



# **KUMAUN UNIVERSITY, NAINITAL**

## **ORDINANCE**

**LL.M. 2 YEARS PROGRAMME**

**Effective from 2020– 2021 Session**

***(Website: [www.kunainital.ac.in](http://www.kunainital.ac.in))***

# **LL.M. 2 Years Programme (Choice Based Credit System) Curriculum effective from 2020 – 2021 Session**

**1) Title of the Course :** LL.M. Programme

**2) Preamble of the Syllabus :**

Master of Law is a Post- Graduation Programme of Kumaun University of Uttarakhand. The choice based credit system to be implemented through this curriculum, would allow students to develop a strong footing in the fundamentals and specialize in the disciplines of his/her liking and abilities. The students pursuing this Programme would have to develop in depth understanding of various aspects of the subject.

**3) Programme Objectives:**

1. To impart knowledge in the specific areas of law in order to gain advanced insight into the subjects.
2. To foster an understanding of the latest legal developments in the area of Constitutional and Administrative law, Corporate and Commercial Law and Intellectual Property and Trade Law.
3. To analyze and evaluate the current legal issues and propose solutions.
4. To prepare them for taking up teaching as a career.
5. To contribute to the society through legal aid and awareness camps.
6. To inculcate Research ethics and also contribute to the holistic development of the students.

**4) Programme Outcomes:**

1. To demonstrate an understanding of the basic concepts, principles, doctrines and theories in their respective specializations.
2. To enhance their researching skills and aid them to contribute to academic research and publications.
3. To apply the skills of interpretation in advocacy and policy making.
4. To enhance their presentation and teaching abilities.

**5) Programme Specific Outcomes:**

1. To enable an understanding of the basic concepts and contemporary legal developments in the area of Constitutional and Administrative Law.
2. To enhance advocacy and teaching skills.
3. To assess and contribute to policy making/advocacy through fresh perspectives that arises out of the comparative study of the systems.
4. To develop a sharper academic acumen and will be able to contribute to academic research and publications

## 6) Definitions:

In these Regulations, unless the context otherwise requires –

- a. 'Departmental Committee' means the Committee constituted under the Statute.
- b. 'Academic Session' means four consecutive (two odd + two even) Semesters.
- c. 'Choice Based Credit System' (CBCS) provides choice for students to select from the prescribed courses as offered by the University.
- d. 'Course' is a component of a programme. All courses need not carry the same weightage. Courses define learning objectives and learning outcomes. A course may be designed to comprise lectures / tutorials / clinical work / field work / outreach activities / project work / vocational training / viva / seminars / term courses / assignments / presentations / self-study etc. or a combination of some of these.
- e. 'Core course' means a course that the student admitted to a particular programme must successfully complete to receive the Degree and which cannot be substituted by any other course. For this purpose, all courses other than Specialization / Choice Based Elective, are considered as Core courses.
- f. 'Credit Based Semester System' (CBSS) prescribes the requirement for awarding a degree certificate in terms of number of credits to be completed by the students.
- g. 'Credit Point' is the product of grade point and number of credits for a course.
- h. 'Cumulative Grade Point Average' (CGPA) is a measure of overall cumulative performance of a student in all semesters. The CGPA is the ratio of total credit points secured by a student in various courses in all semesters and the sum of the total credits of all courses in all the semesters. It is expressed up to two decimal places.
- i. 'Elective Course' means a course other than a core course. Elective course may be 'Generic Elective' focusing on disciplines which may add generic proficiency to students or 'Discipline Centric Elective' which enables students to achieve proficiency in a specialized legal discipline or 'Open Elective' which may be chosen from an unrelated discipline.
- j. 'Grade Point' is a numerical weight allotted to each letter grade on a ten point scale.
- k. 'Letter Grade' is an index of the performance of students in a course. Grades are denoted by letters O, A+, A, B+, B, C, P and F.

Grade	Grade Point	Marks Range		Remarks
		From	To	
O	10	80.00	100	Outstanding
A+	9	70.00	79.99	Excellent
A	8	60.00	69.99	Very Good
B+	7	55.00	59.99	Good
B	6	50.00	54.99	Above Average
C	5	45.00	49.99	Average
P	4	40.00	44.99	Pass
F	0	Below 40		Fail

- l. 'Programme' means the Master of Laws (LL.M.) programme conducted by the Kumaun University.
- m. 'Semester Grade Point Average' (SGPA) is a measure of performance of work done in a semester. It is the ratio of total credit points secured by a student in various courses registered in a semester and the total course credits taken during that semester. It shall be expressed up to two decimal places.
- n. "Semester" means 18 weeks of academic work following a six day week pattern. The odd semester

- commences in July and ends in December and the even semester commences in January and ends in June.
- o. 'Grade Card' based on grades earned shall be issued to all the registered students after every semester. The grade card will display the details of courses studied (code, title, number of credits, grade secured) along with SGPA of that semester and CGPA.

**7). Duration and Scheme:-**

- a. The programme for the Master of Laws (LL.M.) Degree of the University is of two academic years consisting of four semesters. Each semester will comprise of six months out of which 18 weeks' duration classroom teaching, library work, tutorial ,clinical, seminars and research followed by End semester Examination conducted by the University.
- b. One credit is equivalent to one hour of teaching per week or two hours of practical work / field work per week.
- c. A student for every branch in LL.M. shall, in the course of four semesters undergo instruction in Six Core / Compulsory courses and at least Six Elective Major courses, which are optional leading to specialization in a discipline, apart from the Dissertation and Viva-Voce as per the curriculum. Students also undergo instruction in One Elective Open course provided by the University pool.

**8). Eligibility:**

The candidate should have completed 5 years B.A.LL.B. / 3 years LL.B. (Bachelor in Law) and its equivalent degree. General candidates should have at least 50% marks in LL.B and for SC and ST 45%.

**9). Admission:**

Admissions will be given as per the selection procedure in accordance with the conditions laid down by the Kumaun University, time to time. The reservation rules governing admission to 2 year LL.M. Programme made by the Government of Uttarakhand shall be followed in making admissions.

**Intake:** There shall be a basic unit of sixty (60) students.

**10). Instructions for the Students:**

The students seeking admission to Master of Law Programme is hereby informed that they are supposed to adhere to the following rules:

- a. A minimum of 75 % attendance for lectures / practical is the prerequisite for grant of Semester.
- b. The students are supposed to attend all the Assignment Activities, Workshops / Seminars / Training Programme / Symposia/ Study tour organized by the Department.
- c. The students may choose the optional groups from the list approved by the University, based on the availability of infrastructure, faculty and other facilities at the commencement of every academic year and intimate the same to the University.

**11). Examination and Evaluation:**

- a. Every core paper and major elective paper shall carry 100 marks out of which 70 marks are for written examination and 30 marks for internal assessment.
- b. Internal assessment shall be completed within the semester itself before submission of application for end semester examination. Supplementary chances will not be there for internal assessment. The 30

marks under Internal Assessment shall be in the following proportion:

Particulars	Marks
Class Performance	5
Assignment and Presentation	15
Midterm test	10
<b>Total</b>	<b>30</b>

There shall be no Internal Assessment for Dissertation and Practical paper. Assessment of internal work will be conducted before conducting the End Semester Examination.

**Assignments** -Assignments in each subject shall be of **15 marks**

c. Students shall be required to actively participate in the class during the class hours. A maximum of five marks shall be awarded at the end of each semester in each course by the teacher concerned based on the degree and depth of participation in the class by the student during that semester.

d. The practical examination shall be held at the end of the third semester on Research Methodology II which consists of Research Methodology, Law Teaching and Clinical work. There shall be 20 marks each for doctrinal research and for non-doctrinal research, 20 marks for clinical work and 40 marks for law teaching. How the components of practical shall be evaluated is left to individual faculties of law. They can formulate their own models of assessment. However, for making the practical examination objective and meaningful, the following guidelines shall be adhered to.

A student has to secure a minimum of 50% marks of the practical examination but he has to attend Unit I, Unit II, Unit III and Unit IV of Research Methodology II for a pass. A student who fails to secure the minimum marks in the practical examination will have to repeat.

e. Dissertation on a topic based on the optional, carrying 200 marks. Dissertation Paper will be evaluated by one external examiner only.

f. For End Semester Examinations in core paper and major elective paper, the question paper carrying 70 marks consists of two parts. The examination pattern shall be as follows:-

**Examination Pattern**

Part	Type	No of Questions	Questions to be attempted	Marks Per Questions	Total Marks
A	Short Questions	8	4	5	20
B	Long Questions	8	4	12.5	50
Grand Total					70

g. While marks are given for all internal and end semester examinations for a maximum number of 100 each, they will be converted into grades by University. Semester end grade sheets will have only grades & final grade sheets and transcripts shall have grade points average and total percentage of marks.

h. The system of evaluation will be as follows: Each internal assessment and end semester Examination will be evaluated in terms of marks. The marks for internal assessment and End semester Examination will be added together and then converted into a grade and later a grade point average.

i. The qualifying marks for each subject (Internal as well as external) shall be 45% and 50% aggregate in each semester. The promotion rules are subjected to following conditions:

- To get promoted from first semester to second semester a student is required to pass at least one paper out of four papers with minimum of 45% marks.
- To get promoted from second semester to third semester a student is required to pass at least five papers out of eight papers.

