

Master of Law (LLM)

Syllabus - First Semester

RESEARCH METHODOLOGY AND LEGAL WRITING

Course Code: LAW4101

Credit Units: 03

Course Objective:

The main objective of this course is to acquaint the students of Law with the method of social science research. This course is expected to provide the knowledge of technique of selection, collection and interpretation of primary and secondary data in socio –legal research.

Course Contents:

Module-I: Nature and Scope

1. Meaning and Objective of Legal Research.
2. Kinds of Research.
3. Doctrinal and Non-Doctrinal Methods of Research.
4. Stages of Research Process.

Module-II: Research Problem, Hypothesis and Research Design

1. Research Problem- Definition, Determination, Sources of Data.
2. Hypothesis- Meaning and Definition, Characteristics.
3. Research Design- Meaning and Essentials of Research Design; Forms of Research Design.
4. Testing of Hypothesis.
5. Sampling Design- Basic Assumption, Classification.

Module-III: Research Methods and Tools

1. Social and Legal Survey.
2. Case Analysis.
3. Questionnaire Schedule.
4. Observation and Interview.

Module-IV: Tabulation, Analysis, Interpretation, Reporting and Legal Writing

1. Classification and Tabulation of Data.
2. Analysis and Interpretation of Data.
3. Use of Statistical Methods and Computers in Legal Research.
4. Reporting and Method of Citations.
5. Ethics in Research.
6. Foundation of Writing.

Examination Scheme:

Components	P/S/V	CT	C	A	EE
Weightage (%)	10	10	5	5	70

Text & References:

- Garg,B.L, Karadia, R. Agarwal, F and Agarwal, U.K 2002. An Introduction to Research

Methodology, RBSA Publishers.

- Kothari, C.R, 1990. Research Methodology: Methods and Techniques. New Age International
- Sinha, S.C and Dhiman, A.K, 2002. Research Methodology, Ess Publications (2 Volumes)
- Trochim, W.M.K., 2005, Research Methods: The Concise Knowledge base, Atomic Dog Publishing

CORPORATE & BUSINESS LAW (SPECIALISATION)

LAWS ON SECURITIES & FINANCIAL MARKETS

Course Code: LAW4103

Credit Units: 02

Course Objectives:

Laws on Securities and Financial Markets course provides a conceptual understanding and in-depth knowledge of securities laws and the regulatory framework concerning financial markets in India.

Course Contents:

Module-I: An Overview of Financial System

1. Constituents of financial system; significance, development and growth of financial and capital markets in India.
2. Financial reforms and present scenario.
3. Regulatory authorities governing financial and capital markets:
 - Securities and Exchange Board of India (SEBI).
 - The Securitization and Reconstruction of Financial Assets and Enforcements of Security Interest Act, 2002.

Module-II: Primary Market and Secondary Market

1. Primary and Secondary Markets: Meaning, significance, scope and developments in both the markets.
2. Difference between Primary and Secondary markets.
3. Issue of Capital SEBI Guidelines (Initial public offer).
4. Stock Exchanges:
 - Functions and significance of stock exchanges.
 - Regulatory framework and control.
 - Operations of stock exchanges.

Module-III: Capital Market and Money Market Instruments

1. Capital market instruments:
 - Equity shares, Preference shares, Sweat Equity shares, Non-voting shares, Debentures.
 - New instruments of capital market – pure, hybrid and derivatives.
2. Money market instruments:
 - Treasury bills, Commercial bills, Certificate of deposits.
 - New money market instruments.

Module-IV: Primary and Secondary Market Intermediaries

1. Primary Market :
 - Various agencies and institutions involved in Primary Market.
 - Role of intermediaries– merchant bankers, registrars, underwriters, bankers to issue, portfolio managers, debenture-trustees, etc.
 - Their rules, regulations and code of conduct framed by SEBI.
2. Secondary Market:
 - Secondary market intermediaries– stock brokers, sub-brokers, advisors.
 - Their rules, regulations and code of conduct framed by SEBI.

Module-V: Mutual Funds and Collective Investment Schemes

1. Mutual Funds
 - Introduction, definitions, types, risks involved performance evaluation
 - SEBI regulations for Mutual Funds.
2. Collective Investment Schemes
 - Introduction, definitions, types, risks involved and performance evaluation.
 - SEBI regulations for collective investment schemes.

Module-VI: Depository System

1. An analysis of the Depositories Act, 1996:
 - Constitution, role and functions of depository.
 - Depository participants, issuers and registrars.

Examination Scheme:

Components	P/S/V	CT	C	A	EE
Weightage (%)	10	10	5	5	70

Text & References:

- E. Gordon & H. Natarajan: Capital Market in India.Himalaya publishing House
- H.R. Machiirmu: Indian Financial system: Vikas publishing House Pvt. Ltd
- Guide to Indian Capital Market: Sanjeev Agarwal: Bharat Law House
- SEBI practice Manual: V.L. Iyer: Taxman Allied Service (P) Ltd
- M.Y. Khan: Indian Financial Systems: Tata McGraw Hill
- SEBI Manual :Taxman

CORPORATE GOVERNANCE

Course Code: LAW4104

Credit Units: 02

Course Objectives:

Corporate Governance is a set of customs, policies and processes by which an institution is governed. It is an important topic of strategic management, how a company is governed; influences, rights and relationships among the stakeholders and eventually how an organization is managed. This course will focus on the fundamentals of Corporate Governance from a varied prospect including the board of directors, investors and other stakeholders and assessing the effectiveness and execution of governance roles, regulators and responsibilities.

