

LAW
LL.M Syllabus

Paper No.	Course	Core/ Open/Elective	Credits	Marks
Semester I (all Core papers)				
LAW-PG-C101	Law and Social Transformation in India	Core	4	100
LAW-PG-C102	Indian Constitutional Law: The New Challenges	Core	4	100
LAW-PG-C103	Judicial Process	Core	4	100
LAW-PG-C104	Legal Education	Core	4	100
Semester II (3 Core papers and 1 Open paper)				
LAW-PG-C201	Corporate Finance	Core	4	100
LAW-PG-C202	Economic Laws and Regulation of Economic Enterprises in India	Core	4	100
LAW-PG-C203	Law of Export and Import Regulation	Core	4	100
LAW-PG-O204	Law of Industrial And Intellectual Property	Open	4	100
Semester III (1 Core, 1 Open and 2 Elective papers)				
LAW-PG-C301	International Trade Law and Development	Core	4	100
LAW-PG-O302	Research Methodology	Open	4	100
LAW-PG-E303	Insurance Law	Elective	4	100
LAW-PG-E304	Law of E-Commerce	Elective	4	100
Semester IV (All Elective papers including Dissertation)				
LAW-PG-E401	Banking Law	Elective	4	100
LAW-PG-E402	Corporate Management and Governance	Elective	4	100
LAW-PG-E403	International Financial Law	Elective	4	100
LAW-PG-D404	Dissertation and Viva-voce	Elective	4	100

(PG denotes Post Graduate; O denotes Open, C denotes Core or Compulsory and E denotes Elective).

Note: There will be One Compulsory Audit Paper, called 'National Service'. The students shall complete the requirements of National Service by doing some service in their own villages, towns, etc. for a period of 30 days during the winter vacation between I and II semesters. The reports of such service shall be evaluated and adjudged 'Satisfactory' or 'Not Satisfactory'. If the report is 'not Satisfactory' the students will not be eligible for the degree.

Unit I: Law and Social Change

Law as an instrument of social change with special reference to Social Engineering Theory, Legal Realism, Transcendentality of Law.
Impact of modernization and globalization on Family Law, Criminal Justice and Environment

Unit II: Religion and the Law

Role of Religion, Secularism as a solution to the problem, Reform of the law on secular lines: problems, Freedom of religion and non-discrimination on the basis of religion, Religious minorities and the law.

Unit III: Community, Regionalism and the Law

Community and the Law:
Discrimination on the ground of caste, acceptance of caste as a factor to undo past injustices, Protective discrimination: scheduled castes, tribes and backward classes, Reservation; statutory commissions, statutory provisions.

Regionalism and the Law:
Role of language: formation of linguistic states and regionalism, Right of movement, residence and business; impermissibility of state or regional barriers, Equality in matters of employment, Admission to educational institutions: preference to residents of a state.

Unit IV: Women/ Children/ Differently-abled and the Law

Women and the Law:
Crimes against women, Gender injustice and its various forms, Women's commission.
Empowerment of women: constitutional and other legal provisions
Children and the Law:
Child labour, Sexual exploitation, Adoption and related problems, Children and education.
Law Relating to differently abled: Equality and Justice Issues,
The Rights of Persons with Disabilities Act, 2016.

Reading List:

1. Basu, D.D. (1996) *Shorter Constitution of India*. Prentice Hall of India: New Delhi.
2. Bhat, Ishwara, P., (2009) *Law and Social Transformation in India*. Eastern Book Company: Lucknow.
3. Baxi, U., (1982) *The Crisis Of The Indian Legal System*. Vikas Publication: New Delhi.
4. Derret, Duncan, (1999) *The State, Religion And Law in India*. Oxford University Press. New Delhi.
5. Bhat, Ishwara, P., (2004) *Fundamental Rights*. Eastern Law House: Kolkata.
6. Flavia, Agnes, (1999) *Law and Gender Inequality: The Politics of Women's Rights in India*. Oxford University Press: Oxford.

7. Galanter, Marc,(ed) (1997) *Law and Society in Modern India*. Oxford University Press: Oxford.
8. Baxi, U., (ed) (1988) *Law and Poverty Critical Essays*. N.M Tripathi: Bombay.
9. Lingat, Robert, (1998) *The Classical Law of India*. Oxford University Press: Oxford.
10. Seervai, H.M., (1996) *Constitutional Law of India*. N.M. Tripathi: Bombay.

LAW-PG-C102

Indian Constitutional Law: The New Challenges

**Core
(Credits-4)**

Unit I: Federalism

Creation of New States,
Allocation and Share of Resources - Distribution of Grants in Aid,
The Inter-State Disputes on Resources,
Centre's Responsibility and Internal Disturbance within States,
Directions of the Centre to the State under Article 356 and 365,
Special Status of Certain States,
Tribal Areas, Scheduled Areas.

Unit II: Fundamental Freedoms

State-
Re- Defining in the Wake of Liberalization,
Freedom of Press,
Challenges of New Scientific Development,
Freedom of Speech,
Right to Broadcast and Telecast,
Right to Strikes, HartalandBandh,
Freedom of Trade and Commerce and Globalization.

Unit III: Emerging Regime of New Rights and Remedies

Reading Directive Principles and Fundamental Duties into Fundamental Rights.
Compensation Jurisprudence.
Right to Education.
Commercialization of Education and its Impact.

