



गुरु घासीदास विश्वविद्यालय, बिलासपुर (छ.ग.)

(केन्द्रीय विश्वविद्यालय अधिनियम 2009, क्रमांक 25 के अंतर्गत स्थापित केन्द्रीय विश्वविद्यालय)

GURU GHASIDAS VISHWAVIDYALAYA, BILASPUR (C.G.)

(A Central University established by the Central University Act., 2009 NO.25 of 2009)
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क्रमांक...444/अ.मं./पाठ्यक्रम/2022

बिलासपुर, दिनांक 28 SEP 2022

प्रति,

विभागाध्यक्ष,
विधि विभाग,
गुरु घासीदास विश्वविद्यालय,
बिलासपुर (छ.ग.)

विषय :- अनुमोदित पाठ्यक्रम का प्रेषण विषयक ।

संदर्भ :- अध्ययन मण्डल की बैठक दिनांक 04.08.2022 के कार्यवृत्त ।

महोदय,

उपरोक्त विषयांतर्गत लेख है कि विश्वविद्यालय के विद्यापरिषद की स्थायी समिति के द्वारा बैठक दिनांक 20.09.2022 में विषय क्रमांक 05 के अधीन विधि विभाग के एल.एल.एम. दो वर्षीय पाठ्यक्रम (सीबीसीएस) एवं अंक योजना सत्र 2022-23 का अनुमोदन किया गया है ।

अनुमोदित पाठ्यक्रम इस पत्र के साथ संलग्न कर आवश्यक कार्यवाही हेतु प्रेषित है । विद्यापरिषद की स्थायी समिति ने यह भी निर्णय लिया है कि संबंधित विभाग के विभागाध्यक्ष यह सुनिश्चित करेंगे कि प्रस्तावित पाठ्यक्रम एवं अंक योजना प्रभावी अध्यादेश के प्रावधानों के अनुरूप हो ।

सुलभ संदर्भ हेतु विद्यापरिषद के स्थायी समिति के निर्णय की छाया प्रति भी संलग्न है ।

प्रतिलिपि:-

सहायक-कुलसचिव (अका0)

1. परीक्षा नियंत्रक, गुरु घासीदास विश्वविद्यालय बिलासपुर को सूचनार्थ प्रेषित ।
2. उप/सहायक कुलसचिव परीक्षा/ गोपनीय की ओर पाठ्यक्रम की एक-एक छाया प्रति संलग्न कर आवश्यक कार्यवाही हेतु प्रेषित ।
3. कार्यालय प्रति ।

सहायक-कुलसचिव (अका0)

PROGRAMME STRUCTURE AND COURSE CONTENTS
FOR
MASTER OF LAWS (LL.M.)
(TWO YEARS/FOUR SEMESTER)
UNDER
CHOICE BASED CREDIT SYSTEM

[TO BE IMPLEMENTED FROM THE ACADEMIC SESSION: 2022-2023]

DEPARTMENT OF LAW
GURU GHASIDAS VISHWAVIDYALAYA
BILASPUR (C.G.)

PROGRAMME STRUCTURE OF LL.M.

The LL.M. 2 Years Degree Programme will have following course structure: -

| ACADEMIC YEAR: 1ST | | | | |
|--|---|-------------------|-------------------------|----------------|
| SEMESTER 1ST | | | | |
| Name of Course | | Corse Code | Nature of Course | Credits |
| INDIAN CONSTITUTIONAL LAW: THE NEW CHALLENGES (COMPULSORY) | | LM101 | Core | 6 |
| ONE GROUP FROM GROUP A TO C (OPTIONAL) | | | | |
| GROUP -A CONSTITUTIONAL LAW | CONSTITUTIONAL PERSPECTIVES | LM102 (A) | Elective | 6 |
| | CENTRE-STATE RELATIONS | LM103 (A) | Elective | 6 |
| | CIVIL AND POLITICAL RIGHTS | LM104 (A) | Elective | 6 |
| GROUP – B CORPORATE LAW | CORPORATE MANAGEMENT AND SOCIAL RESPONSIBILITY | LM102 (B) | Elective | 6 |
| | LAW OF CORPORATE FINANCE AND SECURITIES REGULATIONS | LM103 (B) | Elective | 6 |
| | LAW RELATING TO MERGER AND ACQUISITIONS | LM104 (B) | Elective | 6 |
| GROUP – C ALTERNATIVE DISPUTE RESOLUTION | FUNDAMENTALS OF ALTERNATIVE DISPUTE RESOLUTION | LM102 (C) | Elective | 6 |
| | INDIAN LAW ON ALTERNATIVE DISPUTE RESOLUTION | LM103 (C) | Elective | 6 |

| | | | | |
|---|--|--------------|----------|----|
| | INTERNATIONAL COMMERCIAL ARBITRATION | LM104 (C) | Elective | 6 |
| TOTAL CREDITS IN FIRST SEMESTER COURSES | | | | 24 |
| SEMESTER 2ND | | | | |
| LEGAL EDUCATION AND LEGAL RESEARCH METHODS (COMPULSORY) | | LM201 | Core | 6 |
| ONE GROUP FROM GROUP D TO F (OPTIONAL) | | | | |
| GROUP - D CRIMINAL LAW | CRIMINAL JUSTICE ADMINISTRATION | LM202 (D) | Elective | 6 |
| | SOCIO ECONOMIC OFFENCES IN INDIA | LM203 (D) | Elective | 6 |
| | USE OF TECHNOLOGY AND LAW OF EVIDENCE | LM204 (D) | Elective | 6 |
| GROUP - E INTERNATIONAL TRADE LAW | LAW OF TRADE GLOBALIZATION | LM202 (E) | Elective | 4 |
| | LAW OF TRANSNATIONAL BUSINESS TRANSACTION AND DISPUTE RESOLUTION | LM203 (E) | Elective | 6 |
| | LAW OF FOREIGN TRADE AND EXCHANGE | LM204 (E) | Elective | 6 |
| GROUP -F INTELLECTUAL PROPERTY RIGHTS | INTELLECTUAL PROPERTY RIGHTS AND ITS DIFFERENT PERSPECTIVES | LM202 (F) | Elective | 6 |
| | PATENT, TRADEMARK AND GEOGRAPHICAL INDICATIONS | LM203 (F) | Elective | 6 |
| | COPYRIGHTS, DESIGN AND PLANT VERITIES & FARMERS RIGHTS | LM204 (F) | Elective | 6 |

| | | | | |
|---|--|--------------|----------|----|
| TOTAL CREDITS IN SECOND SEMESTER COURSES | | | | 24 |
| ACADEMIC YEAR: 2ND | | | | |
| SEMESTER 3RD | | | | |
| THEORY OF LAW AND JUSTICE (COMPULSORY) | | LM301 | Core | 6 |
| ONE GROUP FROM GROUP G TO I (OPTIONAL) | | | | |
| GROUP - G HUMAN RIGHTS | INTERNATIONAL LAW OF HUMAN RIGHTS | LM302 (G) | Elective | 6 |
| | PROTECTION AND ENFORCEMENT OF HUMAN RIGHTS IN INDIA | LM303 (G) | Elective | 6 |
| | INTERNATIONAL HUMANITARIAN LAW AND REFUGEE LAW | LM304 (G) | Elective | 6 |
| GROUP - H TAXATION LAW | CONSTITUTIONAL AND ADMINISTRATIVE MECHANISM TO REGULATE THE PROBLEM RELATING TO TAXATION | LM302 (H) | Elective | 6 |
| | LAW RELATING TO DIRECT TAX | LM303 (H) | Elective | 6 |
| | INDIRECT TAX LAW | LM304 (H) | Elective | 6 |
| GROUP -I ENVIRONMENTAL LAW | INTERNATIONAL ENVIRONMENTAL LAW | LM302 (I) | Elective | 6 |
| | ENVIRONMENTAL PROTECTION LAW IN INDIA | LM303 (I) | Elective | 6 |
| | LAW OF CONSERVATION OF NATURAL RESOURCES IN INDIA | LM304 (I) | Elective | 6 |

| | | | |
|---|-------|---|-----------|
| TOTAL CREDITS IN THIRD SEMESTER COURSES | | | 24 |
| SEMESTER 4TH | | | |
| LAW AND SOCIAL TRANSFORMATION (COMPULSORY) | LM401 | Core | 6 |
| TEACHING INTERNSHIP (COMPULSORY) | LM402 | Core | 6 |
| DISSERTATION AND VIVA VOCE (COMPULSORY) | LM403 | Core | 12 |
| TOTAL CREDITS IN FORTH SEMESTER COURSES | | | 24 |
| NET CREDITS IN LL.M. PROGRAMME | | | 96 |
| NOTE: | 1 | With the permission of Dean, School of Law, Students shall be allowed to offer one of the optional groups (each comprising three courses) in each of the first three semester for which teaching facilities are made available. | |
| | 2 | The Topic for Dissertation will be assigned in the beginning of the III Semester and the candidates are required to submit dissertation work and by the end of the IV Semester. | |

COURSE CONTENTS

LL.M. 2 Years Degree Programme

SEMESTER: 1ST

PAPER 1: INDIAN CONSTITUTIONAL LAW: THE NEW CHALLENGES

| Course Code: | Semester | Marks | Nature | Credits | Teaching Hours |
|--------------|----------|-----------|--------|---------|-------------------------------|
| LM101 | I | 70+30=100 | Core | 6 | $60 \times 1\frac{1}{2} = 90$ |

Objectives: This course paper aim at exposing the students to the new challenges and perspectives of constitutional developments.

CONTENTS

Unit I: Federalism **15 Lectures**

Nature of Indian Federalism; Allocation and share of resources – Distribution of grants-in-aid; Inter-state dispute on resources; Centre’s responsibility and internal disturbance within states; Directives of the Centre to the State under Article 356 and 365; Special status of certain states; Tribal Areas and Schedule Areas.

Unit II: Democratic Process: **17 Lectures**

Election and Constitutional provisions; Coalition Government: Stability, durability and corrupt practice; Nexus of Politics with Criminals and Business; Electoral Reform.

Unit III: Separation of Powers: Stress and Strain **18 Lectures**

Separation of Power under Indian Constitution; Judicial Independence; Appointment, transfer and removal of judges; Judicial Activism and Judicial Restraint; Accountability: Executive and Judiciary; Tribunals.

Unit IV: Emerging Regime of New Rights and Remedies **15 Lectures**

Emergence of New Rights under Fundamental Rights; Reading Directive Principles and Fundamental Duties into Fundamental Rights; Constitutional Torts and State Liability.

Unit V: Other Challenges **25 Lectures**

Secularism and religious fanaticism; Right of Minorities to establish and administer educational institution and state control; Freedom of Press and challenges of new scientific development; Freedom (and Limitation) of Speech and Right to broadcast and telecast; Right to Protest, Strike, Hartal and Bandh; Need for widening the definition in the wake of Liberalization; Privatization and its impacts on Right to Equality.

Note: The teaching learning methodology shall comprise lectures, case studies, group discussions, presentation by the participants, seminars, workshops, field studies and research.

SUGGESTED READINGS

1. D.D. Basu, Constitutional Law of India, 1991.
2. Dr. G. P. Tripathi, Indian Constitutional Law—New Challenges
3. H.M. Seervai, Constitutional Law of India, 1996.
4. M. Hidayatullah, Constitutional Law of India, Bar Council of India Trust, 1989.
5. M.P. Jain, Indian Constitutional Law, 2003.
6. S.G. Mishra, Constitutional Law of India, 1993
7. V N Shukla, Constitution of India (Revised Edition)
8. Areas Specific Case Laws, Changes and Amendments of Laws, Critical Comments, Studies and Reports, Research Papers and Contemporary Philosophies impacting Constitutional Values.

GROUP A: CONSTITUTIONAL LAW**PAPER 2: CONSTITUTIONAL PERSPECTIVES**

| Course Code: | Semester | Marks | Nature | Credits | Teaching Hours |
|--------------|----------|-----------|----------|---------|-------------------------------|
| LM102(A) | I | 70+30=100 | Elective | 6 | $60 \times 1\frac{1}{2} = 90$ |

Course Objectives: The purpose of this paper is to provide exposure to the students to constitutionalism and organs of government in India in comparison to other countries.

CONTENTS**Unit I: Understanding Constitutionalism** **15 Lectures**

Constitution, Constitutional Law and Constitutionalism; Concept of Limited Government and limitations on government power; Conventions of constitutionalism; Supremacy of Legislature in Law Making and the Rule of law; Separation of powers and checks and balances; Form of Government—Presidential and parliamentary form; Government under USA constitution, Nature of government in U.K, and Comparison with the government in India

Unit II: Union and State Legislature **15 Lectures**

Union Parliament and State Legislatures—Structure and Composition; Anti-Defection Law; Interrelation of the Houses—Legislative Process, Financial Legislation, Other areas; Functions—Legislation, Control of Public Finance, Deliberation and Discussion, Parliamentary Committees; Powers, Privileges and Immunities of Houses; Delegation of Legislative Power; Supremacy of Parliament: A comparison of position of U.K. and USA with India.

Unit III: Union and State Executive **15 Lectures**

Meaning and Scope of Executive; Election of President and Vice President; Presidential privileges; Council of Minister; Working of Executive—President (A Titular Head), Prime

Minister, Cabinet, Collective Responsibility, Minister's Individual responsibility, Responsibility of Minister for his subordinates; Governor—Appointment, Privileges, and Tenure; Discretionary power of Governor; Functions and power of Executive—Judicial, Legislative and Executive; A comparison of role of executive with that of in the government of USA and U.K.

Unit IV: Union and State Judiciary

15 Lectures

Supreme Court—Composition of the Supreme Court, Jurisdiction and Powers, Appeal by Special Leave u/a Article 136, Appeals from Tribunals under Article – 136; Doctrine of Stare Decisis; State Judiciary—Composition of the High Court, Jurisdiction and Powers, Writ Jurisdiction u/a Article 226 and The Writs; Tribunals—Power and Functions; Power of Judicial Review: A comparison of position of UK., USA, with India.

Note: The teaching learning methodology shall comprise lectures, case studies, group discussions, presentation by the participants, seminars, workshops, field studies and research.

SUGGESTED READINGS

1. D.D. Basu, Comparative Constitutional Law (2nd ed., Wadhwa Nagpur, 2008).
2. D. D. Basu: Introduction to the Constitution of India, LexisNexis India, Gurgaon.
3. G.C.V Subbarao, Legislative powers in Indian Constitutional Law
4. Granville Austin, The Indian Constitution: Cornerstone of a Nation (OUP, 2008).
5. H.M. Seervai, Constitutional Law of India (1991), Tripathi, Bombay
6. Jan Erk: Explaining Federalism: State, Society and Congruence in Austria, Belgium, Canada, Germany and Switzerland, Routledge, New York.
7. K.C. Wheare, Modern Constitutions
8. M.P. Jain, Indian Constitutional Law (7th ed., Lexis Nexis).
9. M.P. Singh, Comparative Constitutional Law (Eastern Book Company, 2011).
10. M.V. Pylee, Constitution of the World (Universal, 2006)
11. Rama Jois M, Legal and Constitutional History of India
12. S.N Ray, Judicial Review and Fundamental Rights (Eastern Law House, 1974).
13. Singh, M. P.; V.N Shukla's Constitution of India; Eastern Book Company
14. Subba Rao G C V Indian constitutional law
15. Upendera Baxi: 'Rule of Law in India: Theory and Practice', in Randall Peerenboom (ed.), Asian Discourses of Rule of Law, Routledge, London
16. V.M. Dandekar "Unitary Elements in a Federal Constitution" 22 E.P.W. 1865 (1988)

PAPER 3: CENTRE-STATE RELATIONS

| Course Code: | Semester | Marks | Nature | Credits | Teaching Hours |
|--------------|----------|-----------|----------|---------|-------------------------------|
| LM103(A) | I | 70+30=100 | Elective | 6 | $60 \times 1\frac{1}{2} = 90$ |

Course Objectives: This paper aims at giving the students an insight into the federal structure as envisaged in the Constitution of India and focuses upon educating them among other things about the Legislative, Administrative and Financial relations between the Centre and the States.

CONTENTS**Unit I: Federalism** **6 Lectures**

Federal system of governance as opposed to Unitary system; Difference between Federalism and Confederation; Requisites conditions of federalism; Nature of Federal Polity in Indian Constitution—distinctive Federation.

Unit II: Legislative Relations between the Union and the States **10 Lectures**

Doctrine of Territorial Nexus; Delegated Legislation: permissible limits of delegation; Scheme of distribution of legislative powers between Union and States; Principles of interpretation of lists; Inconsistency between laws passed by Parliament and State legislature; Residuary Powers; Parliament's power to legislate on the State List; Distribution of legislative power in other federation—Canada, U.S.A. and Australia

Unit III: Administration between the Union and the States **8 Lectures**

Distribution of Executive Power; Union-State Administrative coordination; Central Directive's to States; Other Constitutional Provisions; All India Services.

Unit IV: Financial Relations Between the Union and the States **14 Lectures**

Constitutional Scheme of allocation of taxing Powers; Extents on Union Power to taxation; Residuary taxing power; Restriction on Taxing Power—Fundamental Rights, Inter-government tax immunities, Difference between tax and fee; Funds—Consolidated and Contingency funds; Public Accounts; Grants—Grants-in-lieu, Grants-in-aids, and Specific Purpose Grants; Finance Commission; Borrowing powers; Comparative view of taxing power in other federations.

Unit V: Inter-State Trade and Commerce **8 Lectures**

Freedom of Inter-State Trade, Commerce and intercourses; Position in other countries; Restrictions of legislative power of the Union and States with regard to trade and commerce; Exceptions to freedom of trade and commerce;

Unit VI: Service between Union and States **4 Lectures**

Recruitment and Regulations of Conditions of Services; Doctrine of Pleasure; Constitutional Safeguards to Civil Servants; Public Service commission—Appointment of Member of Public service commission, Functions of Public Service Commission.

Unit VII: Emergency **3 Lectures**

Emergency provisions; Effect of Emergency on the federal structure; Judicial approach.

Unit VIII: Amending power **4 Lectures**

Adaptability of the Constitutional law to the changing needs of the society; Scope of Constituent power; Amending power and process in action; Judicial response.

Unit IX: Co-operative Federalism **4 Lectures**

Understanding competitive and cooperative federalism; Inter-State Council; Zonal Council; River Water disputes; UGC and other bodies to coordinate higher education; Planning and Coordination between Finance and Planning Commission.

Note: The teaching learning methodology shall comprise lectures, case studies, group discussions, presentation by the participants, seminars, workshops, field studies and research.

SUGGESTED READINGS:

1. Ashok Chandra, Federalism in India, (1965)
2. Chandrapal, Centre-State Relation and Co-operative Federalism, (1983)
3. D. D. Basu: Introduction to the Constitution of India, LexisNexis India, Gurgaon.
4. D.D. Basu, Comparative Constitutional Law (2nd ed., Wadhwa Nagpur, 2008).
5. Erwin Chemerinsky, Constitutional Law, Principles and Policies (3rd ed., Aspen, 2006).
6. Federalism; Comparative Study; by E.S. Venkataramaiah
7. H.M. Seervai, Constitutional Law of India (1991), Tripathi, Bombay
8. K. C. Wheare, Federal Government.
9. K.P. Krishna Shetty, The Law of Union-state Relations and Indian Federalism
10. K. Subba Rao, The Indian Federation
11. L.M Singhvi, Union-State Relations in India
12. M.P. Jain, Indian Constitutional Law (7th ed., Lexis Nexis).
13. R. Sudarshan, Zoya Hasan, Eswaran Sridharan, "India's Living Constitution: Ideas, Practices, Controversies" Anthem South Asian Studies.
14. Singh, M. P.; V.N Shukla's Constitution of India; Eastern Book Company
15. Subba Rao G C V Indian constitutional law
16. Sudha Bhatnagar, Union-State Financial Relations and Finance Commissions, (1979)
17. V.D. Sebastian, Indian Federalism: The Legislative Conflict.

PAPER 4: CIVIL AND POLITICAL RIGHTS

| Course Code: | Semester | Marks | Nature | Credits | Teaching Hours |
|--------------|----------|-----------|----------|---------|-------------------------------|
| LM104 (A) | I | 70+30=100 | Elective | 6 | $60 \times 1\frac{1}{2} = 90$ |

Course Objectives: This paper aims at giving the students an insight into the federal structure as envisaged in the Constitution of India and focuses upon educating them among other things about the Legislative, Administrative and Financial relations between the Centre and the States.

CONTENTS

Unit I: Fundamental Rights 10 Lectures

Concepts of Fundamental Rights, Bill of Rights, Natural rights and Human Rights; Necessity and justification of Fundamental Rights; To whom and against whom Rights are available; Need to enlarge the definition of State; Law inconsistent with the Fundamental Rights and Test of Infringement of Fundamental Rights; Limitations, Suspendability and Amendability of Fundamental Rights.

