

**Detailed Syllabus
Pattern 2022**

LL.M. 1ST Year, Semester: I

Jurisprudence and Legal Theory

Paper Code: LM 101

Credit: 4

Paper I

Objectives

Jurisprudence is the study of the Theory and Philosophy of Law. It guides the students to understand the basic ideas and reasoning behind the written law. It helps them to understand the fundamentals of the law and figure out the actual rule of the law. The lawyer and judges can use jurisprudence as a guide to correctly interpret certain laws that require interpretation. The core function of jurisprudence is to study the origin of law, how law has developed and traces back its origin as to how that law has contributed towards regulating society.

Module I :

Introduction

- Insights into meaning and scope of Jurisprudence
- Significance of developing Jurisprudence in the contemporary law
- Definitions of Law, Justice and Morality

Module II:

Natural Law

- Emergence and development of Natural Law
- St. Thomas Aquinas; Grotius; Hobbes; Locke; Rousseau
- Revival of Natural Law-Rudolf Stammler, Lon Fuller, John Finnis , Gustav Radbruch
- Role of Natural Law in modern constitutional law

Module III :

Analytical Positivism

- Jeremy Bentham
- John Austin- Positivist theory of law
- Hans Kelson – Pure theory of Law

Module IV:

Insights into Post Modern Legal Thought

- H. L. A Hart
- Ronald Dworkin
- Friedrich Nietzsche
- Karl Marx

Module V:

Sociological school and Realism

- Social engineering theory of Roscoe Pound
- *Rudolph Ritter von Jhering*
- Leon *Duguit*
- Jerome Frank.
- Karl Lewellyn
- Indian Judicial process & relevance to American legal realism.

Reference Books :

1. W. Friedmann – Legal Theory
2. Julius Stone – Social Dimension of Law & Justice.
3. C. K. Allen – Law In the Making.
4. Lloyd – Introduction to Jurisprudence.
5. Dias – Text on Jurisprudence. H.L.A. Hart – Law, Liberty and Morality.
6. Prof. Julius Stone – Province & functions of Law.
7. Ronald Dworkin – Morality principle.
8. Patton – Text on Jurisprudence.
9. John Rawls – Theory of Justice.
10. Precedent in Indian Legal System - Prof. A. Lakshminath.

LL.M. 1ST Year, Semester: I

Indian Constitutional Law

Paper Code: LM 102

Credit: 4

Paper II

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 about the fundamental rights and directive principles of state policy. The paper aims at making the students familiar with the making of the Constitution of India. It also gives an understanding of the preamble of Constitution and development of fundamental rights with judicial pronouncements. It shall help the students to understand the judicial process and judicial activism.

Module

I:

Historical Background

- Drafting of the Constitution.
- Constituent Assembly debates
- Preamble: Key to the constitution,
- Aim and objectives of preamble

Module II:

Fundamental Rights and reasonable restrictions

- Right to equality
- Protective discrimination
- Freedoms under the Constitution
- Right to life and personal liberty
- Freedom of religion and secularism

Module III:

Directive Principles of State Policies

- Objectives of Directive Principles
- Relationship with Fundamental rights
- Overview of Articles 36-51
- Uniform Civil Code

Module IV:

Judicial Process and Judicial Activism

- Separation of Powers
- Independence of Judiciary
- Judicial Accountability
- Judicial review

Recommended Readings :

1. Constituent Assembly Debates vol. 1 to 12 (1989)
2. H. M. Seervai, Constitution of India vol. 1-3 (1992), Tripathi, Bombay
3. D.D. Basu, Shorted Constitution of India (1996), Prentice Hall of India Delhi.
4. M.P. Singh (ed.) V.N. Shukla, Constitutional Law India (2000), Oxford.
5. M. P. Jain : Indian Constitutional Law (LexisNexis)
6. P. M. Bakshi : Commentary on Constitution of India (Universal Publication)
7. V.N.Shukla : Constitution of India, 13th edition.
8. Dr.B.R.Ambedkar : Constitution of India.

LL.M. 1ST Year, Semester: I

Research Methodology

Paper Code: LM 103

Credit: 4

Paper III

Objectives

The main objective of this paper is to familiarize the student of law with the systematic technique of socio-legal research. The students will understand the sample selection, collection and interpretation of primary and secondary data with use of scientific research tools. The Empirical work will be a part of practical research in this course.

Module I:

Introduction

- Utility & Importance of Research
- Scientific Research methodology
- Different Research models (Doctrinal, Non-doctrinal, etc.)

Module II:

Scientific Research Techniques

- Selection and framing of Research problem
- Role of Hypothesis, definitions and types.
- Research design

Module III:

Research Tools & Techniques

- Observation, Interviews, Questionnaires
- Tools – Sampling and its kinds, Case studies
- Scaling
- Content analysis

Module IV:

Data Processing and Computerized Research

- Analysis and interpretation of data
- Use of Socio-metrics and Jurimetrics.
- Analysis by Induction and deduction method.
- Use of Computerized online tools for analysis
- E-legal research

Module V:

Report Writing

- Research report & techniques of writing research work.
- Citation rules and modes of legal writing.

Reference Books:

1. Jain S. N. : Legal Research and Methodology.
2. Young, Pauline V. – Scientific Social Survey and Research.
3. Good & Hart : Research Methodology
4. Wilkinson – Bhandarkar – Research Methodology.
5. Earl Babi – Research Methodology.

LL.M. 1ST Year, Semester: I

**Specialization Subject International Law Group
Foundations of Public International Law**

Paper Code: LM 104

Credit: 4

Paper IV

Objectives :

This paper aims to make student understand and identify the sources of Public International Law. To understand the nature of the international legal system, actors in the international legal system and the concept of “international legal personality. To recognize how the doctrine of State sovereignty is increasingly being eroded (e.g. in the fields of environmental law, international criminal law and international human rights law) and understand how important this is for bolstering the international rule of law and ensuring justice for weaker nations and peoples Have a working knowledge of the relationship between PIL and the domestic legal systems, in particular, the Indian legal system Understand the manner in which disputes between States can be resolved peacefully within the framework of PIL. Have an in-depth knowledge of the jurisdiction and selected jurisprudence of the International Court of Justice and other relevant international courts and tribunals

Module I:

Introduction

- The Nature and Definitions of International Law
- Sources of Public International Law

Cases:

- Lotus Case (France v. Turkey), PCIJ, Ser. A, No. 10 (1927)
- North Sea Continental Shelf Cases, ICJ Rep. 1969, p. 3
- Right of Passage over Indian Territory (Merits) (Portugal v. India), ICJ Rep. 1960, p. 6
- Asylum Case (Columbia v. Peru), ICJ Rep. 1950, p. 266
- Basis of International Law – Jurisprudential Theories
- Sanctions of International Law

Module II :

General Principles of Law Recognized by Civilized Nations

- Judicial Decisions, Juristic Opinion
 - Island of Palmas Case (Netherlands v. United States) (1928) Permanent Court of Arbitration, 2 R.I.A.A. 829
 - 8 Temple of Preah Vihear Case (Merits) (Cambodia v. Thailand), ICJ Reports 1962, p.6
- Resolutions of General Assembly and Security Council
- Advisory Opinions of PCIJ and ICJ

