

MATS UNIVERSITY

MATS LAW SCHOOL



SYLLABUS

FOR

LL.M (One Year)

2024-2025

PROGRAMME OUTCOMES

On completion of this program, a student would have in depth understanding

1. PO 1 *Understand and identify* the different laws with respect to their area of specialization.
2. PO 2 *Effectively communicate* by engaging in a persuasive style, and demonstrate oral advocacy skills in a clear and objective manner.
3. PO 3 Successfully *analyze* a situation and collaborate effectively with others on a variety of legal issues.
4. PO 4 *Writing a Research report* conveying the findings of the Legal Research in a form which cogent keeping in view the qualifications of the readers.
5. PO 5 *Make a legal analysis* by reasoning and problem-solving skills to arrive at solutions to legal problems.

PROGRAM SPECIFIC OUTCOMES (PSOs)

PSO1. Should be able to Demonstrate understanding of substantive and procedural law sufficient to enter the legal profession and professions in which legal knowledge is an advantage.

PSO2. Should be able to associate the learning from the courses related to Law and other Disciplines.

PSO3. Should be able to Gather and interpret relevant facts and conduct legal research.

MATS UNIVERSITY
MATS LAW SCHOOL

Syllabus: 2024-25

ONE YEAR LL.M. (Semester Pattern)

CORPORATE LAW SPECIALIZATION

Course Code	Semester I	12 Credit Points	Assessment
LLM/1.1	Research Methodology	3 credits	30+70
LLM/1.2	Comparative Public Law	3 credits	30+70
LLM/1.3/COR	Specialization Paper I(COMPETITION LAW)	2 credits	30+70
LLM/1.4/COR	Specialization Paper II(COMMERCIAL ARBITRATION)	2 credits	30+70
LLM/1.5/COR	Specialization Paper III (LAW ON SECURITIES AND FINANCIAL MARKET)	2 credits	30+70
Course Code	Semester II	12 Credit Points	Assessment
LLM/2.1	Law & Justice in the Globalizing World	3 credits	30+70
LLM/2.2/COR	Specialization Paper IV (BANKING AND INSURANCE LAW)	2 credits	30+70
LLM/2.3/COR	Specialization Paper V (INTELLECTUAL PROPERTY LAW)	2 credits	30+70
LLM/2.4/COR	Specialization Paper VI (CYBER LAW)	2 credits	30+70
LLM/2.5	Dissertation and Viva Voice	3 credits	30+70

CRIMINAL LAW SPECIALIZATION

Course Code	Semester I	12 Credit Points	Assessment
LLM/1.1	Research Methodology	3 credits	30+70
LLM/1.2	Comparative Public Law	3 credits	30+70
LLM/1.3/CRI	Specialization Paper I(WHITE COLLAR CRIMES)	2 credits	30+70
LLM/1.4/CRI	Specialization Paper II(VICTIMOLOGY)	2 credits	30+70
LLM/1.5/CRI	Specialization Paper III(CRIMINAL JUSTICE & HUMAN RIGHTS)	2 credits	30+70
	Semester II	12 Credit Points	Assessment
LLM/2.1	Law & Justice in the Globalizing World	3 credits	30+70
LLM/2.2/CRI	Specialization Paper IV (CRIMINOLOGY AND CRIMINAL JUSTICE ADMINISTRATION)	2 credits	30+70
LLM/2.3/CRI	Specialization Paper V(INTERNATIONAL CRIMINAL LAW)	2 credits	30+70
LLM/2.4/CRI	Specialization Paper VI(POLICE LAW AND ADMINISTRATION)	2 credits	30+70
LLM/2.5	Dissertation and Viva Voice	3 credits	30+70

CONSTITUTIONAL LAW SPECIALIZATION

Course Code	Semester I	12 Credit Points	Assessment
LLM/1.1	Research Methodology	3 credits	30+70
LLM/1.2	Comparative Public Law	3 credits	30+70
LLM/1.3/CON	Specialization Paper I(MEDIA LAW)	2 credits	30+70
LLM/1.4/CON	Specialization Paper II(FUNDAMENTAL RIGHTS AND DIRECTIVE PRINCIPLES)	2 credits	30+70
LLM/1.5/CON	Specialization Paper III(ADMINISTRATIVE LAW)	2 credits	30+70
	Semester II	12 Credit Points	Assessment
LLM/2.1	Law & Justice in the Globalizing World	3 credits	30+70
LLM/2.2/CON	Specialization Paper IV (HEALTH LAW)	2 credits	30+70
LLM/2.3/CON	Specialization Paper V (CENTRE- STATE RELATIONS AND CONSTITUTIONAL GOVERNANCE)	2 credits	30+70
LLM/2.4/CON	Specialization Paper VI (LOCAL SELF- GOVERNMENT & FEDERAL GOVERNANCE)	2 credits	30+70
LLM/2.5	Dissertation and Viva Voice	3 credits	30+70

MATS LAW SCHOOL
LL.M. ONE YEAR PROGRAMME
SYLLABUS
1st Semester

A large, faint watermark of the MATS University logo is centered on the page. It features a shield-shaped emblem with a yellow border. Inside the shield, the word "MATS" is written in a large, bold, blue font with a yellow checkmark integrated into the letter 'A'. Below "MATS", the word "UNIVERSITY" is written in a smaller, blue, sans-serif font. At the bottom of the shield, the tagline "ready for life" is written in a yellow, cursive font.

mats
UNIVERSITY

ready for life

FOUNDATION/COMPULSORY PAPER (3 Credit Each)

RESEARCH METHODOLOGY

Course Code – LLM/1.1

CO No.	Course Outcomes (CO)
CO 1	The best methods of Research including the historical and comparative methods which Include Case Study.
CO2	The critical evaluation of methodology and their utility in Academic Legal Research.
CO3	The critical methods of in-depth analysis and conclusion forming
CO4	To write a Research report conveying the findings of the Legal Research in a form which cogent keeping in view the qualifications of the readers.

INTRODUCTION

1. The science of research and scientific methodology
2. Interrelation between speculation, fact and theory, building some fallacies of scientific methodology with reference to socio legal research
3. Inter-disciplinary research and legal research models
4. Arm chair research vis-a-vis empirical research
5. Legal research-common law and civil law legal systems

RESEARCH DESIGN

1. Workable Hypothesis-formulation and evaluation
2. Major steps in research design

RESEARCH TECHNIQUES

1. Sampling
2. Survey and Case Study method
3. Scaling and Content Analysis

RESEARCH TOOLS AND DATA PROCESSING

1. Observation
2. Interview and schedule
3. Questionnaire
4. Socio-metrics and jurimetrics

5. Data processing (deductions and Inductions) analysis and interpretation of data
6. Online Legal Research – Use of Electronic Databases

Suggested Reading Materials for Reference

1. Robert Watt- Concise book on Legal Research
2. Good and Hatt- Research Methodology
3. Pauline Young- Research Methodology
4. Earl Babbie- Research Methodology
5. Stott D.-Legal Research
6. Robert Watt and Francis Johns- Concise Legal Research
7. S.K. Verma & Afzal Wani- Legal Research Methodology



COMPARATIVE PUBLIC LAW

Course Code: LLM/1.1

CO No.	Course Outcomes (CO)
CO 1	Students will be able to understand the meaning, definition, and scope of public law, and distinguish it from private law.
CO2	Students will be able to critically analyze constitutional concepts, including living and organic constitutions, and the role of constitutions as fundamental law.
CO3	Students will be able to explain the concept of constitutionalism and its essential features like separation of powers, judicial review, and fundamental rights.
CO4	Students will be able to examine the concept, limitations, and importance of judicial review, and the independence and accountability of the judiciary.
CO5	Students will be able to evaluate the constitutional foundations of law-making powers, the rule of law, and the separation of powers.

1. Public Law

- 1.1. Meaning and definition of Public Law
- 1.2. Concept of Public Law
- 1.3. Public Law – International Law, Constitutional Law and Administrative Law
- 1.4. Distinction between Public Law and Private Law

2. Concept of Constitution

- 2.1. Meaning and Idea of Constitution, Nature and objectives
- 2.2. Living Constitution
- 2.3. Organic Constitution
- 2.4. Constitution as Fundamental Law

3. Constitutionalism

- 3.1. Concept, Distinction between Constitution and Constitutionalism
- 3.2. Essential features of Constitutionalism -Written Constitution, Separation of Powers, Fundamental Rights, Independence of Judiciary and Judicial Review

4. Constitutional foundations of powers

- 4.1. Supremacy of Legislature in Law Making

- 4.2. Rule of law
- 4.3. Dicey's Concept of Rule of Law
- 4.4. Modern Concept of Rule of Law
- 4.5. Social and economic rights as part of rule of law
- 4.6. Separation of powers
- 4.7. Concept of Separation of Powers
- 4.8. Checks and Balances
- 4.9. Separation of Powers or Separation of Functions
5. Classification of Constitution
 - 5.1. Federal and Unitary Forms
 - 5.2. Features, Advantages and Disadvantages
 - 5.3. Models of Federalism and Concept of Quasi-federalism
 - 5.4. Role of Courts in Preserving Federalism
 - 5.5. Parliamentary and Presidential Forms of Government
6. **Judicial Review**
 - 6.1. Independence of Judiciary
 - 6.2. Concept and Origin of Judicial Review
 - 6.3. Limitations on Judicial Review
 - 6.4. Judicial Accountability

SUGGESTED READINGS

BOOKS

1. Christopher Forsyth, Mark Elliott, Swati Jhaveri, *Effective Judicial Review: A Cornerstone of Good Governance* (Oxford University Press, 2010).
2. D.D. Basu, *Comparative Constitutional Law* (2nd ed., Wadhwa Nagpur).
3. David Strauss, *The Living Constitution* (Oxford University Press, 2010)
4. Dr. Subhash C Kashyap, *Framing of Indian Constitution* (Universal Law, 2004)
5. Elizabeth Giussani, *Constitutional and Administrative Law* (Sweet and Maxwell, 2008).
6. Erwin Chemerinsky, *Constitutional Law, Principles and Policies* (3rd ed., Aspen, 2006)

7. M.V. Pylee, *Constitution of the World* (Universal, 2006)
8. Mahendra P. Singh, *Comparative Constitutional Law* (Eastern Book Company, 1989).
9. Neal Devins and Louis Fisher, *The Democratic Constitution* (Oxford University Press, 2010)
10. S.N Ray, *Judicial Review and Fundamental Rights* (Eastern Law House, 1974).
11. *Sudhir Krishna Swamy*, Democracy and constitutionalism in India - A Study of the Basic Structure Doctrine (*Oxford University Press, 2009*)
12. Sunil Khilnani, Vikram Raghavan, Arun Thiruvengadam, *Comparative Constitutionalism in South Asia* (Oxford University Press, 2013).
13. Vikram David Amar, Mark Tushnet, *Global Perspectives on Constitutional Law* (Oxford University Press, 2009).
14. Zachery Elkins, Tom Ginsburg, James Melton, *The Endurance of National Constitutions* (Cambridge University Press, 2009).

ARTICLES

1. Aman Ullah and Uzair Samee, "Basic Structure of Constitution: Impact of *Kesavananda Bharati* on Constitutional Status of Fundamental Rights", Vol. 26 (2) *South Asian Studies* 299-309 (July- December 2011).
2. Anne Smith, "Internationalization and Constitutional Borrowing in Drafting Bills of Rights", 60(4) *International and Comparative Law Quarterly* 867-894 (2011 October).
3. Bruce Ackerman, "The New Separation of Powers" 113 (3) *Harv. L. Rev.* 634-729 (2000)
4. Bryan Clark and Amanda Leiter, "Regulatory hide and seek: What agencies can (and can't) do to limit judicial review" 52(5) *Boston College Law Review* 1687-1732 (2011 November)
5. Chhavi Agarwal, " Rule of Law: Reflection upon we the People and Beyond" 252 (1) *Madras Law Journal* 8-16 (2010)
6. Daniel B. Rodriguez, "Change that matters: Essay on State Constitutional Development", 115(4) *Penn State Law Review* 1073-1098 (Spring 2011).
7. Daryl Levinson and Richard H. Pildes "Separation of Parties, Not Powers" 119(8) *Harvard Law Review* 2311-2386 (2006).

