plans & Fringe Benefits

Module 4: Internal mobility and transfer: (5 marks)

Transfers: Purpose & Types and Transfer Policy, Demotions and Other Forms of Separation

Module 5: Career planning and development and industrial relations :

(5 marks)

Career life cycle, Process of career planning and development, Diversity

and inclusion, Change management, Approaches to industrial relations, Industrial relations system, code of discipline, tripartite bodies, and trade union, employee welfare and participative management

Module 6: Labour Laws:(10 marks)

Employee Compensation Act, 1923, The Trade Unions Act, 1926, The Payment of Wages Act, 1936, The Industrial Employment (Standing Orders) Act, 1946. The Industrial Disputes Act, 1947, The Minimum Wages Act, 1948, Factories Act 1948, Employees State Insurance Act, 1948, The Employees' Provident Funds and Miscellaneous Provisions Act, 1952, Maternity Benefit Act, 1961, Apprentices Act, 1961, The Payment of Bonus Act, 1965, The Contract Labour (Regulation and Abolition) Act, 1970, The Payment of Gratuity Act, 1972, The Equal Remuneration Act, 1976, Right to information Act, The Unorganized Workers' Social Security Act, 2008, Sexual Harassment of Women at Workplace Act, 2013, The cooperative society's act, 1912.

Module 7: Cooperative movement in Kerala and India: (5 marks)

History of Cooperative legislations in Kerala, Historical Background, Cochin Cooperative Societies Act, Madras Cooperative Societies Act, Travancore Cochin Cooperative Societies Act, Kerala Cooperative Societies Act. **History of Cooperative legislations in India**, Evolution of cooperative legislations in 1904, Cooperative Societies Act 1912

Module 8: History of cooperative movement in foreign Countries:

(10 Marks)

Cooperative Movement in England , Robert Owen and his contributions- Doctrine of Circumstances, Cooperative colony, Labour Exchange, Dr. William King, Rochdale Pioneers, Cooperative Wholesale store, **Cooperative movement in Denmark** , Dairy Cooperatives, Cooperative Bacon Factory, Cooperative Poultry

Society, **Cooperative Movement in Germany**, Contributions of Hermann Schultze, F.W. Raiffeisen, **Cooperative Movement in Japan**, Agriculture Cooperative Associations, Cooperative Union, Fisheries Cooperative Association, Central Cooperative Bank, Consumer Cooperatives, **Cooperative Movement in Russia**, Cooperative Collective Farms, Consumer Cooperatives, **Cooperative Movement in China**, 1st Stage 1912 to 1936, Second Stage 1937-1949, 2nd Stage 1937 to 1949, Industrial Cooperatives in new China, Agricultural Cooperatives in China, The Cooperative Forbundet (KF), Agricultural Cooperatives, Swedish Dairy Association(SMR)

Part II : LAW (50 Marks)

MODULE 1: JURISPRUDENCE, LEGAL THEORY, PRINCIPLES OF LEGISLATION,

LEGISLATIVE DRAFTING AND INTERPRETATION (6 Marks)

- I. Law ± Meaning, Nature & Functions-Evolution of law-Definition of Law- Functions & Classification of Law- Law, Justice & Morality-Classification of Law- schools of jurisprudence.
- II. Sources of law- legislation, custom, precedent and international conventions and treaties.
- III. Doctrine of stare decisis- ratio decidendi obiter dicta overruling- prospective overruling
- IV. Elements of law including legal right, duty, liability, property, ownership, possession and title, and their classifications
- V. Utilitarian theory of legislation.
- VI. Interpretation- General principles of interpretation- Primary, Secondary or Subsidiary Rules of Interpretation- Interpretation with reference to the subject matter of Statute- Interpretation of Constitutional- non-obstante clause- proviso- General Clauses Act, 1897

MODULE-II: CONSTITUTIONAL LAW AND ADMINISTRATIVE LAW (6 Marks)