- To get promoted from third to fourth semester a student is required to pass all the papers of I, II and III Semesters.
- j. If a candidate fails to secure qualifying marks in each paper in a particular semester examination his/her result will be declared as 'SNC' i.e. semester not cleared. Final semester result will not be cleared till the previous semester is cleared.
- k. A student shall be allowed a **maximum** of consecutive **four years** to complete the 2 year LL.M Programme of the University.
- l. After the getting minimum number of credits towards the completion of a PG programme, a student will get a grade sheet with total grades earned and a grade point average.

**12). Rules for Review:**

- a. Candidates seeking review may apply to the University in a prescribed form along with requisite fees within 7 working days from the date of issue of mark-sheet subject to the following conditions:
- b. Application for review shall be restricted to theoretical papers only, and no application for re-examination in any practical / oral / internal assessment / dissertation / project / seminar / field work / internal assignment, etc., shall be entertained.
- c. 50% of the theory papers in any semester examination may be re-examined on request by the examinee subject to the condition that he/she secures a minimum of 45% of marks in the rest of theory papers.
- d. In case marks awarded in a paper on review exceeds the original marks obtained by more than 15% of the total marks in the paper or falls more than 15% of the original marks in the paper, the script will be referred to a third examiner and the candidate will be awarded based on the average of the best two of the marks awarded by the two examiners.



**Distribution of Courses**  
**(Optional / Specialization)**

**Group A – Constitutional and Administrative Law**

SEMESTER I					
COURSE CODE	COURSE TITLE	CREDIT	MARKS		
			I.A	ESE	TOTAL
101C	Judicial Process	6	30	70	100
102C	Indian Constitutional Law : The New Challenges	6	30	70	100
103E(Gr. A)	Constitutional Principles and Structure	4	30	70	100
104E(Gr. A)	General Principles of Administrative Law	4	30	70	100
*105OCE	Value Education and Human Rights	4	30	70	100

- This open choice elective paper is for the students of other disciplines of the University.

SEMESTER II					
COURSE CODE	COURSE TITLE	CREDITS	MARKS		
			I.A	ESE	TOTAL
201C	Law and Social Transformation in India	6	30	70	100
202C	Research Methodology I	6	30	70	100
203E(Gr-A)	Judicial Review of Administrative Action	4	30	70	100
204E(Gr-A)	Legislative and Quasi Judicial Powers of Administration	4	30	70	100

SEMESTER III					
COURSE CODE	COURSE TITLE	CREDITS	MARKS		
			I.A	ESE	TOTAL
301C	Legal Theory	6	30	70	100
302C	Research Methodology II (PRACTICAL)	6	20+20+20+40		100
303E(Gr-A)	Electoral Process and Law	4	30	70	100
304E(Gr-A)	Role of Judiciary, NGO's In Environmental Protection	4	30	70	100

SEMESTER IV					
COURSE CODE	COURSE TITLE	CREDITS	MARKS		
			I.A	ESE	TOTAL
401C	Dissertation	12	150+50		200
402E	Applied Legal Studies	4	30	70	100

- C** – Core Paper  
**E** – Elective Paper  
**OCE**- Open Choice Elective



## Group B – Corporate Law

SEMESTER I					
COURSE CODE	COURSE TITLE	CREDIT	MARKS		
			I.A	ESE	TOTAL
101C	Judicial Process	6	30	70	100
102C	Indian Constitutional Law : The New Challenges	6	30	70	100
103E(Gr. B)	Principles of Corporate Law	4	30	70	100
104E(Gr. B)	Banking Law	4	30	70	100
*105OCE	Value Education and Human Rights	4	30	70	100

\*This open choice elective paper is for the students of other disciplines of the University.

SEMESTER II					
COL;URSE CODE	COURSE TITLE	CREDITS	MARKS		
			I.A	ESE	TOTAL
201C	Law and Social Transformation in India	6	30	70	100
202C	Research Methodology I	6	30	70	100
203E(Gr-B)	Consumer Law	4	30	70	100
204E(Gr-B)	Competition Law	4	30	70	100

SEMESTER III					
COURSE CODE	COURSE TITLE	CREDITS	MARKS		
			I.A	ESE	TOTAL
301C	Legal Theory	6	30	70	100
302C	Research Methodology II (PRACTICAL)	6	20+20+20+40		100
303E(Gr-B)	Insurance Law	4	30	70	100
304E(Gr-B)	Corporate Governance	4	30	70	100

SEMESTER IV					
COURSE CODE	COURSE TITLE	CREDITS	MARKS		
			I.A	ESE	TOTAL
401C	Dissertation	12	150+50		200
402E	Applied Legal Studies	4	30	70	100

GRAND TOTAL OF 2 year LL.M COURSE		
Semester	Credit	Marks
I	24	500
II	20	400
III	20	400
IV	16	300
<b>TOTAL</b>	<b>80</b>	<b>1600</b>

**C** – Core Paper

**E** – Elective Paper

**OCE**- Open Choice Elective

## SEMESTER I

COURSE CODE: 101C

COURSE TITLE: JUDICIAL PROCESS

CREDIT: 6, MARKS: 100 (IA- 30, ESE- 70)

### Course Objectives:

A lawyer, whether academic or professional, is expected to be competent to analyze and evaluate the legal process from a broader juristic perspective. Hence a compulsory paper on Judicial Process is essential in the LL.M curriculum.

- a) The objective of this paper is to study the nature of judicial process as an instrument of social ordering.
- b) It is intended to highlight the role of court as policy maker, participant in the power process and as an instrument of social change.
- c) This paper further intends to expose the intricacies of judicial creativity and the judicial tools and techniques employed in the process.
- d) Since the ultimate aim of any legal process or system is pursuit of justice, a systematic study of the concept of justice and its various theoretical foundations is required.

This paper, therefore, intends to familiarize the students with various theories, different aspects and alternative ways, of attaining justice.

### Learning Outcomes:

The course will help the learners to understand the intricacies of judicial process and growth of law through the judgments. It will sharpen the logic and enable the learners to evaluate the impact of the judgments on impact constituencies.

#### **UNIT I: Nature of Judicial process and its role in constitutional adjudication 15 Hours**

Judicial process as an instrument of social ordering  
Judicial process and creativity in law—common law model—legal reasoning and the growth of law—change and stability  
The tools and techniques of judicial review and judicial creativity  
Analysis of the doctrine of Stare Decisis in India

#### **UNIT II: Special Dimensions of Judicial Process in Constitutional adjudication 15 Hours**

Notions of Judicial Review  
Is Judicial Review the same as Judicial Activism?  
Judicial Activism and Judicial Self Restraint  
Problem of Accountability in judicial law—making

#### **UNIT III: Judicial Process in India 15 Hours**

The Indian Debate on the role of the Judges and on the notion of Judicial review  
The “Independence” of Judiciary and ‘Political’ nature of Judicial Process  
Judicial Activism and Creativity of the Indian Supreme Court; the new dimensions  
Institutional liability of Courts and Judicial activism—Scope and Limits

**UNIT IV: Judicial Process and Constitutional Amendments****15 Hours**

Evolution of the Concept of Basic Structure

Philosophy of the doctrine of Basic Structure

The Recent Developments: The “essence of rights” test and “rights test” to determine Basic Structure

Basic Structure and Constitutionalism

**Suggested Readings:**

1. Cordozo ‘The Nature of Judicial Process (1995). Universal Law Publishing Co., New Delhi
2. Julius Stone. The Province and Function of LawCh.1, PP 8-16, (2000) Universal Law Publishing Co., New Delhi
3. J.Stone , Precedent and the Law: Dynamics of Common Law Growth(1985), Butterworths. (With effect from the Academic Session 2009-2010)
4. J. Stone. Legal System and Lawyer’s Reasoning (1999), Universal Law Publishing Co., New Delhi
5. Upendra Baxi, The Indian Supreme Court and Politics. (1980) , Eastern Book Co., Lucknow.
6. Rajeev Dhavan. The Supreme Court of India – A Socio-Legal Critique of its Juristic Techniques (1977), Tripathi – Bombay.
7. Virendra Kumar, Basic Structure of the Indian Constitution: Doctrine of Constitutionally controlled Governance, Journal of the Indian Law Institute, PP 365- 395, (2007).
8. A. S. Anand, Judicial Review – Judicial Activism–Need for Caution, Journal of Indian Law Institute P. 149 (2000).
9. Upendra Baxi, “On how not to Judge the Judges” 25 Journal of the Indian Law Institute, P. 211 (1983).
10. Henry J. Abraham, The Judicial Process (1998), Oxford.
11. S.P.Sathe, Judicial Activism in India: Transgressing borders and Enforcing Limits, Oxford New Delhi. (2002
12. Amartya Sen, ‘Idea of Justice’