Unit II: Right to Equality and Social Justice 10 Lectures

Equality before the law; Doctrine of Arbitrariness; Doctrine of classification; Prohibited grounds for discrimination (Art.15); Special provisions relating to women and children; Protective discrimination in favor of Backward Classes, Scheduled Castes and Scheduled Tribes; Reservation in Admissions in Educational Institutions; Equality of Opportunity in the matters of public employment and reservations in public employment; Residence as prerequisite for employment.

Unit III: Right to Freedom and Social Control 10 Lectures

Freedom of Speech and Expression, media, press and information; Freedom of assembly, association, movement, profession, business, property; Freedom to reside and settle; Reasonable restriction to Right to Freedom; Test to determine reasonableness of reasonable restriction.

Unit IV: Right to Life and Personal Liberty 10 Lectures

Rights of an accused against double jeopardy, self-incrimination, and retroactive punishment; Right to life and personal liberty; Judicial determination of the scope of the term “personal liberty”, “procedure established by law” and the American expressions “liberty” and ‘due process’; Radical changes in judicial thinking in this area; Safeguard of Preventive detention.

Unit V: Religious, Cultural and Educational Rights 10 Lectures

Secularism; Freedom of Profess or Practice Religion; Freedom to Manage Religious Affairs; Protection of Interest of Minorities.

Unit VI: Right to Constitutional Remedies 10 Lectures

Right to constitutional remedy; Inter-relation between Article 32 and 226; Writs proceedings; Impact of res judicata; Power to issue General Directions; Public Interest Litigation; Constitutional Torts; Impact of Emergency on the enforcement of Fundamental Rights.

Unit VII: Directive Principles and Fundamental Duties 10 Lectures

Concept of Welfare State; Nature, content and justifiability of Directive Principles of State Policy (DPSP); DPSP vis-à-vis Fundamental Rights; Use of DPSP and International Instruments in Interpreting Fundamental Rights; Evolution of Fundamental Duties;

Relationship between Fundamental Rights and Duties; Legislative efforts for enforcement of Fundamental Duties.

Unit VIII: Elections and the Franchise

10 Lectures

Constitutional foundation of the right to vote; The voting rights Acts; Judicial supervision of Elections.

Note: The teaching learning methodology shall comprise lectures, case studies, group discussions, presentation by the participants, seminars, workshops, field studies and research.

SUGGESTED READINGS

1. D. D. Basu: Introduction to the Constitution of India, LexisNexis India, Gurgaon.
2. H.M. Seervai, Constitutional Law of India (1991), Tripathi, Bombay
3. M.P. Jain, Indian Constitutional Law (7th ed., Lexis Nexis).
4. R. Sudarshan, Zoya Hasan, Eswaran Sridharan, "India's Living Constitution: Ideas, Practices, Controversies" Anthem South Asian Studies.
5. S.N Ray, Judicial Review and Fundamental Rights (Eastern Law House, 1974).
6. S.P. Sathe, Fundamental Rights and Amendment of the Indian Constitution, (1968)
7. Singh, M. P.; V.N Shukla's Constitution of India; Eastern Book Company
8. Subba Rao G C V Indian constitutional law

GROUP B: CORPORATE LAW

PAPER 2: CORPORATE MANAGEMENT AND SOCIAL RESPONSIBILITY

| Course Code: | Semester | Marks | Nature | Credits | Teaching Hours |
|--------------|----------|-----------|----------|---------|-------------------------------|
| LM102(B) | I | 70+30=100 | Elective | 6 | $60 \times 1\frac{1}{2} = 90$ |

Course Objectives

The course aims at providing basic idea about corporate law and its implication on society and legal system.

CONTENTS

Unit I: Corporate Promotion and Formation

8 Lectures

Promoters—Duties, Powers and Liabilities, their legal position; Pre-incorporation contracts and its effect; Formalities for formation of company; Procedure of registration and role of registrar; Online registration of a company; Certificate of Incorporation and its conclusiveness; Commencement of Business.

Unit II: Corporate Incorporation

8 Lectures

Memorandum of Association—Need, Contents and Procedure for alteration; Effect of Memorandum; Doctrine of Ultra Vires— its origin, erosion and evasion, consequences of an Ultra Vires Transaction; Articles of Association—Contents and Relation with Memorandum; Doctrine of Constructive Notice; Doctrine of Indoor Management— origin, application and exceptions.

Unit III: Management and Corporate Governance **10 Lectures**

Evolution of Corporate Governance in India and its recognition in the Companies Act 2013; General Body of Shareholders; Board of Directors: Position of Directors Vis-à-vis General Body of Shareholder; Directors: Types, Qualifications, appointment, remuneration, termination; Power and duties of Directors; Managing Director: appointment, term, remuneration and removal; Independent Director; Criminal Liability of the officers of the company.

Unit IV: Meeting of Company **4 Lectures**

Statutory meeting, Annual General meeting and Extra ordinary meeting; Division of Powers between Company in General meeting and Board of Directors.

Unit V: Oppression and Mismanagement of Companies **8 Lectures**

Rule in Foss v. Harbottle, Exceptions; Prevention of Oppression and mismanagement; Misfeasance proceedings and winding up of on just and equitable grounds; Administrative Remedies— Removal of managerial personnel, appointment of Government directors, Special Audit; Class Action suits

Unit VI: Amalgamation, Reconstruction, Mergers and Takeovers etc. **8 Lectures**

Meaning of the terms; Statutory provisions, Powers of the court/tribunal.

Unit VII: Corporate Liquidation **6 Lectures**

Winding up of companies and its grounds; Procedure of winding up; Appointment of liquidators; National Company law tribunal (NCLT); Special courts.

Unit VIII: Corporate Social Responsibility **6 Lectures**

Introduction to CSR; Need for CSR; Theories and Justification; CSR under Companies Act, 2013; CSR policy Updated Rules, and Schedule VII of Companies Act, 2013.

Note: The teaching learning methodology shall comprise lectures, case studies, group discussions, presentation by the participants, seminars, workshops, field studies and research.

SUGGESTED READING

1. Avtar Singh, Company Law (16th ed., 2015)
2. Gowar, LCB, Principles of Modern Company Law, Stevens & Sons, London.
3. Gower's and Davies' Principles of Modern Company Law, (8th ed., 2008)
4. H. K. Saharay, Company Law, (6th ed., 2012)

5. Hanningan, Brenda, Company Law, Oxford University Press, UK, (2nd ed., 2009)
6. Hicks, Andrew & Goo S H, Cases and Material on Company Law, Oxford University Press (8th ed., 2008)
7. K.M. Ghosh & Dr. K.R. Chandratre's Company Law, (13th ed., 2007)
8. Kershaw, David, Company Law in Context, Oxford University Press, UK, (2nd ed., 2012)
9. Palmer's Company Law,
10. Ramaiya, Guide to the Companies Act (17th ed., 2010)

PAPER 3: LAW OF CORPORATE FINANCE AND SECURITIES REGULATIONS

| Course Code: | Semester | Marks | Nature | Credits | Teaching Hours |
|--------------|----------|-----------|----------|---------|-------------------------------|
| LM103(B) | I | 70+30=100 | Elective | 6 | $60 \times 1\frac{1}{2} = 90$ |

Course Objective: To understand the nature and functions of Corporate Finance and their operations in India, and various laws applicable to Securities market.

CONTENTS

Unit I: Introduction of Corporate Finance 12 Lectures

Meaning, Importance and Scope of Corporate Finance; Concept of Corporate Finance: (a) Relationship between Risk and Return, (b) Time Value of Money; Objective of Corporate Finance (Profit Maximization, Wealth Maximization, Capital Investment)

Unit II: Source of Corporate Finance 3 Lectures

Equity Finance—Share Capital, Equity and Preferential Share, Sweat Equity Shares, Employee Stock Ownership Plan; Debt Finance—Debentures, Charge; Other Sources of Finance—Venture Capital Financing, Angel Investors, Leverage Buy Out, Public Financial Institution.

Unit III: Conceptual Understanding of Capital Markets & Securities 5 Lectures

Overview of Capital Market—Indian Capital Market, Authorities Governing Capital Markets in India; Concept of Securities—a) Arena of Security (Equity, Debentures, Preference Share), b) Issue and Listing of Securities, c) Issue of Capital and Disclosure Requirements, d) Procedure for Issue of Various Types of Shares and Debentures, e) Employee stock option scheme and Employee stock purchase scheme, f) Delisting of Securities; Securities Market Intermediaries—Primary market and secondary market intermediaries, Role and function of Merchant Bankers.

Unit IV: Securities Laws and Regulations in India 40 Lectures

1. Security Contracts (Regulations) Act, 1956
2. SEBI Act, 1992
3. Depositories Act, 1996
4. SEBI (Issue of Capital and Disclosure Requirements) Regulations, 2009

5. SEBI (Listing Obligations and Disclosure Requirements) Regulations, 2015
6. SEBI (Substantial Acquisition of Shares and Takeovers) Regulations, 2011
7. SEBI (Buyback of Securities) Regulations, 1998
8. SEBI (Delisting of Equity Shares) Regulations, 2009
9. SEBI (Prohibition of Insider Trading) Regulations, 2015
10. SEBI (Share Based Employee Benefits) Regulations, 2014
11. SEBI (Collective Investment Scheme) Regulations, 1999
12. SEBI (Mutual Fund) Regulations, 1996
13. SEBI (Ombudsman) Regulations, 2003.

Note: The teaching learning methodology shall comprise lectures, case studies, group discussions, presentation by the participants, seminars, workshops, field studies and research.

SUGGESTED READINGS

1. Frank. B. Cross & Robert A. Prentice- Law and Corporate Finance, Edward Elgar Publishing Limited-U. K (2007)
2. Guide to Indian Capital Market; Bharat Law House, 22, Tarun Enclave, Pitampura, New Delhi – 110034.
3. Gurusamy, Financial Services, Tata McGraw Hill Education, 2009
4. Gurusamy, Indian Financial System, Tata McGraw Hill Education, 2009
5. Kohn Meir, *Financial Institutions and Markets*, Delhi, Tata McGraw Hill Publishing Company Limited.
6. M.Y. Khan, Indian Financial Systems; Tata McGraw Hill, 4/12, Asaf Ali Road, New Delhi – 110002
7. Mamta Bhargava: Compliances and Procedures under SEBI Law; Shreeji Publishers, 8/294, Sunder Vihar, New Delhi – 110 087
8. P. M. Vasudev, Capital Markets and Corporate Governance in India: An Overview of Recent Trends, 3 CORP. GOVERNANCE L. REV. 255, 282 (2007).
9. S. Suryanarayanan & V. Varadarajan, SEBI – Law, Practice & Procedure; Commercial Law Publishers (India) V. Varadarajan Pvt. Ltd., 151, Rajindra Market, Opp. Tis Hazari Court, Delhi – 110054
10. Sanjeev Aggarwal, GBabby Dutta, Indian Financial Markets the regulations framework, ICFAI-2005.
11. Shah Ajay, Thomas Susan, Elesevier Gorham Michael, Indian Financial Markets, An Insider's Guide to How the Markets Work, 30th Sep,2008
12. Shashi K Gupta, Nishja Aggarwal and Neeti Gupta, Financial Institutions and Markets; Kalyani Publishers, 4863/2B, Bharat

PAPER 4: LAW RELATING TO MERGERS AND ACQUISITIONS

| Course Code: | Semester | Marks | Nature | Credits | Teaching Hours |
|--------------|----------|-----------|----------|---------|-------------------------------|
| LM104(B) | I | 70+30=100 | Elective | 6 | $60 \times 1\frac{1}{2} = 90$ |

Course Objective

The course aims at developing among students a comprehensive understanding of mergers and acquisitions (M&A) in both academic and practical perspectives.

CONTENTS**Unit I: Introduction** **7 Lectures**

Theories of Merger and Acquisition (in short M & A); Types of M & A; Advantages and Disadvantages; Structure of Transaction (Asset Purchase, Cross-Border Mergers, Share Purchase)

Unit II: Merger and Acquisition in International Law **10 Lectures**

European Law, American Law and other Systems of Law

Unit III: Merger and Acquisition in India **5 Lectures**

Pre and Post Liberalization period

Unit IV: Role of Regulators governing M & A in India **6 Lectures**

Security and Exchange Board of India (SEBI); Reserve Bank of India (RBI); Foreign Investment Promotion Board (FIPB); Competition Commission of India (CCI)

Unit V: Law relating to M & A **12 Lectures**

Company Law; Competition Law; FEMA; SEBI Regulation and Guidelines; RBI Policies and others

Unit VI: Issues Relating to M & A **4 Lectures**

Contractual; (ii) Intellectual Property; (iii) Exchange Control (FDI), (iv) Tax

Unit VII: Due Diligence **4 Lectures**

Meaning and objectives and types of due diligence

Unit VIII: Merger and Acquisition Agreement (Essentials) **4 Lectures**

MoU (Pre-Agreement); Acquisition Agreement (Share Purchase Agreement etc.)

Unit IX: Case Studies **4 Lectures**

Indian and Foreign

Unit X: Drafting of M & A Agreement (Model) **4 Lectures**

MoU and Acquisition Agreement.

Note: The teaching learning methodology shall comprise lectures, case studies, group discussions, presentation by the participants, seminars, workshops, field studies and research.

SUGGESTED READING

1. Andrew J. Sherman and Milledge A. Hart: Merger and Acquisitions from A to Z
2. Companies Act
3. Competition Act
4. Donald M. DePamphilis: Mergers, Acquisitions, and Other Restructuring Activities
5. FDI Regulations
6. Foreign Exchange Management Act
7. Foreign Security Regulations
8. H. R. Machiraju, Mergers, Acquisitions and Takeovers
9. ICDR Regulations
10. J. Fred Weston, Kwang S. Chung and Susan E. Hoag: Mergers, Restructuring, And Corporate Control

GROUP C: ALTERNATIVE DISPUTE RESOLUTION**PAPER 2: FUNDAMENTALS OF ALTERNATIVE DISPUTE RESOLUTION**

| Course Code: | Semester | Marks | Nature | Credits | Teaching Hours |
|--------------|----------|-----------|----------|---------|-------------------------------|
| LM102 (C) | I | 70+30=100 | Elective | 6 | $60 \times 1\frac{1}{2} = 90$ |

Course Objectives

This course is intended to provide knowledge on meaning, nature, scope and necessity of alternative dispute resolution system and with these backdrops on elements involved in the process of Negotiation, Mediation, Conciliation and Arbitration and its applications in disputes resolution.

CONTENTS**Unit I: ADR 7 Lectures**

Disputes and approaches to dispute resolution; Philosophy underlying alternative dispute resolution methods; Nature, scope and necessity and limits of alternative models of disputes resolution; Distinction between arbitration, mediation, conciliation, negotiation, expert determination; Court annexed ADR process; Advantages and disadvantages of ADR.

Unit II: Conciliating 6 Lectures

Appointment of Conciliator; Rights and Duties of Conciliator; Interaction between conciliator and parties; Communication and Legal Counselling; Different facets of legal counselling; Duties and Responsibilities of Counsellor.

Unit III: Mediation 7 Lectures

Objectives of Mediation; Models and Approaches; Stages of Mediation; Mandate of Mediator; Role of the mediator (court annexed and private); Duties and Responsibilities of Mediator; Initiating mediation (court annexed and private); Preparation for Mediation; Mediation Process; Confidentiality and neutrality; Mediation Agreement and Termination of Mediation proceeding; Ethical issues in Mediation; Mediation in India, Institutions, their role.

Unit IV: Negotiation **5 Lectures**

Theory of negotiation; Approaches to Negotiation; Positional bargaining; Interest-based bargaining or principled negotiation; Preparation for Negotiation; Collaborative Communication skills, Negotiating skills, Negotiation exercises; Duties and Responsibilities of Negotiator.

Unit V: Dispute Resolution through Lok Adalat **5 Lectures**

Different types of Lok Adalat; Nyaya Panchyats and Grama Nyayalayas; Important provisions of Legal Services Authorities Act, 1987; Fast Track Arbitration; Section 89 of Civil Procedure Code, 1908.

Unit VI: Criminal Justice System **6 Lectures**

Victim vis-à-vis Offender mediation and reparation; Plea Bargaining; Charge Bargaining; Sentence Bargaining; Fast Track Criminal Courts.

Unit VII: Professional Ethics in ADR **5 Lectures**

Justice; Fairness; Neutrality; Confidentiality; Personal Values

Unit VIII: ADR Techniques in other Areas **10 Lectures**

ADR techniques in Labour Codes; The Hindu Marriage Act 1955; Family courts Act 1994; The Hindu Succession Act 1956;

Unit IX: Application of ADR in Consumer Disputes **7 Lectures**

Banking Ombudsman; Energy Sector; Insurance Claims; Debt Recovery Tribunals; Administrative Tribunals; Ombudsman under local self-government system; Accident Claims; Intellectual Property Rights Disputes; Environmental Issues.

Note: The teaching learning methodology shall comprise lectures, case studies, group discussions, presentation by the participants, seminars, workshops, field studies and research.

SUGGESTED READINGS

1. Anirban Chakraborty (2116 Edition), Law & Practice of Alternative Dispute Resolution in India – A Detailed Analysis, LexisNexis, Gurgaon.
2. Anirudh Wadhwa (Chief Editor), Fifth Edition, 2010, Justice RS Bachawat's Law of Arbitration and Conciliation, LexisNexis, Gurgaon.
3. Charles Chatterjee and Anna Lefkovitch, Alternative Dispute Resolution: A Practical Guide, Routledge (2008)

4. Dr. P.C. Markanda, Naresh Markanda and Rajesh Markanda (9th Edition, 2016), Law Relating to Arbitration and Conciliation, LexisNexis, Gurgaon
5. Henry Brown and Arthur Marriot, ADR Principles and Practice, Sweet and Maxwell (2013)
6. Henry J Brown and Arthur L. Marriott (2nd Edition, 1999 in two volume), ADR Principles and Practice, Sweet and Maxwell
7. Madabhushi Sridhar, Alternative Dispute Resolution Negotiation and Mediation, Lexis Nexis and Butterworths (2006)
8. Roy Lwicks, Bruce Barry and David Saunders, Essentials of Negotiation, MacGraw-Hill Education, (2010)
9. Shashank Garg, Ajit Prakash Shah (2018), Alternative Dispute Resolution: The Indian Perspective, Oxford University Press
10. Sriram Panchu, Mediation Practice and Law, Lexis Nexis and Butterworths (2015)
11. Stephen B. Goldberg, Frank E.A. Sander, Nancy H. Rogers (Third Edition, 1999), Dispute Resolution – Negotiation, Mediation and Other Processes, Aspen Law & Business, New York
12. Suhan Heather Blake, Julie Browne, Stuart Sime (2016), A Practical Approach to Alternative Dispute Resolution, Oxford University Press

PAPER 3: INDIAN LAW ON ALTERNATIVE DISPUTE RESOLUTION

| Course Code: | Semester | Marks | Nature | Credits | Teaching Hours |
|--------------|----------|-----------|----------|---------|-------------------------------|
| LM103 (C) | I | 70+30=100 | Elective | 6 | $60 \times 1\frac{1}{2} = 90$ |

Course Objectives

This course is intended to provide understanding of the legal framework related to the Arbitration and Conciliation in India.

CONTENTS

Unit I: Understanding Arbitration 4 Lectures

Arbitration as a Dispute settlement Mechanism; Definition of Arbitration; Types of Arbitrations and their advantages and disadvantages—Adjudicatory, Non-adjudicatory, Institutional and Adhoc, and Mandatory Arbitration; .

Unit II: The Evolution of Arbitration and Conciliation Act, 1986 7 Lectures

Introduction; Arbitration as an important method of ADR Mechanisms; Origin of Arbitration law in India: Pre-Independence Era; Short comings in the Arbitration Act, 1940; Arbitration and Conciliation Act, 1996 - Essential features; Scope and extent of the Arbitration and Conciliation Act, 1996.

Unit III: Arbitration Agreement **5 Lectures**

Definition of Arbitration Agreement; Essential elements of arbitration agreement; Attributes of an Arbitration Agreement; Who can enter into an Arbitration Agreement; Power of Judicial Authority to refer parties to arbitration in case of arbitration agreement; Arbitration clauses in the contracts; positive and negative effect of arbitration agreement; separability of arbitration agreement.

Unit IV: Arbitral Tribunal **7 Lectures**

Number of Arbitrators and appointment of Arbitrators; Eligibility and Qualifications of Arbitrators; Powers and functions; Jurisdiction of Arbitral tribunal and doctrine of competence.