Course Contents:

Module-I:

1. Concepts, origin and development of Corporate Governance
 - Meaning of the term governance.
 - Kumarmangalam committee Report.
 - Naresh Chndra committee Report.
 - Cadbury Committee Report.
 - Rahul Bajaj Committee Report.
2. Meaning of “Corporate Governance”.
 - Definitions of Corporate Governance.
 - Need for good Governance.
3. Problems in effective Governance.
 - Corporate Governance and Ethics.
 - Corporate Governance and financial accounting.

Module-II:

1. Legal and Policy Issues in Corporate Governance
 - Transparency and Disclosure.
 - Board and management structure.
 - Shareholders claim satisfaction and financial information.
2. Corporate Social Responsibility.

Module-III:

1. Corporate Governance in India
 - Listing Agreement Clause 49- SEBI Role.
 - Changes since liberalization.
 - Corporate Governance of Banks.
 - The Board of Directors.
 - The Role of Auditors.
 - Role of Regulatory Agencies.
 - The Role of International Economic Institutions.
 - Companies Act, 2013.
 - Policy document on Corporate Governance.
2. Overarching principles of Corporate Governance.

Module-IV:

1. International Corporate Governance
 - OECD Guidelines on Corporate Governance.
 - MNC/ TNC/ MNE Companies.
 - UNCTRIAL Model Law.
 - Governance and Development.

Module-V:

1. Role of judicial bodies on Governance and Accountability
 - Constitutional Law and principles on Corporate Governance.
 - Recent Case studies (India and International Corporate Law).

Examination Scheme:

Components	P/S/V	CT	A	C	EE
Weightage (%)	10	10	5	5	70

Text & References:

- Larcker, David and Tayan, Brian, Corporate Governance Matters: A Closer Look at Organizational Choices and Their Consequences, (Pearson Education 2011) ISBN: 978-0-13-218026-9
- Monks, Robert A.G. and Minow, Nell, Corporate Governance, 5th Edition, (Wiley 2011) ISBN: 978-0-470-97259-5
- Goergen, Marc, International Corporate Governance, Prentice Hall (2012) ISBN: 9780273751250
- Rajput, Namita (Dr.) and Vasishth, Neeru (Dr.) Corporate Governance Values & Ethics with Case Studies, Taxman (2010) ISBN: 9788171946938
- Pandya, Prakash and Balakrishnan, R, Compliance Guide to Corporate, Taxman (2006) ISBN:8174967559
- K.R. Chandratre (Dr.) Manual of Corporate Law Compliance & Corporate Governance, Bharat Law House (2006) ISBN: 81-7737-111-8

INTELLECTUAL PROPERTY LAW

Course Code: LAW4105

Credit Units: 02

Course Objective

This Course is designed with the objective of acquainting students with the conceptual and operational parameters of Intellectual Property Law, the judicial interpretation and the new and emerging dimensions of the subjects. It also teaches them various aspects and rights that exist for them in emerging Intellectual Property Laws.

Course Contents:

Module-I:

1. Introduction to IPR
 - Introduction to various kinds of Intellectual Property Rights.
 - TRIPS & WTO

Module-II:

1. Patents
 - Meaning of Patents.
 - Subject matter of Patents.
2. Infringement of Patents and Remedies available
 - Patent of Addition, Rights of Patentee.
 - Transfer of Patents, revocation of Patents & leading Case Law.

Module-III:

1. Trademark
 - Introduction meaning and definition of Trademark,
 - Function and essentials of Trademark,
 - Similar and deceptive mark, principles of registration of Trademark,
2. Infringement of Trademark,
3. Passing off, Absolute & Relative Mark of Refusal & Leading Case Laws.

Module-IV:

1. Copyright
 - Meaning and definition of Copyrights.
 - Concept of Author and Owners of Copyrights.
 - Contract of Service and Contract for Service.
2. Infringement Under Section 51 of Copyrights Act 1957.
3. Fair dealing Under section 52.
4. Features of Copyrights and Remedies available & leading Case Laws.

Module-V:

1. Trade Secret
 - Meaning of Trade Secret.
 - Definition of Trade Secret and Leading Laws.

Examination Scheme:

Components	P/S/V	CT	C	A	EE
Weightage (%)	10	10	5	5	70

Text & References:

- Chisum on Patents
- Intellectual Property, Dr. B.L. Wadhera

CONSTITUTIONAL & ADMINISTRATIVE LAW (SPECIALISATION) **FUNDAMENTAL RIGHTS AND DIRECTIVE PRINCIPLES**

Course Code: LAW4106

Credit Units: 02

Course Objective:

This paper is designed with a view to educate the pupil about the Constitutional rights, duties and policies of the government underlining the relevant legislations which are having wider ramification on the interpretation of the provisions of the Constitution.

