

**BANKURA UNIVERSITY**  
**DEPARTMENT OF LAW**

**CBCS SYLLABUS**

*for*

**LL.M**

*Effective from 2019-2021*



*Courses having focus on employability/  
entrepreneurship/ skill development*



*Professional Ethics, Gender, Human Values,  
Environment and Sustainability into the  
Curriculum*



*New Courses and Revision of Syllabus*

বাঁকুড়া বিশ্ববিদ্যালয়

ESTD-2014



**Bankura University**

**Bankura**

**West Bengal**

*S. M. M.*  
*17/12/2021*

Head  
Department of Law  
Bankura University

**SEMESTER I**

**COURSE CODE : 101C**

**COURSE TITLE : JURISPRUDENCE**

**CREDIT : 6, MARKS : 100 (IA- 20,ESE- 80)**

**Course Outcome:**

1. To have the in-depth knowledge about select schools of legal theory and rationales behind them
2. To inquest multiple strata at which law, justice and society intersect
3. To analysis changing concept of law with the change of the society

**UNIT I :**

**Nature of Jurisprudence**

**Meaning of Jurisprudence, Relevance of Jurisprudence  
Concept of 'Legal Theory' and 'Jurisprudence'.**

**Concept and Philosophy of Law: The Definition of Law**

**The Evolution and function of Law**

**UNIT II :**

**Natural Law and its Re-emergence**

**Philosophical Idealism of Ancient Era: Meaning and Origin-Greeks and Romans  
Philosophy**

**Medieval Era: Renaissance, And Reformation, Grotius and International Law,**

**Philosophy of Social Contract.**

**Natural Law in Nineteenth and Twentieth Centuries**

**Modern Value Philosophies and Revival of Natural Law Theories**

**Indian Perspective of Natural Law School**

**UNIT III :**

**Analytical Positivism:**

**Bentham's English Positivism: Utilitarian Approach of Law, Pleasure and Pain Principle  
in Legislation, Bentham on Codification and Law Reforms.**

**Austin's Theory of Law**

**The Pure Theory of Law**

**Modern Trends in Analytical Jurisprudence: Hart's Concept of Law**

**Indian Perspective of Analytical School**

**Concept of Morality and its Relationship with Law: Hart Fuller Debate**

**UNIT IV :**

**Historical School of Thought:**

The Romantic Reaction: Herder and Hegel  
Savigny and Historical School in Germany

Law and Anthropology

Historical School in England, United States and India : Evolution and Relevance

UNIT V : Sociological Jurisprudence and Sociology of Law:

Comte and Sociology, Laissez Faire and Herbert Spencer, Jhering, Max Weber, Emile

Durkheim, Eugen Ehrlich, Roscoe Pound.

Sociological Jurisprudence since Pound and Towards Sociology of Law

Indian Constitution and Sociological Jurisprudence

American and Scandinavian Jurisprudence on Realism

Critical Legal Theory

Suggested readings :

1. Lloyd's Introduction to Jurisprudence
2. R.W.N. Dass: Jurisprudence 5th ed. Aditya Books Private Ltd. New Delhi, 1994
3. G.W. Paton: A Text Book of Jurisprudence
4. Karl N Llewellyn: Jurisprudence Realism in Theory and Practice
5. W. Friedman: Legal Theory 5th ed. London Stevens & Sons 1967
6. Dhyani: Fundamentals of Jurisprudence and Jurisprudence and Legal Theory
7. William Twining, General Jurisprudence: Understanding Law from a Global Perspective (Cambridge
8. University Press, 2009)
9. Amartya Sen, 'Idea of Justice'
10. Upendra Baxi, Marx, Law and Justice: Some Indian, Perspectives (1992)

( Students should attempt 4 Questions out of 6 Questions [ 4X20 = 80 ]

**SEMESTER I**  
**COURSE CODE: 102C**  
**COURSE TITLE: INDIAN CONSTITUTIONAL LAW: THE NEW CHALLENGES**  
**CREDIT: 6, MARKS: 100 (IA- 20, ESE- 80)**

**Course Outcome:**

1. Enable the students to understand the mechanism of judicial process of constitutional interpretation involves a technique of adapting the law to meet changing social needs
2. To understand the working of legal system and processes leads to constitutional developments
3. To study about new challenges and perspectives of constitutional developments

**UNIT I : Federalism**

Conceptual position of Federalism, Concept of Cooperative Federalism, Federalism and Nature of Indian Constitution, The inter-state disputes on resources, Center's responsibility and internal disturbance within States, Directions of the Centre to the State under Article 356 and 365, Federal comity: Relationship of trust and faith between Centre and State, Challenges before the Indian Federalism

**UNIT II: Right to Equality**

Modern Concept of Right to Equality, Empowerment of Women, Preferential Discrimination, The Scope of Equality under Indian Legal Mechanism and Challenges

**UNIT III: Emerging regime of new rights and remedies**

Reading Directive Principles and Fundamental Duties into Fundamental Rights, The Changing Dimension of Right to Life and Personal Liberty, Compensation jurisprudence, Right to Religion

**UNIT IV: Democratic Process**

Constitutionalism and Democracy, Freedom of Speech, Grass root democracy

**UNIT V: Working of the Constitution**

Achievements and failures. Areas of concern and challenges before the Constitution