Unit V: Arbitral proceedings **10 Lectures**

Equal treatment of parties and determining the rules of procedures; Seat of Arbitration; Commencement of proceedings and language; Pleadings; Hearings; Default of a party; Expert appointment; Curt assistance in taking evidence; Interim measures; Settlement awards.

Unit VI: Determination of Applicable Law **4 Lectures**

Choice of Law; Proper Law of Contract and Conflict of Law principles

Unit VII: Arbitral Award **7 Lectures**

Definition of Awards; Kinds of Awards; Rules of Guidance; Form and contents of awards; Correction and Interpretation of award; Additional award; Setting aside of Awards; Appealable Orders; Recognition and Enforcement of Awards including Foreign Award; Legality and Fairness of Arbitral Awards; Reasoned Awards.

Unit VIII: Conciliation under the Arbitration and Conciliation Act, 1996 **10 Lectures**

Definition of Conciliation; Application and Scope; Commencement of conciliation proceedings; Number of Conciliators; Appointment of Conciliators; Assistance of Institutions for appointment of Conciliators; Submission of statement to conciliators; Conciliator not bound by certain enactments; Role of Conciliators; Administrative Assistance; Communication between Conciliators and Parties; Confidentiality and disclosure of information; Confidentiality; Co-operation of parties with conciliator; Suggestions by parties for settlement of disputes; Settlement agreement; Status and Effect of Settlement Agreement; Termination of conciliation proceeding; Resort to arbitral or judicial proceedings; Costs and deposits; Role of conciliator in other proceedings; Admissibility of evidence in other proceedings.

Unit IX: Scope and Extent of Judicial Intervention in Arbitration Process **8 Lectures**

Role of Courts; Setting Aside Arbitration Awards on Grounds of Public Policy, Fraud, and Partiality; Recent Trends and developments.

Note: The teaching learning methodology shall comprise lectures, case studies, group discussions, presentation by the participants, seminars, workshops, field studies and research.

SUGGESTED READINGS

1. Ashwinie Kumar Bansal, Arbitration & ADR (2nd Edition, 2009), Universal Law Publication
2. Avatar Singh, Arbitration and Conciliation, Eastern Law Book House, Lucknow.
3. Dharmendra Rautray (2018), Principles of Law Of Arbitration In India, Wolters Kluwer (India) Pvt. Ltd.
4. Dr. Anupam Kurlwal, An Introduction to Alternative Dispute Resolution, Central Law Publications
5. Indu Malhotra, O.P. Malhotra on The Law and Practice of Arbitration and Conciliation, Thomson Reuters, (2014)
6. Justice RS Bachawat, Law of Arbitration and Conciliation Anirudh Wadhva and Anirudh Krishanan ed. (Lexis Nexis 2018)
7. O.P. Tiwari (2nd Edition), The Arbitration and Conciliation Act, Allahabad Law Agency.
8. S.C. Tripathi, Arbitration, Conciliation and ADR, Central Law Agency, Allahabad.
9. S.D. Singh: 2001 Edition, Alternate Dispute Resolution, Universal Book Traders, New Delhi.

PAPER 4: INTERNATIONAL COMMERCIAL ARBITRATION

| Course Code: | Semester | Marks | Nature | Credits | Teaching Hours |
|--------------|----------|-----------|----------|---------|-------------------------------|
| LM104 (C) | I | 70+30=100 | Elective | 6 | $60 \times 1\frac{1}{2} = 90$ |

Course Objectives

This course is intended to impart knowledge about Importance of International Commercial Arbitration in India and abroad, its limitations and possibility of reforms going forward.

CONTENTS**Unit I: General: 6 Lectures**

Absence of University in Private International Law—Problem arising out; Reluctance of MNC's to submit to domestic jurisdictions; Need for International Commercial Arbitration; Method to promote ICA; Role and importance of ICA in international relations; International Commercial arbitration (ICA)—Growth and Historical development; Theoretical Foundations of International Commercial Arbitration; Difference between Domestic Award, Foreign Award made in Convention and Non-Convention country; Applicability of Part I of the A & C Act, 1996 to Foreign Awards.

Unit II: Meaning and Kinds of International Commercial Arbitration 4 Lectures

Meaning and definition of International Commercial Arbitration; Types of International Commercial Arbitration; Ad-hoc Arbitration; Merits of ad-hoc method of Arbitration; Institutional Arbitration.

Unit III: Constitution of Arbitral Tribunal 4 Lectures

Appointment of Arbitrators; Powers, Duties and Jurisdiction of Arbitral Tribunal; Code of Conduct of Arbitrators; Rules of Arbitration Proceedings; Principle of Party Autonomy

Unit IV: Growth of Arbitrational Institutions in International relations 6 Lectures

Permanent court of Arbitration at the Hague; International Chamber of Commerce, Paris, London Court of International Arbitration, London; The Chartered Institute of Arbitrators (CI Arb), Indian Council of Arbitration (ICA), etc.

Unit V: Meaning and Nature of Commercial 3 Lectures

International Commercial Arbitration, disputes arising out of legal relationships; Contractual or not; Considered as commercial under the law in force in India; Difference with International and Indian laws.

Unit VI: Choice of Law Governing International Commercial Arbitration 4 Lectures

Introduction; International Commercial Arbitration Subject to Different Laws; Law governing Arbitration Agreement; Choice of Law; Levels of Law that has a bearing on International Commercial Arbitration; Proper Law of Contract; Proper Law of the Arbitration Agreement; Law governing Arbitration proceedings / the Curial Law; Rules Applicable to Substance of a Dispute in International Commercial Arbitration where the place of arbitration is within India

Unit VII: Determination of Nationality 4 Lectures

Nationality of Parties; Applicable Law; The intervention of domestic courts in International Commercial Arbitration; Interim remedies by Courts; Conflict of Law; Principles as applicable to International Arbitrations; Sovereign Immunity and International Commercial Arbitration

Unit VIII: Governing Laws for Enforcing the Arbitration Agreement 7 Lectures

Applicable Laws in International commercial Arbitration; Lex Loci Arbitri, Lex Loci Contractus and Lex Loci Solutionis; Technical aspect of law in dispute matters; Curial law/Seat Theory- Governing Law of arbitration; The sovereignty of the parties to the contract; Synchronized Laws; Combined Laws; The Shariah - General principles of law applicable to international commercial arbitration; International development law - Lex Mercatoria - Codified terms, Trade Usages and Customs - Conflict Rules; International Conventions.

Unit IX: UNCITRAL Model Law on International Commercial Arbitration 8 Lectures

Objectives and Principles; Structure and Adoption of Model Law; General Provisions; Arbitral Agreement; Composition and Jurisdiction of Arbitral Tribunal; Interim Measures; Preliminary Orders; Conduct of Arbitral Proceedings; Making of Award; Termination of Proceedings; Recourse against Award; Difference between Indian International Commercial Arbitration and UNCITRAL Model Law.

Unit X: Foreign Arbitral Awards— Recognition and Enforcement **6 Lectures**

Meaning of Foreign Arbitral Award; Difference foreign arbitral award made in a conventional country and a Foreign arbitral award made in non-conventional country; Meaning of Foreign arbitral award under A & C Act 1996 with reference to New York Convention and Geneva Convention; Essential conditions of a Foreign Award;

Unit XI: Enforcement of Foreign Award in India **8 Lectures**

Introduction; Indian Position; Procedure for Enforcement of Foreign arbitral award under two conventions; Power of Judicial authority to refer parties to arbitration; binding nature of foreign awards; Procedure for enforcing the foreign award—No time limit for enforcing a foreign award; Evidence to be produced for enforcement of foreign award; Conditions for enforcement of foreign award under New York Convention; Incapacity of the Party, invalid agreement and other conditions; Lack of proper notice and inability of the party to present his case; Excess authority or Jurisdictional Issues; Improper Composition of Arbitral Tribunal or Arbitral Procedure; Non-binding or Suspended Award; Inarbitrability or Non-Arbitrability of the Subject Matter; Public policy; Ground for Enforcement of the Award; Some Observations about the Enforcement of a Foreign Award under the A & C Act, 1996 ; Differences Between Grounds for Enforcement of Awards—Domestic Award and Foreign Arbitral Award; Foreign Award when is Deemed to be a Decree; Appealable orders.

Note: The teaching learning methodology shall comprise lectures, case studies, group discussions, presentation by the participants, seminars, workshops, field studies and research.

SUGGESTED READING

1. Bansal A.K, Law of International Commercial Arbitration, Universal Law Publishing 2003.
2. Fouchard, Gaillard Goldman, International Commercial Arbitration
3. Gary B Born, International Commercial Arbitration, Kluwer Law International, (2015)
4. Giallard and Savage ed. Fouchard, Giallard and Goldman, on International Commercial Arbitration, Kluwer, (1999)
5. Julian D M Lew, Loukas A Mistelis and Stephen Kroll, Comparative International Commercial Arbitration, Kluwer Law International, 2003
6. Nigel Blackaby and Constantine Partisides, Redfern and Hunter on International Arbitration, Oxford, (2015)
7. Poudret and Besson, Comparative Law of international Arbitration (2007)
8. Sethi Harsh, Gupta Arpan Kumar, International Commercial Arbitration and Its Indian Perspective, 2011 Universal Law Publication, New Delhi.

SEMESTER: 2ND**PAPER 5: LEGAL EDUCATION AND LEGAL RESEARCH METHODS**

| Course Code: | Semester | Marks | Nature | Credits | Teaching Hours |
|---------------------|-----------------|--------------|---------------|----------------|-------------------------------|
| LM201 | II | 70+30=100 | Core | 6 | $60 \times 1\frac{1}{2} = 90$ |

Objectives: This paper familiarize the students with legal education system and inculcate in them teaching and research aptitude.

CONTENTS**Unit I: Legal Education** **9 Lectures**

Objectives of Legal Education; History of Legal Education in India; Role of Bar Council of India in shaping the Legal Education in India; Legal Education Rule as framed by BCI under Advocate Act, 1961; Various Methods of Law Teaching—Discussions, Seminar, Case Studies, Problem Solving, and Clinical.

Unit II: Curriculum Designing **4 Lectures**

Meaning of Curriculum; Features of effectively designed curriculum; Holistic Approach of Curriculum Design; The use of Learning Outcomes in Curriculum Design; The use of Credit points in Curriculum Design; Reviewing and Updating a designed Curriculum; Contemporary trends of curriculum design; Designing Curriculum in legal studies.

Unit II: Legal Research **8 Lectures**

Meaning of Research and its characteristics; Meaning, objectives and significance of Legal Research; Approaches of Legal Research—Doctrinal and Socio-Legal; Significance of Socio-Legal Research; Types of Research Studies.

Unit III: Research Design **10 Lectures**

Meaning and purpose of Research Design; Components of Research Design: Research Topics; Research Problems; Hypothesis; Additional points on Formulation of Hypothesis in case of Socio-Legal Research; Literature Reviews; Objectives of Study; Methodology; Methodology in Socio-Legal Research—Types of Data Needed, Method(s) of Data Collection, Socio-cultural context of the study; Geographical area of the study, Types of sampling to be used; Scope of Study; Significance of Study; Chapters in Study; Tables and Bibliography.

Unit IV: Data Collection **13 Lectures**

Research Data; Types of Data; Sources of Data—Primary and Secondary; Using law library for finding legal materials; Techniques of collection of primary source data—Observation, Interview, Questionnaire.

Unit V: Data Preparation and Analysis **6 Lectures**

Qualitative and Quantitative Data Analysis; Editing of collected data; Coding—Pre-coding and Post-coding; Data entry; Data Analysis; Presentation of analysed data.

Unit VI: Research Report Writing**5 Lectures**

Meaning and nature of research report writing; Component of report writing: The Preliminary pages—Title, Acknowledgement; Preface, Table of Contents, Table of cases, List of Tables or Figures; The Main Text—Introduction, Literature Review, Method of study, result of findings, Implication of research study, Conclusion or Suggestion; Reference.

Unit VII: Research Ethics**5 Lectures**

Meaning and objectives of research ethics; Freedom of research and society; Respects for individual and regards for groups and institutions; Scientific integrity, Plagiarism, good reference practice; Verification and subsequent use of research material; Professional opinions; Obligations in respect of colleagues and student-supervisor relationship; Contractual research and rights to publish.

Note: The teaching learning methodology shall comprise lectures, case studies, group discussions, presentation by the participants, seminars, workshops, field studies and research.

SUGGESTED READINGS

1. Bruce L. Berg, Qualitative Research Methods for the Social Science (London: Allyn and Bacon, 2001)
2. Cohen L. Morris, Legal Research in Nutshell, (Minnesota West Publishing Co., 1996)
3. Dr. Vinay N. Parnjape, Legal Education & Research Methodology (2016), Central Law Publication
4. Dworkin, R, Legal Research, Daedalus, (Spring 1973), pp. 53-64
5. Erwin C. Surrency, B. Fielf and J. Crea, A Guide to Legal Research (1959)
6. Ghosh B.N., Scientific Methods and Social Research, (Sterling, New Delhi, 2003)
7. Grade J Williams and Hatt K Paul, Methods in Social Research, McGraw-Hill Book Company, London- Singapore (1985) reprint
8. Horrington, William G. Computer and Legal Research, American Bar Association Journal, 56 (Dec., 1970) 1145-8
9. ILI Publication, Legal Research and Methodology
10. John W. Creswell, Research Design: Qualitative, Quantitative, and Mixed Methods Approaches, (Sage Publications, 2002)
11. Kalven, Hans H. Social Science Research and the Law: A symposium in Honor of Hans Zeisel, University of Chicago Law Review 41 (1974) Winter 20995
12. Kothari C.R., Research Methodology (New Age International, 2004)
13. Manohar Rao G, Legal Education in India-Challenges & Perspectives
14. Miller, Delbert. C, Handbook of Research Design and Social measurement, (New York: DS. Mckay, 1977)

15. Morris L. Cohan, Legal Research in Nutshell, (1996), West Publishing Co.
16. Myneni, S. R., Legal Research methodology (Allahabad Law Agency, 2015)
17. N. R. Madhava Menon, (ed.) A Handbook of Clinical Legal Education, (1998) Eastern Book Company, Lucknow.
18. Pauline V. Young, Scientific Social Surveys and Research, methods, and An Introduction to methods and Analysis of Social Studies (New York: Prentice Hall, Rev Ed. 1949)
19. Rattan Singh, Legal Research Methodology (Lexis Nexis, 2013)
20. Richard Johnstone and Sumitra Vignaendra Australian Universities Teaching Committee (AUTC): Learning Outcomes and Curriculum Development in Law
21. S. K. Agrawal (Ed.), Legal Education in India (1973), Tripathi, Bombay.
22. S.K. Verma and M. Afzal Wani (Eds.) Legal Research and Methodology, (ILI, New Delhi, 2nd Edo., 2001)
23. Sharaon A Cooper & Siva Krishnan, Effective Unit Design for Higher Education Course: A Guide to Instructor, Routledge 2020

GROUP D: CRIMINAL LAW

PAPER 6: CRIMINAL JUSTICE ADMINISTRATION

| Course Code: | Semester | Marks | Nature | Credits | Teaching Hours |
|--------------|----------|-----------|----------|---------|-------------------------------|
| LM202(D) | II | 70+30=100 | Elective | 6 | $60 \times 1\frac{1}{2} = 90$ |

Course Objectives: This paper helps students broaden their vision about administration of criminal justice in tune with developed systems.

CONTENTS

Unit I: Theoretical Foundation and Perspectives 9 Lectures

Conceptual understandings of Crime, Criminal Law and Criminal Justice Administration; Models of Criminal Justice Administration: Due Process and Crime Control; Systems of Trial: Adversarial & Inquisitorial; Indian system of Justice Administration and its challenges.

Unit II: Organization of Courts and Prosecuting Agencies 5 Lectures

Hierarchy of criminal courts and their jurisdiction; Nyaya Panchayats in India; Panchayats in tribal areas; Organization of prosecuting agencies for prosecuting criminals; Prosecutors and the police.

Unit III: Pre-Trial Criminal Administration 15 Lectures

Arrest and questioning of the accused; The Role of Investigating agencies—Police, CBI, NIA, ED, etc.; The rights of the accused; The evidentiary value of statements/articles seized/collected by the police; Rights to counsel; Bail and Remand; Roles of judge and prosecutor; Principal features of fair trial.

Unit IV: Administration During Trial**15 Lectures**

Taking cognizance by courts and committal proceedings; Framing of Charge and Discharge Proceedings; Admissibility and inadmissibility of evidence; Acquittal or Conviction; Decision on Punishment: Concept of Maximum Punishment, Minimum Punishment, Mitigating and Aggravating Factors etc.; Revision, Appeal and transfer of case for trial; Role of the judge, the prosecutor and defence attorney in the trial.

Unit V: Sentence Process**6 Lectures**

Pre-sentence hearing Ss 235(2) and 248(2); Types of sentences; Alternatives to sentencing: Probation & Parole, Corrective Labour, Fine, Remission and Commutation of sentence; Withdrawal from prosecution; Plea Bargaining; Compounding of Offences.

Unit VI: Prison System**10 Lectures**

Prison system in India and its reform; Hierarchy of prisons; Classification of prisoners; Rights of the prisoners and duties of the custodial staff; Institutional correctional programs and community-based corrections

Note: - The Paper will be taught with reference, wherever necessary, to the criminal Justice Administration in India, England, US, France, Russia and China. The teaching learning methodology shall comprise lectures, case studies, group discussions, presentation by the participants, seminars, workshops, field studies and research.

SUGGESTED READINGS

1. Chris Crowther: Introduction to Criminology and Criminal Justice, Pargrave, New York.
2. Criminology and Penology: Prof N.V. Paranjape
3. Different Reports published by government of India from time to time.
4. Government of India, Ministry of Home Affairs
5. Herbert L. Packer, The Limits of Criminal Sanction (1968)
6. Justice Malimath Committee Report on Reforms of Criminal Justice System (2003)
7. Mehraj-ud-din Mir: Crime and Criminal Justice System in India, Deep & Deep Publications, New Delhi.
8. R. K. Bag: Supreme Court on Criminal Justice, Second Edition, Asia Law House, Hyderabad.
9. Reichel Philip L., Comparative Criminal Justice Systems: A Topical Approach, Pearson, New Delhi, 2007
10. R.V Kelker's lectures on criminal procedure, Eastern Book Company, 4th edition Lucknow 2006
11. S. S. Srivastava: Criminology and Criminal Administration, Central Law Agency, New Delhi
12. S. Chhabbra, The Quantum of Punishment- in Criminal Law (1970) H.L.A.

13. Sutherland: principles of criminology (latest Edition)

PAPER 7: SOCIO ECONOMIC OFFENCES IN INDIA

| Course Code: | Semester | Marks | Nature | Credits | Teaching Hours |
|--------------|----------|------------|----------|---------|-------------------------------|
| LM203(D) | II | 70+30= 100 | Elective | 6 | $60 \times 1\frac{1}{2} = 90$ |

Course Objectives: This paper aims at acquainting the students with the non-conventional form of crimes having its spread in India and make them aware of some specific enactments addressing socio economic offences in India.

CONTENTS

Unit I: Introduction to the Socio-Economic Offences 9 Lectures

Concept and Evolution of Socio-Economic Offences; Nature and Extent of Socio-Economic Offences; Mens Rea, Nature of Liability, Burden of Proof and Sentencing Policy; Concept of White-Collar Crimes - Sutherland's theory of 'Differential Association.'; Distinction among Socio-Economic Offences, White Collar Crimes and Traditional Crimes; Socio-Economic Offences in India: The Santhanam Committee Report, 1964 and the 47th Report of the Law Commission of India, 1972.

Unit II: Organised crime vis-à-vis Socio Economic offence: 3 Lectures

Meaning and definition of organised crime; Characteristics of organised crime; Modus operandi of organised crime; Scope of organised crime; Distinction between transnational organized crime and international crime.

Unit III: Types of Socio-Economic Offences and its impact 13 Lectures

Tax evasion; Corporate Crime; Illicit trafficking in contraband goods; money laundering; Trade in human body parts; Illicit drug trafficking; Black marketing, hoarding and adulteration of food and drugs; Corruption and bribery of public servants; Bank frauds; Illegal foreign trade; Theft of intellectual property; Environmental crime; Cyber-crime; Immoral trafficking, etc.

Unit IV: Agencies and its role in preventing socio-economic offences 3 Lectures

Central Economic Intelligence bureau; Directorate general of Revenue Intelligence; Directorate enforcement; Directorate general of central excise intelligence; Directorate general of Income tax (Investigation); Narcotics control Bureau; Economic offence wings.

Unit V: The Immoral Traffic (Prevention) Act, 1956 4 Lectures

History, Development and Magnitude of Human Trafficking; Constitutional Provisions and Sections 370-373 of the Indian Penal Code, 1860; 64th report of the Law Commission of India, 1975; Salient features of Immoral Traffic (Prevention) Act, 1956.

