



REGULATIONS OF 2 YEAR LL.M COURSE
Effective from 2023 – 2025 Session

BANKURA UNIVERSITY
BANKURA
WEST BENGAL

BANKURA UNIVERSITY

Department of Law

2 year LL.M. Course (Choice Based Credit System) Curriculum effective from 2019 – 2021 Session

REGULATIONS

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

2) Preamble of the Syllabus:

Master of Law is a Post- Graduation course of Bankura University of West Bengal. 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 course would have to develop in depth understanding of various aspects of the subject.

3) Definitions:

In these Regulations, unless the context otherwise requires –

- a. 'Departmental Committee' means the Committee constituted under these Regulations;
- 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 weight. 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 course other than Specialization / Choice Based Electives, are considered as Core course;
- 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.
- l. 'Programme' means the Master of Laws (LL.M.) programme conducted by the Bankura 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 five 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.

4) Duration and Scheme:-

- a. The programme for the Master of Laws (LL.M.) Degree of the University is of two academic year consisting of four semesters. Each semester will be comprises 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. A student have to earn 24 credits in each semester. One credit is equivalent to one hour of teaching per week or two hours of practical work / field work per week. Credits successfully completed over and above the mandatory requirement for the degree shall not be reflected in the calculation of either SGPA or CGPA at the request of the student in writing at the end of each semester at an appropriate time after the declaration of results and before the issuance of mark-list / grade card and degree certificate.
- 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 is Optional courses leading to specialization in a discipline, apart from the Dissertation and Viva-Voce as per the curriculum. Student also undergoes instruction in One Elective Open course which is also Optional and may be chosen from an unrelated discipline.

5) Eligibility:

The candidate should have completed 5 year B.A.LL.B. / 3 year LL.B. (Bachelor Degree of Law) and its equivalent degree. General candidate has obtained at least 45% marks in 5 year B.A.,LL.B or 3 year LL.B and for SC and ST 40%.

6) Admission:

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

Intake: There shall be a basic unit of twenty five (25) students.

7) Instructions for the Students:

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

- a. A minimum of 75 % attendance for lectures / practical is the pre-requisite 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.

d. The language of teaching and examination is in English.

8) Examination and Evaluation:

a.Every core paper and major elective paper shall carry 100 marks out of which 80 marks are for End Semester Examination and 20 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 20 marks under Internal Assessment shall be in the following proportion:

i. Class performance: 5

ii. Assignment:10

iii. Seminar: 5

Total 20

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

Assignment -Maximum 2 Assignments in each subject and each Assignment shall not be for more than 5 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 150 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 80 marks consists of 6 essay questions. The candidate may choose to write any four questions out of six questions. Each question carries 20 marks.

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 the 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.

There shall be no qualifying marks for Internal assessment but the candidates shall have to appear at the said part of the examinations. The qualifying marks for each course shall be 45% and in the aggregate of Sem I to Sem IV it shall be 50% of the total marks i.e. 1400.

If a candidate fails to secure qualifying marks of each paper in a particular semester examination his/her result will be declared as 'SNC' (i.e., Semester Not Cleared). Final Semester will not be cleared till other Semester is cleared.

To qualify for position in the merit list a candidate shall have to pass all the semesters in his/her due first original chances.

The back papers of the first semester shall only be cleared with the regular semester examinations in the next academic session.

A student shall be allowed a maximum of consecutive four years to complete the 2 year LL.M Course of the University.

The result of semester IV examination shall be kept withheld unless a candidate has cleared all the semesters within the prescribed chances. He/she would be declared to have passed the Final Examinations in the year in which he/she clears his/her all semesters.

- i) After the gain of minimum number of credits towards a completion of a PG programme, a student will get a grade sheet with total grades earned and a grade point average.

9) Rules for Review:

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:

a) 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.

b) 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.