Unit IV: Separation of Powers and Democratic Process

Judicial Activism and Judicial Restraint PIL: Implementation of
Judicial Independence, Appointment, Transfer and Removal of Judges and their
Accountability: Executive and Judiciary. Tribunals.
Recognition of Political Parties, Election, Election Commission, Representation of
Peoples Act, 1951, Electoral Reforms, Parliamentary Privileges.

Reading List:

1. Jain, M.P, (ed) (2014) *Indian Constitutional Law*, Lexis Nexis.
2. Wheare,K.C.,(1963)*Federal Government*. Oxford University Press: London.
3. Singh, M.P., (13thed) (2017) *V.N. Shukla's Constitution of India*. Eastern Book Company: Lucknow.

4. Seervai, H.M., (1996) *Constitutional Law of India*. N.M.Tripathi: Bombay.
5. Basu, D.D., (1996) *Shorter Constitution of India*. Prentice Hall of India: New Delhi.
6. Laxmikanth, M., (2016) *Indian Polity*. McGraw Hill Education.
7. Granville, Austin, (1999)*The Indian Constitution: Cornerstone of a Nation*. Oxford University Press: Oxford.
8. Tonapi, VeenaMadhav, (2013) *Textbook on Constitutional Law*. Universal Law Publishing.
9. Kashyap, Subhash, (2011)*Our Constitution*, National Book Trust of India.
10. Jennings, Ivor, (1963)*Modern Theories of Law*, Wildy Simmonds & Hill Publishing.

LAW-PG-C103

Judicial Process

**Core
(Credits-4)**

Unit I: Nature of Judicial Process

Judicial Process as an instrument of Social Ordering.
 Judicial Process and creativity in law - Common Law Model - Legal Reasoning and growth of law - Change and Stability.
 The tools and techniques of Judicial Creativity and Precedent.
 Legal Development and creativity through Legal Reasoning under statutory and codified systems.

Unit II: The Doctrine of Precedent and Reasoning

Precedent and its different aspects, precedent in India & England.
 Ratio decidendi and different tests to determine ratio.
 Obiter dicta.
 Logical reasoning, deductive & inductive reasoning and reasoning by analogy.
 Factors influencing judicial reasoning.

Unit III: Judicial Process in India

Indian debate on the role of judges and on the notion of Judicial Review.
 Judicial Activism and creativity of the Supreme Court - the tools and techniques of creativity.
 Judicial process in pursuit of constitutional goals and values - new dimensions of judicial activism and structural challenges.
 Problems of accountability and judicial law making.

Unit IV: The Concepts of Justice and its Relationship with Law

Various theoretical bases of justice: the liberal contractual tradition, the Utilitarian tradition and the liberal moral tradition.
 Nozick's theory of justice.
 Equivalence theories - justice as nothing more than the positive law of the stronger class.
 Dependency theories - for its realization justice depends on law, but justice is not the same as law.
 Analysis of selected cases of the Supreme Court where the judicial process can be seen as influenced by theories of justice.

Reading List:

1. Cardozo, (1995) *The Nature Of Judicial Process*. Universal, New Delhi.

2. Bodenheimer, (1997) *Jurisprudence. The Philosophy And Method of the Law*, Universal, New Delhi
3. Rawls, John, (2000) *A Theory of Justice*, Universal Publication, New Delhi.
4. Stone, J., (1985) *Precedent and The Law: Dynamics of Common Law Growth*. Butterworths: London.
5. Stone, J., (1999) *Legal System and Lawyers' Reasonings*, Universal Store, New Delhi
6. Julius Stone.,(2000) *The Province and Function of Law*, UniversalPublicationNew Delhi.
7. Baxi, U., (1980) *The Indian Supreme Court And Politics*: Eastern Book Company, Lucknow.
8. Sathe, S.P., (2002) *Judicial Activism in India: Transgressing Borders And Enforcing Limits*: Oxford University Press, New Delhi.
9. Lakshminath,A., (2009) *Judicial Process: Precedent in India*: Eastern Book Company, Lucknow
10. Cross & Harris, (1991) *Precedent in English Law*. Clarendon Law Series.

LAW-PG-C104

Legal Education

**Core
(Credits- 4)**

Unit I: Introduction

Concept and Foundations of Legal Education.
Objectives of Legal Education.
Development of Legal Education in the Pre-Independence India.

Unit II: Development of Legal Education in India and Challenges for Future

Legal Education in Post-Independence India.
Advocate Act- Creation of Bar Council of India.
Role of Bar Council as a Regulator of Legal Education.
Role of University Grants Commission in Legal Education.
Influence of United States in Indian Legal Education- Role of Ford Foundation.
Indian Law Institute- Law Research, Publication and Generation of Teaching Materials.
Online Legal Education.

Unit III: Comparative Legal Education

Legal Education in other jurisdictions
U.K
USA

Unit IV: Legal Pedagogy, Teaching and Evaluation System

Lecture Method of Teaching - Merits and Demerits.
The Problem Method.
Discussion Method and its Suitability at Postgraduate Level Teaching
The Seminar Method of Teaching.
Clinical Legal Education - Legal Aid, Legal Literacy, Legal Survey and Law Reform.
Preparation of Teaching Material.
Planning Class Notes and Lectures.
Tools to Encourage Class Participation.

Examination System and Problems in Evaluation - External and Internal Assessment, Assessment of Research Papers.