## SEMESTER I

COURSE CODE: 102C

COURSE TITLE: INDIAN CONSTITUTIONAL LAW: THE NEW CHALLENGES

CREDIT: 6, MARKS: 100 (IA- 30, ESE- 70)

### Course Objectives:

The Constitution, a living document, is said to be always in the making. The judicial process of constitutional interpretation involves a technique of adapting the law to meet changing social mores. The objective of study of this particular course is:

- a) Constitution being the fundamental law, an insight into its new trends is essential for a meaningful understanding of the legal system and processes.
- b) The Post Graduate students in law, who had the basic knowledge of Indian Constitutional Law at LL.B level, should be exposed to the new challenges and perspectives of constitutional development while they are allowed to choose an area of law for specialization.

### Learning Outcomes:

After thorough study of this subject, the learners will be able to understand the various provisions of the constitution, which will be helpful for the learners in various competitive examinations and academics/UGC-NET.

<b>UNIT I:</b>	<b>Federalism</b>	<b>15 Hours</b>
	Creation of new states The inter-state disputes on resources Center's responsibility and internal disturbance within States Federal comity: Relationship of trust and faith between Centre and State Special status of certain States, Areas, Scheduled Areas	
<b>UNIT II:</b>	<b>State: Right to equality</b>	<b>15 Hours</b>
	Definition of state, Need for Widening the definition in the wake of Liberalization, privatization and its impact on affirmative Action Relating to quality.	
<b>UNIT III:</b>	<b>Emerging regime of new rights and remedies</b>	<b>15 Hours</b>
	Reading Directive Principles and Fundamental Duties into Fundamental Rights, Compensation jurisprudence, Right to education, Commercialization of Education and its impact, Brain drain by foreign education market, Right of minorities to establish and administer educational institutions and state control.	
<b>UNIT IV:</b>	<b>Separation of Powers: stresses and strain</b>	<b>15 Hours</b>
	Judicial activism and judicial restraint, PIL, Judicial Independence, Appointment, transfer and removal of judges, accountability: executive and judiciary, Tribunals.	

### **Suggested Readings:**

No specific bibliography is suggested for this course since the materials obviously depends upon the latest developments. These developments in the areas specified in the course can be gathered from the recent materials such as all standing Constitutional law Text books, case law, changes and amendments of laws, critical comments, studies and reports, articles and research papers and lastly contemporary emerging ethos impacting on constitutional values.

**SEMESTER I**  
**COURSE CODE: 103E (Gr. -A)**  
**COURSE TITLE: CONSTITUTIONAL PRINCIPLES AND STRUCTURE**  
**CREDIT: 4, MARKS: 100 (IA- 30, ESE- 70)**

**Course Objectives:**

The three functions of the state are also given importance so that the students will be able to appreciate the constitutional functions of the state in a comparative environment. Since the Constitution is a dynamic document, timely modification is a necessity, but often results in challenges raised before the superior courts. It is important to understand how the judiciary strikes a balance between the political efforts and stability of the constitution while ensuring the dynamic character of the constitution. The various issues of governance affecting the people and the remedies available to them are also part of this paper.

**Learning outcomes:**

On successful completion of the paper, the students will be able to analyze the leading constitutional principles in different jurisdictions. Gain insights of the model of state, its practices and good governance. Understand the significance of doctrine of judicial review and limitations thereof.

<b>UNIT I:</b>	<b>Concept of Sovereignty</b> Sovereignty by Austin–Laski’s Pluralism–criticisms Parliamentary Sovereignty in Britain Sovereignty in India Impact of Globalization on Sovereignty	<b>10 Hours</b>
<b>UNIT II:</b>	<b>Constitution–Meaning &amp; Necessity</b> Requirements of an Ideal Constitution Framing of Indian Constitution Features of Indian Constitution Fundamentals of Constitution– Constraints	<b>10 Hours</b>
<b>UNIT III:</b>	<b>Constitution–Form &amp; Type of Government</b> Federalism–Features of Indian Federalism Globalization and Indian Federalism Constitution and response to social change	<b>10 Hours</b>
<b>UNIT IV:</b>	<b>Constitutionalism</b> Meaning, Significance and Ingredients Rule of Law and its Challenges Separation of Powers Due Process of Law Doctrine of Eminent Domain Taxing power–Judicial Review	<b>10 Hours</b>

**Suggested Readings:**

1. Granville Austin, The Constitution of India: Cornerstone of a Nation (1966)
2. Dicey, Law of the Constitution (9th ed.,)
3. K.C.Wheare, Federal Government

4. C.F.Strong, Political Constitutions (1966)
5. M.P.Singh, Comparative Constitutional Law (1989)
6. M.P.Singh & Rekha Saxena, Indian Judiciary and Politics: The Changing Landscape(2007)
7. H.M.Seervai , Constitutional Law of India
8. B.N.Kirpal et.al, Supreme But Not Infallible (2000)
9. Jennings, Some Characteristics of the Indian Constitution
10. S.P.Sathe, Judicial Activism in India (2003)
11. Hood and Phillips, Constitutional Law
12. Wade and Phillips, Constitutional Law
13. Jennings, Cabinet Government
14. O.Hood Phillips, Constitutional Law
15. P.K.Tripathi, The Most Dangerous Branch: The Judiciary or the Legislature (1974)
16. Finer, Five Constitutions
17. C.H.Mclewain, Constitutionalism Ancient and Modern
18. K.C Wheare, Modern Constitutions

## SEMESTER I

**COURSE CODE: 104E (Gr.-A)**

**COURSE TITLE: GENERAL PRINCIPLES OF ADMINISTRATIVE LAW**

**CREDIT: 4, MARKS: 100 (IA- 30, ESE- 70)**

<b>UNIT I :</b>	<b>Scope and Development of Administrative Law</b>	<b>10 Hours</b>
	Administrative Law-Definition, Nature, Scope and Functions Growth of Administrative Law in India Basic Constitutional Principles: Indian Perspectives Rule of Law Separation of Powers Natural Justice	
<b>UNIT II:</b>	<b>Administrative Functions and Discretion</b>	<b>10 Hours</b>
	Classification of Administrative Functions Administrative Discretion Principles of Natural Justice Rule against Bias Fair Hearing	
<b>UNIT III:</b>	<b>Growth and Development of Delegated Legislation</b>	<b>10 Hours</b>
	Delegated Legislation Importance, Need and Constitutionality of Delegated Legislation Conditional Legislation Controls on Delegated Legislation Parliamentary Control Judicial Control	
<b>UNIT IV :</b>	<b>Transparency and Accountability</b>	<b>10 Hours</b>
	Lok Pal and Lok Ayukt Right to Information Vigilance Commission Comptroller and Auditor -General of India Commissions of Inquiry	

### **Suggested Readings:**

1. M. P. Jain & S. N. Jain - Principles of Administrative Law, 6th Edition 2001, Publication-Lexis Nexis Butterworth's Wadawa Nagpur .
2. P. Massey - Administrative Law, 7<sup>th</sup> Edition 2008. Publication-Eastern Book Company, Lucknow
3. H.W.R. Wade and C.F. Forsyth -Administrative Law, 10<sup>th</sup> Edition 2009, Publication-Oxford University Press, New york.
4. Garner's – Administrative Law, 8<sup>th</sup> Edition 1996, Oxford University Press
5. De Smith - Judicial Review of Administrative Action, 6th Revised Edition 2006, Sweet and Maxwell Publication.



6. S. P. Sathe - Administrative Law, 7<sup>th</sup> Edition 2006. Lexis Nexis, Butterworth's Publication.
7. Richard J Pierce & Kenneth Culp Davis Administrative law treatise
8. Subba Rao G C V- Administrative law

**SEMESTER I**  
**COURSE CODE: 103E (Gr. -B)**  
**COURSE TITLE: PRINCIPLES OF CORPORATE LAW**  
**CREDIT: 4, MARKS: 100 (IA- 30, ESE- 70)**

**Course Objectives:**

To understand the concept of corporate finance and securities regulation and apply in the real-world situation, the technique that have been developed in corporate finance. To understand how company functions.

