

**ICFAI LAW SCHOOL**

**DEHRADUN**

**Master Of Laws (LL.M) One Year Program**

**Program Structure for Master Of Laws (LL.M) One Year**

**Corporate and Commercial Law Specialization**

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| **Semester I** | | | **Semester II** | | |
| **Course Code** | **Course Title** | **Units** | **Course Code** | **Course Title** | **Units** |
| LM 611 | Research Methods and Legal Writing | 3 | LMCCL 612 | Intellectual Property Law | 3 |
| LM 621 | Comparative Public Law | 3 | LMCCL 622 | Law on Securities and Financial Markets | 3 |
| LM 631 | Law and Justice in a Globalizing World | 3 | LMCCL 632 | International Commercial Arbitration | 3 |
| LM CCL 641 | International Trade Law | 3 | LMCCL 642 | Competition Law | 3 |
| LM CCL 651 | Company Law | 3 | LMCCL 652 | Banking and Insurance Law | 3 |
| LM CCL 661 | Cyber Law | 3 |  | Dissertation | 4 |

**Total Credits for the Programme - 37**

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| **Course: Research Methods and Legal Writing** | **Semester: I** |
| **Course Code: LM 611 L T P 3 0 0** | **Credits: 3** |

**Objective:** To learn various methods of conducting research in legal studies including the collection, analysis and organization of data and recording of findings for report writing. It will help to acquaint with the scientific method of social science research and to develop the skill of legal writing. The students are expected to acquire the knowledge and skills of investigations, interpretation of primary and secondary data in socio-legal research.

**Syllabus**

**Introduction to Legal Research and Writing 8**

Meaning, scope and objective of legal research, Significance and reservations of scientific methodology with reference to socio-legal research, Importance of legal research in common law and civil law systems, Classifications of legal research –Doctrinal and Non-doctrinal, merits and demerits (evaluative, explicative, projective, collative, impact analysis and interpretative).

**Research Design and Methods 9**

Meaning, Formulation of research design, Objective and Purpose of study, Selection of research problem and developing a research plan (Exploration, Description, Diagnosis and Experimentation), Research design, Basic Principles, Need of research design ,Features of good design, Important concepts relating to research design, Observation and Facts, Laws and Theories, Prediction and explanation, Induction, Deduction, Development of Models, Hypothesis: Meaning, scope, classification, formulation of hypothesis, literature survey and use of information technology for collection of material (Word processing, data processing, graphical processing and use of excel).

**Research Sources and Techniques 9**

Sources of Data, Primary and Secondary Data, Sampling, Different types, Determining Experimental and Sample designs, Sampling methods, Survey and Case study method, Scaling techniques and content analysis.

**Research Tools and Data Processing 9**

Methods of data collection, Observation and collection of data, interview and schedule, questionnaire, Socio-metric and jurimetrics, Data processing and Analysis strategies (deduction and induction), Data Analysis with Statistical Packages, Hypothesis - testing, generalization and Interpretation.

**Legal Writing 9**

Significance of legal writing, essentials of legal writing, legal drafting rules, citation methodology, book review and case comments, application of maxims and doctrines, different steps in the preparation, layout, structure and language of typical reports, Illustrations and tables, Bibliography, referencing and footnotes, Report writing, plagiarism and copyright issues.

**Suggested Readings:**

1. Wilkinson & Bhandarkar, *Research Methodology*, Himalaya Publishing House.
2. Hutchins Terry, *Researching and Writing in Law*, Law Book Company, Australia, 3rd

Edition.

1. Watt Robert, *Concise* *Book on Legal Research,* The Federation Press.
2. Verma S.K. & Wani M. Afzal (ed), *Legal Research and Methodology,*  Indian Law Institute, New Delhi.
3. Gupta Vijay K, Decision *Making in the Supreme Court of India* *(A Jurimetrics Study)* – *Alternatives in Judicial Research*, Kaveri Books, L.Berg Bruce.( 2001) *Qualitative Research Methods for the Social Sciences,* Allyn and Bacon, New Delhi.
4. Singh Rattan, *Legal Research Methodology,* Lexis Nexis.
5. Chui Wing Hong, *Research Methods for Law,* Edinburgh University Press, 2007.

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| **Course: Comparative Public Law** | **Semester: I** |
| **Course Code: LM 621 L T P 3 0 0** | **Credits: 3** |

**Objective:** To familiarize students with (i) the basic concepts of Public law, knowledge and understanding about the Constitution and its relationship with the State and Citizen, (ii) principles of criminal liability and the concept on international criminal justice and (iii) measures to adopt and maintain peace in society. To understand contemporary issues relating to Public Law.

**Syllabus**

**Introduction 8**

Public Law, meaning, nature and scope, Difference between public and private law, Public law in comparative perspective, Contemporary Issues- Employment, Aging Population, Cyber Security, Urbanization, Social Security, Human Rights and Legal Aid.

**Comparative Constitutional Law 9**

Concept and Nature of the Constitution and Constitutionalism, Constitution as Supreme/Higher Law, Bill of Rights, Magna Carta, Separation of Powers, Judicial Review, Judicial Activism, Rule of Law, Constitutional Remedies, Amendment of the Constitution, and Impact of Globalization on Constitutionalism.

**Comparative Administrative Law 9**

Doctrines, Natural justice, Nature, meaning and scope, Doctrine of Administrative discretion, Ombudsman, Administrative Tribunal, Administrative liability, Delegated legislation, PIL-US, India &UK, Locus Standi, Judicial Activism, Judicial Accountability.

**Comparative Criminal Law 9**

Concept and essentials of crime, Principles of Criminal liability, Criminal justice, Fair Trial, Plea bargaining, International Criminal Justice (Genocide, Crime against Humanity), International Court of Justice, International Criminal Court (Rome Statue), Hybrids Courts, Juvenile Justice, White Collar Crimes, Homicide, and Violence Against Women (VAW).

**Comparative Corporate Law 9**

Origin and development of corporate law in US and UK and its influence on India. Development with economic and social Globalization, Principles of Corporation law and Corporate Social Responsibility.

**Suggested Readings:**

1. Paton G.W*,A Text book on Jurisprudence*, Clarendon press, 1972
2. Hall Jerome, *General Principles of Criminal Law* (1960), 2nd Ed
3. Kenny’s*, Outlines of Criminal Law*, 19th Ed. The Law book Exchange, Ltd. 2010
4. Russel, *On Crime*, 12th Ed. Vol. I, Stevens, London.
5. Geoffrey Samuel, *An Introduction to Comparative Law Theory and Method*, First Edition European Academy Of Legal Theory Series, Hart Publishing, Oxford.
6. Liber Amicorum David M.Trubek, *Critical Legal Perspectives on Global Governance* , First Edition by, Grainne de Burca, Claire Kilpatrick, Joanne Scott. Hart Publishing, Oxford
7. Stephan W. Schill. (2010). *International Investment* *Law and Comparative Public Law*, *An* *Introduction,* Oxford University Press.
8. Edited by Ginsburg Tom, Dixon Rosalind. *Comparative Constitutional Law,* Research Handbooks in Comparative Law Series, Edward Elgar Publishing.
9. De Smith’s *Judicial Review*, 7th ED, Sweet and Maxwell.
10. Backer L.C. (2002). *Comparative Corporate Law, United States, European Union, China and Japan*, Carolina Academic Press.
11. Wheare K.C., *Fedral Government*, Oxford University Press, 2nd Edition

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| **Course: Law and Justice in a Globalizing World** | **Semester: I** |
| **Course Code: LM 631 L T P 3 0 0** | **Credits: 3** |

**Objective:** To understand the nature of law and justice, develop critical thinking in regard to nature of law and justice, and provides an opportunity to learn about various international institutions like, United Nations and International Court of Justice and their role and importance. To analyze various issues and challenges and mechanisms to adopt to have amicable relationship among the developing and developed nations.

**Syllabus**

**Introduction 8**

Globalization, Meaning and Significance, Impact of Globalization on Law and Justice, and Rule of Law.

**Theories of Law 9**

Natural Law, Positivism, Ideological, Historical, Sociological.

**Theories of Justice 10**

Justice, Meaning and Nature, concept of Dharma, Social Engineering theory of Roscoe Pound, Green’s Idealism, Mills Libertarianism, Bentham’s Utilitarianism, Theories, Economic, Ethical.