Module III:

Nexus between International Law and Municipal Law

- Theories- Monistic Theory, Dualistic Theory
- Practice of States: India, United Kingdom, United States of America
- Cases :
 - In Re Berubari Union No. (I), AIR 1960 SC 845 : (1960) 3 SCR 250
 - Ram Kishore Sen v. Union of India (1966) 1 SCR 430 : AIR 1966 SC 644
 - Jolly George Varghese v. Bank of Cochin, AIR 1980 SC 470 (1980) 2 SCC 360
 - *Vishaka v. State of Rajasthan, AIR 1997 SC 3011 : (1997) 6 SCC 241*
 - *Justice K S Puttaswamy (Retd.) v. Union of India (2017) 6 SCC 235*
 - *Gramophone Company of India Ltd. v. Birendra Bahadur Pandey, AIR 1984 SC 667: (1984) 2 SCC 534*

Module IV:

International Legal Personality and State Responsibility

- The Concept of Legal Personality of States
- Definition and Conditions for Statehood, Territory and Underlying Principles, Sovereignty
- Nature of International Responsibility
- The Elements of State Responsibility
- The Invocation of Responsibility and Diplomatic Protection

Module V:

Recognition of States and State Succession

- States and their Territory in general
- Theories and Types of Recognition
- Meaning and concept of State Succession

Module VI:

State Jurisdiction

- Territorial and Extra territorial Jurisdiction
- Jurisdiction based on nationality, protective principle
- Universal Jurisdiction
- Extradition, Deportation, Asylum

Cases

- Arrest Warrant of 11 April 2000 (Democratic Republic of the Congo v. Belgium) ICJ Rep. 2002, p.3
- Abu Salem v. State of Maharashtra (2011) SCC 214
- Arrest and Restoration of Savarkar (France/Great Britain, 1911)
- Vijjay Mallya Case
- Mehul Choksy Case
- Kulbhushan Jadhav Case

Reference Books:

1. Oppenheim: International Law (9th Edn) 1992, Vol.1
2. Malcolm Shaw: International Law (5th Edn) 2005
3. Ian Brownlie: Principles of International Law, 5th Edn 2009
4. J.G. Strake Introduction to International Law, 12th Edn. 2008

LL.M. 1ST Year, Semester: I

**Specialization Subject Business Law Group
Fundamentals of Corporate Law**

Paper Code: LM 105

Credit: 4

Paper IV

Objectives :

The main objective of this paper is to help student develop the basic understanding of the Legal Environment of Business. To differentiate between different types of business models, for setup, Partnership, Proprietorship, Corporation (Private and Public), etc., and the formation processes of these business entities. An understanding of the fundamental concepts, principles, and rules of law that apply to business transactions. Includes the function and operation of the courts, business crimes, torts, contract law, intellectual property, and application of legal knowledge to business activities. To keep abreast of recent developments in business law, such as Insolvency Law and Investments laws.

Module 1:

Introduction to Legal Framework of Business and Corporate Environment

- Origin and Development of Corporate Law
- Essential ingredients in establishment of Corporation
- Overview of laws regulating Contract
- Nature and Kinds of Companies

Module 2:

Company's Constitutional Documents

- Memorandum of Association
- Articles of Association
- Doctrine of Ultra Vires
- Doctrine of Indoor Management

Module 3:

Share and Legal Aspects governing corporate management

- Prospectus
- Share and share capital
- Borrowing Powers, Debentures, Borrowing powers of a company
- Members and Shareholders
- Company Meeting
- Dividends
- Audit of Company
- Company Management

Module 4:

Amalgamation, Reconstruction, Mergers, take-over of Companies

- Meaning of the terms
- Statutory provisions
- Powers of court/ tribunal
- Reconstruction/ amalgamation by sale of shares/sale of undertakings
- Procedures of Winding up a Company

Module 5:

Basics of Insolvency Law and Investment Laws

- Basic principles of corporate insolvency
- Winding up of insolvent companies
- Basic Principles of Corporate Rescue
- Securitization Act in India:
- Basic Features of the Securities Contracts (Regulation) Act, 1956
- Basic Features of SEBI Act, 1992
- SEBI Guidelines

Reference Books:

1. C.A.Kamal Garg, Bharat's Corporate and Allied Laws, 2013
2. Institute of Company Secretaries of India, Companies Act 2013, CCH Wolter Kluwer Business, 2013
3. Lexis Nexis, Corporate Laws 2013 (Palmtop Edition)
4. Avtar Singh : Company Law
5. Dutta on Company Law
6. N.D.Kapoor on Company Law, Charles Wild and Stuart Weinstein Smith and Keenan, Company Law, Pearson Longman, 2009
7. The Companies Acts from 1956 to 2014 as amended up to the date.
8. The New Company Law, Dr. N.V. Paranjape, Central Law Agency.
9. Paul L. Davies, Gower and Davies Principles of Modern Company Law (Latest edition)
10. A Ramaiya's Guide to the COMPANIES ACT, LexisNexis Publication, Nagpur
11. J.P Sharma, An easy Approach to Corporate Laws, Ane Books Pvt Ltd, New Delhi
12. Bharat Law House, New Delhi, Manual of Companies Act, Corporate Laws
13. Wadhwa and company, A Ramaiya Guide to Companies Act, Nagpur.
14. Harpal Singh, Indian Company Act, Galgotia Publishing, Delhi

LL.M. 1ST Year, Semester: II

Law and Social Transformation in India

Paper Code: LM 201

Credit: 4

Paper I

Objectives :

To introduce the students regarding the scenario behind the laws. Detailed understanding of laws especially for the vulnerable group of people, i.e., Women & Children. To prepare students in the context of how to overcome the problems of Casteism as Law makers. Also, it would be facilitated how Language and caste system works as a divisive factor to the Law. To develop understanding of students regarding Regionalism and religions as a divisive factor to the Law. And social reformation solutions to those factors. To develop thought process of the students regarding the modernization in laws so that positive changes in the society can be brought.

Module I:

1. Law and Social Change:

- Relations between Law and Public Opinion
- Law as an instrument of social change
- Law as the product of Traditions and Culture, Criticism and evaluation in the light of impact of colonization and the introduction of common law system and institutions in India.
- Sociological school and its applicability in India, Principles of Social Legislation.

2. Religion and Law:

- Religion – its meaning and relationship with law
- Evaluation of Religion as a divisive factor
- Secularism : Meaning and impact on personal
- Freedom of religion and non-discrimination on the basis of religion
- Religious minorities and the law

Module II:

1. Language and the Law:

- Multi-linguistic culture and its impact on policy on nation
- Language as a divisive factor : formation of linguistic states
- Constitutional guarantee to linguistic minorities
- Language policy and the Constitution ; Official language; multi language system
- Non-discrimination on the ground of language

2. Community and the Law:

- Caste as a socio-cultural reality and role of caste as a divisive and integrative factor
- Protective discrimination; Scheduled Castes, tribes and backward classes
- Reservation: Statutory Commissions, statutory provisions

Module III:

1. Regionalism and Law:

- Evaluation of Regionalism as a divisive and integrative factor
- Concept of India as one Federal Union of States
- Right of Movement, Residence and Business; Impermissibility of State or Regional Barriers
- Equality in matters of education and employment; the slogan “Sons of the soil” Preference to Residents of a State.

