



**ONE YEAR LL.M SYLLABUS
CORPORATE AND COMMERCIAL LAW**

FIRST SEMESTER

COMPULSORY PAPERS

- i. Research Methods and Legal Writing
- ii. Comparative Public Law
- iii. Law and Justice in a Globalizing world

OPTIONAL PAPERS

- i. Competition Law
- ii. Banking and Insurance Law

SECOND SEMESTER

- i. Labour / Employment Law
- ii. Company Law
- iii. Intellectual Property Law
- iv. Cyber Law
- v. Dissertation

The examination, evaluation and other norms of improvement of grades will be governed as per the norms of the credit system of the University Departments.



SEMESTER – I
SYLLABUS
RESEARCH METHODS AND LEGAL WRITING (LPG-101)

L:T:P:: 3:1:0

Credits-3

OBJECTIVES-The main objective of this course is to acquaint the student of law with the scientific method of social science research. This course is expected to provide knowledge of the technique of selection, collection and interpretation of primary and secondary data in socio-legal research. Emphasis would be laid on practical training in conducting research in this course. They should be able to design and execute small-scale research problems. The practical skill in conducting research will be evaluated on their performance in field research and workshops/seminars.

OUTCOMES-

1. Learners will be able to recognize primary and secondary sources of legal research material.
2. Learners will be able to use and apply secondary sources, case law and legislation using both paper-based and online resources to a research problem.
3. Learners will be able to develop correct research strategies to critically evaluate the relevance, quality, authority and currency of the research materials.
4. Learners will be able to demonstrate good legal writing skills, including an understanding of the use and preparation of legal research material in legal writing and the correct methods of legal referencing.

UNIT- I: Introduction

8 Hours

- i. The science of research and scientific methodology.
- ii. Interrelation between speculation, fact and theory building-some fallacies of scientific methodology with reference to socio-legal research.
- iii. Inter-disciplinary research and legal research models.
- iv. Armchair hair research vis-a-vis empirical research.
- v. Legal research-common law and civil law legal systems

UNIT- II: Research Design

7 Hours

- i. Workable Hypothesis-formulation and evaluation.
- ii. Major steps in research design

UNIT-III: Research Techniques

7 Hours

- i. Sampling
- ii. Survey and Case Study Method
- iii. Scaling and Content Analysis

UNIT- IV: Research Tools and Data Processing

7 Hours



- i. Observation
- ii. Interview and schedule
- iii. Questionnaire
- iv. Socio-metrics and jurimetrics
- v. Data processing (deductions and Inductions) analysis and interpretation of data

UNIT- V: Legal writing

7 Hours

- i. Report/article writing in legal research
- ii. Use of definitions, maxims, concepts, principles, doctrines in legal research
- iii. Citation methodology
- iv. Book review and case comments

BIBLIOGRAPHY/REFERENCES

1. Robert Watt- Concise book on Legal Research
2. Ram Ahuja-Research Method
3. Good and Hatt- Research Methodology
4. Pauline Young- Research Methodology
5. Earl Babbie- Research Methodology
6. Anwarul Yaqin-Legal Research Methodology
7. Wilkinson Bhandarkar-Research Methodology
8. SelltisJohoda-Research Methodology
9. Stott D.-Legal Research
10. Robert Watt and Francis Johns- Concise Legal Research



SEMESTER-I
SYLLABUS
COMPARATIVE PUBLIC LAW (LPG-102)

L:T:P:: 3:1:0

Credits-3

OBJECTIVE- This paper focuses on analytical and theoretical scrutiny of Public Administrative Law, Constitutional Law and Criminal Law and its component in a comparative manner to enable the students and develop amongst them a proper understanding of the subject.

OUTCOMES

1. Understand the similarities and differences between leading (Western) constitutional traditions in key areas (sovereignty, separation of powers etc.).
2. Have an improved understanding of their own legal system.
3. Understand how the States studied have developed and applied constitutional principles, especially in the light of processes of globalization and democratization.
4. Understand the theoretical and practical issues surrounding the making and the amendment of constitutions.
5. Understand how the States studied have developed their administrative structure and how they solve the conflicts between the State and the citizens.