- I. Fundamental aspect of Indian Constitution .
- II. Fundamental Right to Equality & Right to Freedom-Fundamental right to life-Fundamental rights to accused, incarcerated persons, fundamental rights against exploitation, fundamental right to religion & cultural and educational rights of minorities-
- III. Constitutional remedies and amending the Constitution.
- IV. Directive principles- Fundamental duties-
- V. Structure of Governments- Union Executive- Parliament and Judiciary- State Executive, Legislature and Judiciary-
- VI. Local Self Government Institutions (LSGIS)- Important Constitutional amendments (42, 44, 52, 73, 74, 86, 91, 97, 101, 102, 103, 104)- Constitutional authorities and their functions- Comptroller and Auditor General- Attorney General- Advocate General-Election Commission of India -State Election Commission- Union Public Service Commission- State Public Service Commission- Finance Commission- State Finance Commission- GST Council-
- VII. Distribution of legislative powers- Union List- State List- Concurrent List-
- VIII. National Commission for Scheduled Castes- National Commission for Scheduled Tribes-National Commission for Backward Classes-
- IX. Official language-regional languages-language of the Supreme Court-High Courts, etc. -special directives relating to languages-
- X. Writ jurisdiction- Public Interest Litigation- judicial review- basic structure theory.

Administrative Law

- I. Scope and evolution of administrative law- delegated legislation- control of delegated legislation - Constitutional law remedies against administrative arbitrariness- doctrine of ultra vires- administrative discretion and its control- administrative adjudication-principles of natural justice- post decisional hearing exception to the principles of natural justice- statutory remedies contractual and tortious liability of the administration - privileges and immunities of administration in suits to withhold documents- rule of law.

- II. legitimate expectation-promissory estoppel- maladministration and remedies- statutory provisions relating to Lokpal, Lokayuktha, CVC and prevention of corruption- right to information under the Right to Information Act, 2005 exemptions- powers and functions of Information Commission- Constitutional protection of civil servants- services under the Union and the States- Administrative Tribunal under Administrative Tribunal Act, 1985- right to public services- The Kerala State Right to Service Act, 2012

MODULE- III: MAJOR SUBSTANTIVE AND PROCEDURAL LAWS (CRIMINAL) -

IPC & CRPC (5 Marks)

- I. Law of Crimes -Introduction

Essentials of Crime- Actus Reus & Mens Reas - stages of crime- General Explanations-Punishments- General Exceptions -Concept of crime- principles of criminal liability, absolute liability, vicarious liability and constructive liability.

- II. Specific Offences

Abetment- Criminal Conspiracy- offences against State, offences against public tranquility offences against human body -offences against property - offences against public health, safety, convenience, decency and morality illegal gratification - offences by or against public servants- false evidence offences against public justice, marriage, religion, election and reputation offences relating to documents and property marks-Defamation & Attempt to commit offences.

- III. Offences under the Code of Criminal Procedure, 1973

Functionaries under Criminal Procedure Code and their powers and functions- arrest - detention investigation-inquiry- inquest- search and seizure- classification and powers of criminal courts- executive magistrates and their powers- public prosecutors- cognizance of offence and commencement of judicial proceedings -processes to compel the attendance of persons and production of documents- bail -anticipatory bail- fair trial - charge - discharge-acquittal trial of summons case, warrant case and sessions case- summary trial - compoundable offence- plea bargaining- judgment appeal- reference - revision- inherent powers- execution of sentence- remission- commutation and other connected matters - maintenance of wives, children and parents victim compensation

MODULE- IV: MAJOR SUBSTANTIVE AND PROCEDURAL LAWS (CIVIL) -

CONTRACTS, TORTS & CPC (5 Marks)

I. Law relating to contracts

Indian Contract Act, 1872- interpretation clause- capacity of parties- agreement, contract and ingredients- communication, acceptance and revocation of proposals- contracts, voidable contracts and void agreements- contingent contracts- quasi contracts- quantum meruit - consideration -performance of contracts- modes of discharge- consequences of breach of contract- elements vitiating consent- indemnity and guarantee bailment-agency-pledge.