8. David King, "Formalizing Local Constitutional Standards of Review and the Implications for Federalism" 97 (7) *Virginia Law Review* 1685-1726 (November 2011).
9. David Staruss, "Do we Have a Living Constitution" 59 (4) *Drake Law Review* 973-984 (2011 Summer)
10. Devi Prasad Singh, "Sovereignty, Judicial Review and Separation of Power", 7(5) *Supreme Court Cases* 1-13 (2012 September)
11. Glen Staszewski, "Political Reasons, Deliberative Democracy and Administrative Law", 97(3) *Iowa Law Review* 849-912 (2012 March):
12. Ishwara Bhat, "Why and how Federalism matters in Elimination of Disparities and Promotion of Equal Opportunities for Positive Rights", 54(3) *Journal of the Indian Law Institute* 324-363 (July-Sept 2012).
13. Jonathan Siegel, "Institutional case for Judicial Review" 97(4) *Iowa Law Review* 1147-1200 (2012 May).
14. Jessica Bulman, "Federalism as a safeguard of the Separation of Powers", 112(3) *Columbia Law Review* 459-506 (2012 April)
15. K.K. Venugopal, "Separation of Power and the Supreme Court of India", Vol. 2 No. 2 *Journal of Law and Social Policy* 64-82 (July 2008).
16. Linda Bosniak, "Persons and Citizens in Constitutional Thought" 8 (1) *International Journal of Constitutional Law* 9-29 (January 2010).
17. Mark Tushnet, "The Possibilities of Comparative Constitutional Law", 108*Yale.L.J.* 1225 (1999).
18. Nathan Chapman, "Due Process as Separation of Powers", 121(7) *Yale Law Journal* 1672-1807 (2012 May).
19. Quinn Rosenkranz, "Subjects of the Constitution" 62 (5) *Stanford Law Review* 1209-1292 (May 2010)
20. Rajvir Sharma, "Judiciary as Change Agent: Some insights into the Changing role of Judiciary in India", 58(2) *Indian Journal of Public Administration* 264-286 (2012 April-June).
21. Rebecca Brown, "Assisted Living for the Constitution" 59 (4) *Drake Law Review* 985-1000 (2011 Summer).

22. Schapiro., "Judicial Federalism and the Challenges of State Constitutional Contestation", 115(4) *Penn State Law Review* 983-1006 (2011 Spring).



OPTIONAL/SPECIALISATION PAPER (2 Credit Each)

CRIMINAL LAW

WHITE COLLAR CRIMES

Course Code – LLM/1.3/CRI

CO No.	Course Outcomes (CO)
CO 1	The students will be able to <i>define</i> the White collar crimes and its nature; with the concept of vicarious and strict liability.
CO2	The student will get the knowledge of Corporate Crimes, its types and offences relating to White collar Crimes.
CO3	The student will develop the concept of Judicial Attitude towards the Crimes.
CO4	The student will acquire the knowledge of Food safety standards Act, FEMA and its implementation..
CO5	The student will be able to differentiate between different countries White Collar Crimes.
CO6	Students will be able to evaluate the Psychological and Socio-economic Factors underlying corporate frauds.

UNIT-1

Nature and Definition Genesis of White-Collar Crime.

1. Nature and Scope of White-Collar Crime.
2. Growth of White-Collar Crime in India and Western Countries.
3. Men-srea and White-Collar Crime.
4. Vicarious liability in White Collar Crime
5. Strict liability in White Collar Crime.

UNIT –II

Corporate Crimes Corporate Crimes-Meaning and Nature

1. Psychological and Socio-economic Factors underlying corporate frauds.
2. Types of Corporate Crimes.
3. Judicial Attitude towards Corporate Crimes
4. Offences Relating to Statutory Noncompliance under Companies Act\
5. Vicarious Liability of Corporation

UNIT III:

Statutes dealing with White Collar Offences. The Essential Commodities Act, 1955:

1. The Food Safety and Standards Act, 2006:
2. Provisions relating to Food Articles
Implementation of the Act by Food Safety Officers.
3. Food Safety and Standards Authority of India.
4. Breach of Foreign Exchange Regulations (FEMA)

UNIT-IV

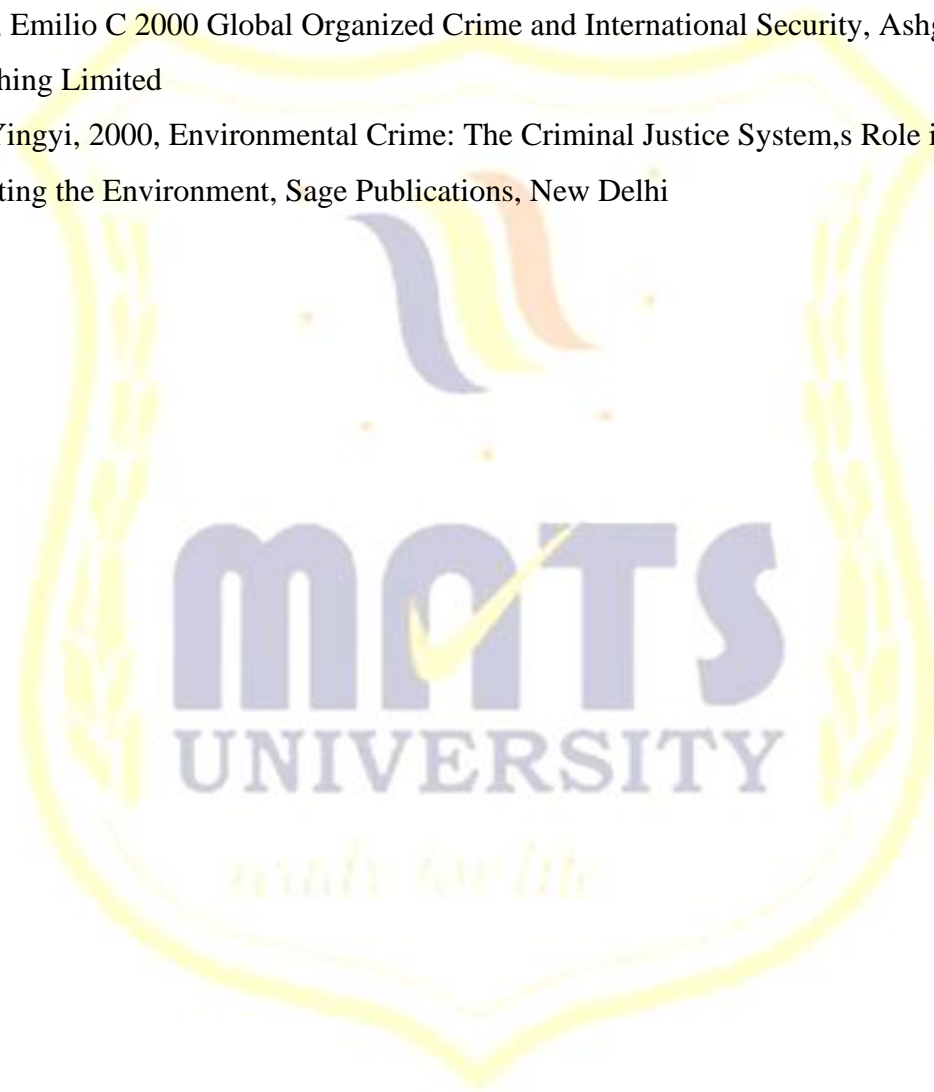
Indian Scenario White Collar Crimes in Indian scenario

1. Corruption in government and politics
2. Black Money.
3. Judicial response to white collar crimes in India.
4. Cyber Crimes

REFERENCES

1. Gandhirajan, C K 2004, Organised crime, A P H Publishing Corporation
2. Nair, P M 2002, Combating Organized crime, Konark Publishers
3. Karan Raj, 2002, Dictionary of Terrorism and Bioterrorism, IVY Publishing House, Delhi.
4. V Grover, 2002, Encyclopedia of International Terrorism, Vol. 1,2 &3, Deep & Deep Publications, New Delhi.
5. Shah, Giriraj, 2002, Encyclopedia of International Terrorism, Anmol Publications, New Delhi.

6. Holmes, Ronald M, 2001, Murder in America, Sage Publications, New Delhi.
7. Cambridge University Press, 2001, White Collar Crime Explosion: How to protect yourself and your company from prosecution
8. Kelly, Robert J, 2000, Encyclopedia of Organized Crime in the United States from Capone's Chicago to the New Urban Underworld, Greenwood Press, Westport. London.
9. Viano, Emilio C 2000 Global Organized Crime and International Security, Ashgate Publishing Limited
10. Situ, Yingyi, 2000, Environmental Crime: The Criminal Justice System,s Role in Protecting the Environment, Sage Publications, New Delhi



VICTOMOLOGY

Course Code – LLM/1.4/CRI

CO No.	Course Outcomes (CO)
CO 1	Students will be able to understand and describe the historical development of victimology, and analyze how changes in societal attitudes toward victims have influenced the criminal justice system.
CO2	Students will be able to evaluate the impact of victimization on individuals and communities, including physical, financial, psychological, and social effects.
CO3	Students will be able to identify and classify different types of victims of crime, including women, children, and victims of abuse of power.
CO4	Students will be able to explain the role of victims in criminal occurrence, and analyze the victim-offender relationship.
CO5	Students will be able to analyze the relationship between the criminal justice system and victims, and evaluate the effectiveness of victim services and support.
CO6	Students will be able to identify and explain the various legal provisions for victim compensation in India, and evaluate the strengths and weaknesses of these systems.

Unit I

Victims: Concept and Importance. Meaning nature and types of victims of crime

1. Historical development of victimology.
2. Scope and objectives of victimology
3. National and International thinking: United Nation, Amnesty International,
4. National Human Right Commission etc.

Unit II

Patterns of Criminal Victimizations.

1. Role of victims in Criminal Occurrence
2. Victim – Offender relationship
3. Victim typologies.
4. Victim of abuse of power.
5. Women and crime victimization.
6. Children and crime victimization.

Unit III

Impact of Victimization

1. Physical and Financial.
2. Physical and financial impact of victimization.
3. Victimization: Impact on family.
4. Psychological stress and trauma.
5. Criminal, victimization, sense of security and socio economic development.

Unit IV

Criminal Justice System & Victim.

1. Criminal Justice System and victim relationship: Collaborator or evidence.
2. Victim & Police: Lodging of FIR & recording of statement. Deposition & cross-examination in courts. NGO intervention: Victim-Witness Association, Victim Association
3. Concept, meaning & importance for society & criminal justice system. Restitution, ex-gratia payment & insurance. Compensation by public authorities as social obligation.
4. Victim Compensation in India: Provisions under Cr. P.C, SC, ST Act, etc.

Reference:

1. Singh Makkar, S.P.1993, Global perspectives in Victimology, ABC Publications, Jalandhar
2. Rajan, V.N., 1981, Victimology in India : An Introductory Study, Allied Publishers, New Delhi
3. Chokalingam, K1985, Readings in Victimology : Towards a Victim Perspective in Criminology, Ravi Raj Publications, Madras
4. Devasia,V.V 1992, Criminology, Victimology and Corrections. Ashish Publishing House, New Delhi

CRIMINAL JUSTICE & HUMAN RIGHTS
Course Code LL.M/1.5/CRI

CO No.	Course Outcomes (CO)
CO 1	The students would be able to state and outline about the intricacies of human rights issues which are involved in the overall administration of criminal justice system in India.
CO 2	The students would be able to understand various aspects of criminology, penology and victimology with reference to various vulnerable groups of society-children, women, aged persons SC/ST
CO 3	The students would be able to identify the intricacies of judicial creativity and the judicial tools and techniques employed in the process.
CO 4	The students would be able to critically analyse functionaries involved in administration of criminal justice-police, prosecution, judiciary and correctional agencies.
CO 5	The students would be able to explain current issues and debates regarding criminal justice administration and human rights
CO 6	The students would be able to examine various theories, different aspects and alternative ways, of attaining justice.

UNIT I

CRIME

- 1) Concept, Concept, Definition and Characteristics of Crime.
- 2) Development of Criminal Law and Criminal Justice System during British Period and Post Independent Period.
- 3) Theories of Crime
- 4) Sociology of Crime.

PRINCIPLES OF CRIMINAL JURISPRUDENCE

- 1) Adversarial (Accusatorial) and Inquisitorial system.
- 2) Recommendations of Malimath committee shift from Co-ordination CJS from Justice Model to crime control model.
- 3) How the burden of proof shifts as per the nature of crime.

UNIT II CRIME TRENDS AND CRIME PREVENTION

- 1) Social change, Deviance and Disorganization
- 2) Who is Criminal?