Unit VI: The Narcotic Drugs and Psychotropic Substances Act, 1985 7 Lectures

Definition of Narcotic Drugs and Psychotropic Substances; Authorities and officers section 4,6; National Fund for Control of Drugs Abuse Section 7A; Prohibition Control and

Regulation, Section 8, 9, 9A; Offences and Penalties, Section 18, 19, 21, 22, 25A, 27, 27A, 30, 31, 31A, 32, 32A, 33, 35, 36, 36A, 37, 39; Procedure Section, 41, 42, 43, 50, 52A, 54, 58, 60, 64.

Unit VII: The Food Safety and Standards Act, 2006 **7 Lectures**

Definitions of 'food', 'Adulterant', 'contaminant', 'food business', 'misbranded food'; Food Safety and Standards Authorities of India & State Food Safety and Standards; Authorities: Establishment and functions; Food Safety Officer—Power, Function and liabilities; Food Analyst; General Principles to be followed for food safety under the Act (Section 18); Licensing and Registration of food business (Section 31); Purchaser may have food analysed (Section 40); Provisions related to offence and penalties (Sections 48 to 67); Adjudication and Appeal procedures (Sections 68 & 76).

Unit VIII: The Prevention of Corruption Act, 1988 **7 Lectures**

Need of the Act (read with Santhanam Committee Report); Definitions of 'public servant'; Offence and their Penalties (Section 7 to 14); Sanction for prosecution (Section 19 r/w Section 197 of the Code of Criminal Procedure, 1973); Presumption where public servant accepts gratification (Section 20).

Unit IX: The Prevention of Money-Laundering Act, 2002 **7 Lectures**

Need for combating Money-Laundering; Magnitude of Money—Laundering, its steps and various methods; Definitions under the Act; Punishment for money laundering; Enforcement: survey, search, seizure and arrest; Adjudication— Adjudication by Adjudicating Authorities (Section 8), by Special courts (Sections 43 to 47) and Vesting of Property in Central Government (Section 9); Preventive Mechanisms under the Act: Obligation of banking companies, financial institutions and Intermediaries (Sections 12 & 12A), and Reciprocal Arrangements with other countries (Overview of Chapter IX i.e. Sections 55 to 61).

Note: The teaching learning methodology shall comprise lectures, case studies, group discussions, presentation by the participants, seminars, workshops, field studies and research.

SUGGESTED READINGS:

1. Ahmed Siddiqui, Criminology: Problems and Perspectives (4th Ed., 1997)
2. B.R. Boetra, The Immoral Traffic (Prevention) Act 1956 (with state rules) (4th Ed., 1988)
3. J.S.P. Singh, Socio- Economic Offences (1st Ed., 2005, Reprint 2015)
4. Kumar (Revised by Justice A.B. Srivastava and C.S. Lal), Commentaries on Prevention of Food Adulteration Act, 1954 with Central and States Rules along with Food Safety and Standards Act, 2006 (3rd Ed., 2009)
5. M. C. Mehanathan, Law on Prevention of Money Laundering in India (2014)
6. Mahesh Chandra, Socio- Economic Offences (1979)
7. Seth and Capoor, Prevention of Corruption Act with a treatise on Anti- Corruption Laws (3rd Ed., 2000)
8. The 29th Law Commission of India report

9. The 47th Law Commission of India report
10. The Santhanam Committee Report

PAPER 8: USE OF TECHNOLOGY AND LAW OF EVIDENCE

| Course Code: | Semester | Marks | Nature | Credits | Teaching Hours |
|--------------|----------|-----------|----------|---------|-------------------------------|
| LM204(D) | II | 70+30=100 | Elective | 6 | $60 \times 1\frac{1}{2} = 90$ |

Course Objective: The objectives of this paper is to exposed to the students to the of law, particularly the laws of evidence, to the Modern technologies used in criminal investigations.

CONTENTS

Unit 1: Understanding Evidence 3 Lectures

Meaning of facts, relevant facts and fact in issue; **Types of Evidence**; **Meaning of "Proving" "Not providing" and "Disproving"**; **Witness**; **Presumptions** (Sec.4, 41, 79-90, 105,107,108,112,113-A, 114 and 114-A); **Rules relating to Burden of Proof** (Sec.101-105); **Doctrine of Res Gestae**; **General Principals concerning Admissions and Confessions**; **Evidence by accomplice** (Sec.133 with 114(b)).

Unit 2: Forensic science and Law 3 Lectures

Forensic science in aid of law, Need and use of forensic science in criminal investigation; **Principles of forensic science**; **Kinds of Forensic Evidence**; **Probative Value of Forensic Evidence**; **Processes Involved in Collecting Forensic Evidence**.

Unit 3: Scientific Criminal Investigation 5 Lectures

Law in forensic science, Expert testimony; **Section 45 Evidence act, 1872 Section 293 of Criminal Procedure Code,1973**; **Physical evidence, Problems of proof**; **Tools and technique, techniques of investigation**.

Unit 4: Evidentiary Clues 3 Lectures

Sources, scene of occurrence; **Police photography**; **Sketching the scene**; **Role of investigator**; **Basic question in Investigation-Quid bono**;

Unit 5: The Establishment of Identity 18 Lectures

Establishment of Identity of Individuals (:Footprints, hair, skin, blood grouping, physical peculiarities); **Establishment of the Identity of Physical Objects by shape and size: Identifying marks and impressions made by physical objects** (: Shoe prints: type and tread marks; die and tool marks; rupture of fracture marks); **Establishment of the Identity of Physical Objects by Physical and Chemical Analysis** (: Paints; coloured objects: metal; alloys; chain and the earthen wares: cements: Plaster; bricks: dusts; soil minerals; plastics).

Unit 6: Documents and Identification of Handwritings 5 Lectures

Paper, its types and identification; **Inks: pencils and writing tools**; **Handwriting habit and flow**; **Disguised writing**; **Comparison and points of identity**; **Samples**; **Various type of forgery and**

their detection; Additions; Erasures alterations; Seals; Rubberstamps; Typewriting; Printing; Blocks.

Unit 7: The Identification of Fire-Arms and Cartridges **5 Lectures**

Type of fire-arms and their use; Time and range of firing; Identification of a fire-arm with a cartridge case and bullet; Miscellaneous fire-arm problems like origin or direction of fire.

Unit 8: Injuries to Persons **5 Lectures**

Evidentiary value of details of injuries; Traces left by the weapon used: its range and direction; Danger to clothing worn by the victim and related problems; Flow of blood from injuries; Shape and directions of blood drops and their evidentiary value, the discovery of blood and semen stains on various objects; Accidental deaths and suicides.

Unit 4: Interrogation **8 Lectures**

Basics of interrogation; Scientific aids; Narco-analysis; Hypnosis; Psychological detection of deception; Brain mapping; DNA profiling, Polymerase chain reaction.

Unit 10: Admissibility of Scientific Evidence **5 Lectures**

Constitutional privileges to accused, Provisions under various legislations, Article 20(3); Admissibility of scientific evidence in India and the world; Constitutional validity of scientific evidences including brain mapping; Narco-analysis and lie detector tests, polygraph tests; Case laws and case study.

Note: The teaching learning methodology shall comprise lectures, case studies, group discussions, presentation by the participants, seminars, workshops, field studies and research.

SUGGESTED READINGS

1. A Forensic DNA Evidence: Chin, Ming W
2. Albert J. Marcella & Robert S Greenfield (Eds), Cyber Forensics, A Field Manual For Collecting, Examining and Preserving Evidence of Computer Crimes (2002)
3. Albert S. Osborn, The Problem of Proof (First Indian Reprint 1998) Universal, Delhi
4. An introduction to crime scene investigation / Dutelle,
5. Avtar Singh, Principles, of the law of Evidence (1992), Central Law Agency, New Delhi
6. Barkha and U Rammohan, Cyber Law and Crimes
7. Chaudhary, Expert Evidence Medical and Non-Medical in Civil and Criminal Cases
8. Criminal Investigation: An Introduction to Principles and Practice (law Lib) Peter Stelfox
9. Criminal Investigation:Cr.Aand Cross.(Published by sweet & Maxwell, Limited, London)
10. David Ellen, Scientific Examination of Documents: Methods and Techniques (law Library)
11. Deepak Ratan Forensic Science in India and the World (law Lib)

12. Dr. Jaishankar And Amin: Forensic Science in criminal Investigation
13. Gour, A. N.: Fire arms, Forensic ballistics, Forensic chemistry and criminal jurisprudence
14. Harry Soderman & John O. Conell, Modern Criminal Investigation, Fung and Wangnalls Co. New York
15. Indian Evidence Act, (Amendment up to date)
16. Lucas A: Forensic chemistry and scientific criminal investigation
17. Lund quist.F.: Methods of forensic science (Vol.I)
18. Max M. Houck, Jay Siegel: Fundamentals of Forensic Science
19. McQuade, Samuel C, Understanding and Managing Cyber Crime, Allyn and Bacon, U.S.A (2005)
20. Modern Criminal Investigation: Harry Soderman and john J.O. Conell(Published by Funk & Wangnalls Co.Inc.,New York)
21. Paul L. Kirk, (Criminal Investigation: Published by inter Science publishers, Inc.,(New York)
22. Pease. K., "Crime Futures and Foresight: Challenging Criminal Behaviour in Information Age" in D. Wall (Ed.) Crime and Internet, Routledge: London (2001)
23. Pole in Murphy, Evidence (5th Edn. Reprint 2000) Universal Delhi
24. Rattan Lal, Dhiraj Lal, Law of Evidence (1994) Wadhwa, Nagpur
25. Sarkar and Manohar, Sarkar and Evidence (1999) Wadhwa & Co. Nagpur
26. Sharma: Forensic Science in Criminal Investigation and Trials
27. UN (1997) UN Manual on the Prevention and Control of Computer Related Crime, International Review of Criminal Policy NOs 43 & 44, UN, New York.

GROUP E: INTERNATIONAL TRADE LAW

PAPER 6: LAW OF TRADE GLOBALIZATION

| Course Code: | Semester | Marks | Nature | Credits | Teaching Hours |
|---------------------|-----------------|--------------|---------------|----------------|-------------------------------|
| LM202 (E) | II | 70+30=100 | Elective | 6 | $60 \times 1\frac{1}{2} = 90$ |

Course Objectives

To enable students to apply fundamental principles of International Economic and Trade Law with reference to WTO agreement, its provisions and leading decisions of international courts and tribunals.

CONTENTS

Unit I: Introduction to International Trade

5 Lectures

Theories of International Trade—Mercantilism, Classical theories of International trade (Absolute Advantage Theory and Comparative Advantage Theory), Modern Theory of International Trade (Heckscher-Ohlin Theory, etc.); Advantages and Disadvantages of international trade; Trade Barriers and its kind.

Unit II: Growth of International convention for Free Trade and WTO 4 Lectures

Historical Background of the General Agreement on Tariffs and Trade (GATT, 1947); Evolution of GATT as a trading institution and transition of GATT to WTO; Legal Structure, Principles and working of WTO and its Covered Agreements.

Unit III: Border Measure in GATT 5 Lectures

Understanding Border measures; Tariff and its kind, WTO rules on Bound Tariff; Exceptions to basic obligation on rule on bound tariff; Custom Valuation; Quantitative restrictions and related obligations, Exceptions to obligations on Quantitative restriction; Merits and Demerits of Quantitative restrictions.

Unit IV: Principle of Non-Discrimination in GATT and GATS 9 Lectures

Identification of discrimination; De-facto versus de jure discrimination; National Treatment: Tax Measure on 'like', 'competitive'/'substitutable' product and services; National Treatment: Regulatory measure; Most Favoured Nation Treatment.

Unit V: General and Security Exception in GATT and GATS 3 Lectures

Purpose and scope of General exceptions; Requirement of Necessity; Prohibition of arbitrary or unjustifiable discrimination or a disguised restriction on international trade; Security exception.

Unit VI: Agreement on Technical regulations and health measures 3 Lectures

The Agreement on Technical Barriers to Trade (TBT) and the Agreement on Sanitary and Phytosanitary Measures (SPS).

Unit VII: Agreement on Safeguard Measure 3 Lectures

Relationship Between Article XIX of GATT and the Agreement on Safeguards; Conditions to be satisfied for imposition of Safeguard Measures; Injury requirement in safeguard measures; Causation requirement; Parallelism in imposition of safeguard measures; Characteristics of Safeguard measures.

Unit VIII: Anti-Dumping Agreement 5 Lectures

Concept of Dumping; Normal Value, Export Price, Dumping Margin, Injury, Domestic Industry; Anti-dumping Investigations—i) Initiation ii) Evidence used in the Investigation, iii) Key substantive issues: Dumping, injury and causation; Anti-dumping Measures—i) Provisional measures, ii) Price undertakings, iii) Duration & review of duties, iv) The use of Anti-dumping Measures other than Tariff Duties; Challenging AD measures in WTO Dispute Settlement—i) Standard of Review, ii) The measures to be challenged, iii) Good faith, Even-

handedness, Impartiality; Anti-Dumping Agreements in India; Role of Directorate General of Anti-Dumping and Allied Duties and Investigation Procedure

Unit IX: Agreement on Subsidies and Countervailing Measures 4 Lectures

Identification of Subsidies that are subject to the SCM Agreement; Definition of ‘Subsidy’, and ‘Specificity’; Regulation of Specific Subsidies—i. Prohibited Subsidies, ii. Actionable Subsidies, iii. Non-actionable Subsidies; Dispute Settlement and Remedies.

Unit X: Agreement on Trade Related Investment Measure 3 Lectures

Objective and Coverage of TRIMs; National Treatment and Quantitative Restrictions, Inconsistent TRIMs; Notification & Transitional Agreements, Transparency; Provision for Developing Country Members; Implication of TRIM in Indian Economy.

Unit XI: General Agreement on Trade in Services (GATS) 5 Lectures

The scope of GATS; Category of supply of services; General obligations and disciplines—i. MFN Principle (GATS Article II & Annex), ii. Domestic regulations (GATS Article VI), iii. Exceptions (GATS Article XIV); Specific commitments (GATS Parts III-IV)—i) Market access, ii) National treatment, and iii) Additional commitments

Unit XII: Trade-Related Aspects of Intellectual Property Rights (TRIPS) 3 Lectures

General Provisions and Basic Principles; Common rule for protection of IPRs; Enforcement of IPRs; Acquisition and Maintenance of IPRs; Dispute settlement and Prevention; Indian response to the TRIPs.

Unit XIII: WTO Dispute Settlement Understanding 6 Lectures

Dispute settlement under GATT—Article XXII and Article XXIII, its merit & de-merit; Difference between the GATT and WTO dispute settlement procedures; Dispute Settlement Procedure under the WTO charter (refer Agreement on Dispute Settlement Understanding), Consultation, Dispute Panel Body, Appellate Body; Implementation of findings/decisions of WTO Dispute Settlement Body (Refer Article XXV GATT)

Unit XIV: Trade Policy Review Mechanism (TPRM) 2 Lectures

Overview of Trade Policy Review Mechanism.

Note: The teaching learning methodology shall comprise lectures, case studies, group discussions, presentation by the participants, seminars, workshops, field studies and research.

SUGGESTED READING

1. B. Griffin, Day & Griffin, *The Law of International Trade* (3rd edn, London: Butterworths Lexis Nexis, 2003)
2. Bhagirath Lal Das, *The WTO: a guide to framework for International Trade*.
3. Carr Indira, Stone Peter, *Principles of International Trade Law*, Routledge Publishing, 2008.
4. Chuah, J. C T, *Law of International Trade*, Sweet and Maxwell, London, 2001.

5. D M Day and Griffin, Bemardette, *The Law of International Trade*, Butterworth and Lexis Nexis, London, 2003.
6. Daniel L. Bethlehem, Oxford Handbook of International Trade Law.
7. Dr. Neeraj Varshney, Anti-dumping measure- Law, Practice & Procedure, Indian case laws, 2007 edition.
8. Moens, Gabriel and Giles, Peter, *International Trade and Business Law*, Policy and Ethics Canadian Publishing, London, 1998.
9. Nicholas Kouladin, Principles of Law relating to International Trade, Springer, 2006.
10. P. Sellman, The Law of International Trade, 150 leading Cases (2nd 3dition, London: Old Bailey Press, 2004)
11. P. Todd, Cases and Materials on International Trade Law (1stedn, London: Sweet & Maxwell, 2003)
12. Palmeter and Mavroids, *Dispute Settlement in the World Trade Organization*, Kluwer Law International, 1999.
13. Palmeter, N. David; Mavroidis, Petros C., *Dispute Settlement in the World Trade Organization: Practice and Procedure*.
14. Parthapratim Pal, International Trade and India, Oxford publications.
15. Philip Bentley, Aubrey Silberston, *Anti-Dumping and Countervailing Actions, Limits Imposed by Economic and Legal Theory*, Edward Elgar Publishing Limited, Northampton, 2007.
16. Raj Bhalla, International Trade Law: Theory and Practice, Second Edition, Lexis Publishing, 2001.
17. Schmitthoff, M. Clive, Halloway, David & Timson, Hunt, Daren, *The Law and Practice of International Trade*, Sweet & Maxwell, London, 2007.
18. Schnitzer, Simone, Understanding International Trade law, Universal Publishing House, 2007, Vibha Mathur, WTO and India.

PAPER 7: LAW OF TRANSNATIONAL BUSINESS TRANSACTION AND DISPUTE RESOLUTION

| Course Code: | Semester | Marks | Nature | Credits | Teaching Hours |
|--------------|----------|-----------|----------|---------|-------------------------------|
| LM203 (E) | II | 70+30=100 | Elective | 6 | $60 \times 1\frac{1}{2} = 90$ |

Course Objectives

To enable students to apply fundamental principles of International Economic and Trade Law with reference to international treaties, agreement, etc. (other than WTO agreement), its provisions and leading decisions of international courts and tribunals.

CONTENTS

Unit I: International Finance Institution

5 Lectures

International Monetary Fund and IBRD— Objectives and Assistance to India; Role of UNO, UNCTAD, UNICITRAL; RBI Role; International Finance Corporation; EXIM bank

Unit II: Export trade Transaction & International Commercial Contract 10 Lectures

Definition and peculiarities and types of International Contract; International commercial contracts of the sale of goods— Formation, Validity and Performance of contracts; Nature of goods; Property and title; Possession and Delivery; Risk and Frustration; Contents of Contract; Performance of Contract and Remedies in case of Breach; The UN Convention on the Contracts for the International Sale of Goods 1980 and the adoption of the Convention; The sphere of its application; The liability of a guilty party under the Convention; The limits of liability and the force majeure clauses; Principles of international commercial contracts (UNIDROIT, 1994); General characteristics of INCOTERMS, Characteristics of the groups of terms standard trade terms (CIF, FOB, FAS, etc.); Drafting of International Commercial contracts.

Unit III: The Carriage of Goods & Liability of Carriers 15 Lectures

Carriage of Goods by Sea – The Contract, Freight, Bill of Lading, Bill of Export & Types, Perils of the Sea; Brussels Convention 1924 (Hague Rules); Brussels Rules (Visby Rules); UN Convention 1978 (Hamburg Rules); Carriage of Goods by Air – Damage during carriage by air – Liability – The Warsaw Convention; Carriage of Goods by Land – Carriage by Rail and Road – Liabilities – Time Limits – Multi-Model Transport.

Unit IV: Double Taxation Avoidance Agreement 7 Lectures

Concept and Principles of International Double Taxation – Related Treaties/ Models and Conventions; Issues and Conflict of laws and Interpretation; Measures to avoid double Taxation; India and Double Taxation Avoidance Agreements

Unit V: Finance of Exports 6 Lectures

Bills of Exchange; Foreign Bills; The UN Convention on International Bills of Exchange and International Promissory Notes; Letters of Credit (LCs) and their characteristics; Kinds of Letters of Credit; International financial leasing arrangements; International Factoring; Forfeiting in international trade; Suretyship and Guarantees in International Trade.

Unit VI: Insurance against contract in international trade 5 Lectures

Marine Insurance, Kind of Marine Insurance, Formulation of Marine Insurance Contract, Insurable interest – Losses; Aviation Insurance and International Trade.

Unit VII: Dispute Resolution 12 Lectures

ICD, ICCA, ICC and UNCITRAL Model of International Commercial Arbitration; Role of International Court of Arbitration; Enforcement of Foreign Arbitral Award; Enforcement of Foreign Arbitral Awards in India; UNCITRAL Model Law on Commercial Conciliation; Optional Conciliation.

Note: The teaching learning methodology shall comprise lectures, case studies, group discussions, presentation by the participants, seminars, workshops, field studies and research.