**Learning Outcomes:**

This course provides necessary knowledge in evaluating different management decisions and its influence on corporate performance and value. The theoretical and legal framework provides for understanding and analyzing major financial problems of modern company in market environment.

<b>UNIT I:</b>	<b>Introduction</b>	<b>10 Hours</b>
	Origin and Development of Corporate Law Essential ingredients in establishment of Corporation	
	<b>Shares and share capital</b>	
	Concept of shares, share capital Kinds of shares Debentures, Issue, Allotment, transfer and forfeiture of shares	
<b>UNIT II:</b>	<b>Legal Aspects governing corporate management</b>	<b>10 Hours</b>
	Meetings, Majority Rule and minority protection Prevention of oppression, mismanagement Role of Central Government, Company Registrar, Company Law Board/ Tribunal	
<b>UNIT III:</b>	<b>Amalgamation, Reconstruction, Mergers, take-over of Companies</b>	<b>10 Hours</b>
	Meaning of the terms Statutory provisions Powers of court/ tribunal Reconstruction/ amalgamation by sale of shares/sale of undertakings Procedures of Winding up a Company	
<b>UNIT IV:</b>	<b>Corporate Governance</b>	<b>10 Hours</b>
	Concept, Significance, Dimensions, Legal framework Impact of globalization	

## **Corporate Social Responsibility**

Evolution of the concept,  
Dimensions of CSR  
Legislations and CSR

### **Suggested Readings:**

1. J.M. Thomson-Palmer's Company Law
2. Gower-Principles of Modern Company Law
3. Ramaiya -Guide to Companies Act
4. Indian Law Institute-Current problems of Corporate Law
5. Datta -Company Directors



## SEMESTER I

**COURSE CODE: 104E (Gr. -B)**

**COURSE TITLE: BANKING LAW**

**CREDIT: 6, MARKS: 100 (IA- 30, ESE- 70)**

### Course Objectives:

To enable the students to understand the regulatory framework, governing the banking sector.

To impart students with a sound understanding about the functioning of the banks and financial institutions and the role of the regulatory authorities.

To develop an idea about insurance contracts and the legal framework that operates in the field.

To analyze the importance, role and functions of the sector regulator in insurance.

To enable the students to acquire understanding on the legal foundation of different kinds of negotiable instruments.

To give an opportunity to the students to explore the nuances of the legalities in the area and help them to develop legal knowledge in this field.

### Learning Outcomes:

After successful completion of the course, the students will be able to understand the law of banking and its application. Develop an idea about the regulatory framework in the banking sector. Know the functioning of the banks and financial institutions and their role in the economy. Develop an understanding about the insurance laws and the regulatory framework. Understand the functioning of insurance agencies and their role in the economy. Acquire knowledge about the legality of negotiable instruments. Develop an edge in the practical nuances about the dishonor of negotiable instruments.

### **UNIT I: Introduction 10 Hours**

Nature and development of banking

History of banking in India and elsewhere –indigenous banking –evolution of banking in India –different kinds of banks and their functions

Multi-functional banks –growth and legal issues

#### **Law Relating to Banking Companies in India**

Controls by government and its agencies: On management, on accounts and audit, Lending, Credit policy, Reconstruction and reorganization, Suspension and winding up.

Contract between banker and customer: their rights and duties.

### **UNIT II: Social Control over Banking 10 Hours**

Nationalization

Evaluation: private ownership, nationalization and disinvestment

Protection of depositors

Priority lending

Promotion of underprivileged classes

#### **Deposit Insurance**

The Deposit Insurance Corporation Act 1961: objects and reasons

Establishment of Capital of DIC

Registration of banking companies insured banks, liability of DIC to depositors

Relations between insured banks, DIC and Reserve Bank of India

### **UNIT III: The Central Bank**

**10 Hours**

Evolution of Central Bank  
Characteristics and functions  
Economic and social objectives  
The Central Bank and the State –as bankers’ bank  
The Reserve Bank of India: Organizational Structure, Function

#### **Relationship of Banker and Customer**

Legal character  
Contract between banker and customer  
Bankers’ lien  
Protection of bankers  
Customers

### **UNIT IV: Negotiable Instruments**

**10 Hours**

Meaning and kinds  
Transfer and negotiations  
Holder and holder in due course  
Presentment and payment  
Liabilities of parties

#### **Lending by Banks**

Good lending principles - Lending to poor masses  
Securities for advances - Kinds and their merits and demerits  
Repayment of loans: rate of interest, protection against penalty  
Default and recovery - Debt recovery tribunal

#### **Reforms in Indian Banking Law**

Recommendations of committees a review

#### **Suggested Readings:**

2. M.L. Tannan, Tannan’s Banking Law and Practice in India., India Law House, New Delhi, Latest Edition.
3. L.C. Goyal , The Law of Banking and Bankers, Latest Edition, Eastern Book Company Ltd.

**SEMESTER I**  
**COURSE CODE: 105 OCE**  
**COURSE TITLE: VALUE EDUCATION AND HUMAN RIGHTS**  
**CREDIT: 4, MARKS :100 (IA – 30, ESE- 70)**

**Course Objectives**

To understand and analyze the growth and development of Human Rights Law. To evaluate the developments of Human Rights. To understand the regulation of human rights under the International law and the international and the regional protection of human rights. To analyze the international protection of human rights by United Nations and different bodies working under its aegis for protection and enforcement of human rights internationally. To understand the legal regime of protection and enforcement of human rights under various International human rights treaties. To understand the legal regime for protection and enforcement of human rights at the regional level. To understand the relation between international human rights law, and humanitarian law.

**Learning Outcome**

At the completion of course the students shall have skills of understanding difficult and important issues of human rights concern. They shall be able to carry out researches upon these issues and write scholarly works in this area of great significance. The students shall have capacity of communication with others on human rights matters and shall be able to make presentations before the wider audience to put their views forward. The students having studied Human Rights can seek jobs in the academia, government sector, international organizations, embassies, consulates, foreign universities and institutions and can carry out practice of international institutional and human rights law besides many others.

**UNIT I: Concept and nature of Value Education**

Need and importance of Value Education in contemporary social context  
Concept of human value with special reference to Indian tradition and culture  
Different types and components of value education

**UNIT II: Moral education vis-à-vis religious education**

Moral judgment and moral action  
Concept of moral development of child  
Approaches of moral development: Social theory approach and cognitive development approach.

**UNIT III: Human Rights – Universal Declaration of Human Rights**

Human Rights violations – National Integration – Peace and non-violence  
Dr. A P J Kalam's ten points for enlightened citizenship  
Social Values and Welfare of the citizen  
The role of media in value building

**UNIT IV: Environment and Ecological balance**

Constitutional or national values - Democracy, socialism, secularism, equality, justice, liberty, freedom and fraternity and different social values

## Suggested Readings

1. Allport, G.W., Vernon, P.E., and Lindzey, G. (1970) *study of values*, Buston: Houghton Mifflin.
2. Central Board of Secondary Education (1997), *Value Education: A Handbook for Teachers*, Delhi: Central Board of Secondary Education.
3. Delors, J. (1996), *Learning: The Treasure within-* Report of the International Commission on Education for the Twenty-First Century, Paris: UNESCO.
4. Karan Singh (1996) *Education for global society*, in Delors, J., *Learning: The Treasure Within*, Paris: UNESCO.
5. Kollberg, L. (1964), *Development of moral character and ideology*, in M.K.
6. Hoffman and L.W. Hoffman (eds) *Review of Child Development Research*, Vol.1, New York: Russell Sage.
7. Kohlberg, L. (1969), *Stage and sequence*, in D.A. Goslin (ed) *Handbook of Socialization Theory and Research*, Chicago: Rand Mc Nally.
8. Morris, Charles W. (1956). *Varieties of Human Values*. Chicago: University of Chicago Press.
9. Piaget, J. (1960). *The Moral Judgment of the Child*. New York: Free Press
10. Shukla, R.P.(2005). *Value Education and Human Rights*. Sarup & Sons, New Delhi
11. *Value Education*. Manish Prakashan , Plat No. 26, Rohit Nagar Colony, Baranasi Hindu University , Varanasi.
12. M.G.Chitakra: *Education and Human Values*, A.P.H.Publishing Corporation, New Delhi- 12, 2003
13. Bandiste, D.D.: *Humanist Values: A Source Book*, B.R.Publishing Corporation, Delhi, 1999
14. Ruhela, S.P. : *Human Values and education*, Sterling Publications, New Delhi, 1986
15. Kaul, G.N.: *Values and Education in Independent Indian*, Associated Publishers, Mumbai, 1975
16. NCERT, *Education in Values*, New Delhi, 1992
17. Swami Budhananda (1983) *How to Build Character A Primer* : Ramakrishna Mission, Belur Math,
18. *A Cultural Heritage of India (4 Vols.)*, Bharatiya Vidya Bhavan, Bombay. (Selected Chapters only)
19. *For Life, For the future : Reserves and Remains – UNESCO Publication*
20. *Values, A Vedanta Kesari Presentation*, Sri Ramakrishna Math, Chennai, 1996
21. Swami Vivekananda, *Youth and Modern India*, Ramakrishna Mission, Chennai

Swami Vivekananda, *Call to the Youth for Nation Building*, Advaita Ashrama, Calcutta



**SEMESTER II**  
**COURSE CODE : 201C**  
**COURSE TITLE: LAW AND SOCIAL TRANSFORMATION IN INDIA**  
**CREDIT: 6, MARKS : 100 (IA- 30, ESE- 70)**

**Course Objectives:**

This course is designed to offer the teacher and the taught with

(a) Awareness of Indian approaches to social and economic problems in the context of law as a means of social control and change; and

(b) A spirit of inquiry to explore and exploit law and legal institutions as a means to achieve development within the framework of law.