**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

( Students should attempt 4 Questions out of 6 Questions [ 4X20 = 80 ]

**SEMESTER I**  
**COURSE CODE : 103E(Gr - A)**  
**COURSE TITLE :CORPORATE FINANCE**  
**CREDIT : 6, MARKS : 100 (IA- 20,ESE- 80)**

**Course Outcome:**

1. The focus of the study is to ascertain the growth of Corporate Law with the growth of changing patterns of growth of economy
2. To acquaint the students of the eco-legal perspectives and implications of such developments
3. To get a comprehensive knowledge of corporate management in the era of LPG
4. Enable the students to find out the intrinsic relationship in between CSR and Human Rights

**Unit I: Introduction**

Meaning, Importance and Scope of Corporation Finance  
Objectives of Corporation Finance

**Unit II: Equity, Debt Finance and Insider Trading**

Share Capital.  
Prospectus - Information Disclosure.  
Issue and Allotment.  
Shares without Monetary Consideration.  
Non-voting Equity Shares.  
Debentures: Nature, Issue and Class.  
Deposits and Acceptance.  
Creation of Charges,  
Fixed and Floating Charges,  
Mortgages.  
Convertible Debentures.  
Concept and Issues of Insider Trading.

**Unit III: Conservation of Corporate Finance and Corporate Fund Raising**

Regulation by Disclosure.  
Control on Payment of Dividends.  
Managerial Remuneration.  
Protection of Creditors.  
Preference in Payment.

Protection of Investors.

Individual Share Holder Right.

Corporate Membership Right.

Derivative Actions.

Qualified Membership Right.

Depositories - IDR (Indian Depository Receipts), ADR (American Depository Receipts), GDR (Global Depository Receipts).

Public Financing Institutions - IDBI, ICICI, IFC and SFC Mutual Fund and Other Collective Investment Schemes.

Institutional Investments - LIC, UTI and Banks FDI and NRI Investment - Foreign Institutional Investments (IMF and World Bank).

#### Unit IV: Administrative Regulation on Corporate Finance

Inspection of Accounts,

Audit and Role of Auditors,

Central Government Control,

Control by Registrar of Companies,

Reserve Bank of India(RBI) Control.

#### Suggested Readings:

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

**(Students should attempt 4 Questions out of 6 Questions [4X20 = 80])**

**SEMESTER I**  
**COURSE CODE: 104E (Gr - A)**  
**COURSE TITLE: BANKING LAW**  
**CREDIT: 6, MARKS : 100 (IA- 20,ESE- 80)**

**Course Outcome:**

1. Critical analysis of development of banking system, diversification of banks financing
2. Inquest about social control of the banking system
3. To acquaint the students with the conceptual and operational parameters of banking law
4. To grow in-depth knowledge about the judicial interpretation of banking laws and emerging dimensions of banking system.

**UNIT I :**

**Introduction**

**a. Nature and development of banking.**

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

**c. Multi-functional banks –growth and legal issues.**

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

- **Controls by government and its agencies.**

**a. On management.**

**b. On accounts and audit.**

**c. Lending.**

**d. Credit policy.**

**e. Reconstruction and reorganization.**

**f. Suspension and winding up.**

- **Contract between banker and customer : their rights and duties.**

**UNIT II :**

**Social Control over Banking**

**a. Nationalization.**

**b. Evaluation : private ownership, nationalization and disinvestment.**

**c. Protection of depositors.**

**d. Priority lending.**

**e. Promotion of underprivileged classes.**

**Deposit Insurance**

**a. The Deposit Insurance Corporation Act 1961 : objects and reasons.**

**b. Establishment of Capital of DIC.**

**c. Registration of banking companies insured banks, liability of DIC to depositors.**

**d. Relations between insured banks, DIC and Reserve Bank of India.**

**UNIT III :**

**The Central Bank**

- a. Evolution of Central Bank.
- b. Characteristics and functions.
- c. Economic and social objectives.
- d. The Central Bank and the State –as bankers" bank.
- e. The Reserve Bank of India: Organisational Structure, Functions

**Relationship of Banker and Customer**

- a. Legal character.
- b. Contract between banker and customer.
- c. Bankers" s lien.
- d. Protection of bankers.
- e. Customers.

**UNIT IV :**

**Negotiable Instruments**

- a. Meaning and kinds.
- b. Transfer and negotiations.
- c. Holder and holder in due course.
- d. Presentment and payment.
- e. Liabilities of parties.