SUGGESTED READING

1. Avtar Singh, Law of Carriage
2. Carver, Carriage by Sea
3. Chuah, J.C.T, Law of International Trade (Sweet and Maxwell, London, 2001)
4. Kevin Holmes, International Tax Policy and Double Taxation Treaties: An Introduction to Principles and Application, (IBFD Publications, Netherlands, 2007)
5. Moens, Gabriel and Giles, Peter, International Trade and Business Law, Policy and Ethics (Canadian Publishing, London, 1998)
6. Palmetter and Mavroids, Dispute Settlement in the World Trade Organisation (Kluwer Law International, 1999).
7. Payne & Ivamy, Carriage of Goods by Sea
8. Philip Bentley, Aubrey Silberston, Anti – Dumping and Countervailing Actions, Limits Imposed by Economic and Legal theory, (Edward Elgar Publishing Limited, Northampton, 2007)
9. Indira Carr and Peter stone, Principles of International Trade Law, Routledge Publishing, 2008
10. Schmitthoff, M. Clive, Halloway, David & Timson-Hunt, Daren, The Law and Practice of International Trade (Sweet & Maxwell, London, 2007).
11. Simone Schnitzer, Understanding International Trade Law
12. Tetley, William, Marine Cargo Claims (International Shipping Publications, Canada, 1998) Subsidy Agreements (Kluwer Law International, 1998)
13. Thomas Edward Scrutton, Charter parties and Bills of Lading
14. Thommem, T. Kochu, Bills of Lading in International Law and Practice (Eastern Book Company, Lucknow, 1984)
15. Tom-George, Minarbene, International Commercial Arbitration (Institutional Arbitral Rules) UNCITRAL, ICSID, WIPO (Sheriden Book Company, New Delhi, 1996).

PAPER 8: LAW OF FOREIGN TRADE AND EXCHANGE

| Course Code: | Semester | Marks | Nature | Credits | Teaching Hours |
|--------------|----------|-----------|----------|---------|-------------------------------|
| LM204(E) | II | 70+30=100 | Elective | 6 | $60 \times 1\frac{1}{2} = 90$ |

Course Objectives

The objective of this paper is to enable the students to understand and apply the law of International trade in Indian perspectives.

CONTENTS**Unit I: Introduction Foreign Trade****4 Lectures**

Meaning and Theories; **Balance of Trade; Balance of Payment; Correcting Deficit; Methods of Foreign Trade; Instruments of Foreign Trade; Foreign Trade Policy and its Objectives; Constitutional Provisions Regarding to Foreign Trade in India; State control over import and export of goods: from rigidity to liberalization.**

Unit II: General Law on Control of Foreign Trade **6 Lectures**

The Imports and Exports (Control) Act, 1947: Salient Features; **Foreign Trade Development and Regulation Act 1992: Objectives, Scope and Limitation; Definitions; Powers of Central Government in formulating Export and Import Policy; Process of Exporter and Importer Code Number and License; Search, Seizure Penalty and Confiscation; Powers of Appeal and Revision and Miscellaneous Provisions.**

Unit III: Exim Policy of 2021-2026 **2 Lectures**

Salient features

Unit IV: The Industries (Development and Regulation) Act **3 Lectures**

Salient features of Act and its application.

Unit V: Control of Exports **5 Lectures**

Quality control; **Regulation on goods; Conservation of foreign exchange, Foreign Exchange Management; Currency Transfer; Investment in foreign countries.**

Unit VI: Law relating to Custom **8 Lectures**

Prohibitions of Importation and Exportation of Goods; **Control of Smuggling activities in export-import trade; Customs Valuation (Chapter vi of Customs Act 1962); Levy of or Exemptions from Customs Duty; Anti-Dumping Measures; Countervailing Measures; Clearance of Export and Import Goods; Duty Drawback (Chapter ix); Confiscation of goods and conveyance and imposition of penalties; Warehousing of goods.**

Unit VII: Cross Border Financing in Pre-Shipment **3 Lectures**

Stages of Export Finance - Role of Exim Bank in Buyers and Supplier's Credit – Trunk projects.

Unit VIII: Cross Border Financing in Post Shipment **3 Lectures**

Post Shipment Finance (Chapter IV of the Exim Bank of India Act 1981); **Deductions; ECGC Policy; External Fund Mobilisation; External Commercial Borrowings.**

Unit IX: Export Promotion Incentives **5 Lectures**

Various Export Promotion Measures; **Duty Draw Back Credit Scheme; Duty Entitlement Pass Book Scheme (DEPB); Export Credit Guarantee Corporation of India (ECGC); Policies/ Covers of ECGC; Export Promotion Institutions; Concessions granted to Exports; Import Guarantee; Deferred Payment Import Guarantee; Export Guarantee; Deferred Payment Export Guarantee.**

Unit X: Foreign Remittances **2 Lectures**

Remittance Inward/Out ward; RBI Permit and Revalidation; Cancellation of Remittances; Remittances permitted / not permitted.

Unit XI: Special Economic Zone Act 2005 **3 Lectures**

Salient Features: SEZ Units; Objectives; Establishment; Guidelines for Notifying SEZ; Constitution of Board of Approval; Duties, Powers and Functions of Board; Role of Development Commissioner; Setting up and Cancellation of Unit; Offshore Banking Unit; Single Enforcement Officers; Investigation, Inspection; Suspension and Seizure; Fiscal Provision for SEZ; SEZ authority.

Unit XII: Foreign Exchange **6 Lectures**

Definition; Element; Importance; Evolution; Exchange Rate System; Theories of Determination of Foreign Exchange Rates; Foreign Exchange Transactions; Sale/purchase; Spot /Forward transactions; Foreign Exchange Market; Commercial Rates of Exchange; Spot/TT Rates; Foreign Exchange Management Act, 1999: Salient Features.

Unit XIII: Derivative Markets **6 Lectures**

Definition of Derivatives; Types of Derivatives; Forward Contracts; Forward Purchases and Sales; Exchange Control Regulations; Types; Operations Convertibility; Objectivities of Foreign Exchange Control; Exchange Control: FERA and FEMA; SEBI's Role; Problems of Forex market; RBI role to settlement of FOREX problems.

Note: The teaching learning methodology shall comprise lectures, case studies, group discussions, presentation by the participants, seminars, workshops, field studies and research.

SUGGESTED READING

1. Adam Gonnelli, The Basics of Foreign Trade and Exchange, 1993.
2. Arthur Redford, Manchester Merchants and Foreign Trade 1973
3. Daniel Bethlehem, Oxford Hand Book on International Trade, Oxford Publications, 2009.
4. G.S Lall Finance of Foreign Trade and Foreign Exchange, 1968.
5. Indira Carr, International Trade Law, Routledge Publications 2012
6. James Cavlin Baker, Financing International Trade, Green Wood Publishing Group 2003.O.P Agarwal, Foreign Trade and Foreign Exchange, Himalaya Publications and co, 2009
7. R.S Arora, A practical Guide to Foreign Trade of India, National Publications, 1967
8. T.N Hajela, Money Banking and International Trade, Ane Books Pvt. Ltd. 2009
9. Vibha Madhur, Foreign Trade in India, Trends Polices 2006

GROUP F: INTELLECTUAL PROPERTY RIGHTS**PAPER 6: INTELLECTUAL PROPERTY RIGHTS AND ITS DIFFERENT PERSPECTIVES**

| Course Code: | Semester | Marks | Nature | Credits | Teaching Hours |
|--------------|----------|-----------|----------|---------|-------------------------------|
| LM202 (F) | II | 70+30=100 | Elective | 6 | $60 \times 1\frac{1}{2} = 90$ |

Course Objectives

The main objective of the paper is to introduce to the students the concepts of IPR and then enable them to analyse the IPRs in that how it looks like a Prims having different views.

CONTENTS**Unit I: Introduction to Intellectual Property 6 Lectures**

Concept of Property; Various form of Property; Nature of Intellectual Property; Kinds of Intellectual Property; Origin and Development of IPRs; Justifications and Rationale for IPRs. Role of IPRs in Economic Development

Unit II: Protection of Trade Secrets 6 Lectures

Concept, Origin, Importance and Need to protect trade secrets; Fundamentals of Trade-secret; Misappropriation and remedies; Role of Non-compete agreements in Trade-secret; Case-laws.

Unit III: Interface between IPR and Competition Law 6 Lectures

Introduction; Essential Facilities Doctrine; Competition Issues in IP Licensing; Application of Section 3 of Competition Act and IPR.

Unit IV: Interface between IPR and Human Rights 8 Lectures

Interface between IPR and—Right to health; Right to access to patented medicines; Right to freedom of expression; Right to cultural participation and to benefit from scientific advancements; Right to education in learning materials; Right to food.

Unit V: Interface between IPR and Traditional Knowledge (TK) 10 Lectures

Meaning and Scope of Traditional Knowledge; Interface between IP and TK; Need and significance of protection of TK; International concerns for protection of TK—Different Conventions; National Initiatives for protection of TK; Positive legal protection and Defensive legal protection; Recognition and Documentation of Traditional Knowledge; Need for *sui generis* Protection.

Unit VI: Valuation and Management of IP 12 Lectures**Valuation**

Concept of assets & its types; IP as intangible asset; Meaning of valuation; Importance of valuation of intellectual properties; IP valuation approaches (cost approach, market approach & income approach); DCF method and its relevance to IP assets; Common errors in valuation; Rectification of errors in valuation; Patent valuation and trademark valuation.

Management

Introduction to IP Management; Importance of IP management; IP management strategies; IP portfolio; IP management and economic development; Franchise management; IP awareness & capacity building strategies; Information technology and IP management.

Unit VII: IP and Technology Transfer**10 Lectures**

Importance of Technology transfer for economic growth; Role of IPR in Technology Transfers; Key considerations and rationales determining technology transfer (Business as well as Legal Factor); Different Instruments of Technology transfer and their key components.

Note: The teaching learning methodology shall comprise lectures, case studies, group discussions, presentation by the participants, seminars, workshops, field studies and research.

SUGGESTED READINGS

1. Ahuja, V.K., Law Relating To Intellectual Property Rights, 2nd edn., 2013, Lexis Nexis
2. Akshat Pande, Valuation of Intellectual property Assets, Eastern Law House Publications.
3. Bruce Berman, From Assets to Profits, Competing for IP Value and Return
4. Brush S.B & D. Stabinsky (ed.), *Valuing Local Knowledge- Indigenous people and Intellectual Property Rights*, Island Press, Covelo, California, 1996
5. Carlos M Correa, *Traditional knowledge and Intellectual Property, Issues and Options Surrounding the Protection of Traditional Knowledge*, Quaker United Nations Office, Geneva, 2001
6. Claire Howell and David Bainbridge, Intellectual Property Asset Management, How to identify, protect, manage and exploit intellectual property within the business environment Paperback, Rout ledge
7. David Downes, *Using Intellectual Property as a Tool to Protect Traditional Knowledge: Recommendations for Next Steps*, Center for International Environmental Law, Washington, DC, 1997
8. David I. Bainbridge, Intellectual Property, Longman, 9th Edition, 2012
9. Derek Bosworth, Elizabeth Webster, The Management Of Intellectual Property
10. Gopalakrishnan N.S. and Agitha T.G., Principles of Intellectual Property, Eastern Book Company.
11. Harry Rubin, International Technology Transfers, London: Kluwer Academic Publishers.
12. Lionel Bently & Brad Sherman, Intellectual Property Law, Oxford University, Press, 3rd Edition, 2008
13. Mike Pellegrino, BVR's Guide to Intellectual property Valuation

14. P. Drahos and M. Blakeney (ed.), *Perspectives on Intellectual Property: IP in Biodiversity and Agriculture*, Sweet and Maxwell, London, 2001
15. Paul Torremans, *Intellectual Property And Human Rights*, Kluwer Law International, 2008
16. Peter Drahos, *A Philosophy of Intellectual Property*, Dartmouth Pub Co, 1996,
17. Rodney D Ryder & Ashwin Madhavan, *Intellectual property and Business, The Power of Intangible Assets*, Sage Publication
18. Russell L. Parr, Gordon V. Smith, *Intellectual Property, Valuation, Exploitation, and Infringement Damages* John Wiley & Sons
19. Steven D Anderman, *Interface Between Intellectual Property Rights and, Competition Policy*, Cambridge University Press, 2007.
20. Vandana Shiva, *Biopiracy: The Plunder of Nature and Knowledge*, South Press, 1997
21. Weston Anson, *IP Valuation and Management*

PAPER 7: PATENTS, TRADEMARKS AND GEOGRAPHICAL INDICATION

| Course Code: | Semester | Marks | Nature | Credits | Teaching Hours |
|--------------|----------|-----------|----------|---------|-------------------------------|
| LM203 (F) | II | 70+30=100 | Elective | 6 | $60 \times 1\frac{1}{2} = 90$ |

Course Objectives

The main objective of the paper is to make the students comprehensively familiar with the concept of Patent, Trademark and Geographical Indications along with corresponding legislations.

CONTENTS

Unit I: Patentability and Procedures for Grant of Patents **20 Lectures**

Meaning of Patent, Patentable and Non-Patentable Inventions; Pre-requisites – Novelty, Inventive Step, Industrial Application; Prior Art, Anticipation, & Person Skilled in the Art; Procedures for Filing Application; Specifications – Provisional and Complete Specifications; Priority dates; Pre-Grant and Post Grant Opposition; Grant and sealing of Patents; Rights of Patentee; Term of Patent; Surrender and Revocation of patents; Restoration.

Unit II: Limitations, Exceptions & Infringements of Patent **8 Lectures**

Licensing – Voluntary & Non –Voluntary; Assignment; Fair Use; Use and acquisition of inventions by Central Government; Parallel Imports; Claim Interpretations and Constructions; Infringements & Remedies.

Unit III: Fundamentals of Trademarks **3 Lectures**

Meaning, Characteristics and function of trademark; Different categories of trademarks—Conventional and Non-conventional.

Unit IV: Registration of Trademarks **15 Lectures**

Pre-requisites; Absolute and Relative Ground of Registration; Concept of deceptive similarity and its Applicability in Registration; Procedure for Registration; Honest & Concurrent Use; Effect of Registration and Non-use of Trademark; Rights of Proprietor; Assignment, Licensing and Transmission of Trademark.

Unit V: Infringement and Passing Off of Trademark **9 Lectures**

Infringement; Protection of Well-Known Trademark; Defence against Trademark Infringement; Enforcement of unregistered Trademark; Remedy against infringement and passing off –Civil, Criminal and Administrative.

Unit VI: Protection of Geographical Indication **5 Lectures**

Concepts of appellation of origin; Indications of sources and Geographical Indications; International conventions and Agreements; Procedure for registration; Duration of protection and renewal; Infringement, Penalties and Remedies; Case studies.

Note: The teaching learning methodology shall comprise lectures, case studies, group discussions, presentation by the participants, seminars, workshops, field studies and research.

SUGGESTED READINGS

1. A. K. Bansal, Law of Trademark in India, Thomson & Reuter, 2014
2. Amy L. Landers, Understanding Patent Law, Lexis Nexis, 2012.
3. Ananth Padmanabhan, Intellectual Property Rights Infringement and Remedies, Lexis Nexis, 2012
4. Ananth Padmanabhan, Intellectual Property Rights Infringement and Remedies, Lexis
5. Arora Manish, Guide to Patents Law, Universal Law Publications
6. Christopher Wadlow, The Law of Passing Off: Unfair Competition by Misrepresentation, Sweet and Maxwell, 2011.
7. David Brain Bridge, Intellectual Property, Pearson Education
8. David T Keeling, David Llewelyn, Kerley's law of Trade Marks and Trade Names, Sweet and Maxwell, 15th Edition, 2014.
9. Elizabeth Verkey, Law of Patents, Eastern Book Company, 2nd Edition, 2012
10. Feroz Ali Khader, The Law of Patents-With a Special Focus on Pharmaceuticals, in India, LexisNexis, 2nd Edition, 2011,
11. Feroz Ali Khader, The Touchstone Effect: The Impact Of Pre-Grant Opposition, On Patents, Lexis Nexis, 2009
12. Kalyan C. Kanakala, Arun K. Narasani, Vinita Radhakrishnan, Indian Patent Law and Practice, Oxford India
13. Latha R Nair & Rajendra Kumar, Geographical Indications: A Search For Identity, Lexis Nexis, 2005
14. Narayanan, Trade Marks and Passing Off, Eastern Law House, 2004 Nexis, 2012

PAPER 8: COPYRIGHT, DESIGN AND PLANT VARIETIES & FARMERS' RIGHTS

| Course Code: | Semester | Marks | Nature | Credits | Teaching Hours |
|--------------|----------|-----------|----------|---------|-------------------------------|
| LM204 | II | 70+30=100 | Elective | 6 | $60 \times 1\frac{1}{2} = 90$ |

Course Objectives

The main objective of the paper is to make the students comprehensively familiar with the law protecting Copyright and Related rights, Industrial Design, and Plant Varieties and Farmers' Rights in India.

CONTENTS**Unit I: Copyright Work and Corresponding Rights** **20 Lectures**

Concept, Meaning and nature of Copyright; Criterion of Protection of Copyright—Originality, Idea and Expression dichotomy, and Fixation; Economic Rights of Owner; Authorship vis-à-vis Ownership; Duration of Copyright; Assignment and Licensing; Limitation and Exception of Copyrights; Infringement and Remedies.

Unit II: Neighbouring Rights **5 Lectures**

Origin and Development; Performers Rights; Broadcasting Organization Rights; Rights of Producer of Phonograms; Economic and Moral Rights; Limitation and Exceptions; Infringement and Remedies.

Unit III: Industrial Design **15 Lectures**

Concept and Evolution of legal protection of Industrial Designs; International Convention; Nature of Industrial Designs; Subject Matter of Protection—Registrable and Non-Registrable design; Criterion of Protection of Industrial Designs—Originality and Novelty; Procedure for Obtaining the Design Protection; Rights conferred under Industrial Design Act; Revocation; Infringement and Remedies; Interface of Industrial Design with Copyrights and Trademarks.

Unit IV: Plant Varieties and Farmers' Rights **20 Lectures**

Introduction to Plant varieties and need for protection; Evolution of Plant Varieties Protection; UPOV; Pre-requisites for Legal Protection—novelty, distinctiveness, uniformity, stability; Kind of varieties; Procedure for Registration; Exclusive Rights; Breeders' Rights versus Farmers' Rights; Researchers' Rights and Rights of Communities; Compulsory Licence; Benefit Sharing; Infringement and Remedies.

Note: The teaching learning methodology shall comprise lectures, case studies, group discussions, presentation by the participants, seminars, workshops, field studies and research.

SUGGESTED READINGS

1. A.K. Kaul & V. K. Ahuja, *Law of Copyright: From Gutenberg's Invention to Internet*, University of Delhi, Delhi, 2001.
2. Alka Chawla, *Copyright and Related Rights: National and International Perspectives* (Macmillan India Ltd., Delhi, 2007)

3. Ananth Padmanabhan, *Intellectual Property Rights Infringement and Remedies*, Lexis Nexis, 2012
4. Ashwani Kumar Bansal, *Design Law*, Universal Law Publishing Company, 2012.
5. Carlos M Correa, *Traditional knowledge and Intellectual Property, Issues and Options Surrounding the Protection of Traditional Knowledge*, Quaker United Nations Office, Geneva, 2001
6. David Nimmer, *Nimmer on Copyright*, Lexis Nexis, 2010
7. Elizabeth Verkey, *Law of Plant Varieties Protection*, Eastern Book Company, 2007
8. Kevin Garnett, Jonathan Rayner James, Gillian, *Copinger and Skone James on Copyright*, Sweet & Maxwell, London, 2013
9. Mira Sundara Rajan, *Moral Rights: Principles, Practice, and New Technology*, Oxford University Press, 2011
10. Neil Weinstock Netanel, *Copyright's Paradox*, Oxford University Press, 2008.
11. P. Drahos and M. Blakeney (ed.), *Perspectives on Intellectual Property: IP in Biodiversity and Agriculture*, Sweet and Maxwell, London, 2001
12. P. Narayanan, *Copyright and Industrial Designs*, Third Edition, Eastern Law House, New Delhi, 2007
13. P. Narayanan, *Copyright and Industrial Designs*, Third Edition, Eastern Law House, New Delhi, 2007
14. S. Sivakumar & Lisa P. Lukose, *Broadcasting Reproduction Right in India: Copyright and Neighbouring Right Issues*, ILI, New Delhi, 2013
15. W R Cornish, *Intellectual Property: Patents Copyright Trademarks and allied rights*, Sweet & Maxwell, London, 2010.
16. W R Cornish, *Intellectual Property: Patents Copyright Trademarks and allied rights*, Sweet & Maxwell, London, 2010.