UNIT-I: Introduction

8 Hours

- i. Meaning and definition of Public Law
- ii. Concept of Public Law
- iii. Globalization of Comparative Public Law

UNIT- II: Tools of Comparative Public Law

7 Hours

- i. Constitutional Law - Common Law, Civil Law
- ii. Legislative Mechanism - Common Law, Civil Law
- iii. Typology of Federalism - USA, India

UNIT- III: Public Interest Litigation - US, India

7 Hours

- i. Locus standi
- ii. Judicial Activism
- iii. Judicial Accountability



UNIT- IV: Comparative Criminal Law - Common law, Civil law 7 Hours

- i. Domestic Violations - International, National
- ii. Provisions relating to Rape
- iii. Plea Bargaining - US A, India
- iv. White Collar Crimes
- v. Juvenile Justice

UNIT- V: Ombudsman 7 Hours

- i. Ombudsman in Scandinavian countries
- ii. International Scenario - Common law and Civil law
- iii. Indian Scenario
- iv. Lokpal (Ombudsman)
- v. Lokayukta

BIBLIOGRAPHY/REFERENCES

1. H. W. Wade - Administrative Law,
2. DeSmith - Judicial Review of Administrative Action.
3. Garner - Administrative Law.
4. D. D. Basu - Comparative Administrative Law.
5. Wade and Philips - Constitutional Law
6. Dicey - Introduction to Law of the Constitution.
7. Hood Philips - Constitutional Law and Administrative Law.
8. M. P. Jain, S. N. Jain - Principles of Administrative Law.
9. M. P. Jain - The Evolving Indian Administrative Law.
10. B, Schwartz - An Introduction to American Administrative Law.
11. K. S. Shukla and S. S. Singh - Lokayukta- A socio legal study.
12. Ivor Jennings - Law and the Constitution.
13. Neville L. Brown and J. F. Garner - French Administrative Law.
14. Peter H. Schuck - Foundations of Administrative Law.
15. P. P. Craig - Administrative Law.
16. Alex Carol - Constitution and Administrative Law.



SEMESTER-I

SYLLABUS

LAW AND JUSTICE IN A GLOBALIZING WORLD (LPG-103)

L:T:P:: 3:1:0

Credits-3

OBJECTIVES- The main objective of the course is to enable students to understand and seek solutions to pressing problems in the domain of global justice. By the end of the term, students are expected to have become familiar with the multiple dimensions of the theoretical literature and be able to critically evaluate the liberal, republican, and discursive democratic attempts to make sense of, and to ameliorate, prevailing instances of injustice in the world. This will be imparted through theoretical and philosophical debates advanced by various scholars and the institutional mechanism that need to be accelerated to achieve the objectives of global justice.

OUTCOMES

- i. Learners shall be able to multiple strata at which law, justice and society interest; process of globalization; the implications of globalization on law and legal theory.
- ii. Understand the similarities and differences between leading (Western) constitutional traditions in key areas (sovereignty, separation of powers etc.).
- iii. Have an improved understanding of their own legal system.

UNIT- I: Introduction

8 Hours

- i. Meaning and significance of Globalization
- ii. Concept of Global Justice
- iii. Global Justice and Right to Development

UNIT- II: Theoretical Prepositions of Global Justice

7 Hours

- i. Realism
- ii. Particularism
- iii. Nationalism
- iv. Cosmopolitanism

UNIT- III: Historical and Central Challenges to Global Justice

7 Hours

- i. Global Poverty- Role of International Mechanism
- ii. Armed Conflict
- iii. Nationalist practices
- iv. Crimes against Humanity
- v. Environment and Health
- vi. Oppressive Policies- Threat of Terrorism, Global Politics



UNIT- IV: Role and Reformation of Global Institutions

7 Hours

- i. States, sovereignty and Transnational Law
- ii. Economic and Trade Institutions-MNC's
- iii. Structural reforms of United Nations-Security Council
- iv. International Judicial Institutions

UNIT- V: Models to Achieve Global Justice

7 Hours

- i. Social Contract and Social Justice
- ii. Sarvodaya Model of Justice
- iii. Multi Culturalism and Cosmopolitanism
- iv. Significance of Human Rights Education
- v. Global Justice and Global Rule of Law