**Lending by Banks**

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

**UNIT V :**

**Recent trends of Banking System in India**

- a. New technology
- b. Information technology
- c. Automation and legal aspects
- d. Automatic teller machine and use of internet
- e. Use of expert system
- f. Smart Card
- g. Credit cards

**Reforms in Indian Banking Law**

- a. Recommendations of committees a review

**Suggested Readings :**

1. M.L. Tannan, Tannan"s Banking Law and Practice in India., India Law House, New Delhi, Latest Edition.
2. L.C. Goyal, The Law of Banking and Bankers, Latest Edition, Eastern

( Students should attempt 4 Questions out of 6 Questions [ 4X20 = 80 ]

## SEMESTER I

COURSE CODE: 103E (Gr - B)

**COURSE TITLE: CONSTITUTIONAL PRINCIPLES, STRUCTURE & JUSTICE**

CREDIT : 6, MARKS : 100 (IA- 20, ESE- 80)

### Course Outcome:

1. To acquaint the students about the changing concept of sovereignty in the era of LPG
2. To know the new dimensions of Plurality, equality, federalism and justice
3. To aware the students about the role of law in the contemporary Indian society

**UNIT I:** Sovereignty, Parliamentary Sovereignty in Britain, Sovereignty in India Impact of Globalization on Sovereignty – Challenges and constraints

**UNIT II:** Pluralism, Equality in Plural society, Pluralism and International concern

**UNIT III:** Constitution–Form–Type of Government–Federalism–Features of Indian Federalism– Globalization and Indian Federalism–Constitution and response to social change.

**UNIT IV:** Constitutionalism: Meaning, Significance and Ingredients–Rule of Law–Challenges– Separation of Powers–Due Process–Procedure established by Law- Judicial review

**UNIT V:** Concept of Justice under Indian Constitution, Uniform Civil Code, Eminent domain

### 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. Mclewin, Constitutionalism Ancient and Modern
18. K.C. Wheare, Modern Constitutions

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**SEMESTER I**  
**COURSE CODE: 104E (Gr - B)**

**COURSE TITLE: ADMINISTRATIVE LAW & ADMINISTRATIVE PROCESS**

**CREDIT: 6, MARKS: 100 (IA- 20, ESE- 80)**

**Course Outcome:**

1. To understand the new norms of relationship in between state and its citizens in the modern world.
2. To have an in-depth inquest about the impact of modern constitutional values upon the standards of administrative behavior
3. To assess the operation and changing pattern of administrative behaviour

**UNIT I :**           **Scope and Development of Administrative Law**  
**Administrative Law-Definition, Nature, Scope and Functions, Reasons for Growth of Administrative Law, Administrative Process: Regulation to De-regulation and Control to Decontrol-Globalization and Liberalization**

**UNIT II :**           **Administrative Functions and Discretion**  
**Classification of Administrative Functions, Administrative Discretion, Separation of Power, Principles of Natural Justice- Comparative Study- India, U.S.A., U.K., France, Germany**

**UNIT III :**           **Growth and Development of Delegated Legislation**  
**Delegated Legislation**  
**Importance, Need and Constitutionality of Delegated Legislation**  
**Conditional Legislation**  
**Controls on Delegated Legislation**  
**Parliamentary Control**  
**Judicial Control**

**UNIT IV :**           **Transparency and Accountability**  
**Lokpal and Lokayukt**  
**Right to Information**  
**Vigilance Commission**  
**Comptroller and Auditor -General of India**  
**Commissions of Inquiry**

**UNIT V :**           **Administrative Discretion**  
**Scope, object and genesis of Administrative Discretion**

**Control over Administrative discretion -remedies against Administrative wrongs –  
changing dimensions,**

**Suggested Readings:**

- 1.M. P. Jain & S. N. Jain -Principles of Administrative Law, 6thEdition 2001, Publication-Lexis NexisButterworth"sWadawa 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,Newyork.
- 4.Garner"s –Administrative Law, 8<sup>th</sup>Edition 1996, Oxford University Press
- 5.De Smith -Judicial Review of Administrative Action, 6th RevisedEdition 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.SubbaRao G C V-Administrative law

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**SEMESTER I**  
**COURSE CODE :106CF**  
**COURSE TITLE :COMMUNICATIVE SKILL AND PERSONALITY DEVELOPMENT**  
**CREDIT :1, MARKS : 50 (IA- 50)**

## SEMESTER II

COURSE CODE: 201C

**COURSE TITLE: LAW AND SOCIAL TRANSFORMATION IN INDIA**

CREDIT: 6, MARKS: 100 (IA- 20, ESE- 80)

### Course Outcome:

1. To enable the student to acquire comprehensive knowledge about Indian approaches to social and economic problems in the changing contemporary society
2. A spirit of inquiry to explore and exploit law and legal institutions as a means to achieve development within the framework of law
3. The endeavour is to make the students aware of the role the law has played and has to play in the contemporary Indian society

### UNIT I :

#### Law and Social Change

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.

### UNIT II : Community, Religion and the law

Caste as a divisive factor, Non-discrimination on the ground of caste, Acceptance of Caste as a factor to undo past injustices, Protected 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.

### UNIT III :

#### Women, Children and the law

Crimes against women, Gender injustice and its various forms Women's commission, Empowerment of women: Constitutional and other legal provisions, child labour, Adoption and related problems, Children and education.

### UNIT IV :

#### Modernization and the law

Modernization as a value: Constitutional perspectives reflected in the fundamental duties, Democratic decentralization and local self government, Modernization of social institutions through law

### UNIT V: Alternative approaches to law

The jurisprudence of Sarvodaya— Gandhiji, Vinoba Bhave; Jayaprakash Narayan, Gramanyalayas

### **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.Bixi (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 KiranDeshta, Law and Menace of child Labour (2000) ArmolPublications, Delhi.**
- 10. SavitriGunasekhare, 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 andBroadcasting. 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 inIndia (1999), Oxford**

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**SEMESTER II**  
**COURSE CODE : 202C**

**COURSE TITLE : RESEARCH METHODOLOGY I**

**CREDIT : 6, MARKS : 100 (IA- 20,ESE- 80)**

**Course Outcome:**

Growth of legal science in India depends on the nature and career of legal research. The syllabus is designed to develop skills in research and writing in a systematic manner. It is framed with an intention to produce the future academicians, jurists and lawyers with better competence and expertise. Research methods and Legal Writing course introduces the students to the world of academic legal research and legal writing.