Course Contents:

Module-I: INTRODUCTION

1. Evolution of Fundamental Rights, impact of Universal Declaration of Human Rights and Constitutions of other countries on Fundamental Rights.
2. Concepts of Fundamental Rights, Bill of Rights, Natural Rights and Human Rights.
3. Preamble of the Constitution and its implication with reference to Fundamental Rights, Directive Principles of State Policy, and Fundamental Duties.
4. Definition of State under Art.12, 13 - Inviolability of Fundamental Rights.
5. Doctrine of Waiver, Doctrine of Severability, Doctrine of Eclipse, scope of definition of law under Art.13.

Module-II: RIGHT TO EQUALITY

1. Relationship between Articles 14, 15, 16, 17, and 18.
2. Doctrine of Classification, Doctrine of Arbitrariness, Doctrine of Legitimate Expectation, Wendsbury Principle.
3. Prohibited grounds for discrimination (Art.15); special provisions relating to women; protective discrimination in favor of Backward Classes, Scheduled Castes and Scheduled Tribes; Development of case law.
4. Equality of Opportunity in the matters of public employment, reservations in public employment, residence as prerequisite for employment.
5. Untouchability, Abolition of Titles.

Module-III: RIGHT TO FREEDOM, RIGHT AGAINST EXPLOITATION

1. Six fundamental freedoms under Art.19 and reasonable restrictions under Art 19 (2) to (6); test to determine the reasonableness of restrictions; whether restriction includes deprivation and prohibition.
2. Rights of accused; Doctrine of ex-post -facto law; Doctrine of Double Jeopardy; privilege against self-incrimination.
3. Protection of life and personal liberty; right to education; safeguards against ordinary arrest and preventive detention; right against exploitation.
4. Ambit of religious freedom, cultural and educational rights.
5. Right to Constitutional remedies; Fundamental Rights vis-à-vis Armed Forces.
6. Martial Law and Armed Forces Special Powers Act.

odule-IV: DIRECTIVE PRINCIPLES OF STATE POLICY AND FUNDEMENTAL DUTIES

1. Relative importance of Directive Principles of State Policy (DPSP) and Fundamental Rights.
2. Nature of Directive Principles of State Policy; Justifiability of Directive Principles of State Policy.
3. Social security and welfare provisions under Directive Principles of State Policy; economic rights.
4. Directive Principles of State Policy that were read into Fundamental Rights.
5. Fundamental Duties – evolution, relationship between Fundamental Rights and Duties.

Examination Scheme:

Components	P/S/V	CT	C	A	EE
Weightage (%)	10	10	5	5	70

Text & References:

- H.M. Seervai, Constitutional Law of India – Vol. I &II
- V.N.Shukla , Constitution of India
- Subhash C Jain, The Constitution of India
- D.D. Basu, Commentaries on Constitutional Law of India, Vol. A to E
- M. Hidayatullah (Ed.), Constitution of India
- M.P.Jain, Indian Constitutional Law
- Subba Rao G C V, Indian Constitutional Law
- Pande G S, Constitutional Law of India
- Saharay H K, Constitution of India
- Pylee M.V, Our Constitution, government & politics
- Tope T K, Constitutional Law of India

CENTER STATE RELATION & CONSTITUTIONAL GOVERNANCE

Course Code: LAW4107

Credit Units: 02

Course Objective:

This paper aims at giving the students an insight into the federal structure as envisaged in the Constitution of India and focuses upon educating them about the Legislative, Administrative and Financial relations between the Centre and the States.

Course Contents:

Module-I: NATURE OF INDIAN POLITY

1. Introduction to the Constitution of India.
2. Constitutional Law---Constitutionalism.
3. Introduction to the concept of Federalism.
4. Historical evolution of Federal features in India.
5. Different forms of Governments-Unitary, Federal and Confederation, their features, merits, de-merits and distinction between them.
6. Nature of Indian Federalism –Dominant features of the Union over the States.
7. Judicial Perspective over the Indian Federalism.

Module-II: LEGISLATIVE RELATIONS BETWEEN THE CENTRE AND THE STATES

1. Doctrine of Territorial Nexus.
2. Delegated Legislation-permissible limits of delegation.
3. Scheme of distribution of legislative powers between Union and States.
4. Principles of interpretation of lists- Doctrine of Pith and Substance; Doctrine of Colorable Legislation; Doctrine of harmonious construction; Ancillary legislation
5. Residuary Powers.
6. Parliament's power to legislate on the State List.
7. Inconsistency between laws passed by Parliament and State legislature.