2. Women and Law:

- Position and Role of women in Indian society
- Crimes against women – Codified laws
- Gender injustice and its various forms, causes and remedies
- Women’s Commission e. Empowerment of women; Constitutional and other legal provisions

Module IV:

1. Children and Law:

- Child Labour
- Sexual Exploitation
- Adoption, Maintenance and Related Problems
- Children and Education – a Constitutional mandate

2. Modernization and Law:

- Modernization as a value: Constitutional perspectives reflected in the fundamental duties
- Modernization of social institutions through law
- Reform of family law
- Agrarian reform – Industrialization of Agriculture
- Reform of Court process and various ADR processes
- Criminal Law: Plea bargaining; compounding and payment of compensation of victims
- Democratic decentralization and Local Self-government

Reference Books:

1. March Galanter (ed.), Law and Society in Modern India (1997), Oxford
2. Robert Lingat, The Classical Law of India (1998), Oxford.
3. U.Baxi, The Crisis of the Indian Legal system (1998) Vikas, New Delhi.
4. U. Baxi (ed) Law and Poverty Critical Essays (1988), Tripathi, Bombay
5. Manushi, A Journal about Women and Society
6. Duncan Derret, The State, Religion and Law in India (1996)Tripathi

7. D.D.Basu, Shorter Constitution of India (1996), Prentice-Hall of India (P) Ltd, New Delhi
8. Sunil Deshta and Kiran Deshta, Law and Menace of Child Labour (2000), Armol Publications, Delhi
9. Savitri Gunasekhare, Children, Law and Justice(1997) Sage
10. M.P.Jain, Outlines of Indian Legal History, (1993) Tripathi, Bombay

LL.M. 1ST Year, Semester: II

Comparative Constitutions

Paper Code: LM 202

Credit: 4

Paper II

Objectives:

According to Hugo Grotius “ The Constitution of every state has been preceded by a social contract and people have chosen the form of Government which they thought as most suitable to them based on social, economic, political circumstances existing therein that state..” The objective of this paper is to impart the knowledge about comparative constitution to the students. This paper intends to undertake a comparative analysis of the Constitutionalism, Judicial Organisation and process, Nature of Distribution of Powers, Amendment procedures and Emergency provisions in UK, USA, Australia, New Zealand and Canada in order to have a better understanding and assessment of the public law principles, practices and institutional mechanisms that work the polity India as well as around the world.

Module I

Constitutionalism and Federalism

- What is a Constitution?
- Conventions of Constitutionalism
- Written Constitutions : USA, UK, Canada, Australia, New Zealand
- What is a federal government?
- Difference between Confederation and Federation and Federation
- Patterns of Federal Government – USA, Australia, Canada, New Zealand

Module II – Judicial Organisation and Process of Judicial Review

- Organization of the Judiciary (Judicial System and Hierarchy of Courts)(USA, Canada, New Zealand, Australia)
- Issues of Judicial Independence
- Tribunalisation of Justice
- Enforcement of Fundamental rights
- Public Interest Litigation
- Characteristics of Modern Constitutions of India, USA, New Zealand and Australia and their importance of Judicial Review

Module III – Nature of Distribution of Powers

- Distribution of powers – legislative, administrative and financial-Comparative Study
- Relation between Union and State – legislative, administrative & financial
- Comparative study between India and USA, Australia, New Zealand.

Module IV – Amendment Process under different Constitutions

- What is Amendment?
- Types of Amendment
- Comparative Study of Amending Processes of India, USA, Australia and New Zealand
- Judicial scrutiny of Amendments to the Constitution

Module V – Emergency Provisions of various Constitutions

- Emergency provisions under Constitutions
- Justifiability of the proclamation of Emergency
- Impact of Emergency

Reference Books :

1. Anata Kumar Giri: 'The Rule of Law and Indian Society: From Colonialism to Post Colonialism', in P. Costa and D. Zolo (ed.), *The Rule of Law: History, Theory and Criticism*, Springer, The Netherlands.
2. B. Z. Tamanaha: 'Rule of Law in United States', in Randall Peerenboom (ed.), *Asian Discourses of Rule of Law*, Routledge, London.
3. Charles Fried: *Saying What the Law Is: The Constitution in the Supreme Court*, Universal Publishing Co. Pvt. Ltd., New Delhi.
4. Charles L. Black: *The People and the Court: Judicial Review in a Democracy*, The Macmillan Company, New York.
5. D. D. Basu: *Comparative Constitution Law*, LexisNexis India, Gurgaon.
6. D. D. Basu: *Introduction to the Constitution of India*, Lexis-Nexis, New Delhi.
7. Donald Kommers: 'The Value of Comparative Constitutional Law', 9 *J. Marshall J. Prac. & Pro.* 685 (1976).
8. M. P. Jain: *Indian Constitutional Law*, LexisNexis India, Gurgaon.
9. M. P. Singh: *V.N Shukla's Constitutional Law*, Eastern Book Company, Lucknow.

LL.M. 1ST Year, Semester: II

Practical Research Methods

Paper Code: LM 203

Credit: 4

Paper III

Objective:

The primary objective of this course is to acquaint the students of LLM with the scientific method of social science research and to motivate students to research in the field of law. Importance would be given on practical training in writing and publishing a research paper in this course.

Module I:

Basic of Legal Research & Legal Education

- Meaning & Objective of Legal research
- Kinds of Research
- Legal Education
 - Introduction of Legal Education in India
 - Importance of Legal Education
 - Legal Profession – A Noble Profession
 - Ethics in legal profession
 - Globalisation and Challenges to Legal Profession
- Clinical legal education- Legal Aid, Legal literacy, legal survey and law reform. Case study method-Head note writing-case comments.

Module II:

Research Problem, formulation of Hypothesis and preparation of the Research Design

- Research problem, Survey of available literature and bibliographical research
- Juristic writings- A survey of juristic literature relevant to select problems in India
- Compilation of list of reports or special studies conducted relevant to the problem.
- Use of historical & comparative research materials, Use of observational studies, Use of questionnaires/interview and Use of case studies
- Sampling procedures-Design of sample, types of sampling to be adopted
- Computerized Research –A study of legal research programmes such as Lexis and West law coding etc.