**UNIT I :**

**Introduction**

**Significance of Research**

**Meaning and concept of research**

**Scientific Methods & Legal Research**

**Socio-legal research and legal research models**

**Doctrinal and non-doctrinal research**

**Significance of empirical research**

**Qualitative and Quantitative Research**

**Research Problem**

**UNIT II :**

**Research Design and its components**

**Literature Review including juristic Writings, judicial decisions, Legislative materials, reports and conflicts in the area pertaining to research**

**Hypothesis: Its role, definition, criteria of a workable hypothesis and its sources.**

**Major steps of preparation of research design.**

**Research tools**

**Observation, Interview, Questionnaire**

**(Utility and limitations and methods of using these tools)**

**UNIT III :**

**Research Techniques**

**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.

**UNIT IV :**

**Data Processing**

Data Collection, Data processing and analysis and interpretation of data.

Socio-metrics and Jurimetrics.

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.

**UNIT V :**

**Report writing**

Research report & techniques of writing research work.

Citation rules and modes of legal writing.

**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)

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**SEMESTER II**  
**COURSE CODE :203E(Gr - A)**  
**COURSE TITLE :LAW OF SECURITIES**  
**CREDIT : 6, MARKS : 100 (IA- 20,ESE- 80)**

**Course Outcome:**

1. To acquaint with historical development of securities and derivative market and regulation of securities and derivative market by State.
2. To appreciate the scheme of securities regulation and the rationale behind various statutory or regulatory requirements.
3. To know the limitations on the contracting power and the system of checks and balances.
4. To examine the nature, scope and the constitutional validity of adjudicatory mechanism under the securities and derivatives laws and its functioning.
5. To understand how corporate debt finance is being regulated by the state.
6. To understand the role, power and functions of the regulator and the self regulatory organisations.

**UNIT I :**

**Introduction**

**Understanding and assessment of Industrial Psychology, CSR and Human Rights Education, Capital market and its role, Origin and development of capital market regulation in general and in India in particular**

**UNIT II :**

**Introduction to Securities and Securities Market**

**An overview of capital market and its role, relevance and significance in an emerging economy like India, kinds of markets, Market Intermediaries: Role, Significance and their relationship with the stock exchanges, Origin and development of capital market regulation in general and in India in particular**

**UNIT III :**

**Securities: Meaning and Scope**

**Meaning & scope of Securities, Kinds: Equity, Debt and Hybrid Securities and other Modern Securities/Interests including Mutual Funds**

**UNIT IV :**

**Securities Regulations**

**Constitutional provisions with respect to securities regulation, The Legislative scheme and the By-Laws with respect to securities market, IOSCO Principles on Securities Market Regulation, Investor protection, empowering the investors with information**

**UNIT V :**

**Regulatory Authorities in India**

**Ministry of Corporate Affairs, Origin of SEBI: Composition, Power and Function, Stock Exchanges, Risk Appraisal and Credit Rating Agencies, Regulations Relating to Market Intermediaries**

**Suggested readings:**

1. The Securities and Exchange Board of India Act, 1992
2. The Securities Contract (Regulation) Act, 1956
3. The Depositories Act, 1996
4. The Securities Contract (Regulation) Rules, 1957
5. The Hague Convention on Securities Held with Intermediaries, December 2002
6. Objectives and Principles of Securities Regulation, International Organization of Securities Commissions, May 2003
7. Declaration on Cooperation and Supervision of International Futures Markets and Clearing Organisations (The Boca Declaration of March 15, 1996)
8. Sumit Agarwal and Robin J. Baby, The SEBI Act, 1992, Taxmann (2011).
9. Stephen M. Bainbridge, Securities Laws Insider Trading, Foundation Press (2009)
10. James D. Cox et al., Securities Regulation Cases and Materials, Aspen (6th Ed., 2009)
11. John C. Coffee, Jr. and Hillary A. Sale, Securities Regulation, Thomson West (11th Ed., 2010)
12. Stephen Choi & A.C. Pritchard, Securities Regulation: Essentials Series, Aspen Publishers (2008)
13. Larry D. Soderquist and Theresa Gabaldon, Securities Law: Concepts and Insights Series, Foundation Press (2007)
14. Philip R. Wood, Set Off and Netting, Derivatives, Clearing Systems, The Law and Practice of Int'l Finance Series, Thomson Sweet and Maxwell

**( Students should attempt 4 Questions out of 6 Questions [ 4X20 = 80 ]**

**SEMESTER II**  
**COURSE CODE: 204E (Gr - A)**  
**COURSE TITLE: COMPETITION LAW**  
**CREDIT: 6, MARKS: 100 (IA- 20, ESE- 80)**