Module-III: ADMINISTRATIVE RELATIONS BETWEEN THE UNION AND STATES

1. Distribution of executive powers
2. Inter-governmental delegation of powers
3. Centre's directive to State & other Constitutional provisions
4. All India Services
5. Co-operative federalism; disputes relating to waters, Inter-State Council

Module-IV: FINANCIAL RELATIONS BETWEEN THE UNION AND THE STATES

1. Introduction to Allocation of taxing powers-Central Taxes, State Taxes, Concurrent Taxes, No tax outside the tax entries.
2. Funds-Consolidated and Contingency Funds.
3. Public Accounts.
4. Tax and Fees.
5. Restrictions on taxing powers.
6. Inter-Government Tax immunities.
7. Tax-sharing.
8. Grants-Grants-in-lieu; Grants-in-aids; Specific Purpose Grants.
9. Finance Commissions.
10. Borrowing Powers.

Module-V: SERVICES UNDER THE UNION AND THE STATES

1. Recruitment and Regulations of Conditions of Services.
2. Doctrine of Pleasure-Restrictions on Doctrine of Pleasure.
3. Constitutional Safeguards to Civil Servants.
4. Public Service Commission-Appointment of Member of Public Service Commission.
5. Functions of Public Service Commission.

Module-VI: EMERGENCY PROVISIONS

1. National Emergency.
2. State Emergency.
3. Financial Emergency.

Examination Scheme:

Components	P/S/V	CT	C	A	EE
Weightage (%)	10	10	5	5	70

Text & References:

- A.G. Noorani, (ed.), Centre State Relations in India, Bombay: Lesley Saehney Programme for Training, 1972.
- Ashok Chandra, Federalism in India.
- De JatindraRanjan, Development of Federalism in India, Gauhati :Bani Prakashani,1974
- Desai, Justice D.A. Prasad Anirudh, Centre And State Powers Under Indian Federalism
- Dr. Subhash C. Kashyap, The Framing of India's Constitution- A study & Constitution making since 1950- An Overview
- Dr. Subhash C. Kashyap, Constitution of India: Review and Reassessment
- Dr. Subhash C. Kashyap, Indian Constitution-Conflicts and Controversies
- Dr. Subhash C. Kashyap, Commentary on Constitution of India
- Dr.Subhash C. Kashyap, Our Constitution-An Introduction to India's Constitution and Constitutional Law, 5th edition reprint 2014.
- G.C.V Subbarao, Legislative powers in Indian Constitutional Law.
- Glanville Austin, The Indian Constitution: Cornerstone of a nation, Delhi; Oxford University Press.
- H.M. Seervai, Constitutional Law of India – Vol.I&II
- K.C.Wheare, Federal Government.
- K.P. Krishna Shetty, the Law of Union-State Relations and Indian Federalism.
- K.Subba Rao, the Indian Federation.
- Kabbur, A.S. Centre-State Relations in India, New Delhi: Trust Books, 2004
- Keith A.B. , Constitutional History of India
- L.M Singhvi, Union-State Relations in India
- M.P Jain, Outlines of Indian Legal History.
- M.P.Jain, Indian Constitutional Law
- M.V Pylee, Constitutional History of India
- Monica David, Indian Legal and Constitutional History, 1600-1949, Vimala Publications, 1968.New Delhi: Deep & Deep Publications, 1981
- O. P. Sharma, Financial Relations Between Centre & States and Local-Self Governments in India
- Pal, Chandra Centre-State Relations and Cooperative Federalism, New Delhi: Deep & Deep Publication, 1983
- Pande G S, Constitutional law of India

- Prasad, Anirudh Centre-State Relations in India, New Delhi: Deep & Deep Publications,1985.
- Pylee M.V Our Constitution government & politics
- Rama Jois M, Legal and Constitutional History of India.
- Rama Jois, Services under the States, Indian law Institute, New Delhi
- Saharay H K, Constitution of India
- SamaradityaPal,India's Constitution –origins and evolution (Constituent Assembly debates, Lok Sabha debates on constitutional amendments and Supreme Court judgments,2014
- Seetalvad's Lectures on Constitutional law
- Setalvad M.C, Constitutional History of India
- Shubh Narayan Singh, Centre state relations in India: major irritants & post-Sarkaria review
- Subba Rao G C V Indian Constitutional law
- Subbarao's Lectures on Constitutional law
- Telang's Lectures on Constitutional Law
- Tope T K ,Constitutional law of India by Justice Sujata Manohar, Eastern book company
- V.D. Sebastian, Indian Federalism: the Legislative Conflict.

Recommended Reading:

- Federalism In India, Benjamin N. Schoenfeld, [Http://Www.Jstor.Org/Stable/42743497](http://www.jstor.org/stable/42743497)
- Federalism : A Conceptual Analysis, S. A. Paleker, The Indian Journal Of Political Science, Vol. 67, No. 2 (Apr.- June, 2006), Pp. 303-310, Indian Political Science Association, [Http://Www.Jstor.Org/Stable/41856217](http://www.jstor.org/stable/41856217)
- United In Diversity? Asymmetry In Indian Federalism,LouiseTillin, [Http://Www.Jstor.Org/Stable/4624781](http://www.jstor.org/stable/4624781)
- Coalition Government And Federal System In India, M.G. Khan [Http://Www.Jstor.Org/Stable/41855780](http://www.jstor.org/stable/41855780)
- The Nature Of Indian Federalism: A Critique, H. M. Rajashekara,[Http://Www.Jstor.Org/Stable/2645661](http://www.jstor.org/stable/2645661)
- The Indian Union And Emergency Powers, Krishna K. Tummala, [Http://Www.Jstor.Org/Stable/1601275](http://www.jstor.org/stable/1601275)
- Finance Commission In A Federal Set-Up,VinodVyasulu, [Http://Www.Jstor.Org/Stable/4404650](http://www.jstor.org/stable/4404650)
- Dr. B. R. Ambedkar And Making Of The Constitution: A Case Study Of Indian Federalism, K. H. CheluvaRaju,[Http://Www.Jstor.Org/Stable/41855548](http://www.jstor.org/stable/41855548)
- Ramaswamy R. Iyer, Inter-State Water Disputes Act 1956: Difficulties And Solutions, [Http://Www.Jstor.Org/Stable/4412360](http://www.jstor.org/stable/4412360)
- Federalism And Water Resources, Ramaswamy R. Iyer,[Http://Www.Jstor.Org/Stable/4400999](http://www.jstor.org/stable/4400999)
- Ga.Akerlof,Centre-Statefiscalrelations In India -[Www.Jstor.Org/Stable/29794022](http://www.jstor.org/stable/29794022)
- H. M. Rajasekhara, The Nature Of Indian Federalism: A Critique -[Www.Jstor.Org/Stable/2645661](http://www.jstor.org/stable/2645661)
- Balveer Arora, India's Experience With Federalism: Lessons Learnt And Unlearnt, [Www.Uni-Bielefeld.De/Midea/Pdf/Balveer.Pdf](http://www.uni-bielefeld.de/midea/pdf/Balveer.pdf)

POLICE AND SECURITY ADMINISTRATION

Course Code: LAW4108

Credit Units: 02

Course Objective:

In every written constitution, provision is required to be made to equip the state to face grave threats to its existence arising from extra-ordinary circumstances created by war or external aggression or armed rebellion. Although "amidst the clash of arms, the laws are not silent" they do not speak the same language in war as in peace. Extra-ordinary circumstances warrant the invocation of extra-ordinary laws and such laws are known as emergency laws. They put greater fetters on individual liberty and also eclipse certain aspects of the due process. But in such circumstances, the democratic forces must assert that for survival of the State, the least possible liberty should be available. This course aims to familiarize the students with different aspects of such emergency powers and scrutinizing intellectual attitude towards such powers.

Course Contents:

Module-I: NATIONAL SECURITY, PUBLIC ORDERS AND RULE OF LAW

1. Emergency Detention in England - Civil Liberties.
2. Subjective satisfaction or objective assessment?
3. Pre-Independence law.

Module-II: EXCEPTIONAL LEGISLATIONS

1. COFEPOSA and other legislation to curb economic offenders.
2. TADA: "the draconian law"-comments of NHRC
3. Special courts and tribunals
4. Due process and special legislation

Module-III: MARTIAL LAW

1. Provisions in English Law
2. Provisions in the Indian Constitution

Module-IV: ACCESS TO COURTS AND EMERGENCY

1. Article 359: ups and downs of judicial review
2. Constitution (Forty-fourth), Amendment Act, 1978.
3. Constitution (Fifty-ninth) Amendment Act, 1988.

Examination Scheme:

Components	P/S/V	CT	C	A	EE
Weightage (%)	10	10	5	5	70

Text & References:

- G.O. Koppell "The Emergency, The Courts and Indian Democracy" 8 J.I.L.I. 287 (1966)
- H.M. Seervai, The Emergency, Future Safeguards and the habeas Corpus: A Criticism (1978)
- International Commission of Jurists, Status of Emergency and Human Rights (1984)
- N.C. Chatterji and Parameshwar Rao, Emergency and the Law (1966)

Syllabus - Second Semester

DISSERTATION

Course Code: LAW4237

Credit Units: 03

Research Dissertations:

- (a) Dissertations are in the nature of monographs based on students' own research work under their respective Guides.
- (b) Length of Dissertations should be between 100-125 pages (typed in 12 points, double-spaced, on A-4 size paper, hard-bound).
- (c) Title-page of the Dissertation should mention its title followed by the words "submitted to Amity Institute of Advanced Legal Studies in part fulfillment of requirements for LL.M (mention specialization here) Degree of Amity University Uttar Pradesh" and should bear the student's name and year of submission.
- (d) Contents-page of the Term Paper should give its chapter-plan consisting of proper headings and sub-headings. This will be followed by a Preface.
- (e) Each chapter of the Dissertation should begin on a fresh page and references in the prescribed style (given below) for each chapter should be given at the end of that chapter.
- (f) Table of Statutes, Table of Cases and Bibliography must be given in the Dissertation after the last chapter.