Reading List:

1. Agrawal, S.K., (ed) (1973) *Legal Education in India*. N.M. Tripathi: Bombay.
2. Austin, Arthur D, (1998)*The Empire Strikes Back: Outsiders and the Struggle over Legal Education. Critical America*. New York University Press: New York.
3. Brayal, High Nigel Dunean and Richard, (1998) *Clinical Legal Education: Active Learning in your Law School*. Blackstone Press Limited:London.
4. Gupta, S., (2006)*History of Legal Education in India*. Deep & Deep: New Delhi.
5. Gopal, Mohan, G.,(2009) *Prof. N.R. MadhavaMenon's Reflections on Legal and Judicial Education*. Universal Law Publication: New Delhi.
6. Menon, Madhava, N R., and Prakash, Surya, S., (2009)*Turning Point: The Story of a Law Teacher*. Universal Law Publication: New Delhi.
7. Menon, Madhava, N.R., (ed) (1998) *A Handbook of Clinical Legal Education*. Eastern Book Company: Lucknow.
8. Stevens, Robert Bocking, (2001)*Law School: Legal Education in America from the 1850s to the 1980s*. Union, Lawbook Exchange, N.J.
9. Tushnet, Mark (2008) *Legal Scholarship and Education (Collected Essays in Law)*. Aldershot, Hants, Ashgate, England.

LAW-PG-C201

Corporate Finance

**Core
(Credits-4)**

Unit I: Introduction

Meaning, Importance and Scope of Corporation Finance.

Capital Needs - Capitalization - Working Capital - Securities-Borrowings-Deposits
Debentures.

Objectives of Corporation Finance - Profit Maximization and Wealth Maximization.

Unit II: Equity, Debt Finance and Insider Trading

Share Capital.

Prospectus - Information Disclosure.

Issue and Allotment.

Shares without Monetary Consideration.

Non-voting Equity Shares.

Debentures: Nature, Issue and Class.

Deposits and Acceptance.

Creation of Charges,

Fixed and Floating Charges.

Mortgages.

Convertible Debentures.

Concept and Issues of Insider Trading.

Unit III: Conservation of Corporate Finance and Corporate Fund Raising

Regulation by Disclosure.

Control on Payment of Dividends.
 Managerial Remuneration.
 Protection of Creditors.
 Preference in Payment.
 Protection of Investors.
 Individual Share Holder Right.
 Corporate Membership Right.
 Derivative Actions.
 Qualified Membership Right.
 Depositories - IDR (Indian Depository Receipts), ADR (American Depository Receipts), GDR (Global Depository Receipts).
 Public Financing Institutions - IDBI, ICICI, IFC and SFC Mutual Fund and Other Collective Investment Schemes.
 Institutional Investments - LIC, UTI and Banks FDI and NRI Investment - Foreign Institutional Investments (IMF and World Bank).

Unit IV: Administrative Regulation on Corporate Finance

Inspection of Accounts,
 Audit and Role of Auditors,
 Securities and Exchange Board of India(SEBI),
 Central Government Control,
 Control by Registrar of Companies,
 Reserve Bank of India(RBI) Control.

Reading List:

1. Austen, R.P., (1986) *The Law of Public Company Finance*. Eastern Book Company: Sydney.
2. Altman, Edward I., and Marti G. Subrahmanyam, (ed) (1985)*Recent Advances in Corporate Finance*. Homewood, Ill: R.D. Irwin.
3. Austin, R P., and Ian, M. Ramsay, (2015)*Ford, Austin and Ramsay's Principles of Corporations Law*. Sixteenth ed. Chatswood, N.S.W: LexisNexisButterworths.
4. Charkham, Jonathan, (1999) *Fair Shares: The Future of Shareholder Power and Responsibility*. Oxford University Press: Oxford.
5. Farrar, John H., and Brenda Hannigan. (1998) *Farrar's Company Law*. 4th ed. Butterworths: London.
6. Ferran, Eilís, (1999)*Company Law and Corporate Finance*. Oxford University Press: Oxford.
7. Goode, R. M., (1988) *Legal Problems of Credit and Security*. Sweet and Maxwell: London.
8. Gullifer, Louise, and Jennifer Payne, (2015)*Corporate Finance Law: Principles and Policy. second ed*. Hart Publishing: Oxford.
9. Ramaiya, (2014)*Guide to the Companies Act (Providing Guidance On the Companies Act, 2013)*: Box 1 Containing Volume 1, 2 and 3, Appendix Part 1 and 2 and 1 Consolidated Table of Cases and Subject Index. LexisNexis: New Delhi.
10. Ross, Stephen A., Randolph Westerfield, and Jeffrey F. Jaffe, (2013) *Corporate Finance*. 10th ed. The McGraw-Hill/Irwin Series in Finance, Insurance and Real Estate. McGraw-Hill/Irwin: New York.

Unit I: Prevention of Money Laundering

Economic Theory of Law, Genesis.
Prevention of Money Laundering.
Obligations of Banks and Financial Institutions.
Emerging issues and challenges before the Government.
International Response.

Unit II: Foreign Exchange Management

Foreign Exchange Management Act, 1999.
Foreign Direct Investment and abroad.
Establishment of Branch, office etc. in India.
Export of Goods and Services.
Realization and Repatriation of Foreign Exchange.
Foreign Contribution (Regulation) Act, 2010.
Foreign Contributions and Hospitality.
Exemptions.
Powers of Central Government.

Unit III: Industrial Operations and Environmental Challenges

Regulation of Hazardous Activity, Mass Disaster and Environmental Degradation:
Legal Liability and Legal Remedies.
Public Liability Insurance: Issues in Zoning and Location of Industrial Units.