**Globalization and the Law 8**

Concept of Sovereignty, State and Law, Human Rights, WTO and others.

**Challenges to Global Justice and International Institutions 9**

Concept of Justice, Global Justice, issues impacting global justice (poverty, practice of nationalism, crimes against humanity), UN, ICJ, ICC, UNHCR and Other Regional Institutions.

**Suggested Readings:**

1. Coyle Sean*, Modern Jurisprudence, A Philosophical Guide,* Hart Publishing, Oxford, First edition.
2. Carlson David, Cornell Drucila, Rosenfeld Michel, N. Cardozo Benjamin. *Deconstruction and the Possibility of Justice,* New York, Routledge.
3. Sen Amartya. *The Idea of Justice,* Harvard University Press.
4. Sen Amartya. *Development as Freedom*, Oxford University Press 1999.
5. Twining William. *Globalization and Legal Theory*, Cambridge University Press.
6. Chatterjee Deen K. *Encyclopedia of Global Justice*, Springer Science and Business Media.

7. Pogge T., Follesdal A., *Real World Justice , Grounds, Principles, Human Rights, and Social Institutions*, Springer Science and Business Media.

1. Rawls John. *The Law of Peoples, With, The Idea of Public Reason Revisited.* Harvard University Press.
2. Chodosh Hiram, *Global Justice Reform, A Comparative Methodology.* NYU Press, 01 Jan 2005.

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| **Course: International Trade Law** | **Semester: I** |
| **Course Code: LM 641 L T P 3 0 0** | **Credits: 3** |

**Objective:** To learn and understand International trade aspects of both public and private International trade law including the evolution of new international economic order, various measures regarding tariff reduction, market free access in the World economy, international sale of goods and payment methods, international disputes resolution mechanisms, taxation process, Indian foreign trade policy and electronic commerce and its significance in the global economic scenario. The course deals with various steps taken by India in order to make WTO obligations effective.

**Syllabus**

**Introduction 8**

Evolution of International Trade, Theories of International Trade GATT I947, Intemational Conventions and Organizations, The Vienna Convention on the Sale of Goods 1980, UNCITRAL, UNCTAD, WTO, GATT 1994,TRIPS, ICC, CISG.

**International Sale of Goods 8**

Special trade terms in export sales- Definitions, kinds (Ex Works, CIF Contracts, C&F Contracts, FOB Contracts, and FAS Contracts) - Differences between rights and duties of buyers and sellers, Letter of Credit , INCOTERMS, Subsequent Developments.

**Law relating to International Carriage of Goods (Transportation of Cargo) 8**

UN Convention on Carriage of Goods by Sea, Liability of Operators of Transport Terminal, Transportation of Goods by Sea, Charter Parties, Bill of Lading, Convention on the International Carriage of Goods by Sea I978 (Hamburg Rules), International Carriage of Goods by Air, Rail and Roads, International Multimodal Transport and Trade, U.N. Convention on the Limitation period in International Sale of Goods Act, I973.

**International Taxation 7**

Concept and Principles of International Taxation, Double Taxation, Related Treaties/ Models and Conventions, Issues, Conflict of laws and Interpretation, Measures to avoid double Taxation, India and Double Taxation Avoidance Agreements, Foreign Exchange and Taxation, Foreign Direct Investment and Transfer of Technology.

**E-Commerce ` 7**

Meaning & Significance, Electronic Data interchange, UNCITRAL Model law on E-commerce, UN Convention on the use of Electronic Communications in International Contracts 2005, Electronic Signatures and UNCITRAL Model Law 2001, Cross border recognition.

**Dispute Resolution 6**

WTO AND IPR related issues, TRIPS Obligation on Indian Pharmaceuticals, UNCITRAL Model of International Commercial Arbitration, Role of International Court of Arbitration, Enforcement of Foreign Arbitral Award, Enforcement of Foreign, Arbitral Awards in India, UNCITRAL Model Law on Commercial Conciliation.

**Suggested Reading:**

1. Carr Indira, Stone Peter, *Principles of International Trade Law*, Routledge Publishing, 2008.

2. Schmitthoff, M. Clive, Halloway, David &Timson, Hunt, Daren, *The* *Law and Practice of International Trade,* Sweet & Maxwell, London, 2007.

3. D M Day and Griffin, Bemardette, *The Law of International Trade,* Butterworth and Lexis Nexis, London, 2003.

4. Chuah, J. C T*, Law of International Trade*, Sweet and Maxwell, London, 2001.

5. Thommem, T. Kochu, *Bills of Lading in International Law and Practice*, Eastern Book Company, Lucknow, 1984.

6. Palmeter and Mavroids, *Dispute Settlement in the World Trade Organization*, K luwer Law International, 1999.

7. Kevin Holmes, *International Tax policy and Double Taxation Treaties, An Introduction to Principles and Application*, IBFD Publications, Netherlands, 2007.

8. Philip Bentley, Aubrey Silberston, *Anti Dumping and Countervailing Actions, Limits Imposed by Economic and Legal Theory,* Edward Elgar Publishing Limited, Northampton, 2007.

9. I. Moens, Gabriel and Giles, Peter, *International Trade and Business Law,* Policy and Ethics Canadian Publishing, London, 1998.

11. Tom George, Minarbene, *International Commercial Arbitration,* Institutional Arbitral Rules UNCITRAL, ICSID, WIPO Sheriden Book Company, New Delhi, I996.

12. Tetley, William*, Marine Cargo Claims* , International Shipping Publications, Canada, 1998.

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| **Course: Company law** | **Semester: I** |
| **Course Code: LM 641 L T P 3 0 0** | **Credits: 3** |

**Objective:** To understand the significance of companies including method of incorporation, management, Winding up of companies, various doctrines, Capital Structure, Transfer of Shares, Board Functions, Corporate Social Responsibility and Corporate Funds.

**Syllabus**

**Incorporation of Company 8**

Historical evolution of company Law in India , Meaning and nature of Company, Characteristic features of a Company, Types of Companies, Promoter and pre-incorporation contracts, Formation of a company, Convergence of corporate legal system in the present time, LLP as a type of corporate vehicle .

**Company Basic Documents 7**

Preliminary Activities, Preparation of documents, Memorandum of Association, Article of Association, Prospectus, Concept of lifting of corporate Veil, Doctrine of Ultra Vires, Constructive Notice and Indoor Management.

**Share Capital and Company 8**

Member and share holders of company, share capital, Kinds of Share capital, Definition of shares, Type of shares, Issue of shares, Further issue of shares, Transfer and transmission of shares, Buy back shares, Debt funds, Debentures, Types of debentures, debenture trusts, registration of charges, borrowing powers, lending to directors and share holders, reduction of share capital, and importance of the Depositors Act, 1996

**Company Management and Administration 8**

Board of Directors, Types of Directors, Appointment of Directors, Rights, duties and Functions of Directors, Chairman, Managing Director, CEO, CFO, CAO, Managers, Company Secretaries, Board Report, Company Meetings, Annual General Body Meeting, Extra Ordinary Meetings, Board Meetings, Share Holders and Class Meetings, Voting, Resolutions, Appointment of Auditors, Rights and Obligations of Auditors, Audit Committee and Audit Report.

**Compromise, Arrangement and Re Construction of Companies 7**

Meaning and Nature of Reconstruction of Companies, Reductions of Capital, Compromise and Amalgamation of Companies, Rehabilitation of Sick Companies, Corporate Governance, Concept, Significance, Dimensions, Legal Framework, Basic Principles and OECD Principles of Corporate Governance, Impact of Globalization, Mediation Panels, and Vanishing Companies

**Winding up of Companies 6**

Principle of Majority Rule and Exceptions, Meaning and Nature of Oppression and Mis-management, Winding up and liquidation, Types of winding up, Compulsory and voluntary winding up, Grounds for Compulsory winding up, Appointment of liquidators, Consequences of winding up, Liquidation, Serious fraud, Investigator officer, Defunct Companies, Company Law Board, High Court, National Company Law Tribunals, Appellate Tribunals, Establishment and Composition, Rights and Obligations of the parties, Appeals and Reviews.

**Suggested Reading:**

1. Thomson J.M*., Palmer’s Company Law*, Sweet and Maxwell.
2. Gower, *Principles of Modern Company Law,* Sweet and Maxwell.
3. Ramaiya*, Guide* *to Company Law,* LexisNexis.
4. Indian Law Institute, *Current Problems of Corporate law.*
5. Acharya Chandratre, Sethuraman Israni, *Compendium of SEBI*, *Capital Issues and Listing*.