Module III:

Tabulation, Analysis, Interpretation and Report Writing

- Classification and Tabulation of data
- Analysis and interpretation of data
- Use of Statistical methods

- Reporting and methods of citations
- Ethics in research and Plagiarism
- Research Reports- Case Comment, Articles, Dissertation, Thesis

Module IV:

Legal Writing

- Foundations of writing
- Transmittal letter, client opinion letter and e-mail correspondence
- Pleadings
- Legislative Research and Legislative Drafting, Preparation of draft Bill

Module V:

- Pre-requisites and methodology of research paper writing and Publication

Reference Books :

1. High Brayal, Nigel Dunean and Richard Crimes, Clinical Legal Education: Active Learning in Your school (1998) Blackstone Press Limited, London
2. S.K. Verma & M. Afzal Wani, Legal research and Methodology, Indian Law Institute, Delhi- 2006
3. Blackstone Press Limited, London, S.K. Agrawal (ed.), Legal Education in India (1973), Tripathi, Bombay
4. Legal Research Methodology Indian Case Laws- www.indiancaselaws.wordpress.com
5. Pauline V. Youg, Scientific Social Survey and Research, (1962)
6. H.M. Hyman, Interviewing in Social Research (1965)
7. ILI Publication, Legal Research and Methodology

LL.M. 1ST Year, Semester: II

**Specialization Subject International Law Group
International Organizations**

Paper Code: LM 204

Credit: 4

Paper IV

Objectives

This course explores the institutional structures, political processes, and impact of International organizations within the larger context of world politics. International organizations play an important role in the contemporary international scenario in addressing the contemporary international problems.

This course covers the UN system and the other regional organizations and the contemporary issues of their handling with the contemporary problems.

Module I

Introduction

- Global Governance significance of International Organizations
- Organizational Culture, Organizational Adaptation and Learning
- Inter-organizational Relations
- League of the Nations an Over View

Module II

The United Nations System

- The UN System – Brief over view of the charter
- The Security Council ; The General Assembly; The Economic and Social Council; The Trusteeship System; The Secretariat
- Important Specialized Agencies-ILO; WHO; UNESCO; FAO
- Peace Keeping and Peace Making role of the UN
- The Collective Security System

Module III

International Institutions

- North Atlantic Treaty Organization
- The Western European Union
- The European Union
- The Organization of American States
- The Arab League and the OPEC
- Common Wealth of Independent States
- ASEAN and SAARC

Module IV

International Judicial Organizations

- The International Court of Arbitration
- The International Court of Justice – Jurisdictional aspects
- The International Criminal Court
- The International Tribunal for the Law of the Sea

Module V

Legal Status of International Organizations

- Legal Personality of International Organizations in International Law
- Powers and functions and the constituent instruments
- Privileges and Immunities
- Liability of Member States
- Dissolution and Successio

Reference Books :

1. D.W. Bowett: International Institutions; 1982
2. Good Rich and Hambro: Interpreting the Charter of UN, 960
3. L.B.sohn: Cases on United Nations Law 1967
4. Malcom Shaw: International Law (5th edn) chapters on UN and International Institutions
5. Journal of International Organizations
6. Indian Journal of International Law
7. International Organizations : Ian Hurd
8. The Law of International Organizations : Nigel White
9. Kapoor S K, Human Rights and Indian Laws International Law
10. Agarwal H O, International Law and Human Rights
11. Tondon M.P, International Law
12. Gurdip singh, International Law

LL.M. 1ST Year, Semester: II
Specialization Subject Business Law Group
Law of Contract

Paper Code: LM 205

Credit: 4

Paper IV

Objectives:

The objective of this subject is to examine the general principles of Contract and Special Contract Law in the context of their judicial evolution and interpretation. To provide an understanding of the growing trends demanded by modern trade and commerce, as well as changes in the form and activities of the state and planned economy in light of current events such as globalization. To improve one's ability to assess the law and judicial decisions in light of the changing needs of an industrialized, planned, and welfare society.

Module I:

Foundation of Contracts

- Nature, Object and Overview of Indian Contract Act,1872.
- Foundation Theories of Law of Contract
- Essentials of Contract.
- Specific Contracts.
- Quasi- Contract
- Freedom of Contract and Encroachment on Freedom of Contract.
- Standard-form contract, Exemption Clauses, Protective Measures.
- Sanctity of Contract.
- Performance, Discharge and Breach of Contract
- Special Contracts

Module II:

Electronic Contracts

- Formation of E-Contracts
- Advantages and disadvantages of E-Contracts
- Relevant Laws
- Legality of E-Contracts

Module III :

Sale of Goods

- Sale of Goods Act,1930
- Laws relating to International Sale of Goods
 1. Treaties
 2. Lex Mercatoria
 3. Convention on Contracts for the International Sale of Goods Act,1980

Module IV :

Indian Partnership Act 1932 & Limited Liability Partnership Act 2008

- Overview of Indian Partnership Act 1932 with latest Amendments
- Nature and Incorporation Process of Limited Liability Partnership
- Conversion of firms into Limited Liability Partnership
- Foreign Limited Liability Partnership
- Compromise, Arrangement or Reconstruction of Limited Liability Partnership
- Winding up and Dissolution of Limited Liability Partnership

Module V:

International Commercial Law

- Trade Theory
- Protectionist Measures
- International Organisations
 - World Trade Organisation
 - World Bank
 - The International Monetary Fund
 - The International Institute for the Unification of Pvt International law.
 - The United Nations Commission on International Chamber of Commerce (ICC)

Module VI :

Commercial Contract Drafting

- Drafting of Commercial Contracts
- Operative Clauses in a Contract
- Risk Mitigation Clauses
- Boilerplate Clauses

Reference Books:

1. A.G. Guest (ed): Anson's Law of Contract..
2. P.S. Atiyya, Introduction to the Law of Contract.
3. Avtar Singh, Law of Contract.
4. G.C. Cheshire, H. S. Fifoot : Cases on the law of Contract.
5. Chitty: Chitty on Contracts, Vol. I General Principles Vol. 2 Specific Contracts.
6. Pollock and Mulla on the Indian Contract and Specific Relief Acts.
7. G. M. Treitel: Law of Contract.
8. S.Venkataraman and K. Ramanamurthy, T. S. Venkatesa Iyer's Law of Contract.
9. Mulla-Indian Contract Act.

LL.M. 2nd Year, Semester: III

Science Technology and Law

Paper Code: LM 301

Credit: 4

Paper I

Objectives

To introduce the student about the developments in the field of Science and Technology and the relationship between Law and Science and Technology. The paper further seeks to explore some specific aspects to test the possible interactions, controversies and their inter-relationships between both the aspects. Further, it focuses on the relationship between Human Rights and Science and Technology and the need to regulate science and technology in order to preserve the basic concept of sustainable development.

Module I:

Introduction

- Developments in Science and Technology
- Interface of science and technology with law
- Need for legal control of Science and Technology

Module II :

Impact of Science and Technology on Human Rights

- Concept of Human Rights
- Impact of Science and Technology on different Human Rights
 - Right to Life
 - Right to Privacy
 - Right to Physical Integrity
 - Right to Information
 - Right to benefit from scientific and technological progress
 - Right to adequate standard of living
- Inter-relationship of Science, Technology and Human Rights

Module III :

Law and Medical Technology

- Organ transplantation
- Medical Termination of Pregnancy
- Surrogate motherhood
- Euthanasia (mercy killing)
- Sex- determination Technique
- Experimentation on human being

Module IV:

Law and Biotechnology

- Origin and Development of Bio Technology
- Genetic Markers : Diagnostic biotechnology, Role of DNA profiling
- Genetic screening : Prevention of genetic disease and mental retardation
- Genetic screening : Uses and abuses of amniocentesis
- Obsolescence and resilience of law

Module V:

Law and Nuclear Technology

- Meaning and definition of Nuclear Technology
- Uses and Misuses of nuclear technology
- Legal Control on nuclear technology
- National and International
- Human Rights in Relation to Nuclear technology
 - Like Right to Compensation
 - Right to rehabilitation

Reference Books :

1. Markandey Katju, Law in Scientific Era (2000) Universal, New Delhi
2. Cees J. Hamelink, The Ethics of Cyber Space (2001) Sage
3. Jonh Zininan et.al (ed) World of Science and Rule of Law (1986) Oxford
4. U. Baxi, Biotechnology and Legal Order : Dilemmas of the Future of Law and Human Nature. (1993)
5. D.P. Mittal, Law of Information Technology (Cyber Law) (2000)
6. D.D. Basu Human Rights in Constitutional Law, (1994)
7. Dr. Nandita Adidikari, Law and Medicine, Central Law Publications, Allahabad (2015)
8. Dr. S.R. Myneni, Information Technology Law (Cyber Laws), Asia Law House, Hyderabad (2016)

LL.M. 2nd Year, Semester: III

Law Making in Indian Polity & Statutory Interpretation

Paper Code: LM 302

Credit: 4

Paper II

Objectives :

The students will study the skills and procedures for comprehending the law's purpose and objective, as well as the variables that influence its creation. The purpose of statutory interpretation is to instil in post graduate students the ability to comprehend the concept behind the legislation in order to apply the law correctly in a particular society.

Module I:

Introduction

- Scope and objective of the core, its significance, utility, its theoretical and practical relevance

Module II:

Projected Law Implementation Goals and Challenges:

- Law and Customs, Usages, Morals
- Law and Public Opinion.
- Law and Political-Economic structure.
- Law and administrative machineries.

Module III:

Law Making Processes:

- Constitutional Law Making
- Statutory Law making & general scheme of legislative drafting.
- Objectives of civil, criminal, commercial and international law.
- Sub-ordinate Law making.
- Judicial Law making. (Its interlink ages and significance in delivery of justice and social mobilization)

Module IV:

General Principles of Statutory Interpretation:

- Fundamental rules, literal rule Golden rule, Mischief rule, rule of harmonious construction, Secondary Rules – Reddeno singular singulis --Ejusdem generis-- Noscitur a sociis,

- Stratification of Statutes and Subject wise Interpretation
- Interpretation of Constitutional Law
- Penal statutes and Tax Laws
- International Law incorporated in Municipal Law

Module V:

Internal aids & External Sources and Other Rules of Interpretation

- Internal aids & External Sources
 - Dictionaries
 - Statutes in para material, Current position,
 - Debates, inquiry commission reports and law commission reports.
 - Title, Preamble, Headings, Marginal notes, section and subsections, punctuation marks, illustrations exceptions, provisos, savings clauses, schedules and non-obstante clause.
- Other Rules of Interpretation
 - Presumption in statutory interpretation, Maxims and statutory interpretation.
 - Leading cases relating to interpretation of Statute

Reference Books :

1. Interpretation of Statutes: Bindra N.S.
2. Law ,Liberty, and Morality by Basil Mitchell
3. J. Bentham, Principles of Legislation Upendra Baxi (ed)
4. C. K. Allen: Law in Making
5. Law and Public opinion in England: A. V. Dicey
6. W. Friedmann, Law in a changing Society

LL.M. 2nd Year, Semester: III

**Specialization Subject International Law Group
International Humanitarian law**

Paper Code: LM 303

Credit: 4

Paper III

Objectives:

The course structure is designed to cover origins of International Humanitarian Law, law relating to protected persons and protected objects, means and methods of warfare within the framework of Geneva Law and The Hague Law, and contemporary issues such as war on terror, cyber warfare and drone attacks.

The course content also includes literature which would help students to critically evaluate the origin, development and application of International Humanitarian Law.

South Asian experiences in terms of State practice and implementation of International Humanitarian Law constitutes an important part of the discussion on all topics.

Module I :

Introduction of Application of International Humanitarian Law

- Origins and development of International Humanitarian Law or law of war or law of armed conflict traces back to the origin and development of international law in general.
- Historical background and early origins of the IHL in various economic, political, social and cultural contexts, including the role of the International Committee of the Red Cross.
- First Geneva Convention, Hague Peace Conferences, Martens clause and the Jus ad bellum and jus in bello distinction.
- Application of IHL takes place only in the context of armed conflicts and therefore the need for legal determination of the existence of an armed conflict.
- Classification of armed conflicts into International and Non – International and the applicable law.
- Developments in the definition of international armed conflicts through Additional Protocol I
- Jurisprudential classification of internationalized armed conflicts. The Nicaragua case of the ICJ and the Tadic case of the ICTY
- Relation between International Humanitarian Law and Human Rights Law

Module II:

Protection of Civilians, Occupation Law and Direct Participation in Hostilities (DPH)

- One of the fundamental tenets of International Humanitarian Law is to maintain balance between military necessity and humanity, the latter being essentially to protect the victims of armed conflict.
- Legal framework for the protection of civilians in situations of armed conflict as it developed historically.
- Situations of occupation in the context of international armed conflict constitute an important component
- Legal status of the population in occupied territories and the rights and duties of the occupying powers.
- Issues of IHL in the recent past i.e., direct participation in hostilities.

Module III

Means and Methods of Warfare, Combatants and Prisoners of War

- Significant component of IHL deals with the means and methods warfare, otherwise known as the Hague law.
- Means of combat
 - The principle of prohibition of unnecessary suffering
 - Explicit prohibitions or restrictions on certain weapons
 - Conventional weapons
 - Development of new weapons
 - Methods of Combat
 - Military objectives
 - Protection of civilian objects
 - Protection of works and installations containing dangerous forces
 - Protection of environment during armed conflicts
 - Protection of cultural property during armed conflicts
- The status of combatant is of extreme importance in international humanitarian law as it decides the boundaries of direct participation in hostilities and the protection available in situations of armed conflict.
- Definition of combatants and non-combatants, status of persons accompanying the armed forces, civilian contractors, spies and mercenaries.
- Status of combatant in international and non-international armed conflict situations.

Module IV :

Grave Breaches

- Grave breaches regime constitutes an important component of the four Geneva Conventions and the Additional Protocol I.
- Acts amounting to grave breaches constitute war crimes inviting universal jurisdiction.
- Dimensions of the grave breaches regime in the four Geneva Conventions and the Additional Protocol I and their application.

Module V:

- **Women, Armed Conflict, Contemporary Issues in International Humanitarian Law**
 - IHL framework essentialists and reflects the mainstream gendered roles.
 - Cyber warfare, drone attacks and new weapon technologies.