Assessment Scheme:

Dissertation

Continuous Evaluation: Based on the oral presentations [three], regularity and records etc. – 30%

Final Evaluation: Based on contents and layout of the report, conceptual framework, objectives and methodology and implications and conclusions. – 70%

Term Paper: Continuous Evaluation based on chapter-plan, general approach and two presentations – 30%

Final Evaluation: Based on the organization of the paper, objectives, comprehensiveness of the research, flow of the ideas, relevance of the material used. – 70%

Text & Références:

- Books: DW Bowett, *Law of International Institutions*, 4thed, Delhi 2003, pp 11-13.
- Articles: GC Wadhwa, „Latest Trends in International Law“, *Delhi Law Review* 2 (1992) p 223
- Reports: National Human Rights Commission, *Annual Report 1996-97*, p 212
- Codes & Acts: Hindu Marriage Act 1955, Sec. 14
- Cases: Sarla Mudgal v Union of India AIR 1995 SC 337

* To avoid repetition of references learn to use expressions like *ibid* and *id at...* & *supra* and *infra*, etc. Your Dissertation Guide will explain to you how to use these expressions.

CORPORATE & BUSINESS LAW (SPECIALISATION)

COMPETITION LAW

Course Code: LAW4202

Credit Units: 02

Course Objectives:

Competition Law course provides a conceptual understanding and in-depth knowledge of the Competition Act, 2002 and the regulatory framework concerning anti competitive agreements, abuse of dominant position and cartelization and other related matters that try to curb competition in India.

Course Contents:

Module-I: Introduction

1. Basic economic and legal principles.
2. Restraint of Trade Under Indian Contract Act.
3. Monopolistic Trade Practices, Restrictive Trade Practices.

Module-II: Development of Law from MRTP to Competition Act, 2002

1. Aims, Objective and salient features.
2. Comparison between MRTP Act & Competition Act.
3. Anti-Competitive Agreement, Abuse of Dominant Position, Combination.

Module-III: Competition Commission of India

1. Structure and function of Competition Commission of India.
2. Regulatory role.

Module-IV: Competition Appellate Tribunal

1. Composition, functions, powers & procedure.
2. Award Compensation, Power to punish for contempt, Execution of orders

Module-V: IPRs and Competition Law

1. Concept of IPRs, Transaction Involving IPRs, Licensing IPRs, Protection offered by IPRs,
2. Territorial restraints

Examination Scheme:

Components	P/S/V	CT	C	A	EE
Weightage (%)	10	10	5	5	70

Text & References:

- Competition Act 2002
- Security Contract (Regulation) Act 1956
- SEBI Act 1992
- Depositories Act 1996
- Foreign Trade (Development & Regulation) Act 1992

INTERNATIONAL TRADE LAW

Course Code: LAW4203

Credit Units: 02

Course Objective:

This course aims to introduce the students to the specialized discipline of International Trade Law. It will acquaint the students with the basic aspects of International Trade Law including the WTO and its different principles and agreements.

Course Contents:

Module-I: INTRODUCTION TO INTERNATIONAL TRADE LAW

1. Meaning of International Trade Law.
2. Scope and subject covered under international Trade Law.

Module-II: Payment for International Sales

1. Letters of Credit, Bills of Exchange
2. Their functions and connected issues.

Module-III: World Trade organization (WTO) and General Agreement Tariffs and Trade (GATT) Background of formation of WTO, role of WTO in International Trade, Difference of GATT and WTO, Structure of WTO

1. Basic Principles: MFN Treatment, National Treatment and Non Discrimination and Exception to MFN.
2. Tariff and Bindings, Regional Trade Agreements, Escape clause, safeguard measures, quantitative restrictions, antidumping and counter- veiling duties.

Module-IV: International Trade Financing

1. Trade related investment measures (TRIMS).
2. General agreement on trade in services (GATS).
3. Trade related aspects on intellectual property rights (TRIPS).

Module-V: International Commercial Arbitration

1. Concept of Commercial Arbitration among different Countries.
2. Relation between India and World with regard to International Commercial Arbitration and its Legal effects.

Examination Scheme:

Components	P/S/V	CT	C	A	EE
Weightage (%)	10	10	5	5	70

Text & References

- Basic texts of GATT and WTO
- Jackson, John, H (1997) Law of International Trading System, The MIT Press
- Jackson, John, H (1997) World trade and Law of GATT, The MIT Press
- Dam, K.W (1970) the GATT Law and International Economic Organisation, Chicago University Press

- Koul, A.K (2001) World Trade Organisation Satayam Publication
- Internet Sources www.wto.org, www.uncitral.org
- Text of the Indian Arbitration and Conciliation Act, 1996

BANKING & INSURANCE LAW

Course Code: LAW4205

Credit Units: 02

Course Objective:

This course is designed with the objective of acquainting students with the conceptual and operational parameters of Banking law and Insurance Law, the judicial interpretation and the new and emerging dimensions of both Insurance as well as Banking sector. It also teaches the students the various aspects and rights that exist in the Banking and Insurance sector.

Course Contents:

Module-I: Banking System in India

1. Banking Regulation Laws: Reserve Bank of India Act, 1934, Banking Regulation Act, 1949.
2. Kinds of Banks and their functions; Relationship between banker and customer: Legal Character, Contract between banker & customer, Banks duty to customers.
3. The Banking Ombudsman Scheme, 1995 and the Liability under Consumer Protection Act, 1986.