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| **Course: Cyber Law** | **Semester: I** |
| **Course Code: LM CCL 661 L T P 3 0 0** | **Credits: 3** |

**Objective:** This objective is to give student a background into the general principles of cyber jurisprudence and the legal system, especially as these principles apply to various dimensions of its applicability.

Syllabus

Fundamentals of Cyber Law 3

Conceptual and theoretical perspective of Cyber Law, Computer and Web Technology

Development of Cyber Law-National and International Perspective

Cyber Law, Legal Issues and Challenges in India, USA and EU 3

Legal recognition of Digital Evidence. Data Protection, Cyber Security. Recognition of liability in the digital world, Jurisdiction Issues in Transnational Crimes

**Jurisdiction 3**

Problems and Perspectives**,** Civil and Criminal Jurisdiction: Traditional Principles of Jurisdiction: Personal Jurisdiction: Territoriality: States Long Arm Statutes: Due Process Requirements, Minimum Contact: Reasonableness: Purposefully Directed Activities: International and Indian perspective relating to Jurisdiction in Cyberspace.

**IPR Issues in Cyberspace** 6

Domain Name System: Disputes relating to Domain names and Numbers: Online Dispute Resolution and its application to various transactions: ICANN and its Role in Dispute Resolution: Anti-cyber squatting Law and Consumer Protection, Indian Perspective.

**Trademarks 4**

Trademark Dilution, Surface Linking, Deep linking, Hyperlinking, Metatags, Framing, Infringement and Remedies.

**Copyrights** 3

Subject matter of Copyright in Online Environment, Statutory Rights, Defenses, Vicarious Liability of the Internet Service Provider: Infringement and Remedies.

**Social Issues in Cyberspace** 4

Data as Property: Personal Data: Data Collection and Privacy, Data Privacy Protection Laws, Applicable Laws: Pornography: Obscenity: Defamation: As a Tort and Crime, Requirement of Proof, Defenses: Internet and Information Security, Requirement of Secure communications and networks, Goals of Information in Internet Security: Methods of achieving Security: Cryptography: Challenges.

Cyber Law- International Perspectives 5

Budapest Convention on Cybercrime. ICANN's core principles and the domain names disputes.

Net neutrality and the EU electronic communications regulatory framework, Web Content Accessibility Guidelines (WCAG) 2.0

Cyber Law - Contemporary Trends 4

Impact of cyber warfare on privacy, identity theft. International law governing Censorship, online privacy, copyright regulations. Online Intermediaries in the governance of Internet. Social Networking Sites vis-a-vis Human Rights.

**Information Technology Act, 2000 & Information Technology (Amendment) Act, 2008** 4 E-Governance, Digital Signature/Electronic Signature, Certifying Authorities, Cyber Appellate Tribunal, Electronic Evidence, Nodal Agencies, CERT, In, Related Rules.

**International Issues in Cyberspace:** 5

International Organizations, Regulations, Non-Governmental Organizations: Enforcement of International Laws to adjudicate international Disputes: International Conventions, Cyber Forensics, Cyber Investigation: Cyber Security, Policing Cyber crimes.

**Suggested Reading:**

1. Singh Yatindra. Cyber Laws, Universal Publications.
2. Narayanan Ajit and Bennum (ed.). Law, Computer Science and Artificial Intelligence, Intellect Ltd.
3. Brennan Linda and Johnson Victoria. Social, ethical and policy implication of Information Technology,Information Science Publishing, 2004
4. Kamath Nandan, Law relating to Computer, Internet and E-Commerce, Universal Law Publishing Co. Pvt. Ltd., 2000
5. Singhal Arvind and Rogers Everett. India's Communication Revolution, From Bullock Carts to Cyber Marts,Sage Publications, 2001
6. Lawrence Lessing. Code and other Laws of Cyberspace, Basic Books Inc., New York, 1999.

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| **Course: Intellectual Property Law** | **Semester: II** |
| **Course Code: LMCCL 632 L T P 3 0 0** | **Credits: 3** |

**Objective:** To understand concept of IPR, its significance, and relationship with other subjects especially, economics, law and other technological aspects, and approaches of international institutions.

**Syllabus**

**Introduction to Intellectual Property 8**

Origin and genesis of IPR, Theories of property, Locke’s , Hegel and Marxian, Nature and Concept, Meaning and types of Intellectual Property Rights and various theories associated with the IPR, Origin and Development, from National and International perspective.

**Intellectual Property Rights, International Regime 8**

International relevance of IPR, International regime of IPR, Internationalization of IP Protection, Paris Convention, Berne convention, WIPO, TRIPS agreement, Basic principles and minimum standards, Principles of Notional treatment, Limits of one size for all, Flexibilities under TRIPS.

**Intellectual Property, Issues and Challenges 7**

Challenges for IPR System, Digital Copyright, Digital rights management, Domain names, micro organisms, Biotechnology including Human genomes, Nanotechnology, Role of Government in fostering the IPR, Copyright Protection with reference to Performers rights and Artists rights, Global governance towards patents, trademarks, legal recognition, Comparative analysis in India, EU and Patents, Trade Marks, Legal recognition, Comparative analysis of Patents, Trademarks, Legal recognition, Trade Secrets in India, EU and USA.

**IP Management and Tools 7**

Meaning, Models of IP management, Technological transfer, Licensing, Compulsory licensing, Assignments, Registration, Acquisition by governments, IP Assets as tools of business, IP Insurance and current developments, IP Management and dispute Resolution, Role of National Courts, Administrative bodies, WIPO and WTO dispute settlement mechanism.

**Emerging forms of IPR 7**

Classification of IP, Industrial property and copyright, Impact of technology on IP, Emergence of new forms, Topographies and integrated circuits, Design Patents, Business method patents, Protection of computer software. EU Directive, Computer implemented invention, Inadequacy of Law to protect new forms of IPR, Technological challenges of protection, the way forward.

**Intellectual Property, Contemporary Trends 7**

Benefit sharing and contractual agreements, International Treaty on Plant Genetic Resources for Food and Agriculture, Issues on Patent policy and Farmer’s rights, CBD, Nagoya protocol and Indian Law, UNESCO, Protection of folklore/cultural expressions, Development in WIPO on traditional knowledge and traditional cultural expressions.

**Suggested Readings:**

1. Cornish W. & Lewelyn, *Intellectual Property, Patent, Copyrights, Trade Marks & Allied Rights,* Sweet & Maxwell, London.

2. Nard Madison, *The Intellectual Property,* Asian Publication.

3. Carlosm Correa, Oxford *Commentaries on GATT/WTO Agreements Trade Related Aspects of Intellectual Property Rights,* Oxford University Press.

3. Bainbridge David, *Intellectual Property Law*.

4. Bagachi Jayanti, *World* *Trade Organization, An Indian Perspective* (2000), Jain Book Agency.

5. Bhandari Surendra, *WTO and Developing countries, Deep & Deep, 1998.*

6. Singh Sahai Shiv, *The Law of Intellectual Property Rights*, Deep & Deep Publication Pvt. Ltd.

7. Phillippe Culet,  *IP Protection and Sustainable Development*, LexisNexis Butterworth, 2004.

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| **Course: Laws on Securities and Financial Markets** | **Semester: II** |
| **Course Code: LMCCL 622 L T P 3 0 0** | **Credits: 3** |

**Objective:** To understand the nature and functions of financial markets and their operations in India, and various laws applicable to Securities market.

**Syllabus**

**Financial System and Services 9**

Financial system, meaning and components of financial system, classification of markets and services, relevant constitutional provisions relating to capital markets, Article 19 (1) (g), Article 301 of Indian constitution, Capital markets, Primary and Secondary market and financial services, capital markets and security market, money markets, financial instruments and marketing, financial service providers and financial institution, intermediaries in financial marketing, financial services, meaning and concept, classification of financial services.

**The Securities Contracts (Regulation) Act, 1956 7**

Meaning of securities, definitions, recognition of stock exchange, operation of stock exchange, listing of securities, highlights of listing agreement, penalties for non-compliance.