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 – Corporate Law
Group B – Constitutional and Administrative Law

SEMESTER I					
COURSE CODE	COURSE TITLE	CREDIT	MARKS		
			I.A	ESE	TOTAL
101 C	Jurisprudence	6	20	80	100
102C	Indian Constitutional Law : The New Challenges	6	20	80	100
103E(Gr.A)	Corporate Finance	6	20	80	100
104E(Gr.A)	Banking Law	6	20	80	100
103E(Gr.B)	Constitutional Principles , Structure& Justice	6	20	80	100
104E(Gr.B)	Administrative Law& Administrative Process	6	20	80	100
106CF	Communicative Skill and Personality Development	1	50*		50*

***Candidates are required to obtain Satisfactory or Not Satisfactory to become eligible for the final semester examination.**

SEMESTER II					
COURSE CODE	COURSE TITLE	CREDITS	MARKS		
			I.A	ESE	TOTAL
201C	Law and Social Transformation in India	6	20	80	100
202C	Research Methodology I	6	20	80	100
203E(Gr-A)	Law of Securities	6	20	80	100
204E(Gr-A)	Competition Law	6	20	80	100
203E(Gr-B)	Regulatory Mechanism on Administrative Action	6	20	80	100
204E(Gr-B)	Comparative Administrative Law	6	20	80	100
206EF**	i.Yoga and Life Skills Education ii.Value Education and Human Rights	1	50*		50*

****Students can opt any one of the subjects.**

SEMESTER III					
COURSE CODE	COURSE TITLE	CREDITS	MARKS		
			I.A	ESE	TOTAL
301C	Judicial Process	6	20	80	100
302C	Research Methodology II (PRACTICAL)	6	40+20+40		100
303E(Gr-A)	Insurance Law	6	20	80	100
303E(Gr-B)	Electoral Process and Law	6	20	80	100
305EID	Intellectual Property Rights Law	4	10	40	50

SEMESTER IV					
COURSE CODE	COURSE TITLE	CREDITS	MARKS		
			I.A.	ESE	TOTAL
401C	Dissertation	4	NIL	100+50	150
402E(Gr- A)	Corporate Governance	6	20	80	100
402E (Gr- B)	Environmental Governance	6	20	80	100
GRAND TOTAL OF 2 year LL.M COURSE					
Semester		Credit	Marks		
I		24	400		
II		24	400		
III		22	350		
IV		10	250		
TOTAL		80	1400		

PROGRAMME OUTCOMES (POs) OF LL.M DEGREE COURSE

1. To enable the students to be proficient to use the fundamental principle in law and its Jurisprudence.
2. Identify the social, economic, cultural and political issues in law and to relate the same with the academic knowledge so as to find out an effective solution of a legal problem.
3. Explore the abilities of the students towards research and review of the legal norms, education and interdisciplinary activities
4. To inculcate the ethical , professional responsibilities and the norms of advocacy
5. To study the functional approach of law so that law can be made as a vehicle of social transformation.
6. Students are equipped with the knowledge of teaching methods through the subject on Teaching Pedagogy so as to enable them to enter the teaching profession
7. Interpret and analyse the legal problem with a practical point of view so as to bring a radical approach within society.

PROGRAM SPECIFIC OUTCOMES (PSOs) OF LL.M.DEGREE COURSE

1. Ability of the students to analyse the legal problems from practical point of view by applying their prudence and work towards finding solutions to the problems by application of apt legal norms.
2. To orient the skills of the students in such an way so that they can effectively deal with the fast changing business, administrative set up and legal environment
3. To get the students acquainted with the rapid changes happening within legal arena so as to solve multi-disciplinary legal problems.
4. To grow proper orientation towards legal education to become a skilled law teacher.

CAREER PROSPECTS OF LL.M DEGREE COURSE

1. The programme grooms the learners to teach law for academic and professional purposes in academic institutions, corporate sectors, research institutes and various other administrative and professional bodies.
2. To involve in legal practices with more clear legal concepts, orientations and skills .
3. It focuses to hone their critical and analytical skills in such a way so that they easily compete in different professional exams to become professional experts, Jurists, Judges, Law officers etc.
4. The students after completion of the programme may join different NGOs, MNCs, trusts, International Organisations including UN bodies.