Unit IV: Legal Regulation of Select Public Enterprises

Public Enterprises for Transport, Mining and Energy.
Telecom Regulatory Authority.
Insurance Regulatory Authority.
Broadcasting Regulatory Authority.
Legal Regulation of Multi-Nationals.
Collaboration Agreements for Technology Transfer.
Development and Regulation of Foreign Investments.
Investment in India: FDIs and NRIs.
Investment Abroad.

Reading List:

1. Kumar, S. Aswani, (2001) *The Law of Indian Trade Mark*. Commercial Law House: New Delhi.
2. Industrial Policy Resolutions of 1948, 1956, 1991.
3. Industrial Licensing Policy (1970, 1975).
4. Industrial Policy Statements (1973, 1977, 1980).
5. Reports of Committees on Public Undertakings of Parliament.
6. Industries (Development and Regulation) Act, (1951).
7. Baxi, U., (1986) (eds.) *Inconvenient Forum and Convenient Catastrophe the Bhopal Case*. Himalaya Publishing House: Bhopal.

8. Baxi, U,& T. Paul, (eds.) (1986).*Mass Disasters And Multinational Liability*. Indian Law Institute: New Delhi.
9. Baxi, U. and Dhandba, A.,(1989)*Valiant Victims and Lethal Litigation: The Bhopal Case*. Indian Law Institute: New Delhi.
10. Khan, Rehamattullah,(1973) *Law of International Trade Transactions*. Indian Law Institute: New Delhi

LAW-PG-C203

Law of Export and Import Regulation

**Core
(Credits-4)**

Unit I: State Control over Import and Export of Goods

Impact of Regulation on Economy.
WTO Agreement, Tariff and Non-Tariff Restrictions.
Investment and Transfer of Technology: Quota Restriction and Anti-Dumping.
Permissible Regulations, Quarantine Regulation.
Dumping of Discarded Technology and Goods in International Market.
Reduction of Subsidies and Counter Measures, Agreement on Agriculture.

Unit II: Control of Imports and Exports

Legislative Control.
Power of Control: Central Government and RBI.
Foreign Trade Development and Regulation Act (1992).
Law Relating to Customs,
Prohibition and Penalties,
Export-Import Formulation: Guiding Features.
Foreign Exchange and Currency, Import of Goods.
Export Promotion Councils: Export Oriented Units and Export Processing Zone.

Unit III: Control over Foreign Exchange

Conservation of Foreign Exchange, Foreign Exchange Management,
Control under FEMA,
Currency Transfer,
Investment in Foreign Countries.

Unit IV: EXIM Policy: Changing Dimensions

Investment Policy: NRIs, FIIs (Foreign Institutional Investors), FDIs,
Joint Venture,
Promotion of Foreign Trade,
Regulation on Investment,
Borrowing and Lending of Money and Foreign Currency,
Purchase of Securities and Immovable Property Abroad,
Establishment of Business Outside,
Investment in Indian Banks,
Repatriation and Surrender of Foreign Securities,

Reading List:

1. Bahinipati, Chandra Sekhar, (2012)*Foreign Trade and Economic Growth of India since 1991*. Lap Lambert Academic Publication.
2. Bermann, George A. and Petros C Mavroidis, (2011)*WTO Law and Developing Countries*. Cambridge University Press: Cambridge.
3. Jain, Dr. Vijesh, (2015)*Establishing Exports and Imports Business in India: Essential Reading for Anyone Wishing to Carry Out External Trade from India (International Trade Made Easy) (Volume 1)*. CreateSpace Independent Publishing Platform.
4. Jha, Raghendra, (ed) (2008) *The Indian Economy Sixty Years after Independence*. Houndmills, Basingstoke, Palgrave Macmillan, Hampshire.
5. Khilnani, D. T., (2017)*Foreign Exchange Management Manual (Volume-I) and FEMA Ready Reckoner (Volume-II)*. Snowwhite: Mumbai.
6. Lynch, Aidan B., (2011)*Derivatives Reform and Regulation. Economic Issues, Problems and Perspectives*. Nova Science Publishers: New York.
7. Mavroidis, Petros C, (2016)*The Regulation of International Trade*. The MIT Press: Massachusetts.
8. McMahon, Joseph A., and MelakuGeboyeDesta, (eds.) (2013)*Research Handbook on the WTO Agriculture Agreement: New and Emerging Issues in International Agricultural Trade Law*. Research Handbooks on the WTO: Edward Elgar.
9. Prasad, Mahesh, (2011)*India's Foreign Trade: From Antiquity to Date*. Kalpaz Publications: Delhi.
10. Sarvaria, S K., SnigdhaSarvaria, ApoorvSarvaria, and YashikaSarvaria (2015)*Commentary on the Foreign Exchange Management Act: An Exhaustive Case Law Based Section Wise Commentary on Fema Along with Allied Rules and Regulations*. Universal Law Practitioners Edition. Universal Law Publishing: Gurgaon, Haryana.

LAW-PG-O204 Law of Industrial and Intellectual Property

**Open
(Credits-4)**

Unit I: IPR and International Perspectives

Trademarks and Consumer Protection (Study of UNCTAD Report on the Subject), United Nations Approaches (UNCTAD, UNCITRAL), EEC Approaches, Position in U.S.
The Indian Situation.

Unit II: Copyright, Patent and Trademark: New Regime

Status of Computer Software in Copyright and Patent.
Digital Millennium Copyright Act (DMCA), Domain Name, Copyright and Museums in the Digital Age, Digital Rights Management, Role of WTO in Global digital trade.

Unit III: Biotechnology Patents

Nature and Types of Biotechnology Patents,
Patent over New Forms of Life: TRIPS Obligations,
Plant Patenting, *sui generis* Protection for Plant Varieties (Sikkim Perspective).