Module-II: Lending, Securities and Recovery by Banks

1. Principles of Lending; Position of Weaker Sections.
2. Nature of Securities and Risks Involved.
3. Recovery of debts with and without intervention of courts / tribunal: Recovery of Debts due to Banks and Financial Institutions Act, 1993. Set up of Bank Debt Recovery Tribunals.

Module-III: Banking Frauds

1. Nature of Banking Frauds; Legal Regime to Control Banking Frauds;
2. Recent Trends in Banking: Automatic Teller Machine and Internet Banking, Smart Cards, Credit Cards.

Module-IV: Insurance Law

1. Nature of Insurance Contracts.
2. Kinds of Insurance:
 - Life Insurance, Medi claim, Property Insurance, Fire Insurance, Motor Vehicles Insurance (with special reference to third party insurance).
3. Insurance Regulatory And Development Authority Act, 2000;
 - Constitution, Functions and Powers of Insurance Regulatory and Development Authority;
4. Foreign Direct Investment (FDI) in Insurance sector and the Application of Consumer Protection Act, 1986.

Examination Scheme:

Components	P/S/V	CT	C	A	EE
Weightage (%)	10	10	5	5	70

Text & References:

- Banking Law & Negotiable Instruments Act – Sharma and Nainta
- Banking System, Frauds and Legal Control – R.P. Namita
- Law of Insurance – M.N. Mishra
- Handbook of Insurance and Allied Laws – C. Rangarajan
- Banking Law & Practice in India – M.L. Tannan.

CONSTITUTIONAL & ADMINISTRATIVE LAW (SPECIALIZATION)

ADMINISTRATIVE LAW

Course Code: LAW4206

Credit Units: 02

Course Objective:

This course introduces students to various aspects of Administrative Law by examining the interaction between Public Administration and the Law. The main objectives of this course are to enable the students to:

- Understand the basic nature of Public Administration, the Courts, and Administrative Law.
- Be able to distinguish between Rulemaking, Adjudication, and Judicial Review.
- Be familiar with how Legislative and Judicial values have been infused in the Administrative State.
- Understand the implications and importance of Administrative discretion.

Course Contents:

Module-I:

1. Evolution and significance of Administrative Law in various systems of governance-from ancient to modern.
2. Doctrine of Separation of Powers: Comparative survey-Common Law and Continental System: England, USA, France and India from Rigidity to Flexibility.
3. Rule of Law: Changing dimensions, Regulation of administrative process.

Module-II:

1. Delegated Legislation: Problems, Process and Control.
2. Judicial Review of Delegated Legislation.

Module-III:

1. Processual Fairness: Evolution and Significance of Natural Justice:
 - a) England: Judicial Process, Doctrine of fairness and doctrine of legitimate expectation.
 - b) U.S.: Due process and judicial decision.
 - c) India : Through judicial decision-Doctrine of Fairness (Art.14, 19, 21).
2. Doctrine of Legitimate Expectation, Privilege against disclosure, official secrecy, Access to information and Right to Information Act.

Module-IV:

1. Global Administrative Law: Meaning, Scope and Relevance.
2. Global Administrative Law Challenges: Constitutional Issues/ Judicial Review.
3. Increased role of Global Institutions like UN, IMF, WB, WTO etc (Transparency, Accountability & Democracy).

Module-V:

1. Control on Maladministration: Ombudsman, Commissions of Inquiry, Vigilance Commissions.
2. Investigative Agencies: The CBI, Inquiries by Legislative Committee, Legislative control, Judicial Inquiries.

Examination Scheme:

Components	P/S/V	CT	C	A	EE
Weightage (%)	10	10	5	5	70

Text & Reference Books

- Pater H. Schunk, Foundation of Administrative Law, 1994
- Friedman, The State and Rule of law in a mixed Economy.
- Ivor Jennings, Law & the Constitution
- Schwartz and Wade, Legal Control of Government
- De Smith, Judicial Review of Administrative Action, 1998
- D.D.Basu, Comparative Administrative Law, 1998
- K.S.Shukla and S.S.Singh, LokAyukta: A Socio-Legal Study, 1988
- Jain & Jain, Principles of Administrative Law

RELIGION DIVERSITY & LAW

Course Code: LAW4207

Credit Units: 02

Course Objective:

The course aims at imparting knowledge as well as an understanding about the multifarious nature of culture and religion in the Indian society in relation to the legal and Constitutional system of India. Basically, this course seeks to sensitize students about the existing nexus between law, religion and culture.

Course Contents:

Module-I: Introduction

1. Law: concept and significance.
2. Religion: role and significance.
3. Culture: forms and contribution.
4. Effect of culture and tradition on law: Law as an instrument of social change.

Module-II: Relationship between Law, Religion and Culture

1. Relationship between religion, culture and law.
2. Religion as a tool of unity and diversity.
3. Right to Freedom of Religion and legal reforms on secular lines; Status of languages in India: recognized and official languages; Status of marginalized communities in India; Constitutional guarantees to linguistic minorities.