The endeavor is to make the students aware of the role the law has played and has to play in the contemporary Indian society

**Learning Outcomes:**

After Completion of the course learners will be able to understand the different contemporary social issues and the role of law which it has to play in the contemporary Indian society.

<b>UNIT I:</b>	<b>Law and Social Change</b>	<b>15 Hours</b>
	Law as an instrument of social change, Law as the product of traditions and Culture, Criticism and evaluation in the light of colonization and the introduction of common law system and institutions in India and its impact on further development of law and legal institutions in India.	
<b>UNIT II:</b>	<b>Community, Religion and the law</b>	<b>15 Hours</b>
	Caste as a divisive factor, Non-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 Commission, Statutory provisions, Freedom of religion and non-discrimination on the basis of religion, Religious minorities and the law	
<b>UNIT III:</b>	<b>Women, Children and the law</b>	<b>15 Hours</b>
	Crimes against women, Gender injustice and its various forms Women's commission, Empowerment of women: Constitutional and other legal provisions, child labor, Adoption and related problems, Children and education.	
<b>UNIT IV:</b>	<b>Modernization and the law</b>	<b>15 Hours</b>
	Modernization as a value: Constitutional perspectives reflected in the fundamental duties, Democratic decentralization and local self government, Modernization of social institutions through law	
	<b>Alternative approaches to law</b>	
	The jurisprudence of Sarvodaya – Gandhiji, Vinoba Bhave ; Jayaprakash Narayan, Grama nyayalayas	

### **Suggested Readings:**

1. Marc Galanter (ed), Law and Society in Modern India (1997) Oxford
2. Robert Lingat, The Classical Law of India (1998), Oxford
3. U. Baxi, The Crisis of the Indian Legal System (1982), Vikas , New Delhi
4. U.Buxi (ed), Law and Poverty Critical Essays (1988), Tripathi , Bombay
5. Manushi , A journal About of Women and Society
6. Duncan Derrret , The State, Religion and Law in India (1999), Oxford University Press, New Delhi
7. H.M.Seervai , Constitutional Law of India (1996), Tripathi
8. D.D.Basu, Shorter Constitution of India (1996), Prentice–Hall of India (P) Ltd.,New Delhi
9. Sunil Deshta and Kiran Deshta, Law and Menace of child Labour (2000) Armol Publications, Delhi.
10. Savitri Gunasekhare, Children, Law and Justice (1997), Sage
11. Indian Law Institute, Law and Social Change: Indo-American Reflections,Tripathi (1988)
12. J.B.Kripalani, Gandhi: His Life and Thought, (1970) Ministry of Information and Broadcasting.  
Government of India
13. M.P.Jain, Outlines of Indian Legal History, (1993), Tripathi, Bombay
14. Agnes, Flavia, Law and Gender Inequality: The Politics of Women’s Rights in India (1999), Oxford

**SEMESTER II**  
**COURSE CODE : 202C**  
**COURSE TITLE: RESEARCH METHODOLOGY I**  
**CREDIT: 6, MARKS: 100 (IA- 30, ESE- 70)**

<b>UNIT I :</b>	<b>Introduction</b> Significance of Research Meaning and concept of research  <b>Scientific Methods &amp; Legal Research</b> The science of research and scientific methodology (Theory, facts, definition and concepts, variables etc. i.e. characteristics of scientific methodology) Socio-legal research and legal research models Doctrinal and non-doctrinal research What is research problem? Formulation of research problem	<b>15 Hours</b>
<b>UNIT II :</b>	<b>Research Design and its components</b> Hypothesis: Its role, definition, criteria of a workable hypothesis and its sources Major steps of preparation of research design  <b>Research tools</b> Observation, Interview, Questionnaire (Utility and limitations and methods of using these tools)	<b>15 Hours</b>
<b>UNIT III :</b>	<b>Research Techniques</b> Use of case studies and surveys Sampling techniques: i.Design of sample ii.Its uses and advantages in research. iii.Random sampling, simple random, stratified random, systematic random. iv.Non-random sampling, haphazard, availability and purposive etc.  Scaling Techniques: Types, utility, modus operandi - Elementary Statistics, design & stages in statistical investigation and interpretation and Preparing Diagrams & graphs Content analysis	<b>15 Hours</b>
<b>UNIT IV :</b>	<b>Data Processing</b> Data Collection, Data processing and analysis and interpretation of data Socio-metrics and Jurimetrics	<b>15 Hours</b>

Inductions and deductions

**Computerized research**

A study of legal research programmes such as Lexis and west law coding  
Online & offline sources and techniques of e-legal research

**Suggested Readings:**

1. Wilkinson – Bhandarkar –Research Methodology.
2. Young, Pauline V. –Scientific Social Survey and Research.
3. Berelson B : Content Analysis in Communication Research.
4. Jain S. N. : Legal Research and Methodology.
5. Earl Babi – Research Methodology.
6. Good & Halt : Research Methodology (And relevant Websites)

**SEMESTER II**  
**COURSE CODE : 203E (Gr -A)**  
**COURSE TITLE: JUDICIAL REVIEW OF ADMINISTRATIVE ACTION**  
**CREDIT : 4, MARKS : 100 (IA- 30, ESE- 70)**

**Course Objectives:**

To help students develop a critical legal understanding of meaning, need and scope of administrative actions and to make them aware about legal theories and provisions used to review the administrative actions and also about the methods and procedures to ensure fairness, efficiency, transparency and accountability in public administration. To help students inculcate an insightful legal approach to appraise the limits and efficacies of judicial review of administrative actions in a given situation. To make the students aware about the niceties of jurisdictions of High Courts and Supreme Court to review or appeal against the impugned administrative action.

**Learning Outcomes:**

On successful completion of this Course, the students will be able to:  
Apply their knowledge and critical legal understanding to seek solutions to pressing problems in the area of public administration. Practice in the matters related to exercise of administrative discretion and adjudication or in related matters in law courts/tribunals.

<b>UNIT I :</b>	<b>General principles of judicial review</b> Courts as the final authority to determine the legality of administrative action - problems and perspectives.	<b>10 Hours</b>
<b>UNIT II :</b>	<b>Grounds of judicial review</b> Scope of Judicial Review Jurisdictional Error - error of law- violation of the principles of natural justice - violation of public policy.	<b>10 Hours</b>
<b>UNIT III :</b>	<b>Methods of judicial review</b> Public and Private Law Remedies Exhaustion of Alternative Remedies - Res judicata.	<b>10 Hours</b>
<b>UNIT IV :</b>	<b>Concept of Locus Standi , Public Interest Litigation and Judicial Activism</b> Latest trends in PIL litigation merit and demerits of PIL. Judicial Review by the Supreme Court and High Courts under Articles 226, 227, 32 and 136.	<b>10 Hours</b>

### **Suggested Readings:**

1. M. P. Jain & S. N. Jain -Principles of Administrative Law, 6thEdition 2001, Publication - Lexis Nexis Butterworth"s Wadawa Nagpur .
2. P. Massey - Administrative Law, 7<sup>th</sup> Edition 2008. Publication - Eastern Book Company, Lucknow.
3. H.W.R. Wade and C.F. Forsyth - Administrative Law, 10<sup>th</sup> Edition 2009, Publication-Oxford University Press, New York.
4. Dr. CD Jha"s Judicial Review of Legislative Acts Second Edition, 2009
5. Garner"s –Administrative Law, 8<sup>th</sup> Edition 1996, Oxford University Press
6. De Smith -Judicial Review of Administrative Action, 6th Revised Edition 2006, Sweet and Maxwell Publication.
7. S. P. Sathe - Administrative Law, 7thEdition 2006. Lexis Nexis, Butterworth"s Publication.
8. Richard J Pierce & Kenneth Culp Davis Administrative law treatise
9. Subba Rao G C V Administrative law

## SEMESTER II

**COURSE CODE : 204E (Gr - A)**

**COURSE TITLE: LEGISLATIVE AND QUASI JUDICIAL POWERS OF ADMINISTRATION**

**CREDIT: 4, MARKS : 100 (IA- 30, ESE- 70)**

### **Course Objectives:**

To focus on theoretical and analytical study of various aspects of administrative law in comparative manner and to discuss the impact of globalization and liberalization on the growth of administrative law. To apprise the students about the ingrained constitutional and right based challenges of administrative rule making and to discuss with them the already practiced techniques and remedies to neutralize these challenges and to encourage students to critically analyze the efficacies of these techniques and remedies. To endow the students with the critical and analytical understanding of the procedures followed by the government and its many instrumentalities and agencies in exercising their powers and functions, the mechanisms by which they are controlled and the remedies that are available to persons whose rights may have been infringed by the exercise of such powers and functions.