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| SEMESTER 3RD |
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| PAPER 9: THEORY OF LAW AND JUSTICE |
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| Course Code: | Semester | Marks | Nature | Credits | Teaching Hours |
|--------------|----------|-----------|--------|---------|-------------------------------|
| LM301 | III | 70+30=100 | Core | 6 | $60 \times 1\frac{1}{2} = 90$ |

Objectives: This paper intends to exposed students to the philosophy of law and justice and to develop in them aptitude of critical thinking on legal theories associated with law and justice.

CONTENTS

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|-----------------------------|-------------------|
| Unit I: Legal Theory | 3 Lectures |
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Definition, nature and scope of legal Theory; Importance of the study of legal theory.

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| Unit II: Legal Positivism | 12 Lectures |
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Meaning of Positivism-; Analytical positivism of Bentham and Austin; Evolution of Command Theory; Kelsen's Pure Theory of Law; Hart's Concept of Law; Dworkin's criticism on Hart; Hart-Fuller Controversy; Hart-Devlin's debate.

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|--|--------------------|
| UNIT III: Theory of Natural Law | 12 Lectures |
|--|--------------------|

Meaning of Natural Law; History of Natural law: Greek origins-Medieval Period-View of St. Thomas Aquinas-Period of Renaissance/Reformation-Grotius and International Law; Transcendental Idealism: View of Immanuel Kant Natural Law and Social Contract theories; Stammler and Natural Law with variable content; Fuller and the Morality of Law; Hart on Natural Law; Finnis and Restatement of Natural Law-Positivists and Naturalists debate.

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|--|--------------------|
| Unit IV: Historical, Sociological and Realist Theory of Law | 12 Lectures |
|--|--------------------|

Historical and Ancient Indian Jurisprudence; Savigny's concept of Volksgeist; Contribution of Henry Maine; Economic theory of law; Views of Karl Marx and Friedrich Engles; Sociological theories of law; Contribution of Ihering; Contribution of Ehrlich; Duguit's theory of Social Solidarity; Roscoe Pound's Social Engineering and Classification of Interests; American and Scandinavian Realism; Critical Legal Studies Movement.

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|----------------------------------|-------------------|
| Unit V: Theory of Justice | 9 Lectures |
|----------------------------------|-------------------|

Meaning, Nature and relationship with Law; Different views of Justice; Basis of justice— The basis of justice: the liberal Contractual tradition, the liberal utilitarian tradition- the liberal moral tradition, the socialist tradition.

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| Unit VI: Globalization and Global Justice | 12 Lectures |
|--|--------------------|

Meaning of globalization and its different dimensions (Political, Economic, Social, Cultural); Concept of Global Justice; Model to achieve global justice: Harmonization of Law, Social contract and social justice, Cosmopolitanism, Global Distributive Justice, Enforcement of Human Rights, MNCs and Corporate Social Responsibility, Global Ombudsman, Sarvodaya Model of Justice, Concept of Dharma as a legal tradition.

Note: The teaching learning methodology shall comprise lectures, case studies, group discussions, presentation by the participants, seminars, workshops, field studies and research.

SUGGESTED READINGS

1. Barry Brian, Culture and Equality, Cambridge: Polity Press
2. Byrnes Andrew, Hayashi Mika, Michaelsen Christopher, International Law in the New Age of Globalisation, Martinu Nijhoff Publishers Company, Lucknow, 1990.
3. Dennis Lloyd: Lloyd's Introduction to Jurisprudence, 6th Edition, Sweet and Maxwell, London, 1994.
4. Edgar Bodenheimer: Jurisprudence; The Philosophy and Method of the Law, Universal Book Traders, Delhi, 1996.
5. G. W. Paton, A Text book of Jurisprudence, 4th Edition; Clarendon Press, Oxford, 1972.
6. R.W.M. Dias, Jurisprudence. 5th Edition; Aditya Books Private Ltd., New Delhi, 1994.
7. Howard Davies and David Holdcraft: Jurisprudence: Texts and Commentary; Butterworths, London, Dublin, Edinburgh, 1991.
8. Julius Stone: The Province and Function of Law; Associated General Publications Pvt. Ltd. Sydney.
9. Pogge Thomas, World Poverty and Human Right, Cambridge: Polity Press.
10. Rama Jois, Ancient Indian Law-Eternal Values in Manu Smriti, Universal Law Publishing Co., New Delhi, 2002.
11. Rama Jois, Seeds of Modern Public Law in Ancient Jurisprudence, Eastern Book
12. Rawls John, The Law of People, Cambridge, Mass, Harvard University Press
13. S. N. Dhyani, Fundamentals of Jurisprudence: The Indian Approach, 2nd Edition, Central Law Agency, Allahabad, 1997.
14. Sen Amartya, Development as Freedom, Oxford
15. Springer, Encyclopedia of Global Justice, Springer Netherlands
16. W. Friedmann, Legal Theory, 5th Edition; Columbia University Press, New York

GROUP G: HUMAN RIGHTS

PAPER 10: INTERNATIONAL LAW OF HUMAN RIGHTS

| Course Code: | Semester | Marks | Nature | Credits | Teaching Hours |
|---------------------|-----------------|--------------|---------------|----------------|-------------------------------|
| LM302 (G) | III | 70+30=100 | Elective | 6 | $60 \times 1\frac{1}{2} = 90$ |

Course Objectives

This course is intended to provide instruction on, conceptualization of human rights from its historical and philosophical origin, different theoretical perspectives, and other general aspects

of human rights in international regime and then to focus the instructions on instruments of Human Rights and enforcement mechanism.

CONTENTS

Unit I: Understanding Human Rights **5 Lectures**

Meaning, definitions and characteristics of human Rights; Classification of human Rights; Interrelationship of Human Rights and Duties

Unit II: Philosophical Foundation of Human Rights **14 Lectures**

Different sources of Human Rights claim: (1) Traditional Sources—Religion, Natural Law, Positivism, Marxism Approach, Sociological approach, Utilitarianism; (2) Modern Sources—Natural rights, Justice, Reaction to injustice, Dignity, Basic Need, Equality, Universalism, Cultural Relativism;

Unit III: Dialectics of Human Rights **4 Lectures**

Universal versus Cultural Relativism; Basic needs versus Value Based; Individualism versus Collectivism.

Unit IV: Landmarks in the Development of Human Rights **3 Lectures**

History of human rights civilization, Magna Carta 1215, The English Bill of Rights 1689, American Declaration of Independence 1776, The US Bill of Rights 1791, French Declaration of Rights of Man of the Citizen, 1789, Declaration of International Rights of Man, 1929, The UN Charter 1945, The Universal Declaration of Human Rights 1948, International Covenants on Human Rights.

Unit V: International Concerns for Human Rights Protection **6 Lectures**

Protection of Individual in International law; Anti-slave trade treaties; ILO and Labour Welfare; League of Nation; International Military Tribunals for trial of major war criminals

Unit VI: International Documents on Protection of Human Rights **9 Lectures**

UDHR—History of the declaration, Structure of declaration, and Legal significance; ICCPR and ICESCR— (a) Nature and Characteristic and India's Reservation (b) Optional Protocols; (c) Thematic and Special Rapporteurs.

Unit VII: International Conventions **9 Lectures**

The UN convention against Torture; Convention on the elimination of all forms of Discrimination against Women; International Convention on the elimination of all forms of racial discrimination; The United Nation Convention on the rights of the Childs.

Unit VIII: Regional Bodies and Collective Rights **4 Lectures**

European Convention for the Protection of Human Rights and Fundamental Freedoms, 1950; American Convention on Human Rights, 1969; African Charter on Human and Peoples' Rights.

Unit IX: Protection and Promotion of Human Rights**6 Lectures**

Role of UN in Protection and Promotion of Human Rights: The UN Commission on Human Rights, UN High Commissioner for Refugees, UN Human Rights Council, Human Right Committee, Role of ICJ; **Role of State, Civil Societies and International Organization.**

Unit X: Issues involved in the enforcement of human rights**3 Lectures**

State Sovereignty; Principle of Non-Intervention; Rule of Exhaustion of Local remedies; Problem of cooperation between states (Extradition, Asylum).

Note: The teaching learning methodology shall comprise lectures, case studies, group discussions, presentation by the participants, seminars, workshops, field studies and research.

SUGGESTED READINGS

1. Bergenthal, Thomas, International human rights in a nutshell, (St. Paul, MN: West Shelton, D. and Stewart D. Group)
2. Brownlie, Ian and, Basic documents on human rights, (Oxford University Goodwin-Gill, Guy S. (eds.) Press)
3. Dinah L. Shelton, Advanced Introduction to International Human Rights (US, Edward Elgar)
4. Donnelly, Universal Human Rights in Theory and Practice: (Ithaca)
5. David Weissbrodt, Joan Fitzpatrick, Frank C. Newman, International Human Rights: Law, Policy, and Process. LexisNexis, 2009
6. Julius Stone, Human Law and Human Justice (Universal, New Delhi)
7. Manoj Kumar Sinha, Enforcement of Economic, Social and Cultural Rights–National and International Perspectives Paperback
8. Rehman, M.M. and others, Human Rights and Human Development: Concepts and Contexts (New Delhi: Manak Publications, 2000).
10. Rosas, Allan, “The Right to Development”, in Asbjorn Eide and others, eds., Economic, Social and Cultural Rights: A Text Book (Dordrech: Martinus Nijhoff, 1995).
11. Sarah, Joseph (ed.): Research handbook on international human rights law (Edward Elger)
12. Schutter, Oliver De, International human rights law: Cases, materials, commentary, (Cambridge University Press)
13. Smith, Rhona K.M.: Textbook on international human rights, (Oxford: Oxford University Press)
14. The oxford handbook of international human rights law (Oxford University Press)

PAPER 11: PROTECTION AND ENFORCEMENT OF HUMAN RIGHTS IN INDIA

| Course Code: | Semester | Marks | Nature | Credits | Teaching Hours |
|--------------|----------|-----------|----------|---------|-------------------------------|
| LM303 (G) | III | 70+30=100 | Elective | 6 | $60 \times 1\frac{1}{2} = 69$ |

Course Objectives

This paper focuses on the protection of Human Rights and duties against the backdrop of the Indian legal system.

CONTENTS**Unit I: The Constitution and Human Rights and Duties 10 Lectures**

History and Development of Human Rights in Indian Perspectives; Constitutional Philosophy and Human Rights; Constitution; Religion and Human Rights; Comparison of Fundamental Rights with UDHR & Human Rights Covenants; Problems of choosing Fundamental Rights; Problem of defining reasonable restrictions on fundamental rights; Problems of implementing the fundamental Duties; Directive Principles of State Policy; Judicial interpretation on widening of the Directive Principles (Expansion of Basic needs); Fundamental Rights and Directive Principles: Interrelationships and tension inter se.

Unit II: Rights to Equality and Protection of Vulnerable Sections in India 10 Lectures

Scheduled Castes/Scheduled Tribes and Other Backward Classes; Protection of Women (in Private and Public domain); Disabled Individuals; The Elderly, 'Aged' person; Contract and unorganized workers; Bonded labor; Children.

Unit III: Freedom of Speech and Expression 5 Lectures

Freedom to speech vis a vis Freedom of Press; Limitations; Laws of defamation, obscenity blasphemy and sedition; Right to Information

Unit IV: Right to Life and Personal Liberty 5 Lectures

Meaning, scope and limitation; Procedure established by law and due process; Preventive detention and constitutional policy; New Dimensions; Judicial approach

Unit V: Right to Freedom of Religion; Secularism; Protection to Minorities 5 Lectures

Concept of secularism and constitutional provisions; Non-discriminatory State; Freedom of Religion—Scope and Limits; State Control and non-interference with religion; Minority rights

Unit VI: Implementation and Enforcement Mechanism of Human Rights in India**10 Lectures**

Protection of Human Rights Act,1993; National Human Rights Commission: Organization, Powers and Functions, Human Rights Court; State Human Rights Commissions: Organization, Powers and Functions; SC/ST Commission for Backward Classes; Minorities Commission, Women's Commission, National Commission for Protection of Rights of Child; Role of Professional Councils— Press, Medical, Bar; Role of NGOs, Social movements and pressure groups working through democratic institutions such as lobbying MPs, Information Media.

Unit VII: Role of judiciary in protecting human rights in India **10 Lectures**

Contribution of judiciary protecting human rights of: Downtrodden, The Poor, Women, etc.

Unit VIII: Problem of Enforcement of Human Rights in India **5 Lectures**

Poverty and inaccessibility of legal redress; Abuse of executive power; Special Laws violative of human rights; Lack of accountability and transparency in government functioning and the right to information; Inadequate functioning of democratic institutions and democratic deficit; Social prejudices against casts, women, minorities etc; Other Contemporary Problems.

Note: The teaching learning methodology shall comprise lectures, case studies, group discussions, presentation by the participants, seminars, workshops, field studies and research.

SUGGESTED READINGS

1. B.S. Waghmare, Human Rights - Problems and Prospects (Kalinga Publications, Delhi, 2001).
2. Chandra, Shailaja: Justice V.R. Krishna Iyer on Fundamental Rights and Directive Principles (1998) Deep and Deep: New Delhi
3. David Keane, Caste Based Discrimination in Human Rights Law (Ashgate Publishing Limited, England, 2007).
4. Durga Das Basu, Human Rights in Constitutional Law (New Delhi: Prentice-Hall of India pvt. Ltd., 1994)
5. Jayna Kothari, The Future of Disability Law in India, (Oxford University Press, Delhi, 2012).
Manoj Kumar Sinha, Implementation of Basic Human Rights, (Manak Publications Pvt. Ltd., New Delhi, 2012).
6. Justice Venkatramiah : Human Rights in a Changing World (1998)
7. Narasimham, R.K.: Human Rights and Social Justice (New Delhi: Commonwealth Publishers, 1999)
8. Phillip Alston, The United Nations and Human Rights (Oxford University Press, 1995)
9. S.K Kapur., Human Rights under International Law and Indian Law (Central Law Agency, Allahabad, 2001).
10. Upendra Baxi, Future of Human Rights, (Oxford University Press, 2012)

PAPER 12: INTERNATIONAL HUMANITARIAN LAW AND REFUGEE LAW

| Course Code: | Semester | Marks | Nature | Credits | Teaching Hours |
|--------------|----------|-----------|----------|---------|-------------------------------|
| LM304 (G) | III | 70+30=100 | Elective | 6 | $60 \times 1\frac{1}{2} = 90$ |

Course Objectives

The paper aims at defining the nature and basic principle and source of IHL and its implementation perspectives and then at exploring the scope of protection of Refugees and Internationally displaced person from point of view of Human Rights.

CONTENTS

Unit I: Origin and Development of Humanitarian Law **15 Lectures**

Nature and Basic Principles; Historical Development since 1899; Related Concepts; Armed Conflicts; Protection of Victim of War Wounded, Sick, Shipwrecked, Prisoners of War, Other Vulnerable Groups; Non-International Conflicts and International Humanitarian Law— Concept, Nature and Kinds of Non-International Conflicts.

Unit II: Humanitarian Laws and Human Rights Treaties **10 Lectures**

The Geneva Conventions and Protocols; Human Rights and IHL; Implementation of International Humanitarian Law (IHL); Role of the International Committee of the Red Cross in Implementation of International Humanitarian Law; Role of UNHCR.

Unit III: India and International Humanitarian Law **5 Lectures**

Measure for the implementation of International Humanitarian Law. (The Geneva Convention Act, 1960).

Unit IV: Definition and Concept of Refugees **10 Lectures**

Human Rights and Refugees, Displaced Persons, Statelessness, Asylum; Legal Status of Refugees; Causes and Consequences of Refugee Flow; National and International Response; Determination of Refugee Status under the Refugee Convention of 1951 and Protocol of 1967; Human Rights of the Refugees.

Solution to Refugee Problem **5 Lectures**

UN Relief and rehabilitation; International refugee organization; Resettlement in Third Country; Local Integration; Voluntary or Forced Repatriation; Comprehensive Responses;

Contemporary Developments in Refugee Law **5 Lectures**

International Burden Sharing - International Safe Countries Burden - Temporary Protection.

Internally Displaced Persons **5 Lectures**

UN Guiding Principles on Internal Displacement 1998.

Refugee Law and Policy in India **5 Lectures**

Indian critique of UNHCR and the Convention; Protection without legislation; Status of refugees in India under UNHCR; Model National Law for Refugees.

Note: The teaching learning methodology shall comprise lectures, case studies, group discussions, presentation by the participants, seminars, workshops, field studies and research.

SUGGESTED READINGS

1. B.S. Chinni: International Refugee Law (New Delhi: Sage)

2. Dieter Fleck: The Handbook of Humanitarian Law in Armed Conflicts (Oxford, OUP)
3. Edward Newman and: Refugees and Forced Displacement (New Delhi: UN University Joanne van Selm Press)
4. Erika Feller et.al.: Refugee Protection in International Law (Cambridge: CUP)
5. Guy S. Goodwin-Gill: The Refugee in International Law (Oxford: Clarendon Press)
6. Hilaire McCoubrey: International Humanitarian Law (Aldershot: Dartmouth)
7. J. N. Singh, Use of Force under International Law
8. L.C. Green: The Contemporary Law of Armed Conflict (Manchester: Manchester University Press)
9. M. K. Balchandran, Rose Varghese, Introduction to International Humanitarian Law (1997)
10. Marco Sassoli and Antoine A. Bouvier: How Does Law Protect in War? (Geneva: ICRC,)
11. Nagendra Singh, India and International Law.
12. Ranbir Samaddar: Refugees and the State – Practices of Asylum & Care in India (New Delhi: Sage)
13. Simon Bagshaw, Developing A Normative Framework for The Protection of Internally Displaced Persons (Transnational Publishers. 2005).
14. V. S. Mani (Ed), Handbook of International Humanitarian Law (Oxford University Press, 2007).

GROUP H: TAXATION LAW

PAPER 10: CONSTITUTIONAL AND ADMINISTRATIVE MECHANISMS TO REGULATE THE PROBLEMS RELATING TO TAXATION

| Course Code: | Semester | Marks | Nature | Credits | Teaching Hours |
|--------------|----------|-----------|----------|---------|-------------------------------|
| LM302 (H) | III | 70+30=100 | Elective | 6 | $60 \times 1\frac{1}{2} = 90$ |

Course Objective

The purpose of this course is to enhance the ability of the students to understand the basic principle of taxation law and ability to analyse the Constitutional and administrative mechanism in a manner which make them acquaint with emerging trend of regulation of Taxation Law at both national and international level.

CONTENTS

Unit I: Introduction 10 Lectures

Concept of Tax: Meaning of tax & Kind of tax; Canons of taxation; Historical development of taxation law in India; Distinction between tax and fee.

Unit II: Allocation of Taxing Power 10 Lectures

Power to levy tax by Central Government; Power to levy tax by State Government; Concurrent taxes; Residuary power of taxation of Central Government; Validation of invalid tax legislation.

Unit III: Restriction on taxing power **10 Lectures**

Restriction on States' power to levy Sales Tax: (i) Tax on sale or purchase of goods outside a State, (ii) Inter-State trade and commerce, (iii) Inter-State sale, (iv) Export and Import, (v) Goods of special importance.

Unit IV: Comparative View of Taxing Powers in other Countries **10 Lectures**

Taxing powers in U.S.A.; Taxing power in Canada; Taxing powers in U.K.; Taxing powers in Australia

Unit V: Role of Taxation in achieving the Constitutional Objectives **10 Lectures**

Taxation and Right to Equality; Taxation and freedom of trade, commerce and intercourse; Distribution of tax revenues; Inter-Governmental tax immunities; Introduction of The Constitution (One Hundred and First) Amendment, Act.

Unit VI: Principles of International Taxation **10 Lectures**

Jurisdiction to tax; The right to tax; Double taxation problem and treaties to relief; International Tax avoidance and growth of tax heavens; Transfer Pricing.

Note: The teaching learning methodology shall comprise lectures, case studies, group discussions, presentation by the participants, seminars, workshops, field studies and research.

SUGGESTED READINGS

1. Angharad Miller & Lynne Oats, Principles of International Taxation, Bloombury Professional (2012)
2. David Richardo, On the Principles of Political Economy, and Taxation, London: John Murray, Albemarle-Street (1821)
3. Jane Frecknall- Huges, The Theory, Principles and Management and of Taxation: An Introduction, Routledge (2015)
4. Kartik Sundarm, Tax, Constitution and the Supreme Court: Analyzing the evolution of taxation law in India
5. M. P. Jain, Indian Constitutional Law, Lexis Nexis Butterworth Wadhwa, Nagpur
6. UNCTAD series on Taxation

PAPER 11: LAW RELATING TO DIRECT TAX

| Course Code: | Semester | Marks | Nature | Credits | Teaching Hours |
|--------------|----------|-----------|----------|---------|-------------------------------|
| LM303 (H) | III | 70+30=100 | Elective | 6 | $60 \times 1\frac{1}{2} = 90$ |

Course Objective

The purpose of this course is to provide the students exposure to the law of Direct Tax with special reference to Income Tax Act, 1961 and acquaint them with emerging trend of Direct Taxation Law at both national and international level.