Module VI :

Peacekeeping, Private Military and Security Companies in International Humanitarian Law

- Peacekeeping operations constitute an important form of deployment of forces by the United Nations.
- The nature of peace keeping operations, Secretary General's Bulletin and applicability of IHL to peacekeeping operations.
- Private military and security personnel

Reference Books :

1. Kapoor S K, Human Rights and Indian Laws International Law
2. Agarwal H O, International Law and Human Rights
3. Tondon M.P, International Law
4. Gurdip singh, International Law
5. Starke J.G, Introduction to International Law
6. Shaw Malcohm N, International Law
7. VR Krishna, Iyer Human Rights in India
8. Chandra Upendra, Human Rights
9. Diwan Paras, Human Rights and Law
10. Brownlie Ian, Principles of Pubic International Law
11. O'Connell, International Law
12. Oppenheiml, International Law (Vols 1 & 2)

LL.M. 2nd Year, Semester: III

**Specialization Subject Business Law Group
Principles of Corporate Governance and Social Responsibility**

Paper Code: LM 304

Credit: 4

Paper IV

Objectives:

In view of the changing niceties of global governance especially from the point of view of good governance, corporate governance plays a vital role in the development of economy both nationally and internationally. Students will get an insight of the fundamentals of corporate governance from a variety of angles of the board of directors senior management investors the media proxy advisors regulators and other stakeholders and focuses on assessing the effectiveness and execution of governance roles and responsibilities. The students will be trained to apply available legal mechanisms for ensuring better corporate governance within a company. Students will all learn CSR activities that have real public benefit, and the relationship between philanthropy and corporate self-interest.

Module 1:

Introduction

- Corporate personality
- Advantages and Disadvantages of Incorporation
- Concept of lifting of Corporate Veil.
- Convergence of Corporate Legal System in the Present Time – LLP as a type of Corporate vehicle

Module 2:

Structural framework for corporate governance

- Corporate Governance
- Corporate governance mechanisms for:
 - Listed Companies
 - Startups
 - Foreign Companies
- All about shell companies

- Board of directors and their powers
- Independent directors
- Conversion of private company into public company
- McDonald's: A case study on governance in joint ventures

Module 3:

Boardroom practices and board independence

- Liabilities of directors, officers and key professionals
- Can board and shareholder meetings be held through video conferencing
- Appointment of Directors
- Related Party Transactions and conflict of interest
- Directors and Officers Insurance (D&O Insurance) and its relevance
- Modified governance norms for government companies
- Strategic Insights from Cyrus Mistry's exit from Tata Sons
- Founder - investor conflicts and corporate governance lessons from Flipkart, Snapdeal, Ola and Softbank

Module 4:

Corporate fraud, Oppression and Shareholder rights

- Corporate Fraud - punishment, detection and reporting
- Powers of minority shareholders
- Differences between oppression and class action claims
- Auditors: Appointment, role and removal under Companies Act 2013

Module 5:

Corporate Social Responsibility

- Introduction to CSR: What and Why of CSR
- Emergence of CSR: History and current scenario
- Stakeholders: Organization, Government, Society and Regulatory Environments
- Planning and Implementing CSR activities
- Evaluating and developing CSR activities
- CSR and Sustainability
- Future Directions

Reference Books :

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

LL.M. 2nd Year, Semester: III

Optional Subject : Principles of Criminal Law

Paper Code: LM 305

Credit: 4

Paper IV

Objectives :

To study the general principles of criminal law and their development to acquaint the students with modern trends in criminal law in Indian and England. To explain the principles as applied in India and as elaborated through judicial pronouncement. The application of the general principles would be illustrated with reference to specific offences in extensor. The emphasis in the course would be on an understanding of the modern trends and developments in criminal law and the need for change in Indian criminal law in the present socio-economic context.

Module I:

Introduction

- Nature and Scope of Criminal Law
- Theoretical Perspectives of Criminal Law
- Types of Crimes Principles of criminal liability
- Common Intention & Object
- Stages of commission of crime
- Criminal liability of corporation

Module II

Preliminary Crimes

- Abetment
- Criminal conspiracy Attempt

Module III:

General Exceptions

- Introduction
- Mistake
- Necessity
- Insanity
- Intoxication
- Consent
- Duress

Module IV:

Private defence

- Right of private defence of body
- Right of private defence of property

Module V:**Offences against Women**

- Rape
- Prevention of Immoral Traffic
- Prohibition of Indecent representation of women
- Dowry deaths
- Sexual Harassment

Module VI:**Economic Offences**

- Tax Evasion Money Laundering Trade in Human Body parts
- Illicit Drug Trafficking Fraudulent Bankruptcy Corruption & Bribery of public servants
- Illegal Foreign Trade
- Terrorist Activities
- Computer crime/ Software piracy/Cyber crime
- Company frauds

Reference Books:

1. Glanville Williams : Criminal Law (General Part)
2. J.W.C. Turner (ed) : Kenny's Outlines of Criminal Law.
3. J.W.C. Turner (ed) : Russel on Crime, Vol. I-II.
4. Nigam R.C.: Law of Crimes in India, Vol – I (Principles of Criminal Law)
5. Hari Singh Gour : Penal Law of India, Vol. I-IV.
6. K.D. Gaur: Criminal Law : Cases and Materials.
7. K.N.C. Pillai: General Principles of Criminal Law.
8. Sarkar : Sarkar on Evidence.
9. Chandrasekharan Pillai (ed) : Kellar's Outlines of Cri l Procedure.

LL.M. 2nd Year, Semester: III
Optional Subject: IPR-I

Paper Code: LM 306

Credit: 4

Paper IV

Objectives:

The objective of this subject is meant to equip the students with a thorough understanding of the fundamental aspects of Intellectual Property Rights (IPR). It will create awareness in students about the legal literature on Intellectual Property Rights providing an analytical and critical insight into this fast developing area of law and also take care of frequent amendments made in many statutes as well as emerging judicial trends. It also discusses International Institutions approaches and introduces various components that fall within the jurisdiction of IPR.

Module I:

Introduction

- Origin and Genesis of IPR
- Theories of IPR – Locke’s, Hegel and Marxian
- Ethical, moral and human rights perspectives of IPR
- Advantages and Disadvantages of IPR.
- Components of IPR

Module II:

Evolution and Development of IPR in India

- National Regime of IPR
- India’s New National IP Policy, 2016
- Components of Intellectual Property Rights

Module III:

Patent

- Introduction and Development of Patents in India
- Patent Act, 1970 with latest amendments
- Rights of Patentee
- Procedure for granting a patent and obtaining it
- Grounds for Opposition
- Patent Infringement and Defences thereof
- International Conventions & Treaties governing Patents.

**Module IV:
Copyright and Industrial Design**

- Copyright, Industrial Design Concepts and Principles
- Copyright Act, 1957
- Conditions for grant of Copyright
- Exceptions to Copyright Protection
- Copyright Register & Copyright Board-Power and Procedure
- Criteria for Infringement
- Protection of Industrial Design
- International Conventions & Treaties governing Copyright and Industrial Design.

Module V: Trademark

- Introduction to Trademarks
- Kinds of Trademarks
- Need for Protection
- Registration of Trademark
- Grounds of Refusal for Registration
- Infringement of Trademarks
- International Conventions & Treaties governing Trademark.

Reference Books:

1. V K Ahuja, Law relating to Intellectual Property Rights.
2. K V Nithyananda, Intellectual Property Rights: Protection and Management.
3. Neeraj, P., & Khusdeep, D, Intellectual Property Rights.
4. Ashwani Kumar Bansal, Design Law, Latha R Nair & Rajendra Kumar, Geographical Indications: A Search For Identity
5. N.S. Gopalakrishnan & T.G. Agitha, Principles of Intellectual Property.
6. Dr. B.L. Wadhera, Law Relating to Patent, Trademarks, Copyright & Designs
7. P. Narayanan (Eastern Law House), Intellectual Property Law
8. M. P Tandon, Public International Law.
9. Dr.M K Bhandari, Law relating to Intellectual Property Rights.