BIBLIOGRAPHY/REFERENCES

1. Springer: Encyclopedia of Global Justice 2012
2. Brian Barry, Culture and Equality. Cambridge: Polity, 2001!
3. Duncan Bell (ed.) Ethics and World Politics. Oxford 2010.
4. Allen Buchanan. Justice, Legitimacy, and Self-determination: Moral Foundations for International Law. Oxford 2004.
5. Simon Caney, Justice Beyond Borders. Oxford., 2005
6. Martha Nussbaum, Frontiers of Justice. Cambridge, Mass: Harvard University Press.
7. Thomas Pogge, World Poverty and Human Rights. Cambridge: Polity, 2002.
8. John Rawls, the Law of Peoples. Cambridge, Mass.: Harvard University Press, 1999
9. Amartya Sen, Development as Freedom. Oxford: 1999
10. Amartya Sen: Global Justice



SEMESTER-I
SYLLABUS
COMPETITION AND CONSUMER PROTECTION LAWS (LPG 121)

L:T:P:: 2:1:0

Credits-2

OBJECTIVES -In most countries of the world that competition plays a key role to play in ensuring productive, efficient, innovative and responsive markets. The consumers have ensured the availability of 'goods' and 'services' in an abundance of acceptable quality at affordable prices. Competition law and policy also result in equity among producers and reduce rent-seeking behaviour on their part. In tune with the international trend and to cope with changing realities, India has reviewed the Monopolies and Restrictive Trade Practices Act, 1969 and has enacted the Competition Act, 2002 (the Act) w. e. f. 14.1.03.

Learning Outcomes:

- i. Understand the goals of competition law
- ii. Understand, explain and apply the two main prohibitions of Competition Law; the prohibitions of anti-competitive agreements and abuse of a dominant position.
- iii. Understand and explain the rules on enforcement and sanctions in Competition Law.

UNIT- I: Introduction

5 Hours

- i. Basic economic and legal principles
- ii. Restraint of Trade under the Indian Contract Act
- iii. Monopolistic Trade Practices
- iv. Restrictive Trade Practices

UNIT- II: Development of law from MRTP to Competition Act 2002

5 Hours

- i. Aims, Objects and Salient features
- ii. Comparison between MRTP Act and Competition Act
- iii. Anti-Competitive Agreement
- iv. Abuse of Dominant Position
- v. Combination
- vi. Protection of consumers

UNIT- III: Competition Commission of India

5 Hours

- i. Structure and function of CCI
- ii. Regulatory role

UNIT- IV: Competition Appellate Tribunal-

5 Hours

- i. Composition, Functions, Powers and Procedure



- ii. Award Compensation
- iii. Power to punish for contempt
- iv. Execution of orders

UNIT- V: Consumer Protection Act, 1986 and its applicability to Competition Law
4 Hours

- i. Definition of Consumer
- ii. Definition of Service
- iii. Deficiency in Services
- iv. Unfair Trade Practices

BIBLIOGRAPHY/REFERENCES

1. K.S. Anantaranan : Lectures on Company Law and MRTP
2. Dr. R.K. Singh: Restriction Trade Practices and Public Interest
3. Suzan Rab- Indian Competition Law- An International Perspective
4. S.M. Dugar's MRTP Law, Competition Law and Consumer Protection
5. Report of the Monopolies Inquiries Commission, Govt, of India 1965 (**Dr. Hazari** Report)
6. 1980 and other related work
7. A.E. Rodrigues, Ashok Menon- The limits of Competition Policy, the shortcomings of Economics
8. Taxmann's competition Law and Practice



SEMESTER-I
SYLLABUS
BANKING AND INSURANCE (LPG-122)

L:T:P:: 2:1:0

Credits-2

OBJECTIVE-To have basic institutional and practical knowledge supported by text book including upto date basic information in the field of Banking and Insurance Sector.