- 3) Crime against person and property
- 4) Crime social control, society and Crime prevention.
- 5) Crime under special laws in India

UNIT III

CRIMINAL LIABILITY PRECEPTS AND PRINCIPLES

- 1) Evolution of civil and criminal Liability for common liability for wrongs.
- 2) Elements of criminal liability. Crime, Contemplation Preparations, Attempt and Commission.
- 3) Mensrea, Intention, Recklessness, Negligence, Malice and Inchoate offences.
- 4) Various types of criminal liability under torts and IPC
- 5) Exemptions from criminal liability

UNIT IV PROCEDURAL MECHANISM IN THE CRIMINAL JUSTICE SYSTEM (POLICE, PROSECUTOR AND JUDICIAL SYSTEM)

- 1) Role of Police in Modern societies.
- 2) Police Reforms and Role played by Supreme court
- 3) Meaning purpose and need independent prosecution system.
- 4) Relationship of Police and Prosecution
- 5) Effective Judicial Control on Criminal justice system.

UNIT V

Human Rights Problems:

- (a) Police Atrocities and Accountability
- (b) Violence against Women and Children
- (c) Communal Violence
- (d) Terrorism and Insurgency

Suggested Reading

1. Shweta, 2009, Crime, Justice and Society MD Publications.
2. Schmalleges. Frank, 1999, Criminal Justice today, Prentice Hall, New Jersey.
3. Albanese Jay S. 2000, Criminal Justice Allyn and Bacon.
4. Phelps Thomas R, Swanson Charler R. Kenneth Jr and Evans R 1979. Introduction to Criminal Justice, Goodyear Publishing Company. Inc.

5. Commonwealth Secretariat, 2002, Crime and Social Justice, London.
6. Mehrajud-din Mir. 1984, Crime and Criminal Justice System in India, Deep and Deep Publications, New Delhi.
7. Justice Malimath Committee on Criminal Justice Reforms, Universal Law Publication 2003.
8. K. Padmanabhaiah Committee Police Reforms, 2001.
9. Misra, K.K., 1887, Police Administration in Ancient India, K.K. Publications.
10. Srivastava Aparna, 1999, Policing in the 21st Century, Indian Institute of Police Administration.
11. Guharoy Jay Tilak, 1999 Role of Police in Changing Society APH Publications.
12. Sharma, P.D., 1985, Police and Criminal Justice Administration in India. Uppal Publishing House in Delhi.
13. Gupta, Anand Swarup, 2007, Crime and Police in India, Sahitya Bhavan, Agra.
14. Banerjee,D, 2005, Central Police Organizations Part I and Part II, Allied Publishers Pvt. Ltd.
15. Ebbe, Obi N. Ignatius, 2000, Comparative and International Criminal Justice System: Policing, judiciary and Corrections, Butterworth, Boston.
16. Reisd, Se Titus, 2006, Crime and Criminology. Mc. Graw Hill Publishers.
17. Paranjape NV, 2007, Criminology and Penology 2nd edition, Central Law Publications, Allahabad.
18. Ahuja Ram, 2000, Criminology, Rawat Publications, Delhi.
19. Snarr Richard W, 1996, Introduction to Corrections, Brown and Penchmark Publishers.
20. Chaturvedi J.C, 2006, Penology and Correctional Administration, Isha Books Delhi.
21. Journal of Contemporary Criminal Justice – By Sage Publications.
22. Indian Police Journal Published by the Bureau o Police Research and Development.
23. Police Practice and Research. An international journal published by Rout ledge.
24. Reports of National Police Commission.

CORPORATE LAW

COMPETITION LAW Course Code – LLM/1.3/COR

CO No.	Course Outcomes (CO)
CO 1	Student will be able to <i>Understand</i> the historical background and Development of Competition Law
CO2	Student will be able to <i>understand</i> the Anti- Competitive Agreements under the Competition Act, 2002
CO3	Student will be able to <i>apply</i> general framework Appreciable Adverse Effect on Competition in the Market (AAEC)
CO4	Student will be able to <i>analyse</i> the combinations covered under the Competition Act. 2002
CO5	Student will be able to <i>determine</i> the extent of competition Advocacy and Emerging Trends in Competition.

UNIT – I

History and Development of Competition Law

History and Development of Competition Law, Constitutional vision of Social Justice – Liberalization and Globalization- Raghavan Committee Report, Competition Act 2002; an Overview of Competition Law in India, Important Definitions under the Competition Act, 2002.

UNIT – II

Anti Competitive Agreements

Anti- Competitive Agreements under the Competition Act, 2002. Appreciable Adverse Effect on competition in the Market. Determination of Relevant Market – Rule of Reason and Perse. Illegal rule – Horizontal and Vertical restraints, Exemption, Penalties, Prohibition of Anti-Competitive Agreements. Cartel- Predatory Pricing, bid rigging.

UNIT – III

Regulation of Abuse of Dominant Position

Introduction – Dominance in the Market – Relevant Market- Appreciable Adverse Effect on Competition in the Market (AAEC) – Abusive Conducts under the Competition Act. 2002 – Penalties – Prevention of Abuse of Dominance.

UNIT – IV

Regulation of Combinations:

Combinations: Merger, Acquisition, Amalgamation and Takeover- Horizontal, Vertical and Conglomerate Mergers- Combinations covered under the Competition Act. 2002 – Regulations, Penalties.

UNIT – V

Enforcement Mechanisms

Enforcement Mechanisms under the Competition Act. 2002 – Competition Commission of India – Constitution of the CCI – Powers and Functions – Jurisdiction of the CCI adjudication and appeals- Director General of Investigation (DGI) – Competition Appellate Tribunal (CAT) – Enforcement Mechanisms.

UNIT – VI

Competition Advocacy and Emerging Trends in Competition

Law (National and International)

Competition Advocacy in India and other foreign jurisdictions, Intellectual Property Rights and Competition Law, International Trade Law and Competition Law.

Prescribed Reading:

1. International Review of Competition Law
2. Journal of Competition Law and Economics (JCLE)
3. Competition Policy International (CPI)
4. The Competition Law Review (CompLRev)

References:

1. Competition Act, 2002 – Principles and Practices by Dr. V.K. Agarwal

2. Competition Act, 2002 (Students Edition) by Dr. V.K. Agarwal
3. Suresh T. Vishwanathan, *Law and Practice of Competition Act*. Bharat
4. Richard Whish, *Competition Law*, Oxford University press, 2008
5. Mark Furse, *Competition Law at the EC and UK, 6th – 2008*, Oxford University Press
6. M. Dugar, Commentary on MRTP Law, *Competition Law & consumer Protection Law, 4th ed. – 2006*, Wadhwa Nagpur
7. Abir Roy & Jayant Kumar, *Competition Law in India*, Eastern Law House, New Delhi
8. Satyanarayana Prasad, *Competition Law and Cartels*, Amicus Books, ICFAI University Press, 2007
9. Kristy Middleton, Barry Rodger & Angus Mac Culloch, *Cases and Materials on UK and EC Competition Law*, Oxford University Press, 2003
10. Vinod Dhall (ed.), *Competition Law Today*, Oxford University Press, 2007
11. Philips E. Areeda & H. Hovenkoup, *Fundamentals of Anti-Trust Law*, ASPEAN Publications, 2006
12. Ramappa, *Competition Law in India: Policy, Issues and Developments, 3rd ed.- 2013*, Oxford University Press, New Delhi
13. Varun Chhachhar “Competition Law and Telecom Sector in India”, 1st– 2013, VLMS Publishers, New Delhi.



COMMERCIAL ARBITRATION
Course Code LL.M/1.4/COR

CO No.	Course Outcomes (CO)
CO 1	The students would be able to describe the salient features of Arbitration and Conciliation Act, 1996, International commercial arbitration; enforcement of Awards and UNICTRAL model of Arbitration.
CO2	The students would be able to identify the categories of disputes which are arbitrable & those not arbitrable.
CO3	The students would be able to analyse the judicial developments in the realm of domestic & international commercial arbitration.
CO4	The student will be able identify issues relating to the appointment and termination of arbitrators.
CO5	The students would be able to assess the enforcement of foreign awards.

Unit-I

INTRODUCTION

1. Importance of ADR, concept and nature of arbitration, dispute resolution in international trade
2. Important terms used in commercial arbitration
3. Types of arbitration,
4. Overview of Arbitration & Conciliation Act 1996

Unit-II

ARBITRATION AGREEMENT

1. Significance of arbitration agreement
2. Forms of arbitration agreement & definitions and validity
3. Foreign arbitration agreement
4. Jurisdiction of arbitral tribunal
5. Theory of competence-competence

Unit-III

INTERNATIONAL COMMERCIAL ARBITRATION

1. UNCITRAL model law on arbitration
2. Governing law of arbitration, applicable law and choice of law and principles and judicial intervention
3. Conflict rules

Unit-IV

ENFORCEMENT OF ARBITRAL AWARDS

1. Appointment of arbitrators -Choice of law (Seat Theory)
2. Jurisdiction of arbitral tribunal -Independence and impartiality of the tribunal
3. Arbitral process -Party autonomy and arbitral award
4. Grounds for setting aside arbitral award
5. Recognition and enforcement of foreign arbitral awards

Text Books And Reference Books:

1. Bansal A K 'Law of International Commercial Arbitration' 2ndEdn. Universal Law Publishers
2. Bansal Ashwinie Kumar, Arbitration Awards - Law on Setting Aside and Execution of Arbitration Awards, Agreements and Appointment of Arbitration, 3rd Edn.
3. Saraf, B.P. and M. Jhunjhunwala; Law of Arbitration and Conciliation; Snow White Publication
4. S.K. Chawla, Law of Arbitration & Conciliation –Including other ADRs, 3rd Edn2012 Eastern Law House, New Delhi
5. Dr. Markanda P.C., Law Relating to Arbitration and Conciliation 8thEdn., 2013 Lexis Nexis
6. Mohta VA., Arbitration Conciliation and Mediation, Manupatra
7. Justice SB Malik, Commentary on The Arbitration and Conciliation Act, 2013, Universal Law Publishing Co.,
8. A K Ganguli, Arbitration Law, Annual Survey of Indian Law – 2012,pp27-47 Indian Law Institute, New Delhi
9. Nigel Blackabyet. al., Redlam& Hunter on International Arbitration 23rdEdn. Thomson Reuters

10. Avtar Singh, 'Arbitration and Conciliation Act' 10th Edition, 2013, EBC, Lucknow
11. Reports on International Commercial Arbitration including Bachawat on Law of Arbitration
12. Gary B Born., International Commercial Arbitration 1 (WolterKluwer) 2009
13. Bijoylaxmi Das and Harsimran Singh -Commercial Arbitration In India - An Update 2013 www.mondaq.com/india/.../Arbitration.../Commercial+Arbitration+In+In.
14. Lavin Hirani-The Legal Regimes Affecting International Commercial Arbitration In India & Singapore- A Comparative Study https://www.academia.edu/200741/THE_LEGAL_REGIMES_AFFECTING_INTERNATIONAL_COMMERCIAL_ARBITRATION_IN_INDIA_and_SINGAPORE-_A_COMPARITIVE_STUDY
15. William W. Park -Arbitrators and Accuracy -Journal of International Dispute Settlement, Vol. 1, No. 1 (2010), pp. 25–53, available at http://www.arbitration-icca.org/media/0/12771033387160/ww_park_accuracy_and_arbitration.pdf
16. Prof. A.V.V. Giorgio Bernini-International Arbitration: A Contemporary Perspective http://www.arbitrationicca.org/media/0/12641363465510/bernini_loyola_law_school.pdf
17. Ajay Kr. Sharma -Judicial Intervention In International Commercial Arbitration: Critiquing the Indian Supreme Court's Interpretation of The Arbitration And Conciliation Act, 1996 <http://www.ijal.in/sites/default/files/Volume%20III%20Issue%20I.pdf>
18. Law Commission of India Report No. 246 Amendments to the Arbitration and Conciliation Act, 1996 August , 2014
19. Amendments to the Arbitration & Conciliation Act,1996 - A Consultation Paper <http://lawmin.nic.in/la/consultationpaper.pdf>

LAW ON SECURITIES AND FINANCIAL MARKET
Course Code – LLM/1.5/COR

CO No.	Course Outcomes (CO)
CO 1	Students will be able to define the concepts of Securities Market with the help of legislations governing the same.
CO2	Students will be able to explain principles and laws dealing with Securities and Financial market.
CO3	Students will be able to understand and identify provisions related to commencement of business and other laws regarding Securities and finance.
CO4	Students will be able to distinguish between foreign and domestic exchange with primary focus on provisions of Foreign Exchange Management Act
CO5	Students will be able to determine the role of non-banking finance companies while highlighting the role of associated stakeholders
CO6	Students will be able to analyze various legal provisions for securities and financial market in India, and evaluate the strengths and weaknesses of these systems.