**Course Outcome:**

1. To study the evolution and development and the need for competition law.
2. To study the law applicable to anti-competitive agreements about abuse of dominant position.
3. To study and critically analyse judicial interpretations competition laws.
4. To study the interface between the International competition law and the domestic law of competition.
5. To analyse the contemporary issues involved in application of competition law.
6. To learn to conduct guided research in a focussed area of the subject and to analyse how it ensure consumer justice
7. To learn to write a standard research paper based on extensive analysis of materials and synthesis

**UNIT I :**

**MRTP Act metamorphoses into the Competition Act**  
**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**

**UNIT II :**

**Competition Act, 2002**  
**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**

**UNIT III :**

**Competition Policy and IPR**  
**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**

**UNITIV: Competition Policy and Consumer Protection**

**Consumer justice under Competition Law and Consumer Protection Act in India, Laws dealing with consumer complaints, Conceptual Study of Relevant Supreme Court Decisions**

**UNITV:**

**WTO and its impact on Competition Laws with reference to UNCTAD**

**International Dimensions of Competition Law Globalization and competition law**

**Competition rules of WTO**

**International enforcement and Judicial assistance**

**Emerging principles of international competition law**

**Doctrine of Exhaustion: under the legal regime of EU, USA and India**

**Competition Policy: Conceptual Study on the Decisions under US Anti-Trust Laws and the U.K**

**Suggested Readings :**

1. Avtar Singh; Competition Law; Eastern Law House, 2012-
2. Competition Law in India; Srinivasan Parthsarthy; 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.

**( Students should attempt 4 Questions out of 6 Questions [ 4X20 = 80 ]**

**SEMESTER II**  
**COURSE CODE :203E (Gr - B)**

**COURSE TITLE: REGULATORY MECHANISM ON ADMINISTRATIVE ACTION**

CREDIT : 6, MARKS : 100 (IA- 20,ESE- 80)

**Course Outcome:**

1. To study the evolution and development of Regulatory mechanism on Administrative Action
2. To critically analyse the Judicial control on administrative action
3. To make an inquest about Administrative discretion, Natural Justice, public policy etc.

**UNIT I :** General principles of judicial review- courts as the final authority to determine the legality of administrative action- problems and perspectives.

**UNIT II :** Grounds of judicial review- scope of judicial review- jurisdictional error- error of law- Procedural fairness- violation of public policy- writ jurisdictions, exhaustion of alternative remedies- res judicata.

**UNIT III :** Natural justice – Conceptual Analysis – Meaning of Bias and Malafides – Kinds of Bias – Safeguard against Bias – Remedies against Biased or Malicious orders –ingredients of fair hearing,

**UNIT IV :** Administrative Tribunals, Domestic Inquiries, Administrative Finality, PIL

**UNIT V :** Role of Declaratory Decree as Public Law Remedy;  
Role of Injunction as Public Law Remedy

**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. 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, 7<sup>th</sup> Edition 2006. Lexis Nexis, Butterworth's Publication.
8. Richard J Pierce & Kenneth Culp Davis Administrative law treatise

SEMESTER II

COURSE CODE :204E(Gr - B)

COURSE TITLE :COMPARATIVE ADMINISTRATIVE LAW

CREDIT : 6, MARKS : 100 (IA- 20,ESE- 80)

Course Outcome:

1. The course focuses on developments in Indian administrative law from a comparative angle
2. The course gives emphasis on judicial review, Right to Information, Government Liabilities for torts, remedies against administrative inaction on the basis of a comparative study.

**UNIT I :** Evolution of Administrative Law in England – Administrative Law and Constitutional Law – relationship –Reasons for growth of administrative law – Development of Administrative Law in India as part of Constitutional law – Administrative Law and Fundamental Rights – Equality

**UNIT II :** Merits of French Administrative Law, Remedies available under French and Indian Administrative Law,

**UNIT III :** Availability of Judicial Review in the United States-

- a. Doctrine of Primary Jurisdiction;
- b. Doctrine of Exhaustion of Administrative Remedies;
- c. Doctrine of Standing;
- d. Doctrine of Ripeness

**UNIT IV :** Government liability for torts committed by its employees in Great Britain, France and India, Promissory Estoppel in Great Britain and India, Doctrine of Legitimate Expectation in India and Great Britain

**UNIT V:** State privilege to refuse Production of documents in Courts in Great Britain and India, Right to Information in India & UK, The Official Secrets Act, 1923 (India)

**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 Constitutional Law of India
7. Radhakumud Mookerji, Local Government in Ancient India (1985), Daya Publishing Delhi.