**The Securities and Exchange Board of India Act 1992 and Regulations 8**

Organization and management of SEBI, formation and powers of SEBI, SEBI guidelines for issue of shares, debentures, securities by public offering, book building, disclosure, issue of debt instruments, listing and delisting of securities, listing agreements and corporate governance, insider trading, frauds and prohibition of fraudulent practices, alteration, reduction and buyback of shares and share capital and takeover regulations (code).

**SEBI and Intermediaries 7**

SEBI guidelines relating to intermediaries in securities market, merchant bankers, registrars for issues, brokers, portfolio managers, listing in stock exchanges, depositories and SEBI guidelines on depositories.

**Regulations of Capital Markets 7**

Capital market regulations, collective investment schemes, investor protection and protection fund, venture and seed capital, mutual funds, issues of sweat equity, derivatives, hedge funds, substantial and takeover of shares, Depositories Act, 1996, securities appellate tribunal (SAT), ombudsman, consumer protection act and securities.

**Foreign Securities Market and Regulation 6**

Foreign securities, ADR, GDR, CP, FDI and FII in the Indian securities market, Indian investments in foreign securities, FEMA, SEBI and RBI regulations on foreign institutional investors and foreign direct investments.

**Suggested Readings:**

1. Gurusamy, *Indian Financial System*, Tata McGraw Hill Education, 2009
2. Gurusamy, *Financial Services*, Tata McGraw Hill Education, 2009
3. Shah Ajay, Thomas Susan, Elesevier Gorham Michael, *Indian Financial Markets, An Indsider’s Guide to How the Markets Work* , 30th Sep,2008
4. *Indian Stock Market Laws and Regulations* by IBP, Inc.(Lulu.com,2013)
5. Kohn Meir, *Financial Institutions and Markets*, Delhi, Tata McGraw Hill Publishing Company Limited.
6. Securities Contract (Regulation) Act 1956
7. SEBI Act 1992 and Regulations
8. Depositories Act, 1996
9. Foreign Exchange Management Act, 1999
10. Prevention of Money Laundering Act, 2002

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| **Course: International Commercial Arbitration** | **Semester: II** |
| **Course Code: LMCCL 632 L T P 3 0 0** | **Credits: 3** |

**Objective:** To understand the historical growth of Commercial Arbitration, UNCITRAL Model Law and its influence on growth of Commercial Arbitration in India. Arbitration and Conciliation Act, 1996, its significance in resolving commercial disputes.

**Syllabus**

**Introduction 9**

Evolution of International Commercial Arbitration, Growth and Historical development of ICA, Objectives, Jay Treaty of 1794, Treaty of Ghent-1814-Hague Conventions 1899 and 1907, Permanent Court of Arbitration, International Chamber of Commerce 1919,Court of International Arbitration 1923,Geneva Protocol on Arbitration Clauses 1923,Geneva Convention on the Execution of Foreign Awards 1927, New York Convention on Recognition and Enforcement of Foreign Arbitral Awards 1958.

**International Commercial Arbitration 9**

International Commercial Agreements, General Principles of Interpretation of International Commercial Arbitration, Enforcement, International Arbitration versus Litigation, Institutional Arbitration and *Adhoc* Arbitration, UNCITRAL Arbitration rule 1976, UNCITRAL Model law on International Commercial Arbitration 1985, Objectives and Principles, Structure and Adoption of Model Law, General Provisions, Arbitral Agreement, Jurisdiction of Arbitral Tribunal, Conduct of Arbitral Proceedings.

**Commercial Arbitration in India 9**

Evolution of Arbitration in India (Indian Arbitration Act, 1899), Arbitration Act, 1940, Arbitration and conciliation Act, 1996, agreement to Arbitrate, Appointment of Arbitrator, Enforcement of Arbitration Agreement, Laws governing Arbitration, Interim Measures, Award, Recognition and Enforcement of Arbitral Award.

**E- Arbitration 9**

Online Arbitration Agreement, Online Arbitral Award, Regulatory framework for online dispute resolution, Means, Confidentially, Publication of result of online Arbitral Resolution, Protection of Electronic Communication of Data.

**Arbitral Institutions 8**

International Chamber of Commerce, History, Evolution, International Court of Arbitration, Permanent Court of Arbitration (PCA),International Centre of Settlement of Investment Disputes (ICSID),WIPO Arbitration and Mediation Center,WTO Dispute Settlement System, Court of Arbitration for Sport (CAC),Society of Maritime Arbitrators(SMA),International Center for ADR(ICADR), The London Court of International Arbitration, Commercial Court.

**Suggested Readings:**

1. Drahozal R Christopher, *Commercial Arbitration, cases and problems,* Lexis Nexis, 2002
2. Wilner Gabriel, Reuters Thomas, Domke, *Commercial Arbitration, The law and practice of Commercial Arbitration*, Tomson Reuters, 2014 Ed.
3. Lord Mustill, Boyd C Stweart, *Commercial Arbitration*, Butterworths 2001.
4. Leus DM Julian, Comparative *International commercial Arbitration* , Locker and Stefan.
5. Sethi Harch and Gupta Kr, Arpan*, International Commercial Arbitration*.
6. Sir Michael J. Mustill, Boyd Crauford Stewart, *The Law and Practice of Commercial Arbitration in England* , Butterworths,1989

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| **Course: Competition Law** | **Semester: II** |
| **Course Code: LMCCL 642 L T P 3 0 0** | **Credits: 3** |

**Objective:** To learn about Competition Law and policy, consumers and how they are ensured availability of goods and services of acceptable qualities at affordable price, Competition Commission of India and its significance, building strong competition culture in the country, and developing abilities to deal with the issues on expanding horizons of the corporate law.

**Syllabus**

**Introduction 9**

Monopolistic trade practices, Restrictive trade practices, Raghavan Committee Report, Development of law from MRTP to Competition Act 2002, Aims, Objects & Salient features, Comparison between MRTP Act & Competition Act, Definition of competition, Definition of Competition Law, Objectives of Competition Law, History of Competition Law(USA, UK &Europe), Relevant provisions Sherman’s Act, Indian scenario with an overview of MRTP Act ,1969.

**Anti Competitive Agreements and Competition Law 9**

Abuse of dominant position, Protection of consumers, Competition Commission of India, Structure & function of CCI, Regulatory role, Appreciable adverse effect, Horizontal & vertical agreements, Effect of doctrine, Prohibition of Anti, Competitive agreements, Concerted practices & parallel behavior, Cartel & cartelization, Bid rigging & collusive bidding, Tie, in Arrangements, Exclusive supply agreement, Resale price maintenance agreement, Relevant Market, Predatory behavior, Predatory pricing, Discriminatory practices, Relevant market.

**Merger and Amalgamation 9**

Combination, Value & assets, Turnover, Acquisition, Conglomeration, Joint venture, Mergers and amalgamation Notification.

**Competition Commission of India and Appellate Authority 9**

Establishment & composition, Duties, Procedure for inquiry, Powers, Competition Fund,

Competition Advocacy, Competition Policy, Competition Appellate Tribunal-Composition, Functions, Powers & Procedure, Award Compensation, Power to punish for contempt and Execution of orders.

**Consumer Protection & Competition Law 8**

Definition of consumer, Definition of service, Deficiency of service, Unfair trade practices, Overlapping areas & challenges.

**Suggested Readings:**

1. Mittal D. P., *Taxmann’s Competition Law* (2007), Taxman.
2. Ramappa. T., Competition *Law in India, Policy, Issues & Development (2006)* Oxford University Press.
3. Nahar S. Mahala, *Law, Practice & Procedure (2006),* Commercial Law Publishers.
4. Dhall Vinod, *Competition Law Today*, (ed.) 2007, Oxford University Press.
5. Bangia R. K., *A handbook of Consumer Protection Laws & Procedure*, 2004, Allahabad Law Agency.
6. Singh Avtar, *Law of Consumer Protection, Principles & Practices*, 2005, Eastern Book Company.
7. Verma S. K. & M. Afzal Wani, A *Treatise on Consumer Protection Laws*, (ed.) 2004, Indian Law Institute.
8. Anoop K. Kaushal, *Universal’s Practical Guide to Consumer Protection Law*, 2006, Universal Law Publishing Company, New Delhi.
9. Pavleen, *Consumer Decision* – *Making*, 2006, Deep & Deep Publications.
10. Aggarwal, Prof. V. K*., Consumer & Protection Law and Practice*, 6th Ed. (2008).
11. *Universal Guide to Competition Law in India*, 2003, Universal Law Publishing Company, New Delhi.