Unit-I

Securities Contracts (Regulation) Act, 1956 – Interpretation Clause - Meaning and Definition of Stock Exchange -Recognition of Stock Exchange - Contracts in Securities -Listing of securities - Securities Appellate Tribunal (SAT)- Constitution, Powers and Functions - Appeals from orders of SAT – Title to Dividends-Securities and Exchange Board of India Act, 1992 - Interpretation Clause-Establishment of the Securities and Exchange Board of India - Constitution,Powers and Functions - Registration of Stock Brokers , Sub-brokers ,& Share Transfer Agents - Prohibition of Manipulative and Deceptive practices-Inside Trading and Substantial Acquisition of Securities or Control-Adjudication of disputes- Appeals to Securities Appellate Tribunal,HCs& SC- Capital Markets regulations.

Unit-II

Depositories Act, 1996 - Definition of Depository Board and Beneficial Owner - Certificate of Commencement of Business - Rights and obligations of Depositories, participants, issuers and beneficial Owners

Competition Act, 2002- Applicability of the Act - Definitions –Prohibition of certain agreements - abuse of Dominant position and Regulation of combinations - Competition Commission of India –Powers-- Functions - Power of Central Government to supersede Commission -Penalties - Appeals - Competition Advocacy

NCALT: Powers and Jurisdiction, Position under the Finance Act

Unit-III

Foreign Exchange Management Act, 1999 - Definitions - Regulation and Management of Foreign Exchange - Authorised Person – Contravention - penalties - adjudication and Appeal – FEMA Appellate Tribunal: Powers and Jurisdiction, Directorate of Enforcement : Powers and Functions

Unit-IV

Non-banking finance Companies - Formation and regulation of NBFC's-Consumer Protection Act, 1986 - Salient Features - Definitions of complainant, Consumer, Manufacturer, Consumer Dispute, Service, Goods, Unfair Trade Practices - Liability of Companies to consumers- Basic Features of the GST Act,2017
Corporate Governance -International dimensions of Company. Law.

Suggested Readings:

1. Palmer - Company Law.
2. Ramayya: Guide to the Companies Act, in three volumes, Wadhwa and Company, Nagpur.
3. Avtar Singh: Company Law, Eastern Book Company
4. H.K.Saharay: Principles and Practice of Company Law in India, Prentice Hall of India Private Limited, New Delhi.
5. S.M.Shah: Lectures on Company Law, N.M. Tripathi Private Ltd. Bombay.
6. Chalesworth & Cain: Company Law, Geoffrey Morse, Stevens and Sons, London.
7. L.C.B. Grover: The Principles of Modern Company Law, Stevens

and Sons, London.

8. Pennigton: Company Law, Butterworths, London. Taxmann's Publications Journal on SEBI and Corporate Laws.

9. Pahwa : Law relating to on-Banking financial companies B.K.Pahwa.



CONSTITUTIONAL LAW & ADMINISTRATIVE LAW

MEDIA LAW

LLM/1.3/CON

CO No.	Course Outcomes (CO)
CO 1	Student will be able to <i>Understand</i> the historical background Freedom of speech as a human right – Philosophical justification for the protection of Free speech right
CO2	Student will be able to <i>understand</i> the constitutional guarantee for Free Press reasonable restrictions on Free speech
CO3	Student will be able to <i>apply</i> general framework for defamation law
CO4	Student will be able to <i>analyse</i> historical development of private and confidential information called privacy
CO5	Student will be able to <i>determine</i> the extent of commercial speech for professionals and corporations

UNIT I

FREEDOM OF SPEECH AND EXPRESSION

1. Freedom of speech as a human right – Philosophical justification for the protection of Free speech right – Constitutional guarantee for Free Press – reasonable restrictions on Free speech
2. Media Freedom – boundaries of a free press - Mass media –press, films, radio, television – ownership patterns – legal issues; Freedom of Information v Free Speech
3. Origins of broadcasting – regulation of press and broadcasting – censorship of broadcasting media and press – leading cases – Evolution of television as a visual media
4. Impact of films as visual media – censorship of films – judicial view on film censorship – standards of censorship, Role of media in law making process.

UNIT– II

PROTECTION OF REPUTATION

1. Defamation – overview – general framework for defamation law- role of malice – IPC provisions – remedies and damages
2. Decent speech – indecent speech – hate speech – racial speech – obscenity on mass media – regulation and control

3. Libel in press –regulation and control – Slander through Broadcasting audio-video defamation
4. Internet as a platform of free speech – regulation of content on Internet self-regulation v Government regulation,
5. Libel and slander in cyberspace – cross border libel/slander – jurisdictional problems – Gutnick v John Doe

UNIT- III

MEDIA AND PRIVACY

1. Obscenity and pornography – historical background - Hicklin Test – contemporary standards in Miller v California - Child pornography
2. Blasphemy – historical overview- censorship of stage productions – violence - legal regulation of blasphemy
3. Privacy – historical development of private and confidential information – media practices and human rights – photo journalism in public places – child right to privacy
4. Information privacy and reputation - personal data protection – abuse of personal information – marketing of personal information- internet privacy
5. Press and Public access to the judicial processes, records, places and meetings – Right to information Act

UNIT- IV

MEDIA, ETHICS AND ADJUDICATION

1. Copyright issues in mass media
 - Protection for copyrighted work
 - Plagiarism
 - Pirated music
 - Remedies for infringement
2. Media and Courts
 - Report of legal proceedings
 - trail by media
 - sensitive court reporting and human rights contempt of court
 - procedure and punishment

UNIT-V

CORPORATE AND COMMERCIAL SPEECH

1. Development of commercial speech doctrine
2. Commercial speech for professionals and corporations
3. Art.19 (1)(a) protection for unsolicited mail advertising Regulation of commercial speech
4. Ethical dilemmas, issues and concerns in mass communication

5. Foundation of ethics different aspects of journalism's ethical issues- Reporters privileges and protection of media sources
6. Extra- judicial regulation of media content
7. Press complaints and editors' code of practice
8. Broadcasting standards commission
9. Codes for advertisement standards
10. Film censorship board – ICANN

Recommend Books

1. Madhavi Goradia, Facet of Media Law
2. DR. A. Verma, Cyber Crimes & Law
3. M.P. Jain, Constitutional Law of India (1994) Wadawa, Nagpur
4. H.M. Seervai, Constitutional Law of India 2002 Vol. 1 Universal
5. John B. Howard, "The Social Accountability of Public Enterprises" in Law and Community Controls in New Development Strategies (International Center for law in Development 1980)
6. Bruce Michael Boys, "Film Censorship in India: A Reasonable Restriction on Freedom of Speech and Expression" (1972).
7. Rajeev Dhavan, "On the Law of the Press in India" (1984).
8. Rajeev Dhavan, "Legitimizing Government Rhetoric: Reflections on Some Aspects of the Second Press Commission" (1984).
9. Soli Sorabjee, Law of Press Censorship in India (1976).
10. Justice E.S. Venkaramiah, Freedom of Press: Some Recent Trends (1984).
11. D.D. Basu, The Law of Press of India (1980)

FUNDAMENTAL RIGHTS AND DIRECTIVE PRINCIPLES

Course Code: LLM/1.4/CON

CO No.	Course Outcomes (CO)
CO 1	Students will be able to understand the evolution of Fundamental Rights and their relationship with international human rights standards and other national constitutions.
CO2	Students will be able to analyze the concepts of Fundamental Rights, Bill of Rights, Natural Rights, and Human Rights within the context of the Indian Constitution.
CO3	Students will be able to evaluate the relationship between the Preamble, Fundamental Rights, Directive Principles of State Policy, and Fundamental Duties.
CO4	Students will be able to interpret key provisions on equality, discrimination, and affirmative action under Articles 14 to 18 of the Indian Constitution.
CO5	Students will be able to examine the scope of Fundamental Rights, including the right to freedom, right against exploitation, and the right to constitutional remedies.

Unit-1

Introduction

- 1.1. Evolution of Fundamental Rights, impact of Universal Declaration of Human Rights and Constitutions of other countries on fundamental rights
- 1.2. Concepts of Fundamental Rights, Bill of Rights, Natural rights and Human Rights
- 1.3. Preamble of the Constitution and its implication with reference to Fundamental Rights, Directive Principles of State Policy, and Fundamental Duties
- 1.4. Definition of State under Art.12, 13 - Inviolability of Fundamental Rights
- 1.5. Doctrine of Waiver, Doctrine of Severability, Doctrine of Eclipse, scope of definition of law under Art.13.

Unit-2

Right to Equality

- 2.1. Relationship between Art 14, 15, 16, 17, and 18
- 2.2. Doctrine of Classification, Doctrine of Arbitrariness, Doctrine of Legitimate Expectation, Wednesbury Principle

- 2.3. Prohibited grounds for discrimination (Art.15); special provisions relating to women; protective discrimination in favor of Backward Classes, Scheduled Castes and Scheduled Tribes; Development of case law
- 2.4. Equality of Opportunity in the matters of public employment, reservations in public employment, residence as prerequisite for employment
- 2.5. Untouchability, Abolition of Titles

Unit-3

Right to Freedom, Right against Exploitation

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

Unit-4

Directive Principles of State Policy and Fundamental Duties

- 4.1. Relative importance of Directive Principles of State Policy (DPSP) and Fundamental Rights
- 4.2. Nature of Directive Principles of State Policy, Justifiability of Directive Principles of State Policy
- 4.3. Social security and welfare provisions under Directive Principles of State Policy; economic rights
- 4.4. Directive Principles of State Policy that were read into Fundamental Rights
- 4.5. Fundamental Duties – evolution, relationship between Fundamental Rights and Duties

Text Books And Reference Books:

1. H.M. Seervai, Constitutional Law of India – Vol. I &II
2. V.N.Shukla , Constitution of India
3. Subhash C Jain, The Constitution of India
4. D.D. Basu, Commentaries on Constitutional Law of India, Vol. A to E
5. M. Hidayatullah (Ed.), Constitution of India
6. M.P.Jain, Indian Constitutional Law
7. Subba Rao G C V, Indian Constitutional Law

8. Pande G S, Constitutional Law of India
9. Saharay H K, Constitution of India
10. Pylee M.V, Our Constitution, government & politics
11. Tope T K, Constitutional Law of India



ADMINISTRATIVE LAW
Course Code :- LLM/1.5/CON

CO No.	Course Outcomes (CO)
CO 1	The Students will understand a general <i>definition</i> and evolution of Administrative laws , its Significance and its various types which will further include merits and demerits.
CO2	The Student will <i>illustrate</i> administrative discretionary power, judicial control & concept of ombudsman local and lokayukt.
CO3	The Student will be able to define and write judicial review and its remedies
CO4	The student will <i>analyze</i> the right to information act with reference to administrative law.
CO5	The students will be familiarizing with the language of the law and its protection of civil servants, administrative adjudication and Public undertakings.

Unit-1

Fundamentals of Administrative Law

- 1.1. Evolution, definition, nature, scope and significance of Administrative Law in various system of governance from ancient to modern. Development of Administrative law in USA, UK and India, and *Droit Administratif* and *Conseild'etatin* France.
- 1.2. Constitutional dimensions of administrative law and its relationship, Role of administrative law in welfare state and relationship between constitutional and administrative law.
- 1.3. Rule of law and separation of powers.
- 1.4. Classification of power, delegation of legislative power and control.

Unit-2

Procedural fairness and Administrative Discretionary power

- 2.1. Evolution and significance of principle of Natural justice

- 2.2. Right to fair hearing – Audi Alterampartem – Administrative cases – statutory hearing- reasoned decision and its exceptions: *nemo iudex in causa sua* -Rule against bias , Kinds of bias and exceptions
- 2.3. Administrative Discretionary power – definition, its scope, nature and relevance in the present day context, with the support of right to information Act, 2005.use, misuse, abuse and non-use of discretionary power.
- 2.4. Judicial control over Administrative Discretionary power – Retention, Dictation and Abuse of Administrative power.
- 2.5. Ombudsman Lokpal and Lokayukta

Unit-3

Judicial review of Administrative action

- 3.1. Nature extent and limitation of Administrative action in India. Judicial control over Administrative action- remedies for Administrative wrongs, Writs Remedies.
- 3.2. Limits of Judicial review-*Locus standi* and PIL- *Laches-Resjudicata* and Doctrine of exhaustion of alternative remedies – Doctrine of Standing and Doctrine of Ripeness
- 3.3. Statutory Remedies – General and Specific statutory remedies for administrative action.
- 3.4. Administrative process- judicial control- Liabilities and accountabilities of the states- Administrative Tribunals

Unit-4

Governmental privilege, Official Secrecy and Access to information

- 4.1. Governmental Privileges- withholding of documents and evidence-Official Secrets Act,1923. Rebuttal of governmental privileges
- 4.2. Governmental Privileges position in England and India. Right to Information Act, 2005.
- 4.3. Doctrine of Legitimate Expectation and its constitutional dimensions and limitations. Public utility services.
- 4.4. Nature and Extent of Doctrine of proportionality and *wednesbury* principle.