Learning Outcomes:

- i. To express their opinions about Banking and Insurance in Written and oral forum based on the basic knowledge and skills acquire.
- ii. To have consciousness about universality of social rights , Social Justice , Quality and cultural values , protection of Environment , occupational health and safety

UNIT- I:

5 Hours

A. Introduction

- i. Nature and Development of Banking.
- ii. Functions of Banking
- iii. Global Banking Institutions
- iv. The Banking (Regulation) Act, 1949. Its main provisions are social control, and the nationalization of Banks.

UNIT- II

5 Hours

- i. Bank and Customer Relationship,
- ii. Banking Operations: Lending by Banks, Collection and Payments of Cheques, Negotiable Instrument & their characteristics, Cheques, Dishonor of Cheques, and Appropriation of payments.
- iii. Interference by third parties.
- iv. Attachment, Mareva Injunctions, Bank and Garnishee, set off.

UNIT- -III

5 Hours

- i. Social Banking
- ii. Basal II norms
- iii. Letter of Credit
- iv. Recovery of Debts Due to Banks.
- v. Banking Ombudsman Scheme 2002. Debt Recovery Tribunal Act.
- vi. Recent Trends of Banking System in India.

UNIT- IV:

5 Hours

- i. The Evaluation of Banking Services and its History in India
- ii. History of Banking in India



- iii. Bank nationalization and social control over banking.
- iv. Various types of Banks and their functions.
- v. Contract between banker and customer: their rights and duties.
- vi. Role and functions of Banking Institutions

UNIT- V: Lending by Banks and Recent Trends of Banking System 4 Hours

- i. Advances, Loans and Securities.
- ii. Direct, collateral and miscellaneous Securities.
- iii. Default and recovery.
- iv. Bank Debt Recovery Tribunals.
- v. The Securitization and Reconstruction of Financial Assets and Enforcements of Security Interest Act, 2002 (Definitions, Section 13 - Enforcement of security interest, Section 17 Right to appeal.)

BIBLIOGRAPHY/REFERENCES

1. Basu, A.: Review of Current Banking Theory and Practice (1998) Mac Miilan
2. M. Hapgood (ed.): Paget's Law of Banking (1989) Butterworths, London
3. R. Goode: Commercial Law, (1995) Penguin, London
4. Ross Cranston: Principles of Banking Law (1997) Oxford
5. L.C. Goyle: The Law of Banking and Bankers (1995) Eastern
6. M.L. Tannan: Tamnan's Banking Law and Practice in India (1997), India Law House. New conti and Hamaui (eds.): Financial Markets Liberalization and the Role of Banks'
7. Cambridge University Press, Cambridge (1993)
8. J. Dermine (ed.): European Banking in the 1990's (1993) Blackwell, Oxford
9. K. Subrahmanyam Banking Reforms in India (1997), Tata McGraw Hill, New Delhi
10. R.S. Narayanna: The Recovery of Debts due to Banks and Financial Institution Act, 1993 (51 of 1993), Asia Law House, Hyderabad
11. M.A. Mir: The Law Relating to Bank Guarantee in India (1992) Metropolitan Book, New Delhi
12. Mitra: The Law Relating to Bankers' Letters of Credit and Allied Laws (1998), University Book Agency, Allahabad



SEMESTER-II

SYLLABUS

LABOUR AND EMPLOYMENT LAWS(LPG-223)

L:T:P:: 3:1:0

Credits-2

OBJECTIVE-By the end of this course, students should be able to understand the nature and scope of labor laws and also the rationale of labor laws in organizations.

OUTCOMES

- i. To identify all aspects of Labour Law practiced in India.
- ii. To exhibit a comprehensive theoretical and practical understanding of Labour Law
- iii. To demonstrate an intellectual capacity for solving industrial disputes.