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| |  |  | | --- | --- | | **Course: Banking & Insurance Law** | **Semester: II** | | **Course Code: LMCCL 612 L T P 3 0 0** | **Credits: 3** | |  |
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**Objective:** Toacquaint students with the conceptual and operational parameters of Banking and Insurance Law, with a focus on the judicial interpretation and the new and emerging dimensions of both Insurance and Banking sector.

**Syllabus**

**Banking System in India 11**

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

**Lending, Securities and Recovery by Banks 9**

Principles of Lending, Position of Weaker Sections, Nature of Securities and Risks Involved, 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.

**Banking Frauds 11**

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

**Insurance Law 12**

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

**Suggested Readings:**

1. Sharma and Nainta, *Banking Law & Negotiable Instruments Act*, Jain Book Agency
2. Namita R.P*, Banking System, Frauds and Legal Control,* Universal Publishing.
3. Mishra M.N. , *Law of Insurance,* Jain Book Depot
4. Rangarajan C*., Handbook of Insurance and Allied Laws*, Universal Publishing .
5. Tannan M.L., *Banking Law & Practice in India*, Arihant Publications

**Program Structure for Master Of Laws (LL.M) One Year**

**Constitutional and Administrative Law**

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| **Semester I** | | | **Semester II** | | |
| **Course Code** | **Course Title** | **Units** | **Course Code** | **Course Title** | **Units** |
| LM 611 | Research Methods and Legal Writing | 3 | LMCAL 612 | General Principles of Administrative Law | 3 |
| LM 621 | Comparative Public Law | 3 | LMCAL 622 | Minorities Law | 3 |
| LM 631 | Law and Justice in a Globalizing World | 3 | LMCAL 632 | Comparative and Global Administrative law | 3 |
| LM CAL 641 | Fundamental Rights and Directive Principles of State Policy | 3 | LMCAL 642 | Media and Law | 3 |
| LM CAL 651 | Centre-State Relations and Constitutional Governance | 3 | LMCAL 652 | Law on Education and Religion | 3 |
| LMCAL 661 | Local Self-Government and Federal Governance | 3 | LMLI 662 | Dissertation | 4 |

**Total Credits for the Programme - 37**

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| **Course: Research Methods and Legal Writing** | **Semester: I** |
| **Course Code: LM 611 L T P 3 0 0** | **Credits: 3** |

**Objective:** To learn various methods of conducting research in legal studies including the collection, analysis and organization of data and recording of findings for report writing. It will help to acquaint with the scientific method of social science research and to develop the skill of legal writing. The students are expected to acquire the knowledge and skills of investigations, interpretation of primary and secondary data in socio-legal research.

**Syllabus**

**Introduction to Legal Research and Writing 8**

Meaning, scope and objective of legal research, Significance and reservations of scientific methodology with reference to socio-legal research, Importance of legal research in common law and civil law systems, Classifications of legal research –Doctrinal and Non-doctrinal, merits and demerits (evaluative, explicative, projective, collative, impact analysis and interpretative).

**Research Design and Methods 9**

Meaning, Formulation of research design, Objective and Purpose of study,Selection of research problem and developing a research plan (Exploration, Description, Diagnosis and Experimentation), Research design, Basic Principles ,Need of research design ,Features of good design, Important concepts relating to research design - Observation and Facts, Laws and Theories, Prediction and explanation, Induction, Deduction, Development of Models, Hypothesis- meaning, scope, classification, formulation of hypothesis, literature survey and use of information technology for collection of material (Word processing, data processing, graphical processing and use of excel).

**Research Sources and Techniques 9**

Sources of Data, Primary and Secondary Data, Sampling, Different types, Determining Experimental and Sample designs. Sampling methods, Survey and Case study method, Scaling techniques and content analysis.

**Research Tools and Data Processing 9**

Methods of data collection, Observation and collection of data, interview and schedule, questionnaire, Socio-metric and jurimetrics, Data processing and Analysis strategies (deduction and induction), Data Analysis with Statistical Packages, Hypothesis - testing, generalization and Interpretation.

**Legal Writing 9**

Significance of legal writing, essentials of legal writing, legal drafting rules, citation methodology, book review and case comments, application of maxims and doctrines, different steps in the preparation, layout, structure and language of typical reports, Illustrations and tables, Bibliography, referencing and footnotes, Report writing, plagiarism and copyright issues.

**Suggested Readings:**

1. Wilkinson & Bhandarkar, *Research Methodology*, Himalaya Publishing House.
2. Hutchins Terry, *Researching and Writing in Law*, Law Book Company, Australia, 3rd Edition.
3. Watt Robert, *Concise* *Book on Legal Research,* The Federation Press.
4. Verma S.K. & Wani M. Afzal (ed), *Legal Research and Methodology,*  Indian Law Institute,

New Delhi.

1. Gupta Vijay K, *Decision Making in the Supreme Court of India* *(A Jurimetrics Study)* –

A*lternatives in Judicial Research*, Kaveri Books, L.Berg Bruce.( 2001) *Qualitative Research*

*Methods for the Social Sciences,* Allyn and Bacon, New Delhi.

1. Singh Rattan, *Legal Research Methodology,* Lexis Nexis.
2. Chui Wing Hong, *Research Methods for Law,* Edinburgh University Press, 2007.

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| **Course: Comparative Public Law** | **Semester: I** |
| **Course Code: LM 621 L T P 3 0 0** | **Credits: 3** |

**Objective:** To familiarize students with (i) the basic concepts of Public law, knowledge and understanding about the Constitution and its relationship with the State and Citizen, (ii) principles of criminal liability and the concept on international criminal justice and (iii) measures to adopt and maintain peace in society. To understand the Comparative and Contemporary issues and challenges Governments before Public Law at large Democracies like England, USA.

**Syllabus**

**Introduction 8**

Public Law, meaning, nature and scope, Difference between public and private law, Public law in comparative perspective, Contemporary Issues- Employment, Aging Population, Cyber Security, Urbanization, Social Security, Human Rights and Legal Aid.

**Comparative Constitutional Law 9**

Concept and Nature of the Constitution and Constitutionalism, Constitution as Supreme/Higher Law, Bill of Rights, Magna Carta, Separation of Powers, Judicial Review, Judicial Activism, Rule of Law, Constitutional Remedies, Amendment of the Constitution, and Impact of Globalization on Constitutionalism.

**Comparative Administrative Law 9**

Doctrines, Natural justice, Nature, meaning and scope, Doctrine of Administrative discretion, Ombudsman, Administrative Tribunal, Administrative liability, Delegated legislation, PIL-US, India &UK, Locus Standi, Judicial Activism, Judicial Accountability.

**Comparative Criminal Law 9**

Concept and essentials of crime, Principles of Criminal liability, Criminal justice, Fair Trial, Plea bargaining, International Criminal Justice (Genocide, Crime against Humanity), International Court of Justice, International Criminal Court (Rome Statue), Hybrids Courts, Juvenile Justice, White Collar Crimes, Homicide, and Violence Against Women (VAW).

**Comparative Corporate Law 9**

Origin and development of corporate law in US, UK, Influence on India and Development with economic and social Globalization, Principles of Corporation law and Corporate Social Responsibility.

**Suggested Readings:**

1. Paton G.W*,A Text book on Jurisprudence*, Clarendon press, 1972
2. Hall, Jerome, *General Principles of Criminal Law* (1960), 2nd Ed
3. Kenny’s*, Outlines of Criminal Law*, 19th Ed. The Law book Exchange, Ltd. 2010
4. Russel, *On Crime*, 12th Ed. Vol. I, Stevens, London.
5. Geoffrey Samuel, *An Introduction to Comparative Law Theory and Method*, First Edition European Academy Of Legal Theory Series, Hart Publishing, Oxford.
6. Liber Amicorum David M.Trubek, *Critical Legal Perspectives on Global Governance* , First Edition by, Grainne de Burca, Claire Kilpatrick, Joanne Scott. Hart Publishing, Oxford
7. Stephan W. Schill. (2010). *International Investment* *Law and Comparative Public Law*, *An* *Introduction,* Oxford University Press.
8. Edited by Ginsburg Tom, Dixon Rosalind. *Comparative Constitutional Law,* Research Handbooks in Comparative Law Series, Edward Elgar Publishing.
9. De Smith’s *Judicial Review*, 7th ED, Sweet and Maxwell.
10. Backer L.C. (2002). *Comparative Corporate Law,United States, European Union, China and Japan*, Carolina Academic Press.
11. Wheare K.C., *Fedral Government*, Oxford University Press, 2nd Edition

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| **Course: Law and Justice in a Globalizing World** | **Semester: I** |
| **Course Code: LM 631 L T P 3 0 0** | **Credits: 3** |

**Objective:** To understand the nature of law and justice, develop critical thinking in regard to nature of law and justice, and provides an opportunity to learn about various international institutions like, United Nations and International court of Justice and their role and importance. To analyze various issues and challenges and mechanisms to adopt to have amicable relationship among the developing and developed nations.