Unit-5

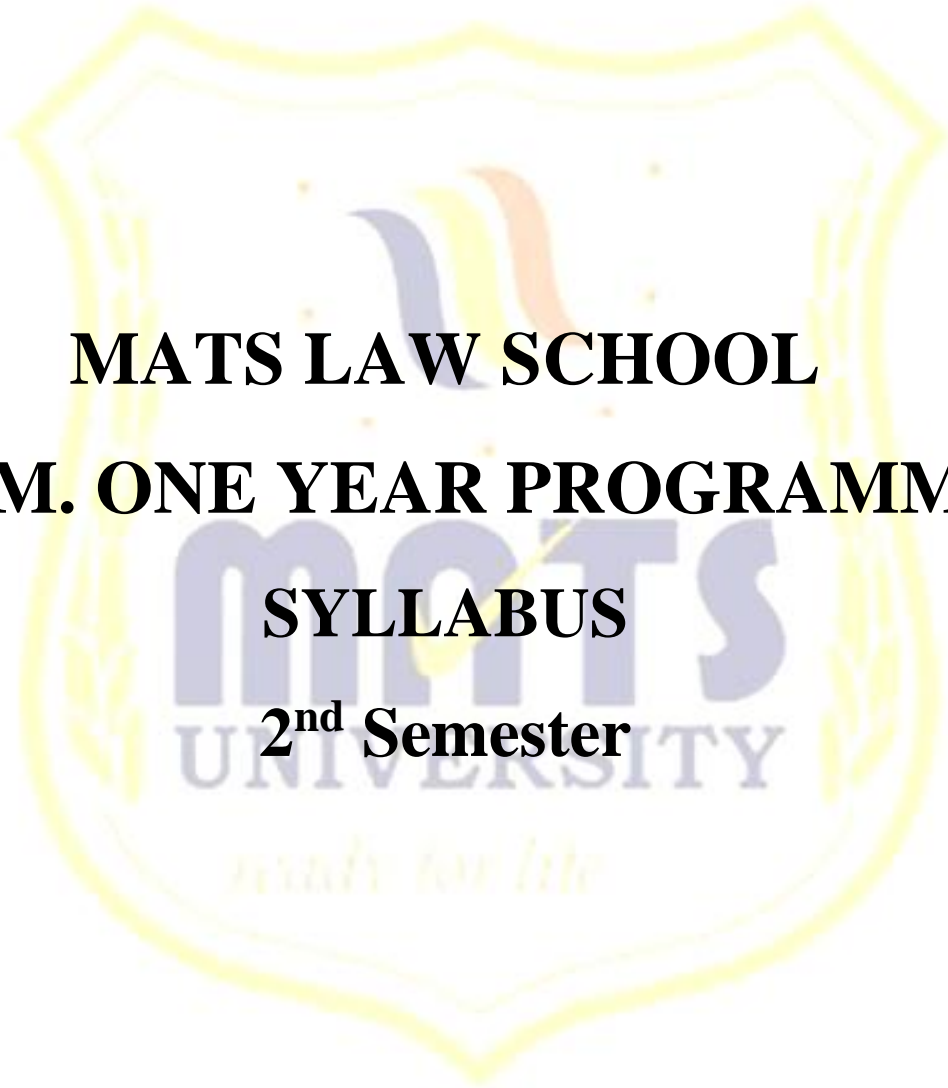
Protections of civil servant, Administrative Adjudication and Public undertakings and corporations

- 5.1. Constitutional protection of civil servants, need for protection of civil servants. Lacunae in the protection.
- 5.2. Terms and condition of service, tenure of office – the doctrine of pleasure its extent and limitations and exceptions, Administrative Adjudication –Exclusion clause and Administrative Tribunals and Special Court Act – 1979.
- 5.3. Nature, Constitution and powers of Public Undertakings and control over them.
- 5.4. Privatization of public corporations and its impact in India on concept of state.

Text Books and Reference Books:

1. Basu, Durga Das, Administrative Law.
2. De Smith - Judicial Review of Administrative Action, 6th Revised Edition 2006, Sweet and Maxwell Publication.
3. Garner's – Administrative Law, 8th Edition 1996, Oxford University press
4. H.W.R. Wade and C.F. Forsyth - Administrative Law, 10th Edition 2009, Publication-Oxford University Press, New York.
5. I. P. Massey - Administrative Law, 7th Edition 2008. Publication-Eastern Book Company, Lucknow.
6. Jain, M.P., Cases and Materials on Indian Administrative Law, Nagpur: Lexis Nexis, India.
7. M. P. Jain & S. N. Jain, Principles of Administrative Law, Nagpur: Lexis Nexis, India, 2010.
8. Richard J Pierce & Kenneth Culp Davis, Administrative Law treatise
9. S. P. Sathe - Administrative Law, 7th Edition 2006. Lexis Nexis, Butterworth's Publication.
10. Subba Rao, G C V, Administrative law



The logo of Mats University is a shield-shaped emblem with a yellow border. Inside the shield, there are three stylized, overlapping curved shapes in blue, yellow, and orange. Below these shapes, the text 'mats UNIVERSITY' is written in a blue, sans-serif font. At the bottom of the shield, the motto 'ready for life' is written in a smaller, yellow, cursive font.

MATS LAW SCHOOL
LL.M. ONE YEAR PROGRAMME
SYLLABUS
2nd Semester

LAW AND JUSTICE AND IN THE GLOBALIZING WORLD

Course Code: LLM/2.1

CO No.	Course Outcomes (CO)
CO 1	The student would be able to define and describe the process of globalization and its impact on law and justice in a historical perspective.
CO2	The student would be able to develop understanding of the concepts of global justice and the mechanisms designed to achieve it.
CO3	The student would be able to explain the demands for change raised by different groups to the international legal order and institutions in the light of globalization.

Unit-I

GLOBALIZATION: PROCESS AND ITS EFFECTS

- 1.1. Concept of Liberalization, Privatization, Globalization, Meaning and definition of globalization, nature, scope and limits of globalization, Different kinds.
- 1.2. History and evolution of globalization.
- 1.3. Causes and consequence of globalization, effect of globalization on economic, social, cultural and political aspects of life in twenty-first century.
- 1.4. Effect of globalization on law and justice - An introduction

Unit-II

GLOBALIZATION AND LEGAL THEORY

- 2.1 Jurisprudence, globalization and the discipline of law
- 2.2 Globalization and legal theory, the need for the study of concept of law from a global perspective.
- 2.3 Basic concepts of law in western legal thought. A brief analysis of positivist, normative and realist theories of law in western tradition.
- 2.4. The concept of justice and its relation to law in Western and Indian Legal thought and concept of Dharma as a legal tradition. The relation between law and justice.
- 2.5. Normative Jurisprudence, the western heritage, classical utilitarianism, Benthamite and modified Benthamite utilitarianism.

2.6. Theories of Justice Rawls and Pogge.

Unit-III

POLICY ISSUES

- 3.1. Globalization and Democracy
- 3.2. Rule of Law-economic development-political development
- 3.3. Globalization and Justice
- 3.4. Globalization and Security

Unit-IV

HUMAN RIGHTS IN THE CONTEXT OF GLOBALIZATION

- 4.1. Human rights Theory and Perspectives
- 4.2. Human Rights law as universal-criticism and rhetoric or Rights
- 4.3. Human Rights and the challenges-pluralist theories and Sen's challenge
- 4.4. Human Rights and Southern voice - Upendra Baxi.

Unit-V

HARMONIZATION OF LAW

- 5.1. Public and Private International Law governance
- 5.2. Regulation of International banks and money laundering
- 5.3. Harmonization of private commercial law-lex mercatoria
- 5.4. Harmonization of Intellectual Property law
- 5.5. Jurisdictional Issues in the era of globalization.

Text Books And Reference Books:

1. Jan Aart Scholte, Globalization – A critical introduction
2. Jarrod Wiener – Globalization and the harmonization of law
3. Michael Goodhart – Democracy as Human Rights – Freedom and Equality in the age of Globalization
4. James H Mitelman, The Globalization Syndrome
5. Manfred B. Steger, Globalization –A very Short introduction-Oxford introductory series.
6. Thomas Fleiner & Lidija R. Basta Fleiner, Constitutional democracy in a multicultural and globalised world, Springer.

7. William Twining, *General Jurisprudence; Understanding Law from a Legal perspective*, Cambridge, Cambridge University, 2009
8. William Twining, *Globalization and Legal Theory*, New York: Butterworths, 2006.
9. Boaventura d Sousa Santos, *Towards a New Legal Common Sense: Law, Globalization and Emancipation*, London: Butterworths, 2002.
10. Otto A Bird, *The Idea of Justice*, New York: Frederick A Praeger, 1968
11. M.D.A. Freeman, *Lloyd's Introduction to Jurisprudence*, London: Sweet and Maxwell, 2010
12. Amartya Sen, *The idea of Justice*, New Delhi: Allen Lane, 2009.
13. Upendra Baxi, *The Future of Human Rights*, New Delhi: Oxford University Press, 2006.
14. Thomas Pogge, *Global Justice*, Oxford: Blackwell, 2001
15. B.S. Santos and Cesar A. Rodriguez-Gravito (ed.) *Law and Globalization from below: Towards a Cosmopolitan Legality*, New York Cambridge University Press, 2005.

Essential Reading / Recommended Reading

1. William Twining, *General Jurisprudence; Understanding Law from a Legal perspective*, Cambridge, Cambridge University, 2009
2. William Twining, *Globalization and Legal Theory*, New York: Butterworths, 2006
3. Boaventura d Sousa Santos, *Towards a New Legal Common Sense: Law, Globalization and Emancipation*, London: Butterworths, 2002.
4. Thomas Pogge, *Global Justice*, Oxford: Blackwell, 2001.

DISSERTATION AND VIVA VOICE

Course Code: LLM/2.5

CO No.	Course Outcomes (CO)
CO 1	<ul style="list-style-type: none">• Students will be able to conduct independent research, critically analyze legal issues, and present well-structured and thoroughly researched dissertations on a chosen topic within the field of law.
CO2	<ul style="list-style-type: none">• Students will be able to demonstrate the ability to effectively communicate their research findings, defend their arguments, and engage in scholarly discussions during the Viva Voce examination.
CO3	<ul style="list-style-type: none">• Students will be able to apply legal research methodologies, synthesize academic sources, and contribute to the existing body of legal knowledge through their dissertation work.

The students are instructed to reach out to their respective supervisors/guide allotted to them on timely basis for suggestion and approvals. No dissertation will be accepted without the approval/satisfaction of the supervisor. Supervisors have also been instructed to adhere to the below mentioned format and deadlines (time to time notified by the office of HoD) for dissertation. Faculty members are responsible to ensure the enforcement of quality submission hence the faculty members supervising dissertations are at liberty to refuse the final approval on non compliance of any of the instructions mentioned hereafter.