( Students should attempt 4 Questions out of 6 Questions [ 4X20 = 80 ]

**SEMESTER II**

**COURSE CODE :205EF**

**COURSE TITLE :VALUE EDUCATION AND HUMAN RIGHTS**

**CREDIT :1, MARKS :50 (IA - 50)**

- 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*, Busto: 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. Hoffman and L.W. Hoffman (eds) *Review of Child Development Research*, Vol.1, New York: Russell Sage.
6. Kohlberg, L. (1969), *Stage and sequence*, in D.A. Goslin (ed) *Handbook of Socialization Theory and Research*, Chicago: Rand McNally.
7. Morris, Charles W. (1956). *Varieties of Human Values*. Chicago: University of Chicago Press.
8. Piaget, J. (1960). *The Moral Judgment of the Child*. New York: Free Press
9. Shukla, R.P.(2005). *Value Education and Human Rights*. Sarup& Sons, New Delhi
10. *Value Education*. Manish Prakashan , Plat No. 26, Rohit Nagar Colony, Baranasi Hindu University , Varanasi.
11. M.G.Chitakra: *Education and Human Values*, A.P.H.Publishing Corporation, New Delhi- 12, 2003
12. Bandiste, D.D.: *Humanist Values: A Source Book*, B.R.Publishing Corporation, Delhi, 1999
13. Ruhela, S.P. : *Human Values and education*, Sterling Publications, New Delhi, 1986
14. Kaul, G.N.: *Values and Education in Independent Indian*, Associated Publishers, Mumbai, 1975
15. NCERT, *Education in Values*, New Delhi, 1992
16. Swami Budhananda (1983) *How to Build Character A Primer : Ramakrishna Mission, Belur Math*,
17. *A Cultural Heritage of India (4 Vols.)*, BharatiyaVidyaBhavan, Bombay. (Selected Chapters only)
18. *For Life, For the future : Reserves and Remains – UNESCO Publication*
19. *Values, A Vedanta Kesari Presentation*, Sri Ramakrishna Math, Chennai, 1996
20. Swami Vivekananda, *Youth and Modern India*, Ramakrishna Mission, Chennai
21. Swami Vivekananda, *Call to the Youth for Nation Building*, AdvaitaAshrama, Calcutta

**SEMESTER III**

**COURSE CODE : 301C**

**COURSE TITLE : JUDICIAL PROCESS**

**CREDIT : 6, MARKS : 100 (IA- 20, ESE- 80)**

**Course Outcome:**

1. To enable the students to analyse and evaluate the legal process from a broader juristic perspective.
2. to study the nature of judicial process as an instrument of social ordering
3. This paper exposes the intricacies of judicial creativity and the judicial tools and techniques employed in the process.
4. It familiarise the students with various theories, different aspects and alternative ways, of attaining justice.

**UNIT I:**

**Nature of Judicial process and its role in constitutional adjudication**

**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.**

**Notions of Judicial Review**

**Is Judicial Review same as Judicial Activism?**

**Judicial Activism and Judicial Self Restraint**

**Problem of Accountability in judicial law-making**

**UNIT III: Judicial Process in India**

**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**

**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**

## **UNIT V :**

### **The Concepts of Justice**

**The concept of justice or Dharma in Indian thought**

**Dharma as the foundation of legal ordering in Indian thought**

**The concept and various theories of justice in the western thought**

**Various theoretical bases of justice: the liberal contractual tradition, the liberal utilitarian tradition and the liberal moral tradition**

### **Suggested Readings :**

1. Cordozo 'The Nature of Judicial Process(1995). Universal Law Publishing Co., NewDelhi
2. Julius Stone.The Province and Function of LawCh.1, PP 8-16, (2000) Universal LawPublishing 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.UpendraBaxi, 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.UpendraBaxi, "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. AmartyaSen, 'Idea of Justice'

**( Students should attempt 4 Questions out of 6 Questions [ 4X20 = 80 ]**

SEMESTER III  
COURSE CODE: 302C

**COURSE TITLE: RESEARCH METHODOLOGY II (PRACTICAL)**

CREDIT : 6, MARKS : 100 (IA- 100)

Course Outcome:

1. This Course trains the students how to identify a research problem and to proceed with the research.
2. To acquaint the students with the use of empirical research methods and to encourage them to use such empirical methods in legal research
3. To train them in proper legal writing and foot noting, editing etc
4. To expand the research skills
5. To enable them to gain practical knowledge by involving in legal aid clinic and teaching

**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 are 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 are engaging LL.M. Classes regularly.

**Note:** Only a single topic will be assigned to each student for project work which should be consists of both doctrinal and non- doctrinal research work and comprises of 40 marks as a combination of unit I and unit II mentioned above.

**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 organisation, tackling of labour 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.

**Suggested Readings :**

1. Sami Pathasarathy, Corporate Governance, Principles, Mechanisms and Practice
2. Dimple Grover, AmulyaKhurana, Ravi Shankar, The Regulatory Norms of Corporate Governance in India.
3. SadhalaxmiVivek 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. ChristineMallin, International Corporate Governance-A case Study approach
9. FrederickLipman& Keith Lipman, Corporate Governance Best Practices, Strategies for Public,Private and NGO

## SEMESTER-III

COURSE CODE: 303E (Gr - A)

**COURSE TITLE: INSURANCE LAW**

CREDIT: 6, MARKS: 100 (IA- 20, ESE- 80)

### Course Outcome:

1. To study the evolution and development of law of insurance
2. To study laws applicable to insurance contracts
3. To analyse the contemporary issues involved in the regulatory framework of insurance sector
4. To study and critically analyse judicial interpretations of insurance contracts
5. To learn to conduct guided research in a focussed area of the subject and to present the findings in a clear and structured manner, both verbally and in writing; and

#### UNIT I :

Introduction

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,

Contract of insurance-definition, nature of contract including Contract of Indemnity and Wager