**Syllabus**

**Introduction 8**

Globalization, Meaning and Significance, Impact of Globalization on Law and Justice, and Rule of Law.

**Theories of Law 9**

Natural Law, Positivism, Ideological, Historical, Sociological.

**Theories of Justice 10**

Justice, Meaning and Nature, concept of Dharma, Social Engineering theory of Roscoe Pound, Green’s Idealism, Mills Libertarianism, Bentham’s Utilitarianism, Theories, Economic, Ethical.

**Globalization and the Law 8**

Concept of Sovereignty, State and Law, Human Rights, WTO and others.

**Challenges to Global Justice and International Institutions 9**

Concept of Justice, Global Justice, issues impacting global justice (poverty, practice of nationalism, crimes against humanity), UN, ICJ, ICC, UNHCR and Other Regional Institutions.

**Suggested Readings:**

1. Coyle Sean*, Modern Jurisprudence, A Philosophical Guide,* Hart Publishing, Oxford, First edition.
2. Carlson David, Cornell Drucila, Rosenfeld Michel, N. Cardozo Benjamin. *Deconstruction and the Possibility of Justice,* New York, Routledge.
3. Sen Amartya. *The Idea of Justice,* Harvard University Press.
4. Sen Amartya. *Development as Freedom*, Oxford University Press 1999.
5. Twining William. *Globalization and Legal Theory*, Cambridge University Press.
6. Chatterjee Deen K. *Encyclopedia of Global Justice*, Springer Science and Business Media.

7. Pogge T., Follesdal A., *Real World Justice , Grounds, Principles, Human Rights, and Social Institutions*, Springer Science and Business Media.

1. Rawls John. *The Law of Peoples, With, The Idea of Public Reason Revisited.* Harvard University Press.
2. Chodosh Hiram. Global *Justice Reform, A Comparative Methodology.* NYU Press, 01 Jan 2005.

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| **Course: Fundamental Rights and Directive Principles** | **Semester: I** |
| **Course Code: LM CAL 61 L T P 3 0 0** | **Credits: 3** |

**Objective,** To understand 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.

**Syllabus**

**Introduction 10**

Evolution of Fundamental Rights, impact of Universal Declaration of Human Rights and Constitutions of other countries on Fundamental Rights, Concepts of Fundamental Rights, Magna Carta, Bill of Rights. Preamble of the Constitution and its implication with reference to Fundamental Rights, Directive Principles of State Policy, and Fundamental Duties: Definition and scope of Law under Art.13, Doctrine of Waiver, Doctrine of Severability, Doctrine of Eclipse, scope of definition of law under Art.13.

**Right to Equality 9**

Relationship between Articles 14, 15, 16, 17, and 18, Doctrine of Reasonable Classification, Doctrine of Arbitrariness, Doctrine of Legitimate Expectation, Prohibited grounds for discrimination (Art.15), Special provisions relating to women, protective discrimination in favor of Backward Classes, Scheduled Castes and Scheduled Tribes, Equality of Opportunity in the matters of public employment, reservations in public employment, Untouchability, Abolition of Titles.

**Right to Freedom, Right against Exploitation 8**

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.

**Rights to Life and Personal Liberty** **8**

Doctrine of ex-post, facto law, Doctrine of Double Jeopardy, Privilege against self, incrimination, Protection of life and personal liberty, right to education, safeguards against ordinary arrest and preventive detention, right against exploitation.

**Right to Religious Freedom, Cultural and Educational Rights**

Concept of Religion, Freedom of Conscience and right to profess, practice and propagate religion, freedom to manage religious affairs, freedom from payment of tax for promotion of religion, restriction on religious instructions in certain educational institutions, Right of Minorities, Right to conserve language, script of culture Admission to educational institutions, Minorities right to establish educational Institutions, From in Re Kerala Education Bill to T M A Pai Foundation and trends thereafter.

**Right to Constitutional Remedies**

Features of Writ Jurisdiction under Art. 32, Concept of locus standi, Dynamic approach of Supreme Court on Public Interest Litigation, Judicial Activism, Comparison between Art. 32 and 226.

**Directive Principles of State Policy and Fundamental Duties 9**

Relative importance of Directive Principles of State Policy (DPSP) and Fundamental Rights, Nature of Directive Principles of State Policy, Justifiability of Directive Principles of State Policy, Social security and welfare provisions under Directive Principles of State Policy, Economic rights, Directive Principles of State Policy that were read into Fundamental Rights, Fundamental Duties, Evolution, Relationship between Fundamental Rights and Duties.

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**Suggested Readings:**

1. Seervai H.M, Constitutional *Law of India* – Vol. I &II, Ashok Publishing House.
2. Shukla V.N., *Constitution of India,* Eastern Book Company
3. Jain Subhash C*, The Constitution of India,* Taxman Publications Pvt.
4. Basu D.D., *Commentaries on Constitutional Law of India*, Vol. A to E
5. Hidayatullah M., (Ed.). *Constitution of India,* Oxford University Press.
6. Jain M.P., *Indian Constitutional Law,* LexisNexis Butterworths Wadhwa Nagpur, 2010
7. Rao Subba G C V, *Indian Constitutional Law,* Gogia Law & Company.

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| **Course: Centre-State Relations and Constitutional Governance** | **Semester: I** |
| **Course Code: LMCAL 651 L T P 3 0 0** | **Credits: 3** |

**Objective**: To give an insight to students about the federal structure as envisaged in the Constitution of India and educate them about the Legislative, Administrative and Financial relations between the Centre and the States.

**Syllabus**

**Nature of Indian Polity 8**

Introduction to the concept of Federalism, Historical evolution of Federal features in India, Nature of Indian Federalism, Dominant features of the Union over the States, Judicial Perspective over the Indian Federalism.

**Legislative Relations between the Centre and the States 7**

Doctrine of Territorial Nexus, Delegated Legislation, permissible limits of delegation, Scheme of distribution of legislative powers between Union and States, Principles of interpretation of lists, Doctrine of Pith and Substance, Doctrine of Colorable Legislation, Doctrine of harmonious construction, Ancillary legislation, Residuary Powers, Parliament’s power to legislate on the State List, Inconsistency between laws passed by Parliament and State legislature.

**Administrative Relations between the Union and States 7**

Distribution of executive powers, Inter governmental delegation of powers, Centre’s directive to State &other Constitutional provisions, All India Services, Co-operative federalism, disputes relating to waters and Inter-State Council.

**Financial Relations between The Union And The States 7**

Introduction to Allocation of taxing powers, Central Taxes, State Taxes, Concurrent Taxes, No tax outside the tax entries. Funds-Consolidated and Contingency Funds, Public Accounts, Tax and Fees, Restrictions on taxing powers, Inter-Government Tax immunities, Tax-sharing, Grants, Grants in lieu, Grants in aids, Specific Purpose of Grants, Finance Commissions and Borrowing Powers.

**Services under the Union and the States 7**

Doctrine of Pleasure, Restrictions on Doctrine of Pleasure, Recruitment and Regulations of Conditions of Services, Constitutional Safeguards to Civil Servants and Functions of Public Service Commission.

**Emergency Provisions 8**

National Emergency, Failure of Constitutional Machinery of the State and Financial Emergency.