Students shall follow the following systematic framework for dissertation and submission:

1. Cover Page (title of the project, name of the institution, student name, roll no. subject or name of paper, semester, year, name of teacher concerned)
2. Declaration ("The text reported in the project is the outcome of my own efforts and no part of this project assignment has been copied in any unauthorized manner and no part of it has been incorporated with due acknowledgement"- Name & sign)
3. Certificate
4. Acknowledgement
5. Table of Contents (chapters, sub-chapters with titles)
6. List of Abbreviations

7. Table of Cases (if case laws are added)
8. Table of Statutes used
9. Introduction (State brief background of the subject of research) - It should not be lifted from the original source. Place the problem under investigation in a perspective by briefly mentioning the statement of problem.)
 - a. Research Questions Research Objective
 - b. Scope
 - c. Limitation
 - d. Hypothesis
 - e. Research Methodology
 - f. Mode of Citation
 - g. Literature Review
 - h. Chapters Included [Maximum 6 Chapters]
10. Main body of the Dissertation [Chapter Wise] [Maximum 7 Chapters]
11. Conclusions/ Research Findings/Recommendations
12. References
 - a. Books Referred
 - b. Articles Referred
 - c. Websites Referred
 - d. Statutes Referred
 - e. Cases Referred
 - f. Other Sources Referred
13. Footnotes: Not less than 300 (substantive footnotes)

GENERAL LLM DISSERTATION GUIDELINES:

1. Font all: Times New Roman
2. Font Size: body 12 pts & heading 14 pts (Justified)
3. Citation Style: ILI
4. Minimum Number of Chapters: 6 (Including Introduction & Conclusion)
5. Minimum Number of Pages 150
6. Line spacing 1.5

7. Font size foot note 10 line spacing 1
8. There will be four rounds of submission, dates of which will be notified on time to time from office of HoD. They will be
 - a. 1st Printed Draft for perusal of guide and suggestions if any
 - b. 2nd final Printed Draft for ensuring that the changes suggested in above points has been properly incorporated.
 - c. 3rd Soft copy submission of approved dissertation to your research supervisor for plagiarism test.
 - d. Final Hard Bound Submission (5 Copies) for evaluation and viva-voce by internal as well as external.
9. It will be the duty of student to choose a topic in the beginning of 1st semester only, while identifying specialisation, so that they have ample opportunity of research in the short span of 1 year.
10. The similarity report generated by anti-plagiarism software (turnitin/urkund) shall not exceed more than 10% at any cost (excluding footnote and references). Exceeding of the percentage will lead to rejection of awarding LLM degree.
11. It will be duty of student to reach out to faculty members or office staff for any other details or sample format so that, non compliance of any of above mentioned rule leads to rejection of thesis and delay in award of LLM degree.

OPTIONAL/SPECIALISATION PAPER (2 Credit Each)

CRIMINAL LAW

CRIMINOLOGY AND CRIMINAL JUSTICE ADMINISTRATION

Course Code: LLM/2.2/CRI

CO No.	Course Outcomes (CO)
CO 1	<ul style="list-style-type: none">• Students will be able to understand the meaning, nature, and scope of criminology, distinguishing between pure and practical criminology, and analyzing various forms of criminality.
CO2	<ul style="list-style-type: none">• Students will be able to examine and compare different schools of criminology, including the Pre-Classical, Classical, Neo-Classical, Positivist, Clinical, and Sociological Schools, and understand their contributions to criminological thought.
CO3	<ul style="list-style-type: none">• Students will be able to critically assess key criminological theories, including Radical Criminology, Modern Conflict Theories, Marxist Criminology, and Bonger's Theory of Economic Criminality, and apply them to contemporary crime analysis.
CO4	<ul style="list-style-type: none">• Students will be able to analyze pre-trial and trial procedures in criminal justice, focusing on the rights of the accused, the roles of legal professionals, and the procedures involved in the investigation and trial phases
CO5	<ul style="list-style-type: none">• Students will be able to evaluate the admissibility of evidence in criminal trials, the importance of legal procedures, and the impact of expert testimony on trial outcomes and the awarding of appropriate punishment.

Unit- I

Concept of Criminology

- (a) Meaning, Nature & Scope
- (b) Basic Features of Criminology
- (c) Pure Criminology
- (d) Practical Criminology
- (e) Criminalities

Unit -II

Schools of Criminology

- (a) Pre-Classical School of Criminology
- (b) Classical School of Criminology
- (c) Neo Classical School of Criminology
- (d) Positivist School of Criminology (Italian School)
- (e) Clinical School of Criminology
- (f) Sociological School of Criminology

Unit- III

Theories of Criminology

- (a) Theory of Radical Criminology (Marxist Approach)
- (b) Modern Conflict Theories
 - i. Sellin's Cultural Conflict Theory
 - ii. Vold's Group Conflict Theory
 - iii. Quinney's Theory of Social Reality of Crime
 - iv. Turk's Theory of Criminalization
- (c) The Modern Theory of Criminology
- (d) Marxist Theory of Criminology
- (e) Bonger's Theory of Economic Criminality

Unit- IV

Criminal Justice Administration

- (a) **Pre-trial Procedures**-arrest and questioning of, the accused, the rights of the accused, the evidentiary value of statements/ articles seized/collected by the Police, right to counsel, role of the prosecutor and the judicial officer in Investigation.

- (b) **Trial Procedures-** the Accusatory system of trial and the inquisitorial system of trial role of the Judge the prosecutor and defense attorney in the trial-admissibility and in admissibility of evidence-expert evidence appeal of the Court in awarding appropriate punishment.

Suggested Readings:

- (a) Dr. N. Maheshwara Swamy: Criminology and Criminal Justice System, Asia Law House
(b) Sutherland and Cressey, Principles of Criminology, Surjeet Publications
(c) S.Rao, Crime in Our Society, (1983).
(d) J.M. Sethna, Society and the Criminal (1980).
(e) Siddique, Criminology: Problems and Perspectives (1997).
(f) E. Sutherland, White Collar Crime (1949).
(g) S. Kaldate, Society, Delinquent and Juvenile Courts (1982).
(h) W.C.Reckless, The Prevention of Juvenile Delinquency (1972),
(i) D.C. Pandey, Habitual Offenders and the law (1983).
(j) D. Abrahansen, David : Crime and the Human Mind (1979).
(k) Conrad, John. P. : Crime and its Correction: An international survey of Attitudes and Practices.
(l) Krishna Iyer Report on Female Prisoners (1986).
(m) Mulla Committee Report, (1983).
(n) P. Rajgopal, Violence and Response: A Critique of Indian Criminal Justice System (1988).

INTERNATIONAL CRIMINAL LAW

Course Code: LLM/2.3/CRI

CO No.	Course Outcomes (CO)
CO 1	Students will be able to recall the historical development of international criminal law and identify the key events and individuals that have shaped the field.
CO2	Students will be able to explain the fundamental principles of international criminal law, including the notion of individual criminal responsibility and the sources of international criminal law.
CO3	Students will be able to apply the concepts of international criminal law to analyze and evaluate real-world cases and situations involving war crimes, crimes against humanity, and genocide.
CO4	Students will be able to analyze the complexities and challenges of enforcing international criminal law, including issues of jurisdiction, complementarity, admissibility, and victims' participation.
CO5	Students will be able to evaluate the effectiveness of the International Criminal Court as a mechanism for promoting accountability for international crimes and protecting human rights.
CO6	Students will be able to synthesize and integrate their knowledge of international criminal law to propose solutions to contemporary challenges facing the field, such as inadequate state cooperation, the politicization of international criminal justice, and the issue of high-level official immunity.

Module I: Introduction to International Criminal Law

This topic would introduce students to the structure of the course along with providing a historical introduction to the concept of individual criminal responsibility under international law which would include developments within the League of Nations and the work of the International Law Commission.

Module II: Fundamentals of International Criminal Law

This topic would cover the notion of international crimes, individual criminal responsibility and sources of international criminal law.

Module III: Enforcement of International Criminal Law

Nuremberg and Tokyo tribunals This topic would cover the establishment of the Nuremberg and Tokyo tribunals at the end of the Second World War, their contribution to the development of individual criminal responsibility under international law and their legacy for the future developments in the field of international criminal law.

Module- IV: International Criminal Court

This topic would cover the establishment of the court, structure and administration of the court, relationship with the United Nations, the Presidency, The chambers, office of the prosecutor, assembly of States parties and review conference. It would further cover, jurisdiction of the court, complementarity, admissibility, investigation, pretrial, trial, appeal and punishment and enforcement of punishments. It would also cover victims of crimes and their concerns.

Module – V: War crimes, Crimes against humanity, Genocide

This topic would cover the nature of war crimes, the need for a link between the offence and the armed conflict, classification of armed conflicts, war crimes in internal armed conflicts.

The crime against humanity would be discussed from its initial conceptualization in the Nuremberg Tribunal charter, its incorporation in the ICTY and the ICTR Statutes and finally its inclusion in the ICC Statue. Its evolutionary growth and constitutive elements are elaborated.

The notion of genocide, the 1948 convention on genocide, destruction of a group ‘in whole or in part’, the specific intent (*Dolus specialis*) required for genocide, acts constituting genocide, incitement to commit genocide and developments in the case law on genocide would be covered.

References

- (a) Ilias Bantekas, International Criminal Law (Hart Publishing, 2010) Antonio Cassese,
- (b) International Criminal Law, (OUP, 2008) William A Schabas.
- (c) An Introduction to the International Criminal Court (CUP, 2011)
- (d) Antonio Cassese, International Criminal Law: Cases and Commentary (OUP, 2011)
- (e) William A. Schabas and Nadia Bernaz, Routledge Handbook of International Criminal Law (Routledge, 2011)
- (f) Elies Van Sliedregt, Individual Criminal Responsibility in International Law (OUP, 2012)
- (g) Hannah Arendt, Eichmann in Jerusalem (Penguin, 2006)

POLICE LAW AND ADMINISTRATION

Course Code: LLM/2.4/CRI

CO No.	Course Outcomes (CO)
CO 1	Students will be able to understand history and concepts related to administration and functions of Indian Police.
CO 2	Students will be able to explain the basic organizational structure of Indian Police.
CO 3	Students will be able to interpret laws concerning regulation of Indian Police and their rights.
CO 4	Students will be able to identify powers, functions and duties of Indian Police.
CO 5	Students will be able to determine the role of judiciary and police reforms with respect to Criminal Administration

Unit- I

Police Administration and Management:

- a) Development of Police Force in India
- b) Hierarchical Structure of Police Force
- c) Code of Conduct for the Police
- d) Police Commissions

Unit II

An Introduction and Overview of Police Law

- a) The Police Act, 1861
- b) The Police Act, 1949

Unit III

Functions, Duties and Problems of Police

- (a) Prevention of Offences
- (b) Arrest and Release of Accused
- (c) Investigation and Enquiry into Offences
- (d) Frisking and Interrogation of Offenders or Suspects
- (e) Search and Seizure
- (f) Identification of Criminals and Crime Prone Area

- (g) Police - Public Relations
 - a. Duties of Civil Police
 - b. Problems of Police

Unit IV

Judicial Trends and Police Reforms

- a) Constitution of the State Security Commission
- b) Selection and Minimum Tenure of Director-General of Police
- c) Minimum Tenure of Inspector General of Police and other Police Officers
- d) Separation of Investigation Staff from Law and Order Staff
- e) Constitution of a Police Establishment Board
- f) Constitution of Police Complaints Authority
- g) Establishment of a National Security Commission

Suggested Readings:

1. Dr. N. Maheshwara Swamy: Criminology and Criminal Justice System, Asia Law House
2. Arvind Verma & K S Subramanian: Understanding the Police in India, Lexis Nexis
3. Tapas Kumar Banerjee Background to Indian Criminal Law [1990]
4. K N Chandrasekharan Pillai [ed.] R V Kelkar's Outline of Criminal Procedure
 - a) [2000] Eastern Book House
5. Law of Commission of India, forty-second Report Ch. 3 [197 1
6. Aroras, Nirman, "Custodial torture in Police Stations in India: A Radical
 - b) Assessment", Journal of Indian Law Institute, vol.41, nos.3, and 4, 1999, pp.
 - c) 513-29
7. Sanders and Young Criminal Justice [1994]
8. Patric Devlin The Criminal Prosecution in England
9. Malimath Committee Report 2004
10. RatanLal Law of Criminal Procedure

CORPORATE LAW

BANKING AND INSURANCE LAW

Course Code: LLM/2.2/COR

CO No.	Course Outcomes (CO)
CO 1	Students will be able to understand the history of Banking system in India and fundamental aspects of Banking system with the help of landmark cases
CO2	Students will be able to explain the basic legal framework and principles with respect to Banking sector.
CO3	Students will be able to analyze the laws and principles dealing with Negotiable Instruments in India
CO4	Students will be able to apply the laws related to Securities Market, concept of Lending and Recovery of debts in practical aspects.
CO5	Students will be able to understand the meaning and legal framework dealing with Insurance and its aspects.
CO6	Students will be able to differentiate between various kinds of Insurance and their application areas

Module 1: Banking system in India

- a) Indian Banking Structure – History, Evolution of Banking Institutions, Financial Institutions. Bank Nationalization- Reasons of bank nationalization, Bank Nationalization case.
- b) Relationship between banker and customer, Contract between banker & Customer- Debtor-Creditor, Bailor- Bailee, Principal-Agent and Trustee-Beneficiary, Banks duty to customers , Bank’s Obligation to maintain Secrecy
- c) Types of Accounts
- d) Technological Transformation in Banking, Recent Trends in Banking: Automatic Teller Machine and Internet Banking, Mobile Banking, Smart Cards, Credit Cards, NEFT, RTGS, EFT
- e) Bank Frauds: Meaning, Nature, Modes of Committing Bank Frauds, Preventive Measures to reduce instances of Bank Frauds, Privacy Concerns in E-Banking.