LL.M. 2nd Year, Semester: IV
Specialization Subject International Law Group
International Trade Law

Paper Code: LM 401

Credit: 4

Paper I

Objectives :

International Trade Law offers an in-depth dynamic and applied knowledge of the regulatory framework of the multilateral trading system, covering both the institutional and substantive law of the World Trade Organisation (WTO). The WTO has played a central role in promoting and regulating international trade liberalisation since 1994 and continues to be a major actor in global economic governance. Students will have a clear understanding of the structure, organisation and decision-making procedures of the WTO and achieve a practical knowledge of the unique dispute settlement system of the WTO. Students will be able to discuss the benefits and risks of trade liberalization and think critically about government's approaches in achieving trade liberalization, while continuing to pursue other public policy goals and gain a critical knowledge of the policy implications of WTO's activities, and of the role of the organization in global economic governance.

Module 1:

- Free Trade and Economic Theories,
- Free Trade,
- Mercantilism,
- Free trade vs. Protectionism,
- Absolute Cost Advantage theory,
- Comparative Cost Advantage theory
- Heckscher Ohlin Theory

Module 2:

- The Evolution of The International Economic System and Genesis of World Trade Organisation
- The Evolution of The International Economic System
- Evolution of General Agreement on Trade and Tariff and failure of International Trade Organisation

- GATT Negotiations
- Genesis, structure and function of WTO Objective
- Secretariat and Membership
- WTO Dispute Settlement
- Basic Principles of International Trade in GATT and WTO: Tariff and Non Tariff Barriers, Most – Favoured Nation Treatment, National Treatment, Quantitative Restrictions, Regional Integration in Trade, General Exceptions.

Module 3:

Trade Agreements

- Dumping and Anti-Dumping Duties
- Subsidies and Countervailing Duties
- Trade Related Aspects of Intellectual Property Rights (TRIPS)
- Agreement on Safeguards
- Agreement on Technical barriers to Trade
- WTO Agreement on Agriculture
- WTO Agreement on Sanitary and Phytosanitary Measures
- WTO Agreement on Trade Related Investment Measures:

Module 4:

International Conventions related to trade

- Vienna Convention on the International Sale of Goods, 1980
- Uniform Customs and Practices for Documentary Credits (UCP)
- International Standard Banking Practice (ISBP)
- International Rules for the Interpretation of Trade Terms (INCOTERMS)
- The Model Law on Electronic Commerce by UNCITRAL
- The Electronic Transaction and Security issues

Module 5: Law of International Carriage

- Introduction to International Carriage of Good by Sea
- Introduction to International Carriage of Passenger and luggage by Sea
- Introduction to International Carriage by Air

- Introduction to International Carriage in Outer Space
- Introduction to International Carriage International Carriage by Road and Rail

Reference Books:

- Lester, Simon; Mercurio, Bryan, World Trade Law Text, Materials and Commentary, New Delhi: Universal Law Publishing co. Pvt. Ltd., 2010, 892 p.
- Trebilcock, Michael J; Howse, Robert, The Regulation of International Trade Bethlehem, Daniel;
- Neufeld, Rodney; Damme, Isabelle Van; McRae, Donald, The Oxford Handbook of International Trade Law, New York: Oxford University Press, 2009, 801 p.
- Stoll, Peter-Tobias; Schorkopf, Frank, WTO – World Economic Order, World Trade Law, Max Planck Commentaries on World Trade Law, Leiden: Martinus Nijhoff Publishers, 2006, 291 p.
- Matsushita, Mitsuo; Schoenbaum, Thomas J; Mavroidis, Petros C, The World Trade Organization Law, Practice and Policy, Second Edition, Oxford University Press
- Bossche, Peter Van Den, The Law and Policy of the World Trade Organization Text, Cases and Materials, Second Edition, Cambridge University Press
- Koul, Autar Krishen, Guide to the WTO and GATT Economics, Law and Politics, Kluwer Law International
- Hoekman, Bernard M; Mavroidis, Petros C, The World Trade Organization Law, economics, and politics, Routledge, 2007, 143 p.
- Chow, Daniel C K; Schoenbaum, Thomas J, International Trade Law Problems, Cases, and Materials, 2008, Wolters Kluwer

LL.M. 2nd Year, Semester: IV

**Specialization Subject Business Law Group
Competition Law and Consumer Protection**

Paper Code: LM 402

Credit: 4

Paper II

Objectives:

The objective of this subject is meant to equip the students with a thorough understanding of the various aspects of Consumer Protection and the position of Competition Laws in India. It will create awareness in students by providing an analytical and critical insight into this fast developing area of law and also take care of frequent amendments made in many statutes as well as emerging judicial trends. The Competition Commission of India has already taken up this subject with over 144 universities to incorporate the Competition Act as a part of the syllabus in order to fulfill its statutory duty to generate awareness and build a strong competition culture in the country. This curriculum intends to disperse knowledge among students and inculcates abilities within them to deal with challenges that arise as business law expands its horizons.

Module I: History and Development of Competition Act, 2002

- Basic economic and legal principles
- Restraint of Trade under Indian Contract Act
- Monopolistic and Restrictive Trade Practices A
- Development of law from MRTP to Competition Act 2002
- Aims, Objects and Salient features of Competition Act 2002
- Comparison between MRTP Act and Competition Act

Module II: Anti Competitive Agreements

- Anti- Competitive Agreements,
- Horizontal and Vertical agreement,
- Rule of Perse and Reason,
- Appreciable Adverse Effect on Competition (AAEC) in India, Exemption,
- Prohibition of Anti competitive agreement
- Cartels and Bid rigging.
- Comparative Analysis of Cartels in India & U.S.A
- Examination of Price Fixing In India

Module III: Abuse of Dominant Position and Emerging Trends

- Dominant Position and Abuse of it
- Landmark Cases of Competition Jurisprudence
- Competition Advocacy
- Justification of Corporate Leniency Programme in India

Module IV: Competition Commission of India

- Establishment and Constitution of Competition Commission of India,
- Powers and Functions of the CCI
- Jurisdiction of the CCI – adjudication and appeals,
- Competition Appellate Tribunal (CompAT),
- Director General of Investigation (DGI)- Penalties and Enforcement.

Module V: Law of Consumer Protection in India

- Consumer Protection in USA, UK and Canada
- Consumer Protection in India
- Consumer Protection Act, 2019, Aims, Objects and Salient Features
- Consumer Protection Rules in E-Commerce
- Consumer Dispute Redressal Agencies

Reference Books :

1. K.S. Anantaraman : Lectures on Company Law and MRTP
2. Dr. R.K. Singh : Restriction Trade Practices and Public Interest
3. Suzan Rab- Indian Competition Law- An International Perspective
4. S.M. Dugar's MRTP Law, Competition Law and Consumer Protection
5. Report of the Monopolies Inquiries Commission, Govt. of India 1965 (Dr. Hazari Report)
6. Taxmann's Competition Law and Practice
7. Competition Act, 2002 – Principles and Practices by Dr. V.K. Agarwal
8. Suresh T. Vishwanathan, Law and Practice of Competition Act.
9. Abir Roy & Jayant Kumar, Competition Law in India.
10. Satyanarayana Prasad, Competition Law and Cartels.
11. Dr.S.R.Myneni, Consumer Protection Law.
12. Mohammed Kamalun Nabi, Mohammed Irshadun Nabi, Kishore C Raut, Consumer Rights and Protection in India.