UNIT- I: Introduction

5 Hours

- i. Workers' Rights as Human Rights-Constitutional edifice and reflections of ILO Standards in the Indian legal System.
- ii. Concept of employment, non-employment, terms of employment and conditions of labour.
- iii. Challenges and Issues with reference labour management relations in 21st Century

UNIT- II: Social Security Labour Legislations

5 Hours

- i. National (Constitutional and Statutory) and International Perspectives
- ii. ILO norms, measures and standards-its relevance in Indian legal system.
- iii. Employment Contracts and labour management relations-Trends, Issues and Challenges-A critique of comparative contract labour laws (India, US & Europe)

UNIT- III: Transnational Trade and Labour

5 Hours

- i. Impact of globalization on labour market-Indian, US, European & Japanese perspectives.
- ii. ILO vis-a-vis WTO
- iii. Developing vis-a-vis developed States

UNIT- V: Labor and Employment Resolution Mechanism

5 Hours

- i. Resolution of Labour Management Disputes-Means and Mechanisms

UNIT- IV: Law and Policies of Protective Discrimination in Employment

Laws

4 Hours

- i. Social security safety and welfare at workplace-women, children, and differently abled.



ii. Compensation, Insurance with respect to wrongful dismissal and employment hazards.

BIBLIOGRAPHY/REFERENCES

1. Ravi Singhania-Employment Law in India, CCH Wolters Kluwer
2. Guide to Employment Law-CCH Wolters Kluwer Business
3. Marian Baird, Keith Hancock, Joe Isaac- Work and Employment Relations an Era of Change, Routledge Taylor and Francis group
4. Key Cases: Employment Law by Chris Turner Routledge Taylor and Francis group
5. New Governance and the European Employment Strategy, By Samantha Velluti, Series: Routledge Research in European Union



SEMESTER-II
SYLLABUS
COMPANY LAW (LPG-224)

L:T:P:: 2:1:0

Credits-2

OBJECTIVE- In view of the changing niceties of global governance especially from the point of view of good governance, corporate governance plays a vital role in the development of economy both nationally and internationally. Taking this into consideration, the paper aims to introduce to the students the nuances of corporate law and the obligations of it towards society in discharging its trading relations and to be a good corporate citizen.

OUTCOMES:

- i. Explain and apply to various fact scenarios the concept of separate legal entity.
- ii. To explain the basic documents such as MOA and AOA required for company.
- iii. To develop the ability to identify and effectively use the corporate law resources. And to develop the ability to learn company law both independently and cooperatively in a professional environment.
- iv. To evaluate and analyze socially reasonable corporate behavior

UNIT- I: Introduction

5 Hours

- i. Corporate personality
- ii. Advantages and Disadvantages of Incorporation
- iii. Concept of lifting of Corporate Veil

UNIT- II: Corporate Finance

5 Hours

- i. Company capital- Equity Finance, Debt Finance.
- ii. Offer Documents
- iii. Public Issues
- iv. Under writing of issues
- v. Corporate Loans
- vi. Venture Capital, Institutional Financing
- vii. Role of SEBI and stock exchanges

UNIT- III: Amalgamation, Reconstruction, Mergers and takeovers etc.

5 Hours

- i. Meaning of the terms
- ii. Statutory provisions
- iii. Powers of the court/tribunal

UNIT- IV: Legal aspects governing corporate management

5 Hours

- i. Meetings, Majority rule and Minority protection
- ii. Prevention of oppression, mismanagement
- iii. Role of central Govt., company registrar, Company Law Board/ Tribunal



UNIT- V: Corporate Governance

5 Hours

- i. Concept, Significance, Dimensions
- ii. Legal framework,
- iii. Basic Principles and OECD principles of Corporate Governance Impact of globalization

BIBLIOGRAPHY/REFERENCES

1. J.M. Thomson- Palmer's Company Law
2. Gower- Principles of Modern Company Law
3. Ramaiya- Guide to Companies Act
4. Indian Law Institute- Current Problems of Corporate Law
5. Compendium on SEBI, Capital Issues and Listing-by Chandratre, Acharya, Israni, Sethuraman
6. Corporate Finance- Ashwath Damodaran



SEMESTER-II
SYLLABUS
INTELLECTUAL PROPERTY LAWS(LPG-225)

L:T:P:: 2:1:0

Credits-2

OBJECTIVE-The main objective of the paper is to introduce to the students the concepts of IPR and their relationship with other subjects especially, economic law, and other technological aspects. Apart from the above-the paper covers the approaches of International Institutions and introduces the various aspects that are form part of the province of IPR.

OUTCOMES:

- i. Students in this course will be able to get a holistic understanding of the complexities involved in the process of attributing intellectual property rights to people.
- ii. Students learn the legalities of intellectual property to avoid plagiarism and other IPR relates crimes like copyright infringements, etc.