Case Laws:

- a) Commissioner of Taxation V. English Scottish and Australian Bank, (1920) AC 683

- b) Foley V. Hill (1848 2 HLC 28)
- c) R V. Davenport (1954) 1 All ER 602
- d) R.C. Cooper V. UOI, AIR 1970 SC 564

Module 2:BankingRegulationLaws

- a) Reserve Bank of India Act,1934: Establishment, Composition of Reserve Bank of India
- b) Powers of RBI, Functions of RBI: Regulatory and Supervisory Functions, Statutory Liquidity Ratio (SLR) and Cash Reserve Ratio (CRR).
- c) Banking Regulation Act, 1949: Definition of Banking Activity, Banking Company, Business's permitted by a banking company, Requirements for licensing of banking companies, Winding up and Suspension of business of banking companies, Licensing of new Banks by RBI.

Module 3: Negotiable Instruments Act, 1881

- a) Kinds of Negotiable Instruments: Promissory Note, Bill of Exchange, Cheque – Definition and Nature
- b) Holder and holder in due course
- c) Presentment and payment
- d) Parties
- e) Negotiation- Assignment – Presentment – Endorsement – Liability of parties – Payment in due course
- f) Crossing of Cheques: Object of crossing; Kinds of crossing – general, special, not-negotiable & account payee crossing; who may cross?
- g) Liabilities for Dishonour of Cheques: Dishonour of cheque for insufficiency etc. of funds; cognizance of offences, Liability of Directors of a Company for Dishonour of Cheques.

Module 4: Lending, Securities and Recovery by Banks

- a) Principles of Lending, Causes for delay in recovery, Meaning of security, kinds of security
- b) Causes of Default and Reasons for slow Recovery, Priority Sector Lending in India (NPAs of Public Sector Banks), Non-Performing Assets (NPA) : Conceptual Framework, RBI Guidelines on classification of Bank Advances, BASEL Norms on Risk Management in Banking Business, Recent Policy changes vis-à-vis NPAs,
- c) Recovery of Debts due to Banks & Financial Institutions Act, 1993: Debt Recovery Tribunal: Composition and Powers, Procedure for Recovery of Debts
- d) Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interests Act, 2002: Meaning of Securitisation, Asset Reconstruction, Enforcement of Security Interest, Procedure for Enforcement of Security Interest under the Act, Functions of Central Registry of Securitisation and Asset Reconstruction and Security Interest of India (CERSAI)
- e) Bankruptcy and Insolvency Code, 2016: Objectives and Composition of the Insolvency and Bankruptcy Board, Powers and Functions of the Board.

Module 5: Insurance: Meaning and Nature

- a) Definition and Nature of Insurance, History and development of Insurance in India
- b) Legal Framework: Insurance Act, 1938, IRDA Act 1999, Export Credit Guarantee Corporation of India Limited: Powers and Functions
- c) Nature of Insurance Contracts: Contract of Insurance: Classification of contract of Insurance- Nature of various Insurance Contracts: Parties there to, Principle of good faith, Duty of Disclosure: non disclosure, Misrepresentation in Insurance Contract
- d) Premium: Definition-method of payment, days of grace, forfeiture, return of premium, Mortality; The risk - commencement, attachment and duration.

Module 6: Kinds of Insurance

- a) Life Insurance: Meaning and Essentials
- b) Health Insurance: Nature of Medi-claim policy and comprehensive Health Insurance Policy
- c) Property Insurance, Crop Insurance

- d) Fire Insurance
- e) Motor vehicle Insurance: Third Party Insurance: Meaning and Essentials, Award of Compensation, Claims Tribunal

Text Books

- a) B.R.Sharma, “Law Relating to Banking & Negotiable Instruments Act”, 4th Edition, Allahabad Law Agency, 2013
- b) R.N. Chaudhary, “Banking Laws”, 3rd Edition, Central Law Publication, 2014
- c) Avtar Singh, “Banking & Negotiable Instruments”, 2nd Edition, Eastern Book Company 2011
- d) K.S.N. Murthy & K.V.S. Sarma, “Modern Law of Insurance in India”, 4th Edition Lexis Nexis Butterworth Wadhwa, Nagpur, 2014
- e) Avtar Singh, “Negotiable Instruments”, 4th Edition, Eastern Book Company, 2005
- f) Arun Chatterjee, Securitisation, Reconstruction & Enforcement of Secured Debts , Jain Book Agency.
- g) Guide to Insolvency and Bankruptcy Code 2016 (Taxmann)

Reference Books

- a) M.L. Tannan’s Banking, “Law and Practice in India”, 23rd Edition, Lexisnexis Butterworth Wadhwa, Nagpur, 2010
- b) R.K. Gupta, “Banking: Law and Practice”, 2nd Edition, Modern Law Publications, New Delhi & Allahabad, 2012
- c) Vinod Kothari, “Securitisation, Asset Reconstruction & Enforcement of Security Interests”, 4th Edition, Lexisnexis Butterworth Wadhwa, 2013
- d) R.P. Nainta, “Banking System Frauds & Legal Control”, 1st Edition, Allahabad Law Agency, 2005
- e) S.N. Gupta, “Supreme Court on Banking Law”, 5th Edition, Universal law Publication, 2007
- f) Ali Malek Oc& John Odgers Oc, “Pagets Law of Banking”, 14th Edition, Lexisnexis Butterworth Wadhawa, 2015
- g) N.S. Toor, “Banking Problems, Rationales and Situation Analysis”, 7th Edition, 2014

- h) R.K. Suri, “Dishonour of Cheques: Prosecution and Penalties”, 5th Edition, ALT Publications, 2013



INTELLECTUAL PROPERTY LAW

Course Code: LLM/2.3/COR

CO No.	Course Outcomes (CO)
CO 1	Understand the basic concepts of Intellectual Property laws, including the four main types of IP and their legal protections, remedies, and licensing regimes.
CO2	Analyze the historical evolution of Intellectual Property rights and their current role in science and technology policy.
CO3	Evaluate the philosophical underpinnings of Intellectual Property laws and their implications for the growth and development of science.
CO4	Examine the technical and legal dimensions of Intellectual Property rights and their impact on innovation and economic development.
CO5	Assess the socio-economic and ethico-legal consequences of Intellectual Property laws on economic development, including the effects on access to knowledge and healthcare.
CO6	Apply the knowledge gained from the course to critically evaluate contemporary Intellectual Property laws and their effectiveness in the context of India, using case studies to illustrate key issues and challenges.

Unit -I

Introduction

Basic concept of Intellectual Property, Characteristics and Nature of Intellectual Property right, Justifications for protection of IP Co, IPR and Economic Development, Major International Instruments relating to the protection of IP

- i. Berne Convention
- ii. Paris Convention&
- iii. TRIPS

Unit-II

Copyright

Meaning, Subject matter i. Original literary, dramatic, musical, artistic works ii. Cinematograph films iii. Sound recordings. Ownership of copyright. Term of copyright. Rights of owner i. Economic Rights ii. Moral Rights . Assignment and license (including basic concept of statutory and compulsory license) of rights . Performers rights and Broadcasters rights. Infringement of copyright. Fair use and Fair Dealing concepts.

Relevant Sections: Sections 2,3,13, 14, 17, 18, 19, 22 to 31D, 37, 38, 51, 52, 63, 63A, 63B.

Unit- III

Patents

Meaning, Criteria for obtaining patents i. Novelty ii. Inventive step iii. Utility, Non patentable inventions, Procedure for registration , Term of patent , Rights of patentee, Basic concept of Compulsory license and Government use of patent, Infringement of patents and remedies in case of infringement.

Unit- IV

Trade Marks

Meaning of mark, trademark , Categories of Trademark: Certification Mark, Collective Mark and Well known Mark and Non-conventional Marks, Concept of distinctiveness, Absolute and relative grounds of refusal ,Doctrine of honest concurrent user, Procedure for registration and Term of protection, Assignment and licensing of marks, Infringement and Passing Off.

Relevant sections: 2, 9, 11, 12, 18 to 29, 38, 39, 122, 134, 135.

Unit- V

Designs, GI and other forms of IP

1. Designs 1. Meaning design protection 2. Concept of original design 3. Term of protection

Relevant Sections: Section 2 (a) (d) (j) (g), 4, 5, 11, 22.

2. Geographical Indication 1. Meaning of GI 2. Difference between GI and Trade Marks

3. Concept of Authorized user 4. Homonymous GI

Relevant Sections: Section 2 (e) (f) (k) (n) , 3, 7, 9, 10.

Reference

Statutes

The Copyright Act, 1957 ,The Patent Act, 1970, The Trade Marks Act, 1999 The Designs Act, 2000, The Geographical Indication of Goods Act, 1999 The Protection of Plant Varieties and Farmers' Rights Act, 2001

Books

- Lionel Bently & Brad Sherman, Intellectual Property Law, Oxford.
- P. Narayanan, Intellectual Property Law, Eastern Law House

CYBER LAW

Course Code: LLM/2.4/COR

CO No.	Course Outcomes (CO)
CO 1	The student would be able to describe the statutory, regulatory, constitutional and organisational that affects the Information technology.
CO2	The student would be able to explain and relate to the case law and common law with the current legal dilemmas in the field of technology.
CO3	The student would be able to apply diverse view points to the ethical dilemmas in the field of Information Technology and suggest appropriate actions.
CO4	The student would be able understand cyber crimes and ethical practices.
CO5	The student would be able to know and learn web technologies and related issues.
CO6	The student would be able to examine various issues pertaining to IPR like Copyright, Trademark, Patents etc.
CO7	The student would be able to formulate overview of cyber crime and framework.

Unit- I

Introduction

- (a) Computers and its Impact in Society
- (b) Overview of Computer and Web Technology
- (c) Need for Cyber Law
- (d) Cyber Jurisprudence at International and Indian Level
- (e) Module II: Cyber Law - International Perspectives
- (f) UN & International Telecommunication Union (ITU) Initiatives
- (g) Council of Europe - Budapest Convention on Cybercrime
- (h) Asia-Pacific Economic Cooperation (APEC)
- (i) Organization for Economic Co-operation and Development (OECD)
- (j) World Bank
- (k) Commonwealth of Nations

Unit- III

Constitutional & Human Rights Issues in Cyberspace

- (a) Freedom of Speech and Expression in Cyberspace
- (b) Right to Access Cyberspace – Access to Internet
- (c) Right to Privacy
- (d) Right to Data Protection

Unit-IV

Cyber Crimes & Legal Framework

- (a) Cyber Crimes against Individuals, Institution and State
- (b) Hacking
- (c) Digital Forgery
- (d) Cyber Stalking/Harassment
- (e) Cyber Pornography
- (f) Identity Theft & Fraud
- (g) Cyber terrorism
- (h) Cyber Defamation
- (i) Different offences under IT Act, 2000

Unit-V

Cyber Torts

- (a) Cyber Defamation
- (b) Different Types of Civil Wrongs under the IT Act, 2000
- (c) Module VI: Intellectual Property Issues in Cyber Space
- (d) Interface with Copyright Law
- (e) Interface with Patent Law
- (f) Trademarks & Domain Names Related issues

Unit-VI

E Commerce

- (a) Concept
- (b) E-commerce-Salient Features
- (c) Online approaches like B2B, B2C & C2C
- (d) Online contracts

- (e) Click Wrap Contracts
- (f) Applicability of Indian Contract Act, 1872

Unit- VII

Dispute Resolution in Cyberspace

- (a) Concept of Jurisdiction
- (b) Indian Context of Jurisdiction and IT Act, 2000.
- (c) International Law and Jurisdictional Issues in Cyberspace.
- (d) Dispute Resolutions

References

- (a) Chris Reed & John Angel, Computer Law, OUP, New York, (2007).
- (b) Justice Yatindra Singh, Cyber Laws, Universal Law Publishing Co, New Delhi, (2012).
- (c) Verma S, K, Mittal Raman, Legal Dimensions of Cyber Space, Indian Law Institute, New Delhi, (2004)
- (d) Jonthan Rosenoer, Cyber Law, Springer, New York, (1997).
- (e) Sudhir Naib, The Information Technology Act, 2005: A Handbook, OUP, New York, (2011)
- (f) S. R. Bhansali, Information Technology Act, 2000, University Book House Pvt. Ltd., Jaipur (2003).
- (g) Vasu Deva, Cyber Crimes and Law Enforcement, Commonwealth Publishers, New Delhi, (2003).