### **Learning Outcomes:**

On successful completion of this Course, the students will be able to:

Exhibit critical and analytical conceptual understanding of many aspects of administrative law and analyze a factual situation with their conceptual and insightful understanding of the subject. Conduct effective doctrinal as well as empirical legal research in the subject by using fundamental tools of legal research.

Write research papers/notes and case comments and work in research houses. Practice in this area in the law courts/tribunals. Help needy persons to obtain required information and relief from the government establishments and courts. Become law teachers, policy makers/reformers or effectively work as administrators.

<b>UNIT I :</b>	<b>Delegated Legislation - general principles</b>	<b>10 Hours</b>
	Reasons for growth of Delegated Legislation USA and India - different forms of delegation Control and Safeguards of Delegated Legislation	
<b>UNIT II :</b>	<b>Quasi-Judicial functions of administration</b>	<b>10 Hours</b>
	Distinguish between judicial and quasi-judicial functions Reasons for the growth of administrative adjudication	
<b>UNIT III :</b>	<b>Modes of administrative adjudication</b>	<b>10 Hours</b>
	Administrative Tribunals - Functioning of the Administrative Tribunals Distinguish between Administrative Tribunals and Courts Article 277 - Power of High Courts to supervise Tribunals Special Leave to appeal- Article 136	

**UNIT IV : Principles of Natural Justice - Rule against Bias 10 Hours**

Ingredients of fair hearing  
Rules of procedure and evidence  
Expanding horizons of natural justice  
Fairness in Administrative Action  
Reasoned Decisions  
Legitimate Expectations

**Suggested Readings:**

1. Ivor Jennings, Law and the Constitution
2. M.P. Jain, Constitutional Law of India
3. S. A. de Smith, Constitutional and Administrative Law
4. H. M. Seervai, Constitutional Law of India
5. D.D. Basu, Commentaries on the Constitution of India
6. V.N. Sukla's Constitution Law of India
7. Radhakumud Mookerji, Local Government in Ancient India (1985), Daya Publishing Delhi.
8. K.C.Davis-Administrative Law



**SEMESTER II**  
**COURSE CODE : 203E (Gr – B)**  
**COURSE TITLE : CONSUMER LAW**  
**CREDIT : 4, MARKS : 100 (IA- 30, ESE- 70)**

**Course Objectives:**

To impart students with an overview of the legal foundations of consumer law at the national as well as international level.

To enable students to apply fundamental principles of consumer-based laws and develop an understanding of the interconnectedness of the laws.

To enable students to critically examine the implementation of consumer laws in light of the leading decisions of the national courts.

**Learning Outcomes:**

Students would be able to identify the key underlying foundations of the consumer law. Students would be able to understand the interconnectedness of the laws and how the forum under the respective laws may be accessed. Students would understand the challenges in the implementation of the laws and how one law complements the other.

<b>UNIT I :</b>	<b>Introduction</b>	<b>10 Hours</b>
	Historical perspective of consumer protection in India United Nations & consumer Protection Laws dealing with consumer complaints Caveat Emptor	
<b>UNIT II :</b>	<b>Consumer Protection Act</b>	<b>10 Hours</b>
	Aims & Objects of the Act Consumers Consumer Dispute Defect in Goods and Services Unfair Trade Practices	
<b>UNIT III :</b>	<b>Deficiency in Services</b>	<b>10 Hours</b>
	Meaning & Instances Negligence Deficiency in service in various professions: Insurance services, Banking and Financial services, Housing etc.	
<b>UNIT IV :</b>	<b>Procedural Provisions</b>	<b>10 Hours</b>
	District Forum National Commission State Commission <b>Consumer Protection Act &amp; conflict with other enactments</b> Consumer Protection Councils	

### **Suggested Readings:**

1. Saraf, D.N., Law of Consumer Protection in India.
2. Avtar Singh, The Law of Consumer Protection: Principles and Practice.
3. J.N.Barowalia, Commentary on Consumer Protection Act 1986.
4. P.K.Majundar, The Law of Consumer Protection In India
5. D.P.Wadhwa & W.L.Rajah, The Law of Consumer Protection

**SEMESTER II**  
**COURSE CODE : 204E (Gr - B)**  
**COURSE TITLE: COMPETITION LAW**  
**CREDIT: 4, MARKS: 100 (IA- 30, ESE- 70)**

**Learning Objectives**

To impart students with an overview of the legal foundations of competition law at the national as well as international level.

To enable students to apply fundamental principles of competition-based laws and develop an understanding of the interconnectedness of the laws

To enable students to critically examine the implementation of competition laws in light of the leading decisions of the national courts.

**Learning Outcomes**

Students would be able to identify the key underlying foundations of the competition law. Students would be able to understand the interconnectedness of the laws and how the forum under the respective laws may be accessed. Students would understand the challenges in the implementation of the laws and how one law complements the other.

<b>UNIT I :</b>	<b>MRTP Act metamorphosis into the Competition Act</b> Introduction to Competition and concept of Perfect competition Theories on IP and Competition and the Concept of Open-Market System Competition Policy & Regulation of Competition MRTP Act: Formation & Features Anti-Competitive Practices and its Regulation under MRTP Act	<b>10 Hours</b>
<b>UNIT II :</b>	<b>Competition Act, 2002</b> Drawbacks under the MRTP Regime and Need for Competition Act Regulatory Authorities under the Competition Act Competition Law & Policy: Conceptual Study of Relevant Supreme Court Decisions Regulation of Unfair Competition Competition Policy and Consumer Protection	<b>10 Hours</b>
<b>UNIT III :</b>	<b>Competition Policy and IPR</b> Intellectual Property Rights: Introduction to various IP Assets Patent Policy and its Regulation under the Indian Laws. Abuse of IPR and Regulation of Combinations Conflict of Competition Policy and Patent Policy TRIPS and its impact on Competition and Patent-Monopoly	<b>10 Hours</b>
<b>UNIT IV :</b>	<b>WTO and its impact on Competition Laws with reference to UNCTAD</b> International Dimensions of Competition Law Globalization and competition law Competition rules of WTO International enforcement and Judicial Assistance Emerging principles of international competition law	<b>10 Hours</b>

### **Suggested Readings:**

1. Avtar Singh; Competition Law; Eastern Law House, 2012-
2. Competition Law in India ; Srinivasan Parthasarthy ; Wolter Kluwer, 2012
3. Gurbax Singh, Law of Consumer Protection.
4. Indian Competition Law: An International Perspective; Suzanne Rab ; CCH -A Wolters Kluwer Business, 2012
5. Law of Monopolistic, Restrictive and Unfair Trade Practices, Wadhwa & Co.
6. Taxmann`s Guide to Competition Act.
7. Vinod Dhall, Competition Law Today, Oxford University Press.

**SEMESTER III**  
**COURSE CODE : 301C**  
**COURSE TITLE : LEGAL THEORY**  
**CREDIT : 6, MARKS : 100 (IA- 30, ESE- 70)**

**Course Objectives:**

The aim of the course is to make the learners aware about the meaning, definition and origin of law, its relevance to various socio-politic and other factors. The course is useful for the learners in understanding the relevance of law, legal principles and legal concepts in day to day activities and its functional aspects. Method of discussion would be based on lecture method, Discussion on Case Studies and Articles available on online databases subscribed by the University.

**Learning Outcomes:**

The course will help the learners to understand the base of law. It will develop the critical outlook of learners towards meaning, relevance and functioning of law.