CONTENTS

Unit I: Introduction 8 Lectures

An overview of Income Tax Act, 1961: Background & Definition of various terms, Residential Status, Basis of Charge, Scope of total income, Tax rates applicable to income.

Unit II: Income which do not form part of total Income 5 Lectures

General exemption: Agricultural income, Money received by an individual as a member of H.U.F., Income of a person being a partner of firm, etc.; Specific exemption; Exemption for charitable trust and institution; Exemption to political parties.

Unit III: Computation of Income 18 Lectures

Computation of income under the head of salary; Computation of income under the head of house property; Computation of income under the head profit and gain from business; Computation of income under the head of capital gain; Computation of income from other sources.

Unit IV: Determination of Taxable Income 7 Lectures

Clubbing of income: Transfer of income, Revocable transfer of assets, Transfer irrevocable for a specified period, Income of spouse, Income of son's wife, Income of minor child, Income from converted property; Set-off and carry forward of losses; Deduction: General, Deduction in respect of certain payments, Deduction in respect of certain incomes, Other deduction; Rebates and Reliefs.

Unit V: Procedure for Assessment 11 Lectures

Income tax authorities: Appointment, Jurisdiction and Powers; Return: Return of income, Return of loss, Belated return, Return of charitable trust and institution, Return of political party, Return of specified association/institution, Revised return, Defective return, Return forms; Assessment: Self-assessment, Inquiry before assessment under section 142/142A, Regular assessment, Best judgment assessment, Precautionary assessment, Reference to dispute resolution panel, Rectification of mistake.

Unit VI: Appeals, Revision, Settlement of Cases and Penalties for Offences 5 Lectures

Appealable to commissioner; Revision by commissioner; Appeal to Appellate Tribunal; Appeal to High Court & Appeal to Supreme Court; Settlement of cases; Defaults and penalties

Unit VII: Tax Planning and Tax Management 6 Lectures

Objective, Importance and Essentials of tax planning; Types of tax planning; Tax avoidance, Tax evasion; Diversion of income and application of income.

Note: The teaching learning methodology shall comprise lectures, case studies, group discussions, presentation by the participants, seminars, workshops, field studies and research.

SUGGESTED READINGS

1. Bare Act- Income Tax Act, 1961 & Income Tax Rules. 1962
2. C A. Atin Harbhajanka, Tax Law and Practice (Bharat Law House)

3. D.P. Mital, Indian Double Taxation Agreement & Tax Laws
4. Dr. Girish Ahuja & Dr. Ravi Gupta- Direct Taxes Law & Practice [Bharat Law House 31st Edition]
5. Dr. H.C. Mehrotra & Dr. S.P. Goyal, Direct Taxes (With Tax Planning); Sahitya Bhawan, Agra.
6. Dr. Vinod Kumar Singhania & Dr. Kapil Singhania- Direct Tax Law and Practice [Taxman's 60th Edition]
7. Notification & Circular Issued by CBDT

PAPER 12: LAWS RELATING TO INDIRECT TAX

| Course Code: | Semester | Marks | Nature | Credits | Teaching Hours |
|--------------|----------|-----------|----------|---------|-------------------------------|
| LM304 (H) | III | 70+30=100 | Elective | 6 | $60 \times 1\frac{1}{2} = 90$ |

Course Objective

The purpose of this course is to provide the students exposure to the law of Indirect Taxes with special reference to Goods and Services Tax Act, 2017 and Custom Act, 1962 and acquaint them with emerging trend of Indirect Taxation Law at both national and international level.

CONTENTS

Unit I: Introduction 4 Lectures

Concept of Indirect Taxes at a glance: Background, Development of indirect taxes in India, Pre GST tax structure and deficiencies, Existing tax structure, Administration of indirect taxation in India.

Unit II: Basics of Goods and Services Tax (GST) 4 Lectures

Basic concept and overview of GST; Constitutional framework of GST; GST Model- CGST, IGST, SGST, UTGST; Important Definitions under the Goods and Services Tax Act;

Unit III: Taxable event in GST 4 Lectures

Meaning and Scope of supply; Activity or transactions which be treated neither as supply of goods nor a supply of services; Meaning and Taxability of composite and mixed supply.

Unit IV: Levy and Collection of Tax 6 Lectures

Levy and collection of GST; Rates of GST; Composition scheme & reverse charge; Exemptions from GST; Person liable to pay GST; Supply of Goods or Services or both to or by special economic zone.

Unit V: Nature, Place, Time and Value of Supply 7 Lectures

Determination of Nature of Supply, Place of supply of Goods or Services or both; Place of supply of services; Determination of Time of supply under different circumstances; Value of Taxable supply.

Unit VI: Input Tax Credit & Computation of GST Liability 5 Lectures

Eligibility and condition for taking input tax credit; Appointment of Credit and blocked credits; Method of reversal of credit; Input tax credit in special circumstances; Input tax Credit in respect of goods sent for job-work; Distribution of credit by Input Service Distributor (ISD).

Unit VII: Procedural Compliance under GST **6 Lectures**

Person liable for registration; Persons not liable for registration; Compulsory registration in certain cases; Procedure for registration; Concept of distinct person under GST; Deemed registration; Cancellation of Registration, Revocation of registration;

Unit VIII: Tax invoice, Debit and credit note **4 Lectures**

Tax Invoice etc; Particulars of Tax invoices; Manner of issuing the invoices; Revised invoice; Consolidated Tax invoice; Issue of Bill of Supply; Issue Receipt Voucher; Issue Refund vouchers; Invoice and Payment Voucher to be issued by Recipient to Supply Liable to Pay Tax under Reverse charge; Goods send on Approval for sale or Return; Transportation of Goods by Delivery Challan; Prohibition of unauthorised Collection of Tax Credit and Debit Notes;

Unit IX: E-Way Bill and Payment of Tax **4 Lectures**

Information to be furnished prior to commencement of Movement of goods and Generation of E-Way Bill; Documents and Devices to be carried by a person in charge of a Conveyance; Verification of documents and conveyance; Inspection and verification of goods; Facility for uploading information regarding detention of vehicle; Consequences for non-issuance of E-Way Bill; Payment of Tax.

Unit X: Return **6 Lectures**

Needs to File return in GST Regime; Mode of File the return; Types of Returns under GST; Levy of Late fee; Tax deduction and Tax collection at sources; Refunds

Unit VII: Customs Law **10 Lectures**

Overview of Custom Law; Circumstances of levy of customs duties; Circumstances under which no duty will be levied; Types of custom duties; Classification and valuation of import and export goods; Exemption; Officers of customs; Administration of custom law; Import and export procedures; Transportation and warehousing; Duty drawback; Demand and recovery; Confiscation of goods and conveyances; Refund.

Note: The teaching learning methodology shall comprise lectures, case studies, group discussions, presentation by the participants, seminars, workshops, field studies and research.

SUGGESTED READINGS

1. Dr. Sanjiv Agarwal & Sanjeev Malhotra, A complete Guide to Goods & Services Tax Ready Reckoner, Bloomsbury
2. Dr. Sanjiv Agarwal & Sanjeev Malhotra, Compendium of Judicial Pronouncements, Bloomsbury
3. Dr. Sanjiv Agarwal & Sanjeev Malhotra: Goods & Services Tax, Laws, Concepts and Impact Analysis, Bloomsbury

4. Dr. Yogendra Bangur, Comprehensive Guide to Tax Laws, Aadhya Prakashan
5. Goods and Services Tax Act & Rules
6. Mark Furse, Competition Law at the EC and UK, 6th Edt. 2008, Oxford University Press
7. Notification and circular issued by Central Board of Indirect Taxes and Custom (CBIC)
8. Rajeev Bansal, GST and Custom Law, SBPD Publications
9. V.S. Datey, GST Ready Reckoner, Taxman

GROUP I: ENVIRONMENTAL LAW

PAPER 10: INTERNATIONAL ENVIRONMENTAL LAW

| Course Code: | Semester | Marks | Nature | Credits | Teaching Hours |
|--------------|----------|-----------|----------|---------|-------------------------------|
| LM302 (I) | III | 70+30=100 | Elective | 6 | $60 \times 1\frac{1}{2} = 90$ |

Course Objectives

This course paper aims at providing students an insight into the intricacies of global environmental issues and to make them understand various aspects of International Environmental Law.

CONTENTS

Unit I: Emergence of International Environment Law 6 Lectures

The Nature and functions of International Environmental Law; Sources or Bases of International Environmental Law—International Conventional law, International customary law, General Principle of Law, Judicial Decisions, Scholarly writings, New sources; Reasons for growth of international environmental law, and factors affecting the growth.

Unit II: Development of the International Environmental Law 7 Lectures

Introduction; From Early fisheries conventions to the creation of the United Nations; From the creation of the United Nations to Stockholm (1945-72); Important Milestones of development of International Environmental Law from Stockholm to Present; Important Case Laws in the course of development.

Unit III: Principles of International Environmental Law 6 Lectures

Substantive Principles—Sovereignty over natural resources and responsibility not to cause damages to the environment of other nation, Good neighbourliness and International co-operation, Prevention of Harm, Precaution, Polluter Pay, Sustainable Development, International Human Rights, Environmental Justice; *Process based Principles*—Duty to Know, Duty to Inform and Consult, Duty to Environmental Impact Assessment, and Public Participation; *Equitable Principles*—Intergenerational Equity, Common but Differentiated Responsibilities, Equitable Utilization of Shared Resources, The Common Heritage of Humankind, and The Common Concerns of Humankind (i.e., Erga Omnes).

Unit IV: The Substances of IEL: Protection of Marine Environment 6 Lectures

Ocean—Introduction, Historical Evolution, UNCLOS and Rights and duties of States in Maritime Areas, Regulating the sources of Pollution International Regulation of Marine Environment, Protection of Regional Sea, Liability and Compensation, UNCED

Fresh Water—Introduction, The International Regulation of Fresh Water Resources (Structure, International Watercourses, Transboundary Aquifers, Iced Freshwater Resources, etc.)

Unit V: The Substances of IEL: Protection of Atmosphere **6 Lectures**

Air Pollution—Overview, Urban and Transboundary pollution, International Efforts to Control Air Pollution; Ozone Depletion—Origin of the Regime, The Vienna Convention of 1985, The Montreal Protocol of 1987, The Kigali Amendment of 2016; Climate Change—Overview of the Problem, The two Pillars of the Regime, The UN Framework Convention on Climate Change, The Kyoto Protocol of 1997, The Paris Agreement of 2015.

Unit VI: The Substances of IEL: Protection of Species, Ecosystem and Biodiversity **8 Lectures**

Introduction; Regulatory Approaches; Protection of Species—Regulation of Exploitation of Fisheries, UNCLOS, The Whaling Convention, Convention on International Trade in Endangered Species of Wild Flora & Fauna; Protection of Sites, Habitats, Ecosystem—Top Down Regulation, Top Down Approach (The Ramsar Convention and protection of Wetland, The World Heritage Convention and protection of World Heritage, The Madrid Protocol and Protection of the Antarctic Environment), The Bottom Up Approach and the Convention to Combat Desertification; Protection of Biodiversity—A complex Regulatory Object, The Regulation of Biological Diversity, The Convention of Biological Diversity(CBD), The Regulation of GMOs, Access to Genetic Resources and Benefit Sharing, Biodiversity beyond National Jurisdiction.

Unit VII: The Substances of IEL: Dangerous Substances and Activities **6 Lectures**

Object and Structure of International Regulatory Framework; Attempt to Develop and Global Regulatory Framework; Regulation of Specific Substances and Activities—(i) Regulation of Production and Use—The Regulation of Substances (POP Convention), (ii) The Regulation of Activities (The Convention on Industrial Accidents), (iii) The Regulation of Trade (The PIC Convention), The Regulation of Wastes (The Basel Convention); Regulation over Nuclear Materials—Vienna Convention on Civil Liability on Nuclear Damages 1997, Code of Conduct on Safety and Security of Radioactive Source; Regulation over Biotechnology in Food and Biosafety Protocol—regulation on Genetically Modified Food, International Standards for Genetically Modified Food and Codex, Efforts to Regulate Genetically Modified Organism (GMOS, Cartagena Protocol on Biosafety).

Unit VIII: Governance of International Environmental Law **6 Lectures**

Introduction; Actors in governance of Environmental Law; Elements of International Environmental Governance; Role of State, International Organizations, and Non-Governmental Actors in International Environmental Governance; Some International Environmental Institutions— United Nations Environment Program, Inter-Governmental

Penal on Climate Change, United National Forum on Forest, GEO Report; **Role of the International Financial Institutions; Role of International Tribunal in Environmental Protection; Challenges in the International Environmental Governance regime and expected Reform.**

Unit IX: Implementing Measures of IEL

9 Lectures

Introduction; Measures for Internationally mandated Domestic Laws and Policy: (1) Prior Assessment of Activities—EIA, Risk Assessment, Strategic Environmental Evaluation, Information Exchange, Reporting, Consultation, Notification of Emergency Situation, Right to Access to Environmental Information, Public Education and Awareness, Eco-labelling, Eco-Auditing and accounting, (2) Regulatory Measures—Standard Setting, Restriction and Prohibition, Land Use Regulation, Licensing, (3) Economic Measures, (4) Fixation of Liability (Civil as well as Penal) and Compensation; Interstate Measures—Trade Restrictions, Prior Informed Consent Procedures, Aid and Financial Conditionality; Emerging Dimensions of Implementing Measures such as Financial Assistance, Technical Assistance, etc.

***Note:** The teaching learning methodology shall comprise lectures, case studies, group discussions, presentation by the participants, seminars, workshops, field studies and research.*

SUGGESTED READINGS:

1. Alexandre Kiss & Dinah Shelton, Guide to International Environmental Law, Boston: Martinus Nijhoff Publishers
2. Bell Stuart & McGilliavray Donald, Environmental Law, The Law and Policy Relating to The Protection of The Environment, First Indian Reprint, Universal Law Publishing Co. Pvt. Ltd. New Delhi
3. Bodansky, Daniel, (2011), The Art and Craft of International Environment Law, Oxford University Press, London.
4. Phillippe Sands, Principles of International Environmental Law I & Others, Foundation for International Environmental Law and Development, School of Oriental and African Studies, London Universities
5. Pierre-Marie Dupuy & Jorge E Vinuales, International Environmental Law (Second Edition), Cambridge University Press (2018)
6. Timo Koivurova, Introduction to International Environmental Law, Routledge (2014)
7. UNEP & UNITAR, 'Introduction to Environmental Governance', available at: <https://globalpact.informe.org/sites/default/files/documents/International%20Environmental%20Governance.pdf>
8. UNEP, Fresh Water Law and Governance: Global and Regional Perspective for Sustainability, available at: <https://wedocs.unep.org/bitstream/handle/20.500.11822/9988/freshwater-law-governance.pdf>
9. Ved P. Nanda & George (Rock) Pring, Environmental Law and Policy for 21st Century (Second Revised Edition), Boston: Martinus Nijhoff Publishers (2013)

PAPER 11: ENVIRONMENTAL PROTECTION LAW IN INDIA

| Course Code: | Semester | Marks | Nature | Credits | Teaching Hours |
|--------------|----------|------------|----------|---------|-------------------------------|
| LM303 (I) | III | 70+30= 100 | Elective | 6 | $60 \times 1\frac{1}{2} = 90$ |

Course Objectives

The course aims to provide students an insight into the intricacies of environmental issues which are involved in the overall environmental laws in India and to make them understand the functionalities involved in administration of environmental laws.

CONTENTS**Unit I: Understanding Environmental Protection 4 Lectures**

Concept of Environmental Protection; Environmental Degradation: Its Nature and Dimensions; Environmental Pollution and its Impact on Environment and Health; India's Concerns for Environmental Protection; Environmental Rights as Perspective of Human Rights

Unit II: Constitutional Provisions Related to Environmental Protection 4 Lectures

Distribution of powers between the State and Centre over natural resources; The Constitution (Forty Second) Amendment; Directive Principles relevant to environment; The Fundamental Rights vis-à-vis Environment; Fundamental Duty related to protection of Environment; Remedies against environment protection under Article 226 and 32 and Expansion of Article 21.

Unit III: Legal Framework to Control Water Pollution 6 Lectures

Factor responsible for water pollution; The Water (Prevention and Control of Pollution) Act 1974; Role of the pollution control boards under the Act; Role of the Appellate authority under the Act; Remedial measures for the Water Pollution under the Act; Judicial Approach; The Water (prevention and Control of Pollution) Rules 1975

Unit-IV: Legal framework to Control Air Pollution 6 Lectures

The Air (prevention and control of Pollution) Act, 1981; Role of the Pollution control boards under the Act; Role of the appellate authority under the Act; National Ambient Air Quality Standards Notification, 2009; WHO guidelines and Ambient Air Quality Index [launched in 2014 in India]; Judicial approach; Air (Pollution and Control of Pollution) Rules, 1982

Unit V: Legal Framework to Control Noise Pollution 3 Lectures

Different statutes and Noise Control—Law of Crimes, Police Act, Civil Aviation Law, Motor Vehicle Act, The Environment (Protection) Act 1986; The Noise Pollution (Regulation and Control) Rules 2000.

Unit VI: Environment Protection Act, 1986 5 Lectures

Objectives of the Act; Powers of the Central Government under the Act; Role of the Pollution Control Boards and its operational mechanism; Remedial measures to control environmental provisions under the Act; Environment (protection) Rules, 1986.

Unit-VII: Major Rules under EPA, 1986**12 Lectures**

The Chemical Accidents (Emergency planning, Preparedness and Response) Rules, 1996; The Bio-Medical Waste (Management and Handling) Rules, 1998; The Municipal Solid Wastes (Management and Handling) Rules, 2000; Hazardous wastes (Management and Handling) Rules, 1989; The Manufacture, Storage and import of Hazardous Chemical Rules, 1989; The Recycled plastics Manufacture and Usage Rules, 1999; The Plastic Waste (Management and Handling Rule) 2011; The E-Waste (Management and Handling Rule) 2016; The Ozone Depleting Substances (Regulation) rules, 2000; Coastal Regulation Zone Notification, 1991 amended in 2011.

Unit VIII: Efficacy of Remedies**8 Lectures**

Environmental Protection and General and Civil and Criminal Law; Public Liability Insurance Act, 1991; National Environmental Tribunal Act, 1995; National Environment Appellate Authority Act, 1997; Citizens' Suit provisions; Remedies under Civil Procedure Code, 1908.

Unit IX: Environmental Protection and Indian Judiciary**6 Lectures**

PIL & Environment Protection—Traditional Rule of Locus standi and its Expansion; Class Action or Citizen's Suits; Judicial Activism and Enforcing International Environmental Law regarding—Doctrine of Inter-Generational Equality, Polluter Pay Principle, Doctrine of Absolute Liability, Precautionary principle, Third Generation Environmental Right.

Unit X Emerging Legal Controls**6 Lectures**

Environment Impact Assessment (EIA)—Statutory Provisions, Rationale behind EIA, Methodology and Process of EIA notification 2006, Functions of EIA Agency, Public Hearing and EIA, Evolution standards of EIA; Environment Audit; Eco-mark; Public participation in environmental decision making—Object, Significance, Advantages & Disadvantages and Techniques; Environment Information; Eco-tourism; Corporate Social Responsibility.

Note: The teaching learning methodology shall comprise lectures, case studies, group discussions, presentation by the participants, seminars, workshops, field studies and research.

SUGGESTED READINGS

1. Armin R. And Divan Shyam, (2013) Environmental Law and Policy in India- Case, Material and Statutes, Oxford University Press.
2. Bhatt S. (2004), Environment Protection & Sustainable Development, APH Publishing Corporations.
Dube, Indrajit, (2007), Environmental Jurisprudence, Lexis Nexis Butterworths, Nagpur.
3. CM, Araham, Environmental Jurisprudence in India.
4. Gitanjali Nain Gill, Environmental Justice in India: The National Green Tribunal, Taylor and Francis, 2016
5. Jaswal, P. S. & Jaswal, Nishtha, (2015), Environmental Law, Allahabad Law Agency, Faridabad.