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 inquire multiple strata at which law, justice and society intersect
3. To analyze 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. Dias: 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. AmartyaSens, 'Idea of Justice'**
- 10.UpendraBaxi, 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' 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

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

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, 7thEdition 2008. Publication-Eastern Book Company, Lucknow.
- 3.H.W.R. Wade and C.F. Forsyth -Administrative Law, 10thEdition 2009, Publication-Oxford University Press,Newyork.
- 4.Garner"s –Administrative Law, 8thEdition 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, 7thEdition 2006. Lexis Nexis, Butterworth"s Publication.
- 7.Richard J Pierce & Kenneth Culp Davis Administrative law treatise
- 8.SubbaRao G C V-Administrative law

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

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, Theoretic Models of Social Transformation.

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, Secularism and Right to Religion, Reform of the law on Secular Lines, 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 — Reforms in Family Law, Agrarian Reforms, Industrial Reforms.

UNIT V: Alternative approaches to law

The jurisprudence of Sarvodaya– Gandhiji, Vinoba Bhave; Jayaprakash Narayan, Grama nyayalayas, Reform of court processes. Criminal law: Plea bargaining; compounding and payment of compensation to victims. Civil Law; ADR system; Lokadalats. Prison reforms Democratic decentralization and local self- government

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
15. P. Ishwara Bhat, Law and Social Transformation in India, Eastern Book Company, Lucknow, 2009

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

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
Inductive and Deductive Research Approach
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: Library, Books, Law Reports, Law Commission Reports, Legislative and Constitutional Assembly Reports, Computer/Internet,

UNIT III : Sampling Procedure

Sampling techniques:
i. Design of sample
ii. Its uses and advantages in research.
lii. Random sampling, simple random, stratified random, systematic random.
iv. Non-random sampling, haphazard, availability and purposive etc.

v. Probability and Non-Probability Sampling

UNIT IV : Data Processing

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

Socio-metrics and Jurimetrics. Methods of Data Collection: Observation, Interview, Questionnaire, Schedules, Case Study

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)**

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

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: Overview of Securities Market

- a. Role, Relevance and significance of Securities Market in national development
- b. Securities Market and Economic Reforms: Challenges and prospects
- c. Introduction to various components of capital market and its role – primary and secondary market, stock exchanges
- d. Meaning & scope of Securities

Unit – II: Trends in Regulation of Securities Market

- a. Securities Contract Regulation Act 1956
- b. SEBI Act 1992 with particular emphasis on role of SEBI
- c. Depositories Act 1996
- d. Constitutional provisions with respect to securities regulation

Unit – III: Policy framework for regulation of FDI

- a. Meaning and forms of FDI
- b. Foreign Exchange Management Act
- c. FDI Policy and role of RBI

Unit – IV: Bilateral and multilateral investment agreements

- a. Introduction to the trends of bilateral and multilateral investments agreements

- b. Nature and scope of substantive rights of foreign investors under BIPAs**
- c. Dispute Settlement Mechanisms under BITs – Investment Arbitrations under ICSID and UNCITRAL**
- d. IOSCO Principles on Securities Market Regulation,**

Suggested Readings:

- 1. Guruswamy, Capital Market, Tata McGraw Education, 2009**
- 2. E Gordon & H Nataraj, Capital Market in India, Himalaya Publishing House, 2013**
- 1. Deepening India's Capital Market: The Way Forward, USAID, November 2007**
- 2. The Consolidated FDI Policy Circular of 2014, Ministry of Commerce & Industry Department of Industrial Policy & Promotion, Government of India**
- 3. ICSID Convention – A Commentary, C. Schreuer, 2nd Edition 2009**
- 4. Sanjeev Agarwal, Guide to Indian Capital Market, Bharat Law House, 2009**
- 5. Imaad A Moosa, Foreign Direct Investment: Theory Evidence and Practice, Palgrave MacMillan, 2010.**
- 6. Niti Bhasin, FDI In India, New Century Publication, 2008**