Multinational Ownership, Regulation of Environment and Health Hazards in Biotechnology Patents, Indian Policy and Position.
European Patent Treaty, Patent Co-operation Treaty (PCT), Special Problems of Proof of Infringement: Need and Scope of Law Reforms.

Unit IV: Intellectual Property and Human Rights

Freedom of Speech and Expression as the Basis of the Regime of Intellectual Property Right- Copyright Protection on Internet - WCT (WIPO Copyright Treaty, (1996).
Legal Status of Hazardous Research Protected by the Regime of Intellectual Property Law.
Human Right of the Impoverished Masses Intellectual Property Protection of New Products for Healthcare and Food Security.
Traditional Knowledge -Protection- Biodiversity Convention- Right of Indigenous People.

Reading List:

1. Special attention should be given to literature of the U.N. System, WIPO and the UNESCO.
2. Terence, P., (ed) (1999)*The GATT Uruguay Round: A Negotiating History ((1986-1994) The End Game.*
3. Cooper, Iver P. Kluwer, (1998)*Biotechnology And Law.* Clerk Boardman Callaghan: New York.
4. Bainbridge, David, (1999)*Software Copyright Law.* Butterworths.
5. Sookman,(1998) Computer Law. Carswell.
6. Carlos M. Correa, (ed) (1998) *Intellectual Property and International Trade.* University of Michigan Press.
7. Kluwer, (1998)*Patent Co-Operation Treaty Hand Book.* Sweet and Maxwell.
8. Wadlow, (1998) *The Law of Passing-Off.* Sweet and Maxwell.
9. Cornish, W.R, (1999) *Intellectual Property Law.* Sweet and Maxwell.

LAW-PG-C301

International Trade Law and Development

**Core
(Credits-4)**

Unit I: The Multilateral Agreements – GATT, GATS and TRIPS and DSU. Liberalization and Development under the international Trade Law Regime

History and Structure of the WTO. The Agreements – GATT, GATS and TRIPS. the Covered Agreements – Agreement on Agriculture, Agreement on sanitary and Phytosanitary Measures, technical standards, food safety, government procurement and other agreements.

The three pillars of WTO – MFN, NT and the SDT. Dispute Settlement Procedures in international Trade Law Jurisprudence – Adjudicatory and Conciliatory Structures. Study of cases against India and by India at the WTO.

Economic and Political Rationale behind trade liberalization. Founding of General Agreement on Tariffs and Trade (GATT) and its successor, the WTO. Trade and Geopolitical Tensions between the Developed and the Developing Countries.

Trade Liberalization Agenda – the Doha Round and the Issues. Trans Pacific Partnership trade negotiations.

Integration of the WTO jurisprudence with Environmental and Human Rights Jurisprudence.

Unit II: International Investment Law, TRIMS Agreement of the WTO and the BITs

International investment Law Regime – History and Development, TRIMs Agreement of the WTO and Evolution of BITs.
Sources of international investment Law – Customary Law and Treaty Law.
State Responsibility for Breach of investment Obligations.
Concept of ‘investor’ and ‘investment’, Scope of investment Treaties.
Expropriation, Non- contingent standards and contingent standards, defenses and excuses.
Settlement of Disputes – investor – State and inter – State
Investment Treaties with India and current international investment Arbitration cases in India.

Unit III: International Commercial Arbitration and the role of ICSID and UNCITRAL

General Principles of international Commercial Arbitration:
Formation, validity and scope and enforcement of Arbitration Agreements.
Parties to an arbitration agreement and procedural stages of arbitration,
Role of Courts.
Law relating to International Commercial Arbitration,
Role of ICSID in settlement of investment Disputes.

Unit IV: International Sale and Carriage of Goods

Passing of Risk and Property,
CIF and FOB Sales,
Functions and significance of bills of lading and other shipping documents.
Payments methods, letters of credit and UCP600,
Frustration and force Majeure,
Remedies for breach of contract OF SALE.
The Vienna Convention on international Sale of Goods 1980.
The governing law and jurisdiction in the international sale of goods.

Reading List

1. Hoekman, B.M. and P.C., Mavroidis, (2007) *The World Trade organization: Law, Economics, and Politics*. Routledge: London.
2. Macrory, P.F.J., A.E. Appleton and M.G. Plummer, (eds.) (1995) *The World Trade organization: Legal, Economic and Political Analysis*. Springer: New York.
3. Van den Bossche, P., (2013) *The Law and Policy of the World Trade Organization: Text, Cases and Materials*. Cambridge University Press: Cambridge.
4. Wouters, J. and B. De Meester, (2007) *The World Trade Organization: A Legal and Institutional Analysis*. Antwerpen, Intersentia.
5. Bethlehem, D., (et al.) (ed) (2009). *The Oxford Handbook of International Trade Law*. Oxford University Press: Oxford.
6. Ramberg, J., (2011) *International Commercial Transactions*. Paris.
7. Binder, P., (2010) *International Commercial Arbitration and Conciliation in UNCITRAL Model Law Jurisdictions*. Sweet and Maxwell: London.
8. Schreuer, C.H., (2009) *the ICSID Convention: A Commentary: A Commentary on the Convention on the Settlement of investment Disputes between States and Nationals of Other States*. Cambridge University Press: Cambridge.