II. Sale of goods under the Sale of Goods Act, 1930

III. The Partnership Act, 1932- limited liability- partnership under the Limited Liability Partnership Act, 2008 standard form of contracts.

IV. Law of Torts.

Definition of tort- development of the law of torts through case law- tortious liability- strict liability- absolute liability- vicarious liability- liability relating to animals negligence- remoteness of damage contributory negligence- general defences- foreign tort-

V. The Code of Civil Procedure, 1908.

Suits of civil nature- stay of suits- res judicata- conclusiveness of foreign judgments- notice- reply notice- place of suing- general rules regarding pleadings- plaint- written statement- set off -counter claim- parties to suits- joinder of parties- misjoinder of parties- non- joinder of parties- framing of issues- summons- modes of service of summons- appearance of parties consequence of non-appearance, ex parte decree, setting aside ex-parte decree, examination of parties by the court - discovery and inspection- adjournment- amendment of pleadings judgment, order and decree execution modes of execution- precept- garnishee order- caveat- costs appeal -second appeal- reference- review- revision- inherent powers- arrest and attachment before judgment- injunction receiver- commission- special proceedings such as suits in particular cases-.suit against government- inter pleader suit- suing in forma pauperis- suit by or against minors representative suits- commercial disputes,

VI. The provisions of the Commercial Courts Act, 2015 relating to the constitution of Commercial Courts, Commercial Appellate Courts,

Commercial Division and Commercial Appellate Division in High Courts jurisdiction, powers,

- VII. Authority and procedure of Gram Nyayalayas under the Gram Nyayalayas Act, 2008.
- VIII. Law of limitation- the Limitation Act, 1963
- IX. Specific reliefs provided under the Specific Relief Act, 1963

MODULE-V: LAW OF EVIDENCE (4 Marks)

- I. Relevancy of fact & admissibility of evidence under the Indian Evidence Act, 1872- Admissions and Confessions - opinion evidence- character evidence - hearsay evidence- similar facts.
- II. Statement of Persons who cannot be called as witness- dying declaration
- III. Proof & Effect of Evidence-oral and documentary evidence - doctrine of estoppel - burden of proof - competency of witnesses - privileged communications- examination of witnesses - presumptions - accomplice - approver judicial notice -admissibility of electronic evidence.

MODULE VI: LAW OF PROPERTY (4 Marks)

- I. Concept of property & General principles of transfer under the Transfer of Property Act, 1882

Property that cannot be transferred- effect of transfer - rule against inalienability - rule against perpetuity - doctrine of election transfer to unborn- covenants running with land- doctrine of apportionment transfer by non-owners- direction for accumulation- conditional transfer- part performance- doctrine of lis-pendence- fraudulent transfer- doctrine of acceleration- sale of immovable property - mortgage - lease - exchange - gift actionable claims -provisions relating to easements and licenses under

- II. The Indian Easements Act, 1882-concept of incorporeal property.
- III. Intellectual property-law relating to patent- copyright- design- trade mark- service mark-Geographical Indications.

MODULE VII: LAW RELATING TO LAND AND ENVIRONMENT (4 Marks)

I. Land Laws.

Acts and Rules relating to land acquisition for public purpose- land reforms land ceiling- land assignment- revenue recovery- paddy fields- wetland- land conservancy- land development- building lease and rent control- sand mining.