Module-III: Law, Diversities and Contemporary Social Problems

1. Fundamentalism, Communalism and Terrorism.
2. Secularism, Formation of Linguistic states, Constitutional policies on language.
3. Marginalized communities and protective discrimination and affirmative action policies.
4. Role of the Constitution in preserving unity; Judicial trends.

Module-IV: Alternative Approaches

1. Jurisprudence of Sarvodaya and the role of Mahatma Gandhi.
2. Role of VinobhaBhave and Jayaprakash Narayan.
3. Socilaist thought on Law and Justice; Indian Marxist critiques on Law and Justice
4. Alternate social movements.
5. Alternative Dispute Resolution;LokAdalats and contemporary movements.

Examination Scheme:

Components	P/S/V	CT	C	A	EE
Weightage (%)	10	10	5	5	70

Text & Reference Books:

- Galanter, Marc; Law and Society in Modern India; Oxford University Press
- Lingat, Robert; The Classical Law of India; Oxford University Press
- Baxi, Upendra; The Crisis of the Indian Legal System; Vikas Publishing House
- Basu, Durga Das; Introduction to the Constitution of India; LexisNexis
- Bhandari, M.K.; Basic Structure of Indian Constitution: A Critical Reconsideration; Deep and Deep Publication
- Robinson, Rowena; Sociology of Religion in India; Sage Publications
- Bhat, Ishwara; Law and Social Transformation; Eastern Book Company
- Tripathi; Law and Social Change: Indo-American Reflections; Indian Law Institute

MEDIA LAW

Course Code: LAW4208

Credit Units: 02

Course Objective:

This course discusses the principles of media law as they apply to the work of media and communications professionals in a variety of fields. Understanding the current and evolving state of media law is a challenging task, therefore this course will introduce students to the study of legal and ethical issues in the media. Students will develop an understanding and appreciation of these issues and the ability to analyze the important legal and ethical issues involved with the mass media industry.

Course Contents:

Module-I: Media & Public Policy

I. Disseminating the facets of Media

1. Understanding the concept of Media
2. History of Media Theories of Media
3. Evolution of Media

1. Media Legislation - British experience
2. Media Legislation in U.S.
3. Media Legislation in Indian Context

1. Freedom of Expression in Indian Constitution
2. Interpretation of Media freedom
3. Issues of Privacy
4. Right to Information
5. Case studies on Media and Free expression

Module-II: Media - Regulatory Framework

1. Legal Dimensions of Media
2. Self Regulation & Other Issues

Module-III: Convergence & New Media

1. Understanding Broadcast Sector
2. Legislative efforts on Broadcast sector
3. Opening of Airwaves
4. The New Media of Internet

Module-IV: Media – Advertisement & Law

1. Concept of Advertisement
2. Advertisement & Ethics
3. Advertisement Act of 1954

Examination Scheme:

Components	P/S/V	CT	C	A	EE
Weightage (%)	10	10	5	5	70

Text & Reference Books:

- N. Grover: Press and the Law.
- Basu: Laws of Press in India.
- K. S. Padhy: Battle for Freedom of Press in India.
- S. K. Aggarwal: Media and Ethics.
- M.P.Jai, Constitutional Law of India (1994) Wadhwa
- H.M.Seervai, Constitutional Law of India Vol.I (1991) Tripathi, Bombay
- Rajeev Dhavan “On the Law of the Press in India” 26 J.I.L.I. 288 (1984)
- Rajeev Dhavan, “Legitimizing Government Rhetoric : Reflections on Some Aspects of the Second Press Commission” 26 J.I.L.I. 391 (1984)
- Soli Sorabjee, Law of Press Censorship in India (1976)
- Justice E.S. Venkatramaiah, Freedom of Press : Some Recent Trends (1984)
- D.D. Basu, The Law of Press of India (1980)

VIVA-VOCE EXAMINATION

The Viva-Voce Examination to be conducted for each student individually in 2nd Semester has two components of equal marks stated below:-

(i) **GENERAL LEGAL KNOWLEDGE**

- (a) Foundational course common for all LLM programs-Study Paper-1: Research Methodology and Legal writing.
- (b) Basic knowledge of the Constitution of India and all major civil, penal and procedural laws of the country.
- (c) Latest legal issues of the day.

(ii) **AREAS OF SPECIALIZATION**

- (a) Study Papers of the students' respective areas of specialization – i. e., Constitutional Law or Business Law.
- (b) Respective Research Dissertations.
- (c) Leading Case Law in the area of specialization.
- (d) Latest Legal Issues in the area of specialization.

Examination Scheme:

External Assessment by external expert:	70%
Internal Assessment by Internal Faculty:	30%
Total	100%

Text & References:

(a) **Books**

- Manish Arora, Legal GK – General Knowledge on Law (6thed, 2008)
- Gopalan&Brindha, Viva General Knowledge (2008)
- Universal, Guide to LLB Entrance Test (19thed, 2009)
- Universal, Practice Test Papers for Common Law Admission Test (2010)

(b) **Legal News in leading English Dailies (Hindustan Times, Times of India, Indian Express, The Hindu)**