UNIT- I: Introduction

5 Hours

- i. Origin and Genesis of IPR
- ii. Theories of IPR - Locke's, Hegel and Marxian
- iii. Ethical, moral and human rights perspectives of IPR

UNIT- II: Intellectual Property Rights: International Relevance

5 Hours

- i. Internationalization of IP protection - Paris Convention, Berne Convention, TRIPS Agreement - basic principles and minimum standards - limits of one-size-fit for all - flexibilities under TRIPS

UNIT- III: Intellectual Property: Issues and Challenges

5 Hours

- i. Copyright protection with reference to performers rights and Artist rights-
- ii. Global governance towards Patents
- iii. Trademarks: Legal recognition, Comparative analysis in India, EU and USA
- Trade secrets: Legal recognition, Comparative analysis in India, EU and USA

UNIT- IV: Intellectual Property: Contemporary Trends

5 Hours

- i. Benefit sharing and contractual agreements - International Treaty on Plant Genetic Resources for Food and Agriculture — issues on patent policy and farmers' rights- CBD, Nagoya Protocol and Indian law.



UNIT- V: International Perspective

4 Hours

- i. UNESCO — Protection of folklore/cultural expressions.
- ii. Developments in WIPO on traditional knowledge and traditional cultural expressions

BIBLIOGRAPHY/REFERENCES

1. W. Cornish & Llewelyn - Intellectual Property: Patent, Copyrights, Trademarks & Allied Rights", London Sweet & Maxwell.
2. Nard Madison- The Intellectual Property, Asian Publication.
3. Carlosm Correa- Oxford commentaries on GATT/ WTO Agreements trade related aspects of Intellectual Property Rights, Oxford University Press.
4. David Bainbridge - Intellectual Property Law.



SEMESTER-II
SYLLABUS
CYBER LAWS (LPG-226)

L:T:P:: 2:1:0

Credits-2

OBJECTIVES-The main objective of this course is to make students familiar with the developments that are being taking place in the different areas with the help of Computer Science and Information Technology. To acquaint the students with the national and international legal order relative to these.

Learning Outcome:

- i. To create awareness amongst students with regards to legal developments in the context of emerging technology and science across various fields.
- ii. To familiarize students with problems and perspectives between law, science and various forms of evolving technologies.
- iii. To enable students to understand the realm of privacy evolving with developments in technology.

UNIT- I: Fundamentals of Cyber Law

5 Hours

- i. Conceptual and theoretical perspective of cyber law.
- ii. Computer and Web Technology
- iii. Development of Cyber Law-National and International Perspective

UNIT- II: Legal Issues and Challenges in India, USA and EU

5 Hours

- i. Data Protection, Cyber Security.
- ii. Legal recognition of Digital Evidence.
- iii. Recognition of liability in the digital world.
- iv. Jurisdiction Issues in Transnational Crimes

UNIT- III: Cyber Law: International Perspectives

5 Hours

- i. Budapest Convention on Cybercrime.
- ii. ICANN's core principles and the domain names disputes.
- iii. Net neutrality and the EU electronic communications regulatory framework,
- iv. Web Content Accessibility Guidelines (WCAG) 2.0

UNIT- IV: Cyber Law - Contemporary Trends

5 Hours

- i. Impact of cyber warfare on privacy, identity theft.
- ii. International law governing Censorship, online privacy, copyright regulations.



UNIT- V: Recent Perspectives

4 Hours

- i. Online Intermediaries in the governance of Internet.
- ii. Social Networking Sites vis-a-vis Human Rights

BIBLIOGRAPHY/REFERENCES

1. Yatindra Singh: Cyber Laws.
2. Ajit Narayanan and Bennum (ed.): Law, Computer Science and Artificial Intelligence.
3. Linda Brennan and Victoria Johnson: Social, ethical and policy implication of Information Technology.
4. Kamath Nandan: Law relating to Computer, Internet and E-Commerce.
5. Arvind Singhal and Everett Rogers: India's Communication Revolution: From BullockCarts to Cyber Marts.
6. Lawrence Lessing: Code and other Laws of cyberspace.