#### UNIT II :

Insurable interest

Nature of Insurable interest – Time or Duration of Interest

Insurable Interest and Life Insurance

Insurable Interest and Fire Insurance

Insurable interest and insurable value in Marine Insurance

#### UNIT III:

The Risk

The risk-commencement, attachment, duration

Circumstances affecting the risk in Life Insurance

Premium

Assignment and alteration

Warranties and disclosures

Warranties in Marine Insurance

Insurance intermediaries

**UNIT IV:**

**Life Insurance and Marine Insurance**

**(a) Life Insurance –**

**Nature and scope**

**Event insured against in Life Insurance**

**Amount recoverable under life policy**

**Persons entitled to payment**

**Settlement of Claim and Payment of Money**

**(b) Marine Insurance –**

**Classification of marine policies**

**Voyage-deviation**

**Perils at sea**

**Loss**

**UNIT V :**

**Insurance against Third Party Risk**

**(a) Motor Vehicles Act 1988 –**

**Nature and scope**

**Effect of insolvency or death on claims**

**Claims Tribunal-constitution, functions, application for compensation, procedure,**

**powers and award**

**(b) Public Liability Insurance Act 1991**

**(c) Fatal Accidents Act 1855**

**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

**(Students should attempt 4 Questions out of 6 Questions [4X20 = 80])**

**SEMESTER III**  
**COURSE CODE: 303E (Gr – B)**  
**COURSE TITLE: ELECTORAL PROCESS AND LAW**  
**CREDIT: 6, MARKS : 100 (IA- 20,ESE- 80)**

**Course Outcome:**

1. To study about importance of elections in democratic process
2. To make a comparative study about Right to vote and electoral system
3. To inculcate the values of democracy and to establish the culture of pluralism

**UNIT I :**

**Role of Elections in democratic process**  
**Different systems of representation of people**  
**Electoral system under the Constitution**

**UNIT II :**

**The Concept of democratic decentralization-Attempts to establish Panchayati Raj**  
**Institutions in India, Parliamentary democracy and evolution of parliamentary**  
**privileges - values of democracy - freedom of speech and expression - evolution of**  
**parliamentary privileges- development**

**UNIT III:**

**Powers and functions of Election Commission**  
**Role of political parties in Indian electoral system**  
**Anti-Defection laws**

**UNIT IV :**

**Measures to reduce the influence of money power and other mal practices**  
**Reservation of seats to minorities, backward classes and women, Concept of Model**  
**Code of Conduct**

**UNIT V :**

**Right to Vote and process of casting vote- A comparative study based on UK, USA and**  
**India**

**Suggested Readings :**

1. L.P Singh: Electoral Reforms
2. Chawla : Electoral Law and Practice
3. Robert Blackburn : Electoral System in Britain
4. SubhashKashyap : Anti-Defection Law and Parliamentary Privileges

5. VeerenderGrover :Electors, Electoral mechanism and Behavior in India
6. K.C Sunny: Corrupt Practices in Elections

( Students should attempt 4 Questions out of 6 Questions [ 4X20 = 80 ]

**SEMESTER III**  
**COURSE CODE : 306EID**  
**COURSE TITLE : INTELLECTUAL PROPERTY RIGHTS LAW**  
**CREDIT : 4, MARKS : 50 (IA- 10,ESE- 40)**

**Course Outcome:**

1. This course gives the idea about the Intellectual property rights to the students of Post Graduate apart from Law as it is a Choice based Elective Course- Minor other than Department
2. This course enable the students to know about the basics of copyright, patent, trade mark etc. which help them to aware about the matter of Plagiarism, to protect their copy right as originator of any works, to claim patent- when and why and the allied matters come under the gamut of IPR.

<b>UNIT I :</b>	<b>Concept of IPR- Need of IPR- genesis and development- IPR in Indian Legal System</b>
<b>UNIT II :</b>	<b>Concept of Patents- Kind of Invention protected by patent- granting of Patent- Registration of Patent- Patent Right</b>
<b>UNIT III :</b>	<b>Introduction of Copyright- the matters covered under Copyright- Duration of copyright- need for protection of copyright – rights of the copyright holder</b>
<b>UNIT IV :</b>	<b>Concept of Trade mark- Rights of Trade Mark- Difference between Trade Mark and Industrial Design- Need for protection of Trade Mark and Industrial Design</b>
<b>UNIT V :</b>	<b>Nature and Concept of Geographical Indication- Indian Legal System and G.I.</b>

**Suggested Readings :**

- 1.Melville B. Nimmer- Copyright and other aspects of literary, musical and Artistic Works, 2<sup>nd</sup>Edn.
- 2.Baxi,U. - The Law of Intellectual Property: Copyright law in India (1989)
- 3.P. Narayanan- Copyright and Industrial Design, 2<sup>nd</sup>Edn., 1995
4. P. Narayanan-Trademark, Trade name and Passing off cases,2<sup>nd</sup>Edn. Vol.I& II, 1997

5. Thairani, K.- Copyright: The Indian experience (1987)
6. Lal's Copyright Act, 3<sup>rd</sup> Edn. 1995, Law Publications
7. Cornish, W.R.- Intellectual Property (1981), Second Indian reprint, 1993, Universal Book Traders, Delhi.
8. Law and Practice of Intellectual Property in India, 1999.