II. Environmental Laws.

Control of air pollution, noise and water pollution- wild life protection- protection of rights of forest dwellers- public liability insurance- Green Tribunal- biological diversity- protection of forests statutory authorities for the protection of environment, their composition, powers and functions- Constitutional provisions for environmental protection contributions of judiciary to environmental jurisprudence-polluter pay precautionary principle- absolute liability- sustainable development- public trust doctrine- public interest litigations-functions and powers of the LSGIS relating to land, buildings and environment

MODULE VIII: LABOUR LAW (4 Marks)

I. Industrial Dispute Act

Industrial dispute- individual dispute- illegal strike and illegal lock-out- lay-off and retrenchment- transfer and closure of undertakings- reference and settlement of industrial dispute -unfair labour practices- machinery for the amicable settlement of industrial disputes

II. Standing orders - modification of standing orders- employees© compensation concept of wages - deduction of wages fixing and revising of minimum wages calculation and mode of payment of bonus and gratuity- Employees State Insurance- Employees Provident Fund- health, safety and welfare measures for workers in factories, plantations, shops and commercial establishments- Law relating to trade union- registration of trade unions - rights, privileges, immunities, duties and liabilities of registered trade union- collective bargaining industry

III. Prohibition of sexual harassment of women- The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013

MODULE IX: SPEEDY JUSTICE, LEGAL AID AND PROTECTION OF VULNERABLE SECTIONS (4 Marks)

- I. ADR-Concept of ADR- arbitration- conciliation - mediation- Arbitration and Conciliation Act, 1996- legal services, legal aid and Lok Adalaths- Legal Services Authorities Act, 1987- protection of vulnerable sections.
- II. Prevention of Atrocities -Protection of Civil Rights Act, 1955- SC & ST (Prevention of Atrocities) Act, 1989- The Kerala State Commission for the Scheduled Castes and the Scheduled Tribes Act, 2007.
- III. Human Rights- Protection of Human Rights Act, 1993-National Human Rights Commission and State Human Rights Commission.
- IV. Maintenance and Welfare of Parents and Senior Citizens Act. 2007.
- V. The Rights of Persons with Disabilities Act, 2016.
- VI. The Transgender Persons (Protection of Rights) Act, 2019- Juvenile Justice (Care and Protection of Children) Act, 2015.
- VII. Dowry Prohibition Act, 1961- National Commission for Women Act, 1990- Kerala Women's Commission Act, 1991- National and State Commission for Women Protection of Women from Domestic Violence Act, 2005.
- VIII. Protection of Children from Sexual Offences Act, 2012 (POCSO).

MODULE X: PUBLIC INTERNATIONAL LAW AND HUMAN RIGHTS (4 Marks)

- I. International law

Nature, origin and sources of public international law subjects of international law - States, non- State entities, international organizations and private individuals - State recognition theory and practice -modes of recognition- State succession- State intervention- territorial sovereignty of State- rights and duties of States - State responsibility or international delinquency-formation of treaties- binding nature of treaties- extradition and asylum- air space- outer space- water territory- open sea- deep sea bed common heritage of mankind- diplomatic privileges and immunities jurisdiction of ICJ.

II. Human Rights

Philosophical foundation of the concept of human rights - evolution of the concept of human rights- International Bill of Human Rights UDHR, 1948- International Covenants of 1966- ILO Conventions- international instruments relating to women, children, indigenous persons, environment and refugees- international humanitarian law- law of warfare and armed conflicts- relationship between international law and municipal law- the Indian practice and Constitutional provision.

MODULE XI: CYBER LAW (4 Marks)

I. Cyber Law

Online contracts- click wrap agreements- browse Wrap agreements- shrink wrap agreements- statutory provisions relating to online contracts under the Information Technology Act, 2000-Cyber Jurisprudence at national and international level- Regulation of Cyber Space- Digital Signature.

II. Understanding cyber crimes.

Theoretical and sociological for social perspective in cyber crime digital key functions ± cryptography-Online fraud- identity theft- virtual crime- password cracking- scams-fishing attacks computer intrusion and attacks-cyber space ± Classification -nature crime against government property and person -Adjudication- penalty-liability of network providers -power of police - cyber crime punishable under various laws.

NOTE: - It may be noted that apart from the topics detailed above, questions from other topics prescribed for the educational qualification of the post may also appear in the question paper. There is no undertaking that all the topics above may be covered in the question paper.