(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 metamorphizes into the Competition Act**
Introduction to Competition and concept of Perfect competition,
History and development of Competition Law
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
Raghavan Committee Report
Regulatory Authorities under the Competition Act
Competition Law & Policy: Conceptual Study of Relevant Supreme Court Decisions
Regulation of Unfair Competition,
Abuse of dominance
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, Enforcement mechanism under Competition Act, 2002**

UNITV:

**WTO and its impact on Competition Laws with reference to UNCTAD
International Dimensions of Competition Law Globalization and competition law
The Role of WTO in settling International Trade Disputes
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; SrinivasanParthsarthy; 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"sGuide to Competition Act.**
- 7.VinodDhall, 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, 6thEdition 2001, Publication-Lexis NexisButterworth"sWadawaNagpur .
- 2.P. Massey -Administrative Law, 7thEdition 2008. Publication-Eastern Book Company, Lucknow.
- 3.H.W.R. Wade and C.F. Forsyth -Administrative Law, 10thEdition 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, 8thEdition 1996, Oxford University Press
- 6.De Smith -Judicial Review of Administrative Action, 6th RevisedEdition 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.SubbaRao G C V Administrative law

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

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, Doctrine of separation of power- A Comparative Discourse in USA, U.K. in India
- 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, Doctrine of Legitimate Expectation , Subordinate and delegated legislation
- 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 Constitution Law of India
7. RadhakumudMookerji, 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*, 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. 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*. Chikago: 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.)*, Bharatiya Vidya Bhavan, 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*, Advaita Ashrama, Calcutta
22. *Awakening Indians to India*, Chinmayananda Mission, 2003



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
Role of Natural Justice in the Judicial Process
- 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. Cardozo '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, Hanbook 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, Miscellaneous Insurance Schemes: New Dimensions (Group Life Insurance,
Medi claim, Sickness)
- 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:** Power, functions and appointment procedure of Election Commissioners and State Election Commissioners
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 , Constitution and Law in relation to Political Parties

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 : 305EID
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.

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

Suggested Readings :

- 1.Melville B. Nimmer- Copyright and other aspects of literary, musical and Artistic Works, 2ndEdn.
- 2.Baxi,U. - The Law of Intellectual Property: Copyright law in India (1989)
- 3.P. Narayanan- Copyright and Industrial Design, 2ndEdn., 1995
4. P. Narayanan-Trademark, Trade name and Passing off cases,2ndEdn. Vol.I& II, 1997
- 5.Thairani, K.- Copyright: The Indian experience (1987)
6. Lal's Copyright Act, 3rdEdn. 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 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. 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

- (i) Importance of Corporate Governance
- (ii) Different system of Corporate Governance
- (iii) Impact of Legal Traditions and the Rule of Law on Corporate Governance
- (iv) Legal Reforms of Corporate Governance in India

UNIT II: Corporate Governance Mechanism

- (i) Reports of the various Committees on Corporate Governance
- (ii) Principles of Corporate Governance –OECD principles
- (iii) Corporate Capital and Property Rights
- (iv) Ownership Capital and Creditor Structure
- (v) Performance and Remuneration System

UNIT III: Board of Directors

- (i) Directors under Companies Act
- (ii) Whistle blower and the Listing Agreement with Special reference to Clause 49.
- (iii) Emerging Trend based on the recommendation of the Committees in the Companies Act
- (iv) Corporate Fraud and Crimes
- (v) Succession and Risk Management

UNIT IV: Global Multinational Enterprises (MNEs)

- (i) The Regulation of MNEs
- (ii) Corporate Governance and MNEs
- (iii) Environmental Issues and MNEs

- (iv) Industrial Accidents and the problem of Corporate Veil

UNIT V: Corporate Social Responsibility

- (i) Evolution of the concept,
- (ii) Dimensions of CSR
- (iii) 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, Hanbook 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 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

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

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*, 3rd 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]