9. Shan, W., (ed) (2012) *The Legal Protection of foreign investment: A Comparative Study*, Oxford.

LAW-PG-O302

Research Methodology

Open
(Credits-4)

Unit I: Research Methods

Socio Legal Research;
Doctrinal and Non-Doctrinal,
Relevance of Empirical Research,
Induction and Deduction
Historical method, Policy Research, Action Research and Analytical Research

Unit II: Identification of Problem of Research

What is a Research Problem?
Survey of Available Literature and Bibliographical Research,
Legislative Materials including Subordinate Legislation, notification and Policy Statements,
Decisional Materials including foreign Decisions; Methods of Discovering the "Rule of the Case". Tracing the History of Important Cases and Ensuring that these have not been Over-Ruled; Discovering Judicial Conflict in the Area Pertaining to the Research Problem and the Reasons Thereof.

Unit III: Juristic Writings - A Survey of Juristic Literature Relevant to Select Problems in India and Foreign Periodicals

Compilation of List of Reports or Special Studies Conducted Relevant to the Problem.

Unit IV: Preparation of the Research Design

Formulation of the Research Problem,
Devising Tools and Techniques for Collection of Data: Methodology,
Methods for the Collection of Statutory and Case Materials and Juristic Literature,
Use of Historical and Comparative Research Materials,
Use of Observation Studies,
Use of Questionnaires/Interview,
Use of Case Studies,
Sampling Procedures - Design of Sample, Types of Sampling to be adopted.
Use of Scaling Techniques, Jurimetrics,
Classification and Tabulation of Data - Use of Cards for Data Collection - Rules for Tabulation. Explanation of Tabulated Data and Analysis of Data.

Reading List:

1. Jacobstein J, Mersky R and Dunn D., (1998) *Fundamentals of Legal Research*. Foundation Press: New York.
2. Young, Pauline V., (1962) *Scientific Social Survey and Research*. Prentice-Hall: New York.
3. Goode, William J. And Hatt, Paul K., (1952) *Methods in Social Research*. McGraw-Hill Book Company: London.

4. Sinha, ManojKumar and KharbDeepa, (2017) *Legal Research Methodology*. Lexis Nexis.
5. Hyman, H.M, (1965)*Interviewing In Social Research*.University Of Chicago Press: Chicago.
6. Payne, (1965)*The Art of Asking Questions*. Princeton University Press.
7. Cohan, Morris L., (1996)*Legal Research in Nutshell*, West Publishing Company.
8. Verma, S.K., and M AfzalWani, (eds) (2001) *Legal Research and Methodology*. Indian Law Institute: New Delhi.
9. ILI Publication, *Legal Research and Methodology*.
10. Kothari, C.K., (2004) *Research Methodology: Methods and Techniques*. New Age International.

LAW-PG-E303

Insurance Law

**Elective
(Credits-4)**

Unit I: Introduction

Nature of Insurance Contract, Proposal, Policy, Parties, Consideration, Need for Utmost Good Faith, Insurable Interest, Indemnity,Contribution,Subrogation.
Insurance policy, Law of contract and law of torts, Utility and need of Insurance.
Constitutional perspectives.

Unit II: General Principles of Law of Insurance

Definition, nature and history.
Risk - commencement, attachment and duration.
Double insurance and re-insurance.
Assignment and alteration.

Unit III: Types of Insurance

Life insurance: nature and scope, Event insured against life insurance contract.
Circumstances affecting the risk, Amounts recoverable under life insurance policy,
Persons entitled to payment, Settlement of claim and payment of money.
Marine Insurance, Fire Insurance, Third Party Liability Insurance: Nature and scope.
Miscellaneous Insurance: Group insurance, Mediciam, Health insurance, Crop
Insurance.

Unit IV: Indian Insurance Laws

The Insurance Act, 1938 and the Insurance RegulatoryDevelopment Authority Act
2000.
Mutual Insurance Companies and Cooperative Life Insurance Societies.

Reading List:

1. Hanson, John and Henly, Christopals, (1999) *All Risks Property Insurance*. LLP Asia: Hongkong.
2. Banerjee, N.B., (1994) *Law of Insurance*. Asia Law House: Hyderabad.

3. Mitra, B.C.,(1997) *Law Relating To Marine Insurance* .Asia Law House: Hyderabad.
4. Birds, John, (1997) *Modern Insurance Law*. Sweet and Maxwell.
5. Merkin, Robert and Colinvaux, Raoul, (ed) (1997) *Colinvaux's Law of Insurance*. Sweet and Maxwell.
6. O'mary (1993) *Marine Insurance*, Sweet and Maxwell.
7. International Labour Office, (1985) *Administration Practice of Social Insurance*.
8. Ivamy, E.R. Hardy, (1975) *General Principles of Insurance Law*. Butterworths: London.
9. Patterson, Edwin W., (1955) *Cases and Materials on Law of Insurance*. Foundation Press.
10. Sreenivasan M. N., (1914) *Law and the Life Insurance Contract*. Eastern Law House: Calcutta.

LAW-PG-E304 Law of E-Commerce

**Elective
(Credits-4)**

Unit I: Introduction to e-Commerce

E-Commerce Business Models, Scope & importance of e-commerce, importance of e-commerce security, Cryptography, Authentication, E-commerce, Provisions under I T Act, Electronic Commerce Directives.

Contracts- UNCITRAL and EU perspectives on electronic contracts, Formation of e-Contract, Incorporation (click wrap etc), Choice of Forum/Choice of Law in Cyberspace, Limits on Contractual Terms.

Signatures:-Writing requirements, Directive on Signatures, Encryption and Authentication Electronic Signature and Digital Signature.

Unit II: Consumers

Consumer Rights Directive (distance selling etc), Goods, Services and Digital content, Marketing and Advertising.