**Unit-I Meaning and Nature of Jurisprudence** **15 Hours**

Meaning, Definition and Nature of Jurisprudence  
Sources of Law  
Judicial Process: Application of Doctrine of Precedent  
Natural Law Theories

**Unit-II Social Contract Theory** **15 Hours**

Theories of Social Contract  
Analytical Positivism including Hart Fuller Debate  
Pure Theory of Law  
Law and Morality

**Unit-III Schools of Thought** **15 Hours**

Sociological School of Law  
Realist School of Jurisprudence  
Historical and Anthropological Jurisprudence  
Theories of Punishment  
Judicial Contribution in bringing Social Changes and Legal Pluralism

**Unit-IV Legal Concepts** **15 Hours**

**Rights and Duty**

Meaning and Definition of Right,  
Relationship between Rights and Duties,  
Kinds of Rights

**Concept of Possession:** Why Law protects possession,  
Meaning and Definition of Possession,  
Kinds of possession

**Ownership:** Meaning and Definition of Ownership,  
Kinds of Ownership,

## Modes of Acquisition of Ownership

**Person:** Meaning and Definitions of Person,  
Theories of Personality,  
Kinds of Person  
Status of unborn person, dead man, idol, mosque and so on

### **Suggested Readings**

1. Bowett, D. W. (1982), Law of International Institutions, Oxford University Press, USA.
2. Boderheimer, (1996), Jurisprudence-The Philosophy & Method of Law, Universal, Delhi.
3. Dias R.W.M., (1994), Jurisprudence Indian Reprint-Adithya Books, Delhi.
4. Fitzgerald, (1999), Salmond on Jurisprudence Tripathi, Bombay.
5. Dhyan S.N., (1985) Jurisprudence-A Study of Indian Legal Theory, CLP, All.

**SEMESTER III**  
**COURSE CODE : 302C**  
**COURSE TITLE : RESEARCH METHODOLOGY II ( PRACTICAL )**  
**CREDIT : 6, MARKS : 100 (IA- 100)**

**UNIT I : Doctrinal research (20 marks)**

Each student is assigned in advance a separate topic and asked to collect materials. A period of 5-7 days can be set apart for carrying out this assignment in the library. The assignment shall be evaluated internally by a designated faculty member who is engaging LL.M. Classes regularly.

**UNIT II : Non-Doctrinal research (20 marks)**

Here the students are asked to go out of the class room and library and make an empirical study of a problem which has social, economic, moral or political dimension. Field data can be collected through any model of data collection. The results are to be assessed internally by a designated faculty member who is engaging LL.M. Classes regularly.

**UNIT III : Clinical work (20 marks)**

The method is that the Legal Aid Clinic of the Department of Law can involve itself with other legal aid programmes in the area. Students are encouraged not only to work with the clinic but also to acquaint themselves with court proceedings, working of a business organization, tackling of labor disputes, drafting of business or other deeds and with public interest litigation. The initiative and potential of the student and the actual submission of report turned out by him/her shall be assessed by the team of senior faculty who are engaging LL.M. Classes regularly. Focus, priority and weightage shall be for the research being done by the students in the above areas.

**UNIT IV : Law Teaching (40 marks)**

A topic is assigned to the student in advance. He is required to handle a class for 25 to 30 minutes.

The students may be asked to teach the LL.M Semester I students. They can select any of the methods of teaching. In law teaching practical, the LL.M students are to be evaluated internally. The average marks shall be reckoned. Internal evaluation shall be by a group of senior faculty who are regularly engaged in handling LL.M. classes.

**SEMESTER III**  
**COURSE CODE : 303E (Gr – A)**  
**COURSE TITLE: ELECTORAL PROCESS AND LAW**

**CREDIT : 4, MARKS : 100 (IA- 30, ESE- 70)**

**Course Objectives :**

To develop a critical thinking about the development of this branch of law. The same will be based within the premise of the right to better democratic order, the focus being the election process.

To familiarize the students with the existing legal framework of elections to various democratic bodies/ posts.

To critically analyze the present regime of laws with reference to the postulate of free and fair elections as the fundamental point of democracy.

**Learning Outcomes:**

After thorough study of the course, the learners will be able to understand various aspects of Electoral Process and Laws in India. It will be helpful for the learners in competitive examinations and as legal practitioner in courts.

<b>UNIT I :</b>	<b>Role of Elections in democratic process</b>	<b>10 Hours</b>
	Different systems of representation of people Electoral system under the Constitution	
<b>UNIT II :</b>	<b>Powers and functions of Election Commission</b>	<b>10 Hours</b>
	Role of political parties in Indian electoral system Anti-Defection law	
<b>UNIT III:</b>	<b>Measures to reduce the influence of money power</b>	<b>10 Hours</b>
	Reservation of seats to minorities, backward classes and women	
<b>UNIT IV :</b>	<b>Prevention of the communalization and criminalization</b>	<b>10 Hours</b>
	Role of law in preventing bribery and undue influence Prevention of misuse of Governmental powers	

**Suggested Readings:**

1. L.P Singh: Electoral Reforms
2. Chawla : Electoral Law and Practice
3. Robert Blackburn : Electoral System in Britain
4. Subhash Kashyap : Anti-Defection Law and Parliamentary Privileges
5. Veerender Grover : Electors, Electoral mechanism and Behavior in India
6. K.C Sunny: Corrupt Practices in Elections



**SEMESTER III**  
**COURSE CODE: 304E (Gr. -A)**  
**COURSE TITLE: ROLE OF JUDICIARY, NGO's IN ENVIRONMENTAL PROTECTION**  
**CREDIT: 4, MARKS: 100 (IA- 30, ESE- 70)**

**Course Objectives:**

The objective of this course will be to understand and critically evaluate the role of multilateral environmental agreements (MEAs) and national environmental laws in protecting environment and promoting sustainable development; analyze the central role played by environmental laws and policies in national planning and environmental governance; assess the effectiveness of the legal mechanisms and fundamental principles that help environmental decision making and delivery of environmental justice.

**Course Learning Outcomes:**

At the end of this course, the students will be able to understand the contribution of international environmental laws and the national measures for protecting environment and achieving sustainable development; evaluate the environmental laws and policies in India, environmental constitutionalism, shaping of environmental laws and policies to meet the contemporary needs and their implementation; analyze the functioning of institutional structures for environmental governance, liability regimes and environmental justice delivery.

**Unit-I Theories of Environmental Protection 10 Hours**

Bentham's Doctrine of Utility and Environment Protection  
Roscoe Pound's theory of Social Engineering and Environmental Protection  
The Contemporary Environmental Issues

**Unit-II Social Engineering and Sustainable Development 10 Hours**

Indian Judiciary on Environment Protection  
Public Interest Litigation and Environment Protection

**Unit-III Judicial Response and Environment 10 Hours**

Expanding Horizons of Article 21  
Right to Clean and Healthy Environment- A Basic Human Right  
Right to Clean and Healthy Environment  
Right to Pure Drinking Water  
Right to Protection against Noise Pollution  
Right to Life Vis a Vis Right to Livelihood  
Right to Life Vis a Vis Right to Freedom of Trade, Business and Profession

## **Unit- IV Role of Judiciary in Enforcement of International Environmental Laws**

**10 Hours**

Doctrine of Inter-Generational Equity  
Polluter Pay Principle  
Doctrine of Absolute Liability  
Precautionary Principle  
Environmental Rights- Third Generation Rights  
Role of NGOs in Environment Protection  
Joint Forest Management

### **Suggested Readings:**

1. Jaswal, P. S. & Jaswal, N. (2015), Environmental Law, Allahabad Law Agency, Faridabad.
2. Khan, I. A. (2009), Environmental Laws, Central Law Publication, Allahabad.
3. Shastri, S. C. (2010), Environmental Laws, Eastern Book Company, Lucknow.
4. Dube, I. (2007), Environmental Jurisprudence Polluter's Liability, Lexis Nexis.
5. Singh, Gurdip, (2005), Environmental Law in India, Mac Millan, New Delhi.
6. Leelakrishnan, P. (2010), Environmental Law, Lexis Nexis, New Delhi.
7. Armin R. And Divan Shyam, (2013) Environmental Law and Policy in India- Case, Material and Statutes, Oxford University Press.

**SEMESTER III**  
**COURSE CODE: 303E (Gr - A)**  
**COURSE TITLE: INSURANCE LAW**  
**CREDI : 4, MARKS : 100 (IA- 30, ESE- 70)**

**Objectives of Course:**

This course is designed to acquaint the learners with the conceptual and operational parameters of insurance law in the context of the development of the general principles of law and judicial interpretation to inform the learners about the use of law for the establishment of "just" order in insurance and to develop the appreciative and evaluative faculties of the learners.

**Learning Outcomes:**

The course will help the learners to acquaint with the conceptual and operational parameters of insurance law, the judicial interpretation, and emerging dimensions of the insurance system.

