

# INVERTIS

## UNIVERSITY BAREILLY

Established by Govt. of U.P. vide 27 of U.S.C. Act, 1956; vide U.P. Act 22 of 2003.

<b>HAS-501</b>	<b>Professional Practice, Law &amp; Ethics</b>	<b>L</b>	<b>T</b>	<b>P</b>	<b>3 Credits</b>
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**Pre-requisites: None**

**Course Objectives:**

<b>CO1</b>	Students will understand the importance of Values and Ethics in their Personal lives and professional careers
<b>CO2</b>	The students will learn the rights and responsibilities
<b>CO3</b>	Responsibilities of employee, team member and a global citizen.
<b>CO4</b>	To learn profession ethics
<b>CO5</b>	To learn about IPR

**Detailed Syllabus**

**Module 1**

**Professional Practice** – Respective roles of various stakeholders: Government(constituting regulatory bodies and standardization organizations, prescribing norms to ensure safety of the citizens); Standardization Bodies (ex. BIS, IRC)(formulating standards of practice); professional bodies (ex. Institution of Engineers(India), Indian Roads Congress, IIA/ COA, ECI, Local Bodies/ Planning Authorities) (certifying professionals and offering platforms for interaction); Clients/ owners (role governed by contracts); Developers (role governed by regulations such as RERA); Consultants (role governed by bodies such as CEAI); Contractors (role governed by contracts and regulatory Acts and Standards);Manufacturers/ Vendors/ Service agencies (role governed by contracts and regulatory Acts and Standards)

**Professional Ethics** – Definition of Ethics, Professional Ethics, Business Ethics, Corporate Ethics, Engineering Ethics, Personal Ethics; Code of Ethics as defined in the website of Institution of Engineers (India); Profession, Professionalism, Professional Responsibility, Professional Ethics; Conflict of Interest, Gift Vs Bribery, Environmental breaches, Negligence, Deficiencies in state-of- the-art; Vigil Mechanism, Whistle blowing, protected disclosures.

**Module 2:**

**General Principles of Contracts Management:** Indian Contract Act, 1972 and amendments covering General principles of contracting; Contract Formation & Law; Privacy of contract; Various types of contract and their features; Valid & Voidable Contracts; Prime and sub-contracts; Joint Ventures & Consortium; Complex contract terminology; Tenders, Request For Proposals, Bids & Proposals; Bid Evaluation; Contract Conditions & Specifications; Critical /“ Red Flag”conditions; Contract award & Notice To Proceed; Variations & Changes in Contracts; Differing site conditions; Cost escalation; Delays, Suspensions & Terminations; Time extensions & Force Majeure; Delay Analysis; Liquidated damages & Penalties; Insurance & Taxation; Performance and Excusable Non-performance; Contract documentation; Contract Notices; Wrong practices in contracting (Bid shopping, Bid fixing, Cartels); Reverse auction; Case Studies; Build-Own-Operate & variations; Public-Private Partnerships; International Commercial Terms;

**Module 3:**

**Arbitration, Conciliation and ADR (Alternative Dispute Resolution) system:** Arbitration – meaning, scope and types – distinction between laws of 1940 and 1996; UNCITRAL model law – Arbitration and expert determination; Extent of judicial intervention; International commercial arbitration; Arbitration agreements – essential and kinds, validity, reference and interim measures by court; Arbitration tribunal – appointment, challenge, jurisdiction of arbitral tribunal, powers, grounds of challenge, procedure and court assistance; Award including Form and content, Grounds for setting aside an award, Enforcement, Appeal and Revision; Enforcement of foreign awards – New York and Geneva Convention Awards; Distinction between conciliation, negotiation, mediation and arbitration, confidentiality, resort to judicial proceedings, costs; Dispute Resolution Boards; Lok Adalats.

**Text/Reference Books:**

1. B.S. Patil, Legal Aspects of Building and Engineering Contracts, 1974.
2. The National Building Code, BIS, 2017
3. RERA Act, 2017
4. Meena Rao (2006), Fundamental concepts in Law of Contract, 3rd Edn. Professional Offset
5. Neelima Chandiramani (2000), The Law of Contract: An Outline, 2nd Edn. Avinash Publications Mumbai
6. Avtarsingh (2002), Law of Contract, Eastern Book Co.
7. Dutt (1994), Indian Contract Act, Eastern Law House
8. Anson W.R. (1979), Law of Contract, Oxford University Press.
9. Kwatra G.K. (2005), The Arbitration & Conciliation of Law in India with case law on UNCITRAL Model Law on Arbitration, Indian Council of Arbitration
10. Wadhera (2004), Intellectual Property Rights, Universal Law Publishing Co.
11. T. Ramappa (2010), Intellectual Property Rights Law in India, Asia Law House
12. Bare text (2005), Right to Information Act
13. O.P. Malhotra, Law of Industrial Disputes, N.M. Tripathi Publishers
14. K.M. Desai (1946), The Industrial Employment (Standing Orders) Act

**Course Outcomes:** After the completion of the course the student will be able to:

<b>CO1</b>	Understanding basic purpose of profession, professional ethics and various moral and social issues.
<b>CO2</b>	Awareness of professional rights and responsibilities of a Engineer, safety and risk benefit analysis of a Engineer
<b>CO3</b>	Acquiring knowledge of various roles of Engineer In applying ethical principles at various professional levels
<b>CO4</b>	Professional Ethical values and contemporary issues
<b>CO5</b>	Excelling in competitive and challenging environment to contribute to industrial growth.