Fraud and security:- Definitions, the Promotion of trust.

Finance:- E-money, e-payments, m-payments, Taxation.

Unit III: E-Commerce Dispute Resolution:

Form of Dispute Resolution, Online Dispute Resolution, other Legal Issues, International instruments, IT Act,

Jurisdiction:- Internet jurisdiction, India, US, Australia, Technology and the Brussels Regulation.

Unit IV: Digital Store

Property Law for e-Commerce, Technology vs. Law, Copyright in e-Commerce, Patent in e-Commerce, Trademarks in e-Commerce, Pirate bay, Meta-data, Search Engines, and Trademarks, ICANN (Internet Corporation for Assigned Names and Numbers), The Law of Linking, Framing & Bots, Cookies, Forms.

Reading List

1. Gary Schneider, (2006) *Electronic Commerce*, Sixth Edition, Course Technologies.
2. Awad, E., (2006) *Electronic Commerce: From Vision to Fulfillment*, 3/E, Prentice Hall.
3. Davis, W., Benamati, J., (2003) *E-Commerce Basics*. Technology Foundations and E-Business Applications, Prentice Hall.

4. KamathNandan, (ed) (2002)"*Law Relating to Computers Internet & E-commerce (A guide to Cyber Laws & the Information Technology Act, 2000 with Rules & Notification)*"Universal Book Traders.
5. Barlow, John Perry, (1994) *The New Economy of Ideas*, WIRED 2.03.
6. Ginsburg, Jane, C., (1995)*Putting Cars on the "Information Superhighway"*: Authors, Exploiters, and Copyright in Cyberspace, 95 Colum. L. Rev.
7. Alan, Davidson, (2009), *The Law of Electronic Commerce*. Cambridge University Press.
8. Vishwanathan Suresh T., (ed) (2001)"*The Indian Cyber Law*". Bharat Law House.
9. P. Narayanan, (ed) (2002)*Intellectual Property (Trade Marks & the Emerging concepts of Cyber property rights HB)*. Universal Book Traders.

LAW-PG-E401

Banking Law

Elective
(Credits-4)

Unit I: Law Relating to Banking Companies in India

Control by Government and Its Agencies

(a) on Management

(b) on Accounts and Audit Credit Policy

Reconstruction and Reorganization Contract between Banker and Customer: Their Rights and Duties.

Nationalization vis-a-vis Privatization: Evaluation.

Nationalization and Disinvestment.

Priority Lending.

Promotion of Under Privileged Classes.

Unit II: Deposit Insurance

Protection of Depositors.

The Deposit Insurance Corporation Act (1961: Objects and Reasons), Establishment of Capital of Deposit Insurance Corporation (DIC),

Registration of Banking Companies, Insured Banks,

Liability of Deposit Insurance Corporation to Depositors,

Relations between Insured Banks, Deposit Insurance Corporation and Reserve Bank of India,

The Central Bank: Characteristics and Functions, Regulation of Monetary Mechanism of the Economy.

Credit Control, Exchange Control, Monopoly of Currency Issue, Bank Rate Policy Formulation.

Unit III: Relationship of Banker and Customer

Legal Character of Contract between Banker and Customer Banker's Lien,

Protection of Bankers Customers,

Nature and Type of Accounts,

Special Classes of Customers - Lunatics, Minor, Partnership, Corporations, Local

Authorities, Lending By Banks

Unit IV: Recent Trends of Banking System in India

Negotiable Instruments Act 1881, Information Technology Automation and Legal

Aspects, Automatic Teller Machine and Use of Internet and Smart Card, Use of Expert

System Credit Cards, Core Banking, Reforms in Indian Banking Law.

Reading List:

1. Basu, A., (1998) *Review of Current Banking Theory and Practice*. McMillan.
2. Conti V. and Hamoui, (eds.) (1993)*Financial Markets' Liberalization and the Role of Banks*. Cambridge University Press: Cambridge.
3. Cranston, Ross., (1997)*Principles of Banking Law*. Oxford University Press: Oxford.
4. Goode, R., (1995) *Commercial Law*. Penguin, London.
5. Goyle, L.C. (1995)*The Law of Banking and Bankers*. Eastern Book Company: Lucknow.
6. IIBF, (2015)*Principles and Practices of Banking*. 3 Ed. Macmillan: New Delhi.
7. Shekhar, K.C., (1998)*Banking Theory and Practice*. UBS Publisher Distributors: New Delhi.
8. Misaacs, S. and Pen, E.C. (1994)*Banking Law*. Lloyds of London Press: London.
9. Hapgood, M. (ed) (1989) *Pagets' Law of Banking*. Butterworths: London.
10. Tannan, M. L., (2014) *Banking Law and Practice in India*. 25th ed. Lexis Nexis: New Delhi.

LAW-PG-E402

Corporate Management and Governance

Elective
(Credits- 4)

Unit I: Formation of Company

Incorporation of companies, Lifting the Corporate veil, Promoters and Pre-incorporation contracts.

Unit II: Management of Companies and Prevention of Oppression & Mismanagement and Investigation

Memorandum and Articles of Association, Doctrine of Ultra Vires, Doctrine of Indoor Management.

Directors: Appointment, Removal, Position, Powers and Duties,

Auditors: Appointment, Removal, Power and Duties;

Company Secretary: Qualifications, Appointment and Duties,

Liability of Independent directors, Meetings.

Role and Powers of National Company Law Tribunal, National Company Law Appellate Tribunal, Company Investigation.