(Students should attempt 20 Questions out of 25 Questions [20 X2 = 40])

## SEMESTER IV

COURSE CODE: 401C

**COURSE TITLE: DISSERTATION**

CREDIT: 4, MARKS: 150 (ESE- 100+50)

### **UNIT I : Dissertation ( Submission of Research Paper ) : 100 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 in-depth 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. Chapterisation

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

- Cover
- Cover Page
- 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 :402E(Gr - A)

**COURSE TITLE :CORPORATE GOVERNANCE**

CREDIT : 6, MARKS : 100 (IA- 20,ESE- 80)

### Course Outcome:

1. To study the scope and objectives of corporate governance.
2. To study structures and models of corporate governance.
3. To appreciate the model of corporate governance under the Indian Laws.
4. To critically evaluate the corporate governance mechanism available under the Indian Laws.
5. To study the developments and challenges relating to corporate governance in India.

**UNIT I :** Introduction to Corporate Governance  
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

**UNIT II :** Corporate Governance mechanism  
Issues related to corporate governance  
Decision system  
Corporate capital and property rights  
Ownership, Capital, and Creditor structure  
Performance and remuneration system

**UNIT III :** Board of Directors  
Directors under Companies Act  
SEBI regulation  
Corporate Fraud and crimes

Succession and Risk management  
Whistle blower  
Clause 49 of Listing Agreement  
International Corporate Governance

**UNIT IV :** Investigations into the affairs of the Company, The Regulation of Global multinational enterprises (MNEs) through Company law, Corporate Governance and MNEs, The Environmental Issues and MNEs, Industrial Accidents and the Problem of Corporate Veil

**UNIT V :** Corporate Social Responsibility  
Evolution of the concept,  
Dimensions of CSR  
Legislations and CSR

**Suggested Readings :**

1. Sami Pathasarathy, Corporate Governance, Principles, Mechanisms and Practice
2. Dimple Grover, AmulyaKhurana, Ravi Shankar, The Regulatory Norms of Corporate Governance in India.
3. SadhalaxmiVivek 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. ChristineMallin, International Corporate Governance-A case Study approach
9. FrederickLipman& Keith Lipman, Corporate Governance Best Practices, Strategies for Public,Private and NGO

( Students should attempt 4 Questions out of 6 Questions [ 4X20 = 80 ]

**SEMESTER IV**  
**COURSE CODE :402E (Gr - B)**

**COURSE TITLE :ENVIRONMENTAL GOVERNANCE**

**CREDIT : 6, MARKS : 100 (IA- 20,ESE- 80)**

**Course Outcome:**

1. To enable the students to critically analyse the development of International Environmental Law
2. To determine the intrinsic relationship in between right to development and human right
3. Conceptualisation of environmental governance and sustainable development both from the angle of eco-centric and anthropocentric approach
4. To critically discuss about the environmental liabilities and the environmental challenges

<b>UNIT I :</b>	<b>Basic Feature of International Environmental Law – Evolution, Development and Current position including important Summits and Conventions to curb environmental pollution, climate change</b>
<b>UNIT II :</b>	<b>Environmental Liability and Right to development</b>
<b>UNIT III :</b>	<b>The Human Right to Water - Managing Surface Water Resources - Principle of Riparian's - Groundwater</b>
<b>UNIT IV :</b>	<b>Sustainable Development and Governance</b>
<b>UNIT V :</b>	<b>Indian Constitutional Mechanism, Statutory Mandates and protection of Environment- Role of Green Tribunal</b>

**Suggested Readings :**

1. Macrory (2010) *Regulation, Enforcement and Governance in Environmental Law* (Hart Publishing Paperback)
2. Holder and Lee, *Environmental Protection, Law and Policy* (Cambridge University Press, 2007)

3. *Ball and Bell on Environmental Law* (OUP 7th ed.)
4. Birnie Patricia , Boyle Alan and Redgwell Catherine , *International Law and the Environment* , 3<sup>rd</sup> edition , Oxford University Press.
5. Stranks Jeremy, *The A-z of the Environment*, Viva Books Publication
6. Elliott David , *Nuclear or not ? Does Nuclear Power have a place in a Sustainable Energy Future?* Publisher ,-Palgrave macmillan.
7. Ramaswamy R Iyer, *Water and the Laws in India* (Centre for Policy Research, New Delhi, Sage Publications 2009).
8. Chhatrapati Singh, *Water Law in India* (Indian Law Institute)
9. Alice Jacob, *Law Relating to Irrigation in India* (Indian Law Institute).
10. Jain, S. N., Alice Jacob, and Subash C. Jain (1971), *Interstate Water Disputes in India: Suggestions for Reform of Law* (New Delhi: The Indian Law Institute)
11. Rao, D. S. (1998), *Inter-State Water Disputes in India: Constitutional and Statutory Provisions and Settlement Machinery*.
12. M.S. Vani, *Role of Panchayat Institutions in Irrigation Management: Law & Policy, 1992*
13. Leelakrishnan P, *Environmental Law in India*, Lexis Nexis- New Delhi
14. ShyamDiwan, Armin Rosencranz, *Environmental Law and Policy in India*, Oxford

( Students should attempt 4 Questions out of 6 Questions [ 4X20 = 80 ]

*Soni*  
12/12/21  
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