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**Suggested Readings:**

1. Desai, Justice D.A. Prasad Anirudh*, Centre And State Powers Under Indian Federalism,* Asian publishers Pvt. Ltd.
2. Kashyap Subash C. Dr., *The Framing of India’s Constitution*, *A study & Constitution making since 1950, An Overview, IJain Book Agency.*
3. Rao Subba G.C.V*., Legislative powers in Indian Constitutional Law,* Gogia Law & Company.
4. Austin Glanville, *The Indian Constitution, Cornerstone of a Nation*, Delhi, Oxford University Press.
5. Seervai H.M*., Constitutional Law of India* – Vol.I&II, LexisNexis
6. Wheare K.C., *Fedral Government*, Oxford University Press, 2nd Edition
7. Shetty Krishna K.P., *The Law of Union, State Relations and Indian Federalism*.
8. Rao Subba K., *The Indian Federation,* Asia Publishing House.
9. Singhvi L.M., *Union, State Relations in India,* Vikas Publishing House Pvt. Ltd., 1973
10. Jain M.P., *Outlines of Indian Legal History*, Universal Publications.
11. Pal, Chandra *Centre, State Relations and Cooperative Federalism*, New Delhi, Deep & Deep Publication, 1983
12. Chandra Ashok, *Federalism in India*. Shipra Publications.

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| **Course: Local Self-Government and Federal Governance** | **Semester: I** |
| **Course Code: LMCAL 651 L T P 3 0 0** | **Credits: 3** |

**Objective:** To understand Local Self Government in the Urban and Rural areas its historical growth, Constitutional provisions and their powers and functions.

**Syllabus**

**Decentralization of Government, 4**

Union, State and Local Self Government (LSG), Historical Perspective of LSG, Constitutional Perspective, Importance of LSG and Gandhian Philosophy

**Nature and Different Forms of LSG 6**

Position in Rural and Urban Areas (Cantonment, Port etc), Position in other Countries, Post Constitutional Governmental Initiatives on Strengthening LGS, The Committees, Balwant Rai Mehta Committee, 1957, Ashok Mehta Committee, 1978, GVK Rao Committee, 1985, LM Singhvi Committee, 1986 and their Recommendations

**LSG in Rural India 4**

Panchayath Raj Institutions, Past and Present, 73rd Constitutional Amendment and its Salient Features, Gram Sabha and Gram Panchayat, Composition, Powers and Functions, 11th Schedule to the Constitution of India, Related State Laws

**LSG in Urban India 4**

Nagarpalikas, Municipal Corporations, Municipalities, Composition, Powers and Functions, 12th Schedule to the Constitution of India and Related State Laws

**Other Forms of LSG in India 5**

Cantonment Boards, Laws and Regulations, Port Trust, Law and Regulation, Urban Development Authority, Laws and Regulations, Special Authorities (Zala Prasad, Regional Development Forces etc)

**Election to LSG in Rural India 4**

Role of the Election Commission, Qualification of Candidates, Reservation of Seats, Resolution of Election Disputes

**Election to the Nagarpalikas 4**

Role of the Election Commission, Qualification of Candidates, Reservation of Seats, Resolution of Election Disputes

**Accounts and Finance of Panchayats 4**

Audit, Recommendations of Finance Commission of Centre and States, Tax Powers

**Accounts and Finance of Urban 4**

Audit, Recommendations of Finance Commission of Centre and States, Tax Powers

**Role of LSG in National Development 5**

Role in implementing Welfare Schemes, Rural Development, Urban Development, Administration of Justice, Contentious Issues, Direct Financial Assistance to LSG from Union, Role of LSG in Environmental Protection, Women and Children Rights, Education Rights.

**Suggested Readings:**

1. Jain M.P., *Indian Constitutional Law,* Wadhwa & Co, Nagpur.
2. Shukla V.N., *Constitution of India,* Eastern Book Company, Lucknow.
3. Prasad R.N., *Urban Local Self Government in India,* Mittal Publications.
4. Pandey J.N., *Constitutional Law of India*, Central Law Agency, Allahabad .
5. Rao B. Shiva, *Framing of India’s Constitution* (in 5 Volumes), Indian Institute of Public Administration, New Delhi.
6. Dhaliwal S.S*., Good Governance in Local Self Governance*, Deep and Deep Publications
7. Sachdeva Pradeep, *Local Government in India*, Dorling Kindersley India Pvt. Limited
8. Thurai G. Palani, *Dynamics of New Pancayat Raj System in India,* Concept Publishing Company
9. Viju Raghavan Mootheni,  *Panchayat Raj System in Indi,* Kanishka Publishers
10. Inamdar N.V., *Panchayat Raj Act*, Concept Publishing Company.

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| **Course: General Principles of Administrative Law** | **Semester: II** |
| **Course Code: LMCAL 612 L T P 3 0 0** | **Credits: 3** |

**Objective:** To impart knowledge and understanding of administrative principles, legal and constitutional framework of administration, issues relating to governance, and emerging patterns in administrative law.

**Syllabus**

**Administrative Law 11**

Definition, Scope and its growth, Difference between Administrative Law and Constitutional Law, Classification of Administrative action, Rule of Law, Droit Administratiff.

**Constitutional Scheme of Separation of powers 12**

Delegated Legislation, Classification, Constitutionality and control, Limits of delegated legislation. Principles of Natural Justice, Origin, Evolution, Classification, principles of fair hearing and rule against Bias, exception to the application of principles of Natural Justice.

**Discretionary powers of Administration 10**

Doctrine of Legitimate Expectation, Doctrine of Proportionality, Judicial control and judicial review of administrative action, grounds, Remedies, Constitutional, Statutory and equitable.

**Public Corporations** **11**

Liabilities of State in Contracts and Torts, Promissory Estoppel, Administrative Tribunals, Ombudsman, Lokpal and Lokayukta, Central Vigilance Commission and Transparency in Administrative actions.

**Suggested Readings:**

1. Takwani C.K, *Lectures on Administrative Law,*  Eastern Book Company.

2. I.P.Massey, *Administrative Law,* Eastern Book Company.

3. Griffith and Street, *Principles of Administrative Law*.

4. Wade H.W.R., *Administrative Law*, Oxford Publications, 8th Edn. 2000, London.

5. Smith De, *Judicial Review of Administrative Action*, Sweet and Maxwell, 1998.

6. Sathe S.P., *Administrative Law*, Butterworth’s, 6th Edn. 1998.

7. Gamer J.F , *Administrative Law,* Butterworths. London.

8.Griffith J.A.G. and Street H., *Principles of Administrative Law*, Pitman Publishing, London.

9. De Smith S.A, *Judicial Review of Administrative Action,* Stevens and Sons, London.

10. Jain M.P. and Jain S.N., *Principles of Administrative Law,*  Wadhva and Company, Nagpur.

11.Davis K.C., *Administrative Law & Government*, West Publishing Co., St. Paul Minn

12. Foulkes David, *Administrative Law*, Butterworths, London.

13. Khan Dr Abdul Rayees, *Administrative Law*, K.K. Publications, Hyderabad.

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| **Course: Minorities Law** | **Semester: II** |
| **Course Code: LMCAL 622 L T P 3 0 0** | **Credits: 3** |

**Objective**: To familiarize students with the rights of minorities and the constitutional provisions related to minorities.

**Syllabus**

**Minorities in Indian Society 9**

Concept of Minorities, Linguistic Minorities, Religious Minorities and Cultural Minorities and

Concept of Secularism.

**International Norms for Protection of Minorities** **10**

Human Rights of Minorities, Minority Rights under the International Covenant on Civil and Political Rights, Non-discrimination provisions of the United Nations Charter, 1945 and Declaration on Rights of Minorities.

**Minority Rights 11**

Right to religion, Linguistic rights, Right to culture and traditions and National Commission for Minority

**Rights Of Minority in Educational Institutions** **14** Educational rights of Minorities, Right to administer Minority educational institution, Aided and Unaided Minority Educational Institutions, and Governmental Controls, National Commission for Minority and Educational Institutions.

**Suggested Readings:**

1. Jain M.P., *Indian Constitutional Law* N.M.Tripathi Private. Ltd., Second ed. (1970) pp. XXXIII

2. Basu D D, *Commentary on the Constitution of India,* LexisNexis.

3. Seervai H.M, *Constitutional Law of India*, LexisNexis.

4. Singh M.P, *Constitution of India*, Universal Publications.

5.Brolmann, C. and others, eds.. *Peoples* *and Minorities in International Law .*

6.Phillips, A. and A. Rosas. eds., *The UN Minority Rights Declaration.*

7.Reddy, Jagmohan, *Minorities and the Constitution.*

8. Sheth, D.L. and Gurpreet Mahajan, ed., Minority *Identities and the Nation State*.

10. Thornberry Patrick, *International Law and the Rights of the Minorities*.

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| **Course: Comparative and Global Administrative Law** | **Semester: II** |
| **Course Code: LMCAL 632 L T P 3 0 0** | **Credits: 3** |

**Objective:** To explore the intricacies of global Administrative Law by undertaking a comparative study of some countries.