6. Kailash Thakur, Environmental Protection Law and policy in India.
7. Kanchi Kohli, Manju Menon, Development of Environmental Laws in India, Cambridge University Press, 2021
8. Leelakrishnan P, The Environmental Law in India
9. Mallick, M.R., (2012), Environment & Pollution Laws, Professional Book Pub., Delhi.
10. Mohammad Naseem, Environmental Law in India, Kluwer Law International, 2011
11. Singh, Gurdip, (2005), Environmental Law in India, Mac Millan, New Delhi.
12. Thakur, K. (2007), Environmental Protection- Policy and Laws in India, Deep and Deep Publication, New Delhi.
13. Venkat Aruna, (2011), Environmental Law and Policy, PHI, Delhi

PAPER 12: LAW OF CONSERVATION OF NATURAL RECOURSES IN INDIA

| Course Code: | Semester | Marks | Nature | Credits | Teaching Hours |
|--------------|----------|-----------|----------|---------|-------------------------------|
| LM304 (I) | III | 70+30=100 | Elective | 6 | $60 \times 1\frac{1}{2} = 90$ |

Course Objectives

The course aims to provide students an insight into the intricacies of environmental issues which are involved in the Exploitation of Natural Resources in India and make them understand the functioning of concerning law for protection and conservation of various natural resources.

CONTENTS

Unit I: Understanding Natural Resources 8 Lectures

Concept of Common Property Resources and Natural Resources; Importance of Natural Resources; Problem of Degradation or Depletion/Extinction of Natural Resources; National Concerns for Conservation of Natural Resources; Sustainable Approach to manage resources; Agenda 21 and Resources Management; Constitutional Provisions.

Unit II: Water Resources 5 Lectures

Conservation of Freshwater and Ground Water; Costal Zone Regulation; Conservation of Marine Living and Mineral Resources; The National Water Policy of 2002 and 2012

Unit III: Land Resources 7 Lectures

Protection of Common Land; Legal Machinery on Land resources: Town Planning, Slum sanitation; Conservation, Utilization and conversion, Eco-friendly land plans; Control on Land Development; Conversion of Agricultural Lands into Non-Agricultural lands and its impact; Legal Mechanism to Convert Agricultural lands into Non-Agricultural Land; National/State measures taken to protect Wetland; Land Acquisition, Rehabilitation and Resettlement Act 2013.

Unit IV: Forest Resources 7 Lectures

The Forest Act 1927; The Forest Conservation Act 1980; The Forest Policy of 1988; Compensatory Afforestation Fund Management and Planning Authority (CAMPA); Forest Survey of India (FSI); Role of State Government and Local Government in Forest Protection; Role of Tribal Community in Forest Governance—Schedule Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006; National Afforestation Plan; National Green India Mission; Schemes for Forest Fire Prevention and Management; Agencies (FDA, SFDA, JFMC); The role of Indian Judiciary in Protecting Forest.

Unit V: Protection of Bio-Diversity

6 Lectures

Meaning and Importance of Bio-Diversity; Role of Flora and Fauna in Maintaining Biodiversity; Threats to Biodiversity; Need for Protection of Biodiversity; Biodiversity and Economic Valuation; Obligation on Convention on Biological Diversity 1992; The Biological Diversity Act, 2002; Protection of Plant Varieties and Farmers Right Act, 2001 (relevant portion only); The Geographical Indications (Regulation and Protection) Act, 1999 (relevant portion only)

Unit VI: Protection of Wildlife

6 Lectures

The Wildlife Protection Act 1972; Support to Act by Constitution of India, IPC and Cr.PC.; Sanctuaries and National Park—Licensing of Zoos and Park, State Monopoly in the sale of Wild Life and Wild Life Articles; The Prevention of cruelty to Animals Act 1960; Wildlife Conservation and Protection Projects in India; The Wildlife Institutes of India; The Botanical and Zoological Survey of India; Animal Sacrifice in India; Tamil Nadu Animal Preservation Act 1958.

Unit VII: Regulation of Mining Activities

5 Lectures

Mining and its impact on Environment; Displacement & Marginalization issues concerning Mining; Mitigation of Environment Degradation due to Mining—Adoption of Environment Friendly Technology and Rehabilitation of Closed and abandoned Mines Sites; Analysis of legislative approach for regulating the Land Mining Activities—Constitutional Provisions, The Mines Regulation under British policies till 1952, The Mines Act 1952 and similar legislation and regulation for Coal and Oil, Mines and Minerals (Regulation and Development) Amendment Act 1986, The Mines Concession Rules 1987, Mineral (Conservation and Development) Rules w.e.f. 1988, Environment Protect Act 1986; Judicial Response for protection of Mining Area; A Critical Analysis of Offshore Areas Mineral (Development ad Regulation) Act 2002

Unit VIII: Regulation of Energy Production and Supply

6 Lectures

Definition and Concept of Energy; Renewal and Non-renewable energy; Energy Related Environmental Problems in India; The Energy Conservation Amendment Act 2010; Salient features of Electricity Act 2003; Indian Renewable Energy Development Agency Limited (IDERA) and its function; Regulation of Nuclear Energy in India—Civil Liability for Nuclear Damage Act 2010 & Atomic Energy Act 1962; Principles Governing nuclear Liability.

Note: The teaching learning methodology shall comprise lectures, case studies, group discussions, presentation by the participants, seminars, workshops, field studies and research.

SUGGESTED READINGS

1. C.M. Jariwala, Mining and Environment: Indian Law Scenario, Journal of the Indian Law Institute, Vol. 37: 4, 1995.
2. Das Amarendra (2014), Environment Natural Resources & the Indian Economy, New Century Publication: New Delhi.
3. Dr. Rajinder Verma, Management of Natural Resources and Law in India, Laxmi Book Publication (2016)
4. Leelakrishnan P., The Environmental Law in India, Lexis Nexis Butterworths, New Delhi.
5. Nomani, Md. Zafar Mahfooz, Natural Resources: Law & Policy, (2004) Uppal Publication, New Delhi.
6. Raju Sudhakar Gossel (2014), Management of Natural Resources in a changing environment, Capital Publishing Company (GA).
7. Sairam Bhat, Natural Resources Conservation Law, Saga Publication (2010)
8. Syed Maqbool Geelani, Mining and Its Impacts on Environment with Special Reference to India, International Journal of Current Research, Vol. 5, Issue, 12, pp. 3586-3590, December, 2013, ISSN: 0975-833X

SEMESTER: 4TH**PAPER 13: LAW AND SOCIAL TRANSFORMATION**

| Course Code: | Semester | Marks | Nature | Credits | Teaching Hours |
|--------------|----------|-----------|--------|---------|-------------------------------|
| LM401 | IV | 70+30=100 | Core | 6 | $60 \times 1\frac{1}{2} = 90$ |

Objective: This paper intends to realize the students the significance of law as an instrument for social changes in that how it has set the course in the contemporary Indian society.

CONTENTS**Unit I: Law and Social Change: 10 Lectures**

Concept of social change and social transformation; Law as an instrument of social change; Law as the product of traditions and culture; Interaction of Law and social sciences and sociological school of law and its applicability in India; Principles of social legislation.

Unit II: Religion and Law: 10 Lectures

Religions in India; Freedom of Religion and non-discrimination on the basis of Religion; Religious Minorities and the Law; Secularism as a solution to Religious conflicts in India.

Unit III: Community and Law: 10 Lectures

Caste as a divisive factor; Non-discrimination on the grounds of caste; Acceptance of caste as a factor to undo past injustices; Protective discrimination—Scheduled castes and backward classes; Reservation.

Unit IV: Regionalism and Law: 10 Lectures

Regionalism as a divisive factor; Concept of India as one unit; Right of movement, residence and business; Impermissibility of state or regional barriers; Equality in matters of employment; Admission to educational institutions and preference to residents of a state.

Unit V: Tribal and Law: 10 Lectures

Development and Displacement of Tribal; Protection of Tribal lands under the Fifth Schedule to the Constitution of India; The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006; Recent developments for the protection of tribal people.

Unit VI: Modernization and Law: 10 Lectures

Modernisation as a value; Modernisation of social institutions through law—Reform of family law, Industrial reform (Free enterprise versus State regulation; Industrialisation versus Environmental protection), Reform of court processes in Criminal law (Plea bargaining, compounding and payment of compensation to victims), Reform of court process in Civil law and introduction of Alternative Disputes Resolution, Prison reforms.

Note: The teaching learning methodology shall comprise lectures, case studies, group discussions, presentation by the participants, seminars, workshops, field studies and research.

SUGGESTED READINGS:

1. Bhat, P. Ishwara, Law and Social Transformation, Reprinted 2012 (Hardcover)
2. D.D. Basu, Shorter Constitution of India (1996), Printice Hall of India (p) Ltd,

3. Dr. G.P. Tripathi: Law & Social Transformation
4. Duncan Derret, The State, Religion and Law in India (1999). Oxford University Press, New Delhi
5. H.M. Seervai, Constitutional Law of India, N.M. Tripathi, Bombay
6. India Law Institute, Law and Social Change: Indo-American Reflections, Tripathi (1988)
7. M.P. Jain, Outlines of Indian Legal History, (1993), Tripathi, Bombay
8. Marc Galanter (ed.): Law and Society in Modern India, Oxford University Press, New Delhi
9. Robert Lingat, The Classical Law of India (1998), Oxford

PAPER 14: TEACHING INTERNSHIP

| Course Code: | Semester | Marks | Nature | Credits | Teaching Hours |
|--------------|----------|-------|--------|---------|-------------------------------|
| LM402 | IV | 100 | Core | 6 | $60 \times 1\frac{1}{2} = 90$ |

Course Objectives

This course is designed to develop among students the attitude of creative, reflective and innovative professional educators in legal studies which would be of immense help to them in their teaching career.

CONTENT

This course is teaching oriented. Every student has to carry out teaching internship in which case the student concerned shall be put into internship in teaching under a senior Professor for the period of three months in the Final Semester within this University. In this Context he/she has to follow the following instructions:

1. Teaching Internship of the intern will include: (1) Daily Attendance at Faculty/School of Law (i.e., employing institution) and Maintaining Diaries; (2) Creation of Teaching Plan (3) Creation of Instructional Materials/ Teaching Contents (4) Reflection of Teaching Contents in Classroom; (5) Participating in School's Learning Programme and Activities; (6) Maintaining good relationship with Supervisor and School Administration; (7) Maintaining Human as well as Professional qualities; (8) Self-Assessment and Improvement; (9) Writing Internship Report, etc.
2. The Teaching intern will be put into internship under the Professor for at least a period of three months within the Faculty of Law.
3. The Dean of School of Law in coordination of HOD will provide list of Professors under whom the intern will undergo for their internship.
4. The intern will have to provide the list of professors in preferential order under whom they want to undergo for internship.

5. The HOD after processing the list so provided by interns will then allocate the professor to the intern under whom they have to undergo for their internship. The decision of the HOD which will be based on availability of the professors will be final.
6. The Professor, under whom intern undergo for internship, will guide and supervise the intern during their internship.
7. The Supervisor professor with coordination of HOD will provide the log of students to the teaching intern.
8. The Supervisor professor can engage with him Associate professor(s) or Assistant Professor(s) within the faculty of law for his/her Assistance which will act as mentor of Intern for internship purpose.
9. The intern will design instruction appropriate for all students that reflects an understanding of relevant content and is based on continuous and appropriate assessment.
10. The intern will create a classroom environment of respect and rapport that fosters a positive climate for learning, equity, and excellence.
11. The intern will promote student learning by providing responsive instruction that makes use of effective communication techniques, instructional strategies that actively engage students in the learning process, and timely, high-quality feedback.
12. Every teaching intern who undergoes the internship within the Faculty/School of Law within the University, he/she will strive to hold the responsibilities of the education profession, including the following obligations to students, to parents and to the Faculty/School of Law of the University:

To Students: -

- (i) Shall provide students with professional education services in a non-discriminatory manner and in consonance with accepted best practice known to the intern;
- (ii) Shall respect the constitutional rights of all students;
- (iii) Shall take reasonable measures to protect the health, safety, and emotional wellbeing of students;
- (iv) Shall not use professional relationships or authority with students for personal advantage;
- (v) Shall keep in confidence information about students which has been obtained in the course of professional service, unless disclosure serves professional purposes or is required by law;
- (vi) Shall not knowingly make false or malicious statements about students or colleagues/faculties;
- (vii) Shall refrain from subjecting students to embarrassment or disparagement;

- (viii) Shall not engage in any sexually related behavior with a student with or without consent, but shall maintain a professional approach with students. Sexually related behavior shall include such behaviors as sexual jokes; sexual remarks; sexual kidding or teasing; sexual innuendo; pressure for dates or sexual favors; inappropriate physical touching, kissing or grabbing; rape; threats of physical harm; and sexual assault; and
- (ix) Shall not use institutional privileges for private gain, for the promotion of political candidates, or for any political activities; and

To Parents: -

- (x) Shall endeavor to understand community cultures and diverse home environments of students;
- (xi) Shall not knowingly distort or misrepresent facts concerning educational issues;
- (xii) Shall distinguish between personal views and the views of the employing educational Institution, i.e., Faculty/School of Law;
- (xiii) Shall not accept gratuities, gifts, or favors that might impair or appear to impair professional judgment, and shall not offer any of these to obtain special advantage.

To the Faculty/School of Law: -

- (xiv) Shall exemplify behaviors with faculties which maintain the dignity and integrity of the teaching profession;
- (xv) Shall accord just and equitable treatment to all members of the faculties in the exercise of their rights, obligation and responsibilities;
- (xvi) Shall keep in confidence information acquired about their colleagues and faculties in the course of internship, unless disclosure serves internship purposes or is required by law;
- (xvii) Shall not use coercive means or give special treatment in order to influence the administrative decisions;
- (xviii) Shall accept, offer, or assignment or position or responsibility; and
- (xix) Shall not knowingly falsify or misrepresent the facts which they would observe during the course of their internship.

Note: -Violation of these administrative regulation as mentioned above may result in cause to initiate proceedings for revocation or suspension from LL.M. Programme.

13. The intern will have to submit three, physical and uniform, typed and bound copies, along with the soft copy, of his internship report to the Head of Department of Law by the time one week before the commencement of Semester Exam. However, the Dean of the School may permit the student to submit the Internship Report on the satisfaction of the reason mentioned by the student for not submitting the report in due time under

the condition that student will submit the same before commencement of semester exam.

14. The Report will comprise of following: -

- (i) Cover (having descriptions of Name of Employing Institution, Name of Interns, Roll no., Enrolment No., Class, Name and Designation of Supervisor, Name of Assistant Supervisor cum Mentor of Interns and his/her Designation, Date of submission)
- (ii) Cover page as above
- (iii) Abstract
- (iv) Certificate of approval by Supervisor
- (v) Declaration by Candidates
- (vi) Dedication (If Any)
- (vii) Acknowledgement
- (viii) List of Abbreviations and Acronyms
- (ix) Table of Contents
- (x) Chapter 1: Organization Details
 - Location and Historical Background
 - Organizational Structure
 - Vision, Mission and Goal
 - Curriculum of the organization and its objectives
 - Objective of the internship
 - Any other relevant details
- (xi) Chapter II: Internship Activities
 - Introduction
 - Workload and Schedule
 - Constraints and Challenges
 - Instructional Strategies and Methods adopted such as: Introduction to the lesson; students-centered discussion; Making connection to the students; Disclosure of research made; Connecting the Lesson to the current events; PPT presentation; Satisfying the queries; Building the confidence among students; Providing reading material or its references to students, etc.
 - Details of the topic and teaching approach, such as: Translation Approach; Dealing with experience approach; Reading Approach; Approach based on reason (deductive or inductive); Analysis based approach; Comprehension

based Approach; Emotion based approach; Any Combination of the above said approach; etc.

- Details of the Text Book, Reference Books, Journals, Repots, Legislations, Case laws, News, which were consulted in response to the Teaching Assignment.
 - Any others matter relating and relevant to Internship activities
- (xii) Chapter III: Involvement in Allied Activities as Assigned
- Introductions;
 - Number of allied activities (as assigned or involved or taken responsibility) such as Seminars, Moot Courts, Competitions, etc.;
 - Responsibilities/Position as taken during internship; and
 - Brief reports on the such Academic events/Activities in which the intern was involved during his/her internship.
- (xiii) Chapter IV: Conclusion and Recommendations
- Conclusion about his/her internship which will include details of: Constraints and challenges felt by intern; Knowledge Acquired (about art of teaching, Culture and Working environment of the institution, etc.); Description of Self-Assessment—Week points which the intern observed and Measure taken to improve his professional skill; Effect of internship on professional skill or any other relevant observation.
 - Recommendations: (i) To School of Law in context of how its efficiency can be increased to the interest of students; (ii) To programmes run by School of Law; (iii) To future strategic actions.
 - Any model of improvement in support of recommendation(s)
- (xiv) Annexures(I): Teaching Plan
- (xv) Annexures (II): Teaching Contents (notes/collection of matters/references, etc.)
- (xvi) Annexures (III): Any others relevant document if have
- (xvii) Evaluation Form (Blank)
- Note:** Intern will have to attach unfilled evaluation form the format of which is provided in the last of this course details.
- (xviii) Important Photographs relating to Internships which establish that intern is really engaged in internships.
- (xix) CV/Resume

15. The intern will maintain that his report will not include any confidential information either related to supervisor/Faculties/Colleagues/Students/office of employing Institution.

PAPER 15: DISSERTATION AND VIVA VOCE

| Course Code: | Semester | Marks | Nature | Credits | Teaching Hours |
|--------------|----------|-------------|--------|---------|-------------------------------|
| LM403 | IV | 100+100=200 | Core | 12 | $60 \times 1\frac{1}{2} = 90$ |

Course Objectives

This course is designed to test the research skill and aptitude of the students and their analytical skills on various current challenges of law and society. It is aimed at enabling the students to hone their skills as a researcher that would be of immense help to them in their career.

CONTENT

This course is research oriented. Every student has to carry out Dissertation writing and undergo for viva voce. Important instruction in this context are as follows:

1. Student shall submit three research topics in order of preference to the Head of Department of Law in the first week of the beginning of the Third Semester. The Head shall, in consultation with the Department Education Committee, allot the topic as well as supervisor to the students by the 4th week of the third Semester.
2. The topic shall relate to area of student's specialization chosen in the last three semesters. It would be so delimited that the student is required to go beyond the standard text-books and to consult the reference material or conduct field study for preparing his/her Dissertation work.
3. From the date which will be notified by Head after 8th week of third semester, the student will submit the synopsis of his/her dissertation work to the supervisor by the time mentioned in notification. After the scrutiny of synopsis, the topic will be finalized. The topic once decided shall remain unchanged. However, the Head of Department may permit a change or a modification in the topic if considered necessary.
4. The dissertation work shall involve in-depth study and critical review on the topic and creation of new knowledge in the area.
5. As far as possible the mechanism involved in the carrying out Dissertation work will include, depending upon the nature of topic and kind of methodology involved,: (i) Collection of relevant material from Books, Journal, Legislation, Case Laws, Reports, News, Encyclopedia, etc.; (ii) Critical analysis of Literature review of materials so collected; (iii) Finding the Gaps/Research Problem; (iv) Studying research material and deriving conclusion in case the study is doctrinal in nature/Analyzing empirical data and deriving the conclusion in case the study is empirical in nature (v) Making the suggestion and (v) Writing the Dissertation
6. The Dissertation shall run into minimum 100 pages excluding preliminary pages and annexures.

7. The students shall prepare three typed and bound uniform copies of Dissertation (duly signed by Supervisor) along with its soft copy in word and pdf. format (no image file) and submit to the Head of Department by the time two week before the commencement of forth Semester Exam. Dissertation submitted afterward will not be evaluated and therefore the student has to resubmit his/her dissertation work in the respective semester in the following academic session. However, the Dean of the School may permit the student to submit the Dissertation work on the satisfaction of the reason mentioned by the student for not submitting the work in due time under the condition that student will submit the work before commencement of semester exam.
8. Students are required to observe STEPS given below for preparation of Dissertation work:
 - Title of the study
 - Objectives of the study
 - Significance & Utility of the Study
 - Research Problem/Hypothesis/Gaps
 - Objectives of the study
 - Review of Literature
 - Research Design: a) Nature/ Type of the study b) Method of data collection c) Sources of data Collection
 - Limitations of the study
 - Possible contribution of the study
 - Chapterization / Scheme of the Study
9. Students are required to follow the following STRUCTURE for Dissertation:
 - Cover
 - Cover Page
 - Certificate of approval by Supervisor
 - Declaration Certificate by Candidate
 - Acknowledgement
 - List of Case Laws
 - List of Tables
 - Abbreviations
 - Contents
 - Chapter I: Introduction (Theoretical Background and Research Methodology)
 - Chapter II to V

- Chapter VI: Conclusions (Major Findings and Suggestion)
 - Bibliography (Books, Journals, Newspapers, Websites, Research Reports, Magazines etc.)
 - Annexures (Interview Schedules, Questionnaires, Master Charts, Acts, Bills, Maps etc.)
10. After the submission of the dissertation, student will be put into viva voce examination.
 11. The purpose of the viva examination is to ensure that, among other things, student can defend his dissertation work verbally.