Unit III: Liquidation of Companies

Modes of Winding up of Companies, Compulsory Winding up by Order of the Tribunal, Voluntary winding up, Contributors: Legal Position, Rights and Liabilities, Payment of Liabilities.

Unit IV: Corporate Governance

Concept, Need and Scope, Evolution of corporate governance, corporate governance related compliances, Legislative framework of Corporate Governance in India, Corporate governance and shareholder's rights, Corporate Governance and other Stakeholders, Corporate Social Responsibility.

Reading List

1. Davies, Paul L., (ed) (2008) *Gower's: The Principles of Modern Company Law*. Sweet & Maxwell: London.
2. Smith and Keenan's, (2002) *Company Law*. Harlow: Longman.
3. Singh, Avtar, (ed) (2015) *Company Law*. Eastern Book Company: Lucknow.
4. Sarkar, J. and Sarkar, S., (2012) *Corporate Governance in India*. Sage Publications India.
5. Fernando, A.C., (ed) (2011) *Corporate Governance: Principles, Policies and Practices*, Pearson Education/Dorling Kindersley (India): Chennai.
6. Verma, S.K. and Suman Gupta, (2005) *Corporate Governance and Corporate Law Reform in India*. Indian Law Institute: New Delhi.
7. Rao, Sadhalaxmi Vivek, (2005) *Legal Framework and Corporate Governance: An Analysis of Indian Governance System*.
8. Ramaiyah, (ed) (2014) *Guide to the Companies Act*. Lexis Nexis.
9. Pennington, (ed) (2001) *Company Law*, OUP.

LAW-PG-E403

International Financial Law

Elective
(Credits-4)

Unit I: Regulation of Financial Risk & Stability and Law of International Finance

Understanding the Concept – Too Big to Fail or Too interconnected to Fail.
Introduction to European Financial Stability Facility and European Stability Mechanism.
Macro and Micro Prudential Regulation,
Development of Banking Regulation,
Failing Banks,
Shadow Banking, Credit Rating Agencies, Hedge Funds,
Project Finance; Securitization, Derivatives and CDO's,
Derivatives Trading, Clearing and Settlement,
Multiplicity of Regulations in India,
Regulation of Non-Banking Finance Companies,
Disparate Set of Laws governing the Financial Sector in India,
Financial Sector Legislative Reform Commission (FSLRC) Report,
Microfinance Institutional Bill.

Unit II: Regulation of Financial Services

International Financial Institutions,
GATS and Regulation of Financial Services,
Role of IMF in regulation of Financial Services,
EU Framework for Financial Services,
Soft Law institutions for Financial Regulation,
Basel Committee on Banking Supervision,
International Organization of Securities Commissions (IOSCO),
International Accounting Standards Board,
International Association of Insurance Supervisors,
Joint forum on Financial Conglomerates,
Foreign Stability Board,
Role of G-7 and G 20 Nations,
Role of OECD.

Unit III: Regulation of Conduct of Mergers and Acquisitions,

Merger and Acquisition Overview,
Merger and Acquisition Mechanics – Corporate finance and Business, Valuation,
Schemes of Arrangements and Merger, Negotiating and Documenting Transactions,
Proxy Contests to Influence Control,
Defending against a Hostile Takeover,
Regulation of Public Takeover,
Cross border business combination transactions,

Unit: IV: Insolvency and Reorganization

Insolvency – Meaning and Effects, Theories of International insolvency,
Cross Border Insolvency and Jurisdiction of International Insolvency Cases;
Recognition of Foreign Insolvency Proceedings
UNCITRAL Model Law, Insolvency Legislation in India,
Concept of Corporate Insolvency,

Reading List

1. Alexander, K., (ed) (2012)*Research Handbook on international Financial Regulation*. Cheltenham, Elgar.
2. Bamford, C.G., (2011)*Principles of International Financial Law*. Oxford University Press: Oxford.
3. Buckley, R.P., (2008)*International Financial System: Policy and Regulation*, Alphen aan den Rijn. Kluwer Law International
4. Buckley, R.P., (2011)*From Crisis to Crisis: the Global Financial System and Regulating Failure*, Alphen aan den Rijn. Kluwer Law International.
5. Ferran, E., (ed) (2012)*The Regulatory Aftermath of the Global Financial Crisis*. Cambridge University Press: Cambridge.
6. Grant, W., (2012)*The Consequences of the Global Financial Crisis: the rhetoric of reform and regulation*. Oxford University Press: Oxford.
7. Lastra, M.R., (2010)*Legal Implications of International Monetary Stability*. Oxford University Press: Oxford.
8. Scott, H.S. and A. Gelper, (eds) (2012)*International Finance: Transactions, Policy, and Regulation*. Foundation Press: New York.
9. Wood, P.R., (2008)*Law and Practice of International Finance*. Sweet and Maxwell: London.
10. Wymeersch, E., K.J. Hopt and G. Ferrarini, (eds) (2012).*Financial Regulation and Supervision: a Post-Crisis Analysis*. Oxford University Press: Oxford.

LAW-PG-E404**Dissertation and Viva-voce****Elective
(Credits-4)**

In the IV semester there shall be one full compulsory paper of 4 credits on Fieldwork/Internship/Experimental Work, Project Work. The duration of Fieldwork/Internship should be two to three weeks and this should be completed during winter vacation between III and IV semesters. The students shall submit Dissertations and defend their methodologies and findings before the entire faculty plus one external examiner at the end of the IV semester. The average of marks given by internal faculty members shall be counted out of 50% and the external examiner shall mark out the remaining 50%.