**Syllabus**

**Comparative Administrative Law 8**

French concept of Separation of Powers and Administrative Courts, Droit Administrative

Administrative courts in France, Councel d’etat

**Scope of Judicial Review in UK 8**

Definition, grounds of judicial review, illegality, irrationality, main rules of natural justice, procedure for judicial review.

**Scope of Judicial Review in US 7**

Concepts, provisions and amendments.

**Public Interest Litigation in India and US 8**

Meaning, nature and scope of PIL- Evolution, Growth and Development of PIL and Landmark judgments

**Global Administrative Law 6**

Globalization and Global Governance, Players in Global Governance

Public, Private and Hybrid Emergence of Global Administrative Law, Bottom up and Top

Down approach

**Global Administrative Law, Perspectives of Developing Countries 7**

**Suggested Readings:**

1. Giussani Elizabeth, *Constitutional and Administrative Law,* Sweet and Maxwell, 2008.
2. Cassese Sabino, *Research Handbook on Global Administrative Law,* Edward Elgar Publishing.
3. B. Shiva Rao, , *Framing of Indian Constitution*, Universal Law, 2004
4. Christopher Forsyth, Mark Elliott, Swati Jhaveri, *Effective Judicial Review: A Cornerstone of Good Governance*, Oxford University Press, 2010.
5. Christopher N. May and Allan Ides, *Constitutional Law: National Power and Federalism*

*3rd Edition*, Aspen Publishers, 2004).

1. D.D. Basu, *Comparative Constitutional Law*, 2nd ed., Wadhwa Nagpur.
2. David Strauss, *The Living Constitution*, Oxford University Press, 2010.
3. Elizabeth Giussani, *Constitutional and Administrative Law*, Sweet and Maxwell, 2008.
4. Erwin Chemerinsky, *Constitutional Law, Principles and Policies*, 3rd ed., Aspen, 2006.
5. H.M. Seervai, *Constitution of India,* Universal, 2004.
6. M.V. Pylee, *Constitution of the World*, Universal Publishers, 2006.
7. Mahendra P. Singh, *Comparative Constitutional Law*, Eastern Book Company, 1989.

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| **Course: Media Law** | **Semester: II** |
| **Course Code: LMCAL 642 L T P 3 0 0** | **Credits: 3** |

**Objective:** To familiarize students with the laws relating to media, and examining how right to speech and expression is balanced with rights of privacy and Role of media in contemporary society.

Syllabus

**Media and Its Structure 5**

Meaning of mass media, concept and nature of mass media, evolution of media, functions and effects of media on society, ethical theories and framework of media, types of media, organizational structure and management of mass media in India.

**Media and the Constitution 8**

Freedom of speech and expression, comparative study with International Conventions, judicial interpretation, media and right to privacy, media and right to information, media and Parliamentary Privileges

**Media and Legal Framework-I 5**

Press in India, the Press Council Act, 1971, press and registration, laws relating to newspaper, advertisement and ethics (commercial advertisement and consumer justice), Advertisement Standard Council of India (ASCI), accountability and independence of press.

**Media and Legal Framework-II 5**

Law of defamation, obscenity, Blasphemy, Sedition, Hate Speech, Parliamentary Proceedings (Protection of Publication) Act 1977, Contempt of Court Act, 1971, Official Secret Act, 1923, media and public morality.

**Law of Electronic Media 7**

Origin and impact of films, Film Censorship, Cinematography Act, 1952 and relevant rules, Electronic Broadcasting Media, Evolution and reforms of Broadcasting in India, Judicial Recognition of the Right to Broadcasting, Cable Television Act 1995, Internet as new Media and Rules of Cyber Security

**Media and Society 5**

Effects of T. V on People, Sensationalisation, Colored Reporting, Media Controlled by Political Parties, Communal Writing, Media Trial, Hate Speech, Constitutional Restrictions, Media and Human Rights (Vulnerable Groups), Role and Responsibility of Media during Emergency and Elections.

**Right to Information 5**

Silent Features of the Right to Information Act, 2005, Right to Information and Obligations of Public Authorities, Procedure for Seeking Information

**Information Commissions 4**

The Central Information Commission, The State Information Commission, Powers and Functions of the Information Commission, Appeal and Penalties, Rules and Regulations Relating to the Right to Information.

**Suggested Readings:**

1. Divan Madhavi Garodfia, *Facets of Media Law*, Eastern Book Company, 2nd Edition
2. Law of Expression, Sridhar M., Asia Law House, Hyderabad
3. Myneni Dr S R, *Media Law*, Asia Law House, Hyderabad
4. Sama Dr Umar, *Law of Electronic Media and Regulation*, Jain Book Agency, Delhi
5. Bhatia Sita, *Freedom of Press, Political, Legal Aspects of Press Legislative in India*, New Delhi, Rawat, 1997
6. Burrows. John. *A.* (4th Ed. 2000). *Journalist’s Guide to the Law*, New Zealand Journalists Training Organization. Wellington.
7. Burrows, John and Cheer, Ursula, *Media Law in New Zealand, Sixth edition*, LexisNexis NZ Ltd., 2010. Previous edition, Melbourne, Oxford University Press.

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| **Course: Law on Education** | **Semester:II** |
| **Course Code: LMCAL 652 LTP 300** | **Credits: 3** |

**Objective:** To familiarize the student with the Constitutional and Statutory provisions related to Right to Education.

**Syllabus**

**Historical Aspect 4**

Education, Meaning, Concept and Scope, What is right to education, International Perspective, Constituent Assembly Debates, Constitutional Provisions, Fundamental Rights, Directive Principles of State Policy, Commissions for Education and Recommendations of the Commissions.

**Classification of Education 5**

Primary Education, Secondary Education, Formal, Informal, Traditional, Modern, Technical, Professional, Initiatives and Recommendations of Different Committees on Education.

**Position Prior to 86th Constitutional Amendment 3**

Governmental Policies and Initiatives, Constitutional Perspective and Judicial Response.

**Right to Education 4**

**The Law and the Constitution-I** Article 21 A, Right to Education as Fundamental Right, Directive Principles of State Policy, Fundamental Duties, The Right of Children to Free and Compulsory Education Act, 2009, The Right of Children to Free and Compulsory Education Rules, 2010.

**Right to Education 3**

**The Law and the Constitution-II** Judicial Response to Free and Compulsory Education in India, Practices in Different States, Problems in Implementation and State Response.

**Establishment and Administration of Educational Institutions 6**

Cultural and Educational Rights, Article 29, 15(1), Right of Minorities to Establish and Manage Educational Institutions, Constitution (44th Amendment) Act, 1978, Relation between Article 29(1) and 30(1), Power of Government to Regulate Minority Run Educational Institutions, Right of Recognition and Affiliation.

**Position Post 86th Constitutional Amendment 4**

Scope of Right to Education, scope of Free and Compulsory Education, Establishment and Management of Educational Institutions, Reservation in Government and Private Institutions, Constitution 93rd Amendment, Article 15(5) and Judicial Response post 2000

**Regulation of Higher and Professional Education in India 4**

Classification of Universities, The Laws, Constitutional and Legislative Competence, Powers and Functions of UGC, ACIT, BCI, NCTE, MCI.

**Education, Regulation of Foreign Policies 6**

Foreign Investment in Higher education, Regulators of Education in India, Foreign Direct Investment in Indian Education Sector, Recent Trends, The Foreign Educational Institutions (Regulation of Entry and Operations) Bill, 2010.

**Emerging Trends in Education 5**

Policy Initiatives of Government, Reference to the 11th Plan Recommendations, Initiatives under 12th Plan and its recommendations, Recommendations of Yash Pal Committee, Inclusive education and Focus on Access, Equity, Quality and Relevance, Use of ICT in imparting education and Contribution of Corporate Sector.

**Suggested Readings:**

1. Swamy Maheshwara Dr., *Supreme Court Cases on Education,* Asia Law House.
2. Shah A.J., Supreme Court Cases on Education cases, Eastern Book Company.
3. Rao V.J Dr., *Law on Education,* S.Gogia & Company.