CONSTITUTIONAL LAW & ADMINISTRATIVE LAW

HEALTH LAW

Course Code: LLM/2.2/CON

CO No.	Course Outcomes (CO)
CO 1	Student will be able to <i>Understand</i> the historical background and Development of Health as a human Right
CO2	Student will be able to <i>understand</i> the Legislative and constitutional perspective of health law
CO3	Student will be able to <i>develop</i> the inter Relation of Law and Health
CO4	Student will be able to <i>analyse</i> the Ethical aspect of Medical Profession, Patient and the Law
CO5	Student will be able to <i>determine</i> the extent of Liabilities such as civil liability and criminal liability

Unit- I

Introduction

- (a) Right to health
- (b) Health as a human Right
- (c) Constitutional perspective
- (d) Fundamental Rights (Art-21 & 24)
- (e) Directive principles of state policy (Art- 41,42)
- (f) Fundamental Duties. (Art 51A(g))
- (g) Regulation of Public Health & Private Health

Unit-II

Health: Legislative perspective

- (a) Constitutional perspective (Article 21, VII Schedule)
- (b) Drugs and cosmetic Act, 1940
- (c) Environment protection Act-1986.
- (d) Indian Penal Code,1860

- (e) Insecticides Act,1968
- (f) Maternity benefits Act,1961
- (g) Medical termination of Pregnancy Act,1971
- (h) Mental health Act,1987
- (i) Narcotic drugs and Psychotropic substance,Act-1985
- (j) Poisons Act,1919
- (k) Pre-Natal Diagnostic techniques (Regulation and prevention of misuse) Act,1994
- (l) Prevention of food adulteration Act,1954

Unit- III

Inter Relation of Law and Health

- (a) AIDS and the law.
- (b) Organ transplantation
- (c) Transplantation of Human organs Act-1994 and rules 1995.
- (d) Health relating to children
- (e) Health relating to women – Reproductive rights and family planning.

Unit- IV

Ethics

- (a) Medical Profession, Patient and the Law
- (b) Doctor and patient relationship
- (c) Medical negligence (Sec-304 A of I.P.C.) and medical malpractices.
- (d) Consent and Informed Consent.
- (e) Confidentiality
- (f) Duty to take care and duty to treat
- (g) Indian enactments on ethical obligation
- (h) Medical Council Act,1956 and code of medical ethics 1972
- (i) Euthanasia- Marcy killing- role of Doctor
- (j) Patient rights.
- (k) Professional liability of Hospitals

Unit- V

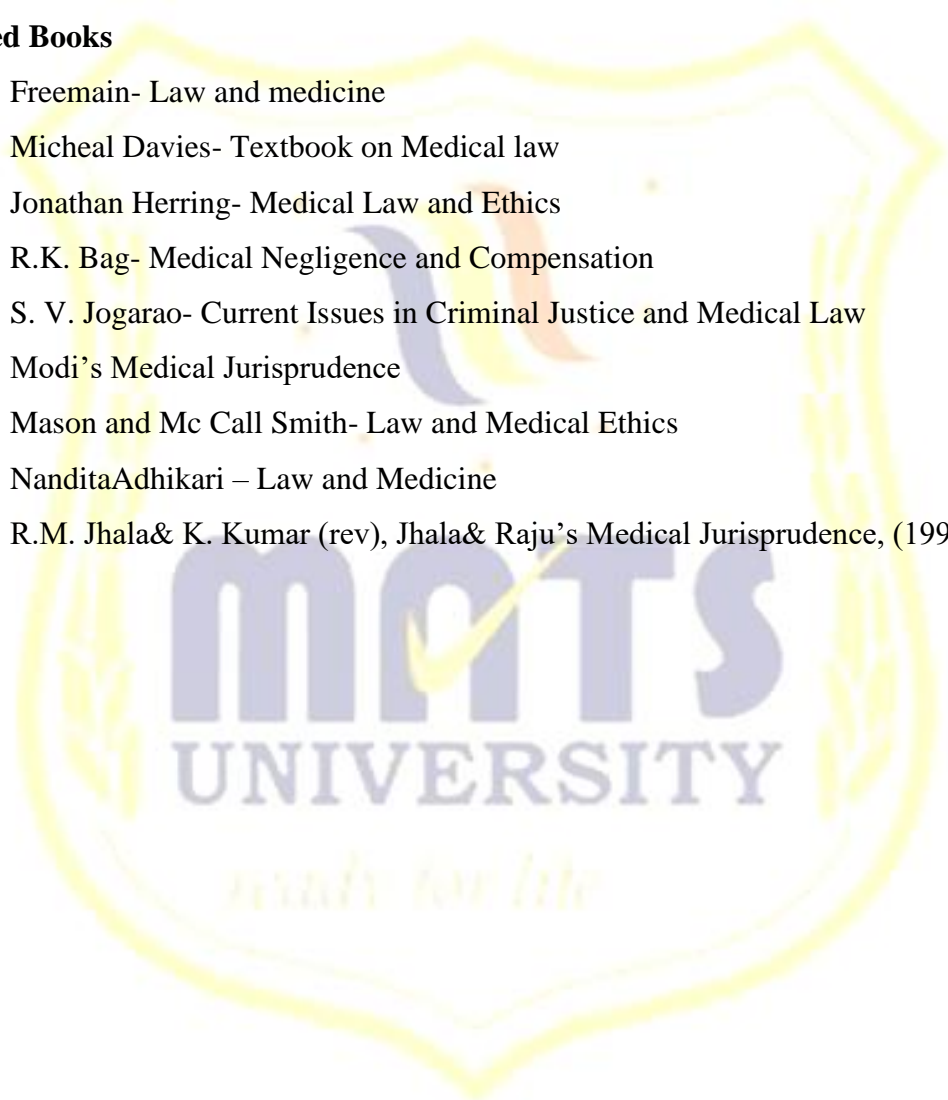
Liabilities

- (a) Civil liability -Tort

- (b) Criminal liability-Indian Penal Code.
- (c) Contractual liability
- (d) Statutory liability -consumer protection Act,1986
- (e) Bio Medical waste (Management and handling) rules 1998
- (f) Health Insurance and Law.

Recommended Books

- (a) Freeman- Law and medicine
- (b) Micheal Davies- Textbook on Medical law
- (c) Jonathan Herring- Medical Law and Ethics
- (d) R.K. Bag- Medical Negligence and Compensation
- (e) S. V. Jogarao- Current Issues in Criminal Justice and Medical Law
- (f) Modi's Medical Jurisprudence
- (g) Mason and Mc Call Smith- Law and Medical Ethics
- (h) NanditaAdhikari – Law and Medicine
- (i) R.M. Jhala& K. Kumar (rev), Jhala& Raju's Medical Jurisprudence, (1997)



CENTRE-STATE RELATIONS AND CONSTITUTIONAL GOVERNANCE

Course Code: LLM/2.3/CON

CO No.	Course Outcomes (CO)
CO 1	The students will be <i>understanding</i> the historical background and the Concept of Federalism and its significance.
CO2	The students will <i>explain</i> and distinguish between USA, Canada & Australian federal government.
CO3	The student will understand the <i>Development</i> of Financial Relations between Centre and State.
CO4	The student will understand and learn to <i>evaluate</i> Distribution of tax revenues; inter state trade and commerce.
CO5	The students will <i>generate</i> the concept of restriction on legislative power of Union and states .

Unit-I

Federalism

- (a) The Concept of Federalism and its significance
- (b) Evolution of federal government in India
- (c) Difference between Federalism and confederation
- (d) Unitary Features of the Constitution of India
- (e) Federal Government – U.S.A, Australia, Canada

Unit-II

Distribution of Legislative Power / Administrative Power

- (a) Legislative Relations between Centre and States
- (b) Parliaments Power to legislate in State List
- (c) Cooperative Federalism

Unit-III

Distribution of Fiscal Power

- (a) Financial Relations - Dependence of States on Centre
- (b) Residuary power – inclusion of fiscal power
- (c) Grant in Aid
- (d) Restrictions of Fiscal Power
- (e) Distribution of Tax Revenues
- (f) Finance Commission – Specific purpose grants (Article 282)

Unit-IV

Inter-State: Trade and Commerce, Emergency

- (a) Freedom of Inter-State trade and commerce.
- (b) Restrictions on legislative power of the Union and States with regard to trade and commerce.
- (c) Emergency and Division of Powers.

Reference

- (a) K.C.Wheare, Federal Government.
- (b) Jain M.P Outlines of Indian Legal History.
- (c) M.V Pylee, Constitutional History of India
- (d) Rama Jois M, Legal and Constitutional History of India.
- (e) Stetalvad M.C, , Constitutional History of India
- (f) Keith A.B. , Constitutional History of India
- (g) H.M. Seervai, Constitutional Law of India –Vol.I&II
- (h) G.C.V Subbarao, Legislative powers in Indian Constitutional Law.
- (i) V.D. Sebastian, Indian Federalism: the Legislative Conflict.
- (j) L.M Singhvi, Union-State Relations in India
- (k) K.Subba Rao, The Indian Federation.
- (l) K.P. Krishna Shetty, The Law of Union-state Relations and Indian Federalism.
- (m) Ashok Chandra, Federalism in India

SPECIALIZATION PAPER VI (LOCAL SELF-GOVERNMENT & FEDERAL GOVERNANCE)

Course Code: LLM/2.4/CON

CO No.	Course Outcomes (CO)
CO 1	The student will <i>define</i> the meaning of LSG, its nature; views by several freedom fighters
CO2	The student will be able to <i>explain</i> the meaning and nature of Rural Local government Development with the help of various legal theories and approach of Jurists.
CO3	The student will also address key subjects of Emerging trends of Urbanization in India by Amendments and function in contemporary society.
CO4	The students will get the knowledge of functions of the Panchayats, working of PESA Act and its implementation and <i>evaluate</i> its societal needs.

Unit I

Local Government Local Government: Meaning, Nature and Importance – Constituent Assembly Debate - Thoughts on Local Government: Kautlya, Uttiramerur inscriptions – Views by MK Gandhi, JL Nehru, BR Ambedkar, RM Lohia, Vinoba Bhave, Jaya Prakash Narain - Community Development Programmes – Important Committees: Balwant Rai Mehta (1957), Ashok Mehta (1978), LM Singhvi (1986) - 64th Constitutional Amendment Bill (1989) - 65th Constitutional Amendment Bill (1989)

Unit II

Rural Local Government 73rd Amendment Act (1992) - Major Features - 11th Schedule of the Constitution – Significance of Grama Sabha – Resources for Panchayati Raj Institutions (PRI) - Difficulties and Issues in functioning – Suggestions for improving the functioning of PRIs

Unit III

Urban Local Government Emerging trends of Urbanisation in India, 74th Amendment Act (1992) – Major Features – 12th Schedule of the Constitution - Types of Urban Local Government Institutions (ULGI) – Resources of ULGIs – Difficulties and Issues in functioning – Suggestions for improving the functioning of ULGIs

Unit IV

Local Government system in selected areas Panchayat Extended to Schedule V Areas - Scheduled areas - Schedule V and VI - PESA (1996)-Key Provisions- Implications - Status of Panchayats in Scheduled Areas-Current Status of PESA- LWE Districts & PESA- Key Issues in Implementation- Forest Right Act- Suggestions

Unit V

Comparative Local Government Local Government System in Selected Countries: United Kingdom, United States of America, France, China and Norway.

Prescribed Readings: Maheswari, Shriram. (2008), Local Government in India, Agra: Lakshmi Narain Agarwal. Mathew G and Jain L. C (Eds.), (2005), Decentralisation and Local Governance, New Delhi: Orient Blackswan. Niraja Gopal Jayal and et.al. (2006), Local Governance in India – Decentralisation and Beyond, New Delhi: Oxford University Press. Sachdeva, Pradeep. (2011), Local Government in India, New Delhi: Pearson Education India.

Suggested Readings: Bijoy, C, R. (2012), Policy Brief on PESA (1996)- United Nations Development Plan, 2012 New Delhi.