<b>UNIT I :</b>	<b>Introduction</b> Origin and Development of the Concept of Insurance Theoretical Perspectives of Insurance Types of Insurance—Parties to Insurance Rights and liabilities of Insurer and Insured Insurance policy-law of contract and law of torts Need and importance of insurance	<b>10 Hours</b>
<b>UNIT II :</b>	<b>General Principles of Law of Insurance</b> Contract of insurance-definition, nature of contract The Insurable interest Premium The risk-commencement, attachment, duration Assignment and alteration Warranties and disclosures Insurance intermediaries	<b>10 Hours</b>
<b>UNIT III:</b>	<b>Life Insurance</b> Nature and scope Event insured against in Life Insurance Circumstances affecting the risk Amount recoverable under life policy Persons entitled to payment Settlement of claim and payment of money	<b>10 Hours</b>

**UNIT IV :**

**Insurance against Third Party Risk**

**10 Hours**

Motor Vehicle Act 1988

Nature and scope

Effect of insolvency or death on claims

Claims Tribunal-constitution, functions, application for compensation, procedure, powers and award

**Suggested Readings:**

1. M. N. Sreenivasan - Law and the Life Insurance Contract
2. JCB Gilmar and Mustill, Arnold - Law of Marine Insurance
3. Birds-Modern Insurance Law
4. Colinvaux's Law of Insurance
5. KSN Murthy and Dr. KVS Sarma - Modern Law of Insurance
6. Avtar Singh - Law of Insurance
7. Mitra B.C.- Law relating to Marine Insurance



**SEMESTER III**  
**COURSE CODE: 304E (Gr - A)**  
**COURSE TITLE: CORPORATE GOVERNANCE**  
**CREDIT : 4, MARKS : 100 (IA- 30, ESE- 70)**

**Course Objectives:**

The objective of the course is to make the learners acquainted about the corporate Incorporation, managerial issues, meetings of companies, oppression & mismanagement and investigation and other related issues. It will also cover the recent concept of corporate governance and social responsibility.

**Learning Outcomes:**

After thorough study of the course, the learners will be able to understand various aspects of corporate governance in India. It will be help for the learners in UGC NET examination and other competitive examinations.

<b>UNIT I :</b>	<b>Introduction to Corporate Governance</b> Corporate governance -meaning and structure Corporate governance v Public Governance History of corporate governance Concept of corporate governance and stakeholders Principles of corporate Governance –OECD principles	<b>10 Hours</b>
<b>UNIT II :</b>	<b>Corporate Governance mechanism</b> Issues related to corporate governance Decision system Corporate capital and property rights Ownership, Capital, and Creditor structure Performance and remuneration system	<b>10 Hours</b>
<b>UNIT III :</b>	<b>Board of Directors</b> Directors under Companies Act SEBI regulation Corporate Fraud and crimes Succession and Risk management Whistle blower Clause 49 of Listing Agreement International Corporate Governance	<b>10 Hours</b>

**UNIT IV : Corporate Social Responsibility**

**10 Hours**

CSR and investment climate  
Corruption  
Code of  
Ethics Human  
Rights Wages  
Environment

**Suggested Readings :**

1. Sami Pathasarathy, Corporate Governance, Principles, Mechanisms and Practice
2. Dimple Grover, Amulya Khurana, Ravi Shankar, The Regulatory Norms of Corporate Governance in India.
3. Sadhalaxmi Vivek Rao, Legal Framework and corporate Governance: An Analysis of Indian Governance System
4. Ministry of Corporate Affairs, Voluntary Guidelines on Corporate Governance, 2009
5. Sanjay Anand, Essentials of Corporate Governance
6. Kevin Keasey, Steve Thompson, Michael Wright, Corporate Governance, Accountability, Enterprise and International Comparisons
7. The Institute of Directors, Handbook of International Corporate Governance
8. Christine Mallin, International Corporate Governance-A case Study approach
10. Frederick Lipman & Keith Lipman, Corporate Governance Best Practices, Strategies for Public, Private and NGO

**SEMESTER IV**  
**COURSE CODE: 401C**  
**COURSE TITLE: DISSERTATION**  
**CREDITS: 12, MARKS :200 (ESE- 150+50)**

**UNIT I :           Dissertation ( Submission of Research Paper ) : 150 Marks**

Dissertation of each student should be on topics from the area of specialization chosen, and approved by the Departmental Committee. The dissertation is expected to be an indepth and critical analysis of a legal problem of contemporary significance in the field chosen by the candidate and must incorporate copious reference to judicial decisions, articles and books relevant to the topic in the form of footnotes and bibliographical references. Typed and bound dissertations shall be of uniform pattern. Font size 12, New Times Roman, single space, margin 1", A4 paper, minimum 80 and maximum 100 pages. 2 copies of the Dissertation shall be submitted to the University prior to submitting the form of Semester IV Examination of LL.M Course.

**LL.M students are required to follow the steps given below for preparation of Dissertation :**

- i. Title of the study
- ii. Problem of the study
- iii. Objectives of the study
- iv. Hypothesis
- v. Review of Literature
- vi. Operational concepts and variables of the study
- vii. Research Design : a) Nature/ Type of the study b) Method of data collection c) Sources of data collection
- viii. Limitations of the study
- ix. Possible contribution of the study
- x. Chapterization

**LL.M students are required to follow the following structure:**

Coverpage

Certificate

Acknowledgement

List of Case Laws

List of Tables

Abbreviations

**Contents**

Chapter I : Introduction ( Theoretical Background and Research Methodology )

Chapter II to Chapter V

Chapter VI : Conclusions ( Major Findings and Suggestion )

Bibliography ( Books, Journals, News papers, Websites, Research Reports, Magazines etc.

Annexures ( Interview Schedules, Questionnaires, Master Charts, Acts, Bills, Maps etc. )

**UNIT II :           Presentation & Viva-Voce : 50 Marks**



**SEMESTER IV**  
**COURSE CODE: 402 E**  
**COURSE TITLE: APPLIED LEGAL STUDIES**  
**CREDIT: 4, MARK: 100 (IA- 30, ESE-70 )**

**Course Objectives**

This subject based on UGC-NET examination and it contains four papers named Criminal Law, Family law, law of torts and consumer protection Act. Through this subject, the learners will aware about the provisions of concern papers, recent Judgments and amendment.

**Learning Outcomes**

After thorough study of this subject, the learners will able to gain proper understanding of paper and clear their UGC-NET examination.

**Unit-I International Law**

**10 Hours**

Nature of International Law and its sources  
Concept of sovereignty and its relevance today  
Recognition of State and Governments  
Extradition, Asylum, Nationality and Status of Refugees  
International Court of Justice  
UNO and its organs  
Global Trade Regime under International Law

**Unit-II Family Law**

**10 Hours**

Concepts in Family Law  
Sources of Family Law in India  
Marriage and Dissolution of Marriage  
Matrimonial Remedies Guardianship  
Adoption, Maintenance and CARA Guidelines  
Uniform Civil Code

**Unit-III Law of Torts**

**10 Hours**

Foundation of Tortious Liability  
General Defenses to an action of Tort  
Strict Liability, Absolute Liability and Vicarious Liability  
Remoteness of Damages  
Contributory Negligence  
Defamation

**Unit-IV Law of Contracts**

**10 Hours**

General Principles  
Essentials of a valid contract  
Offer, acceptance and consideration  
Capacity to Contract: Minor's contract

Elements vitiating contract: Mistake, fraud, misrepresentation, public policy, coercion, undue influence, frustration of contract

Remedies for breach of contract: Damages

**Suggested Readings:**

1. Joshi K.C. 3rd (ed.) (2016), International Law and Human Rights, Eastern Book Company, New Delhi.
2. Malik's P. L. Handbook of Labor and Industrial Law, Eastern Book Company, New Delhi.
3. Mishra S.N., 28th (ed.) (2016), Labor and Industrial Laws, Central Law Publications, Allahabad.
4. Ahuja V.K., Public International Law, 1st (ed.) (2016), Lexis Nexis, New Delhi.
5. Bangia, R.K., (2013), Law of Torts With Consumer Protection Act, ALA. Delhi. 7. Diwan Paras,
6. Peeyushi Diwan (2013), Modern Hindu Law: Codified and Uncodified, Allahabad Law Agency.
7. Diwan Paras, (2016), Muslim Law in Modern India, Allahabad Law Agency.
8. Mulla, (2016), Hindu Law, Lexis Nexis, New Delhi.
9. Singh, Avtar (2013), Contract and Specific Relief, Eastern Book Company, New Delhi.
10. Markande, P. C., (2010), The Law of Partnership in India. Lexis-Nexis, Delhi