LL.M. 2nd Year, Semester: IV

Optional Subject: Criminology and Penology

Paper Code: LM 403

Credit: 4

Paper III

Objectives ;

This course aims to equip students with the scientific study of crime and criminals and their motivations for criminal behavior. It enlightens students on aspects of criminal behavior, crime causation, detection and prevention, through to courts and justice system, and prison and rehabilitation services.

Penology aims to make the students aware about the criminal policies including theories of punishment, approaches to sentencing and the problematic of discretion in the sentencing. It also provides the knowledge about the treatment of the offenders under imprisonment and alternative to imprisonment.

Module I:

Introduction: Crime and Criminology

- Concept of Crime and Criminal Law
- Criminology- Nature and Scope, is Criminology as a Science
- Causes of Crimes- Socio-cultural, Physical, Economic, Psychological,
- Current Trends in Criminology/ Development and Crime

Module II:

Criminology from ancient to modern

- Pre-classical, Classical, Neo classical
- Cartographic School
- Socialist School
- Dr. Lombroso's theory
- Approach of Radical Criminologists

Module III:

White collar and organized crime

- Nature and definition
- Types of White collar crimes
- Causes and growth of white collar in India
- Effects of white – collar crime
- Corporate Crime

Module IV:

Penology and theories of punishment

- Definition of Penology
- Theories of Punishment
- Expiatory
- Deterrent
- Retributive
- Reformative
- Nature of Punishment
 - Nature, Meaning, Concept of punishment
 - Forms of Punishment in ancient, medieval and modern times
 - Alternative Punishment
 - Probation
 - Corrective labour
 - Fines, collective fines
 - Compounding of Offence
 - Parole philosophy and practice
 - Furlough

Module V:

Punishment and its kinds

- Concept of Punishment
- Ancient and discarded modes of punishment
- Capital Punishment
- Constitutionality of Capital Punishment
 - Judicial Attitude towards Capital Punishment in India

-Rehabilitation and Reformation as a correction method

Module VI :

Imprisonment

The State of India's jails today

- The disciplinary regime of Indian prisons
- Classification of prisoners
- Rights of prisoner and duties of custodial staff
- Open prisons and other trends
- Alternatives to Imprisonment
 - a. Probation
 - b. Corrective labour
 - c. Fines, collective fines
 - d. Compounding of offences
 - e. Parole philosophy and practice
 - f. Furlough
- Prison Reforms in India

Books and References:

1. Prof. N. V. Paranjape, Criminology and Penology 18th edition 2019, Central Law Publication, Allahabad.
2. Ahmed Siddiqui, Criminology, Problems and Perspectives, 4th edition 1997, Eastern Book Company, Lucknow
3. Waleker, N. Crime and Criminology: A Critical introduction (1987)
4. S. Rao, Crime in Our Society, (1983)
5. E. Sutherland, White Collar Crime (1949)
6. J.P.S. Sirohi, Criminology and Penology (2004)
7. S. Chhabbra- The Quantum of Punishment in Criminal Law (1970)
8. H.A.L. Hart- Punishment and Responsibility (1968)
9. Herbert L. Packer- The Limits of Criminal Sanction(1968)

L.M. 2nd Year, Semester: IV

Optional Subject: IPR -II

Paper Code: LM 404

Credit: 4

Paper III

Objectives:

To equip students with a thorough understanding of the concept of Geographical Indication and Traditional knowledge and contemporary issue emerging in Intellectual Property Laws. It also discusses International Institutions approaches and introduces the many components that fall within the jurisdiction of IPR. The subject is intended to provide training material online to cover intellectual property aspects which are closely related to trade and competition in the globalized market. Additionally, it is intended to educate and raise awareness of some of the complex issues that surround the protection and management of intellectual property for branding. This subject is designed to precede practical training as regards protection of geographical indications. The course also encompasses comprehensive overview of the international treaties, and recent developments and trends in Intellectual Property Law

Module I:

Geographical Indication and Traditional Knowledge

- Introduction
- Distinction between Geographical Indication and Traditional Knowledge
- Registration of Geographical Indication and its effect
- Infringement and Passing Off
- Preservation, Protection and Promotion of Traditional Knowledge in India.

Module II:

Intellectual Property in Biotechnology

- Introduction
- Patent System and Bioethics
- Patents and Human Genetics
- Patentability: Public Policy and Morality
- Ethical Objections over Patentability of Human Tissue

Module III:

Competition Law and Abuse of IPR

- Tie-in –Arrangement
- Exclusive Supply Agreement
- Exclusive Distribution Agreement
- Refusal to Deal
- Abuse of Dominant Position

Module IV:

International Issues and Challenges relating to IPR

- Copyright protection with reference to Performers rights and Artist rights
- Global governance towards Patents
- Legal recognition of Trademarks- Comparative analysis in India, EU and USA
- Legal recognition of Trade Secrets, Comparative analysis in India, EU and USA

Module V:

Internationalization of Intellectual Property protection

- Berne Convention for Protection of Literary and Artistic Works, 1886
- Paris Convention for the Protection of Industrial Property, 1883
- Rome Convention, 1961
- WIPO Convention, 1967
- Trade Related Aspects of Intellectual Property Rights, 1994 – General Principles and minimum standards.
- The International Treaty on Plant Genetic Resources for Food and Agriculture ,2001
- Convention on Biological Diversity,2002
- Nagoya Protocol on Access to Genetic Resources and Benefit-Sharing, 2010
- UNESCO – Protection of Folklore/Cultural expressions
- Developments in WIPO on traditional knowledge and traditional cultural expressions.

Reference books:

1. V K Ahuja, Law relating to Intellectual Property Rights.
2. K V Nithyananda, Intellectual Property Rights: Protection and Management.
3. Neeraj, P., & Khusdeep, D, Intellectual Property Rights.
4. Ashwani Kumar Bansal, Design Law, Latha R Nair & Rajendra Kumar, Geographical Indications: A Search For Identity
5. N.S. Gopalakrishnan & T.G. Agitha, Principles of Intellectual Property.
6. Dr. B.L. Wadhera, Law Relating to Patent, Trademarks, Copyright & Designs
7. P. Narayanan (Eastern Law House), Intellectual Property Law
8. M. P Tandon, Public International Law.
9. Dr.M K Bhandari, Law relating to Intellectual Property Rights.

Dissertation

A student of each specialization group is expected to submit a dissertation in the respective specialization subject in consultation with a guide allotted by the P.G. Department. The dissertation should strictly be according to the standard legal research pattern.

The Dissertation should be hard bound not less than 100 pages and not exceeding 150 pages. The dissertation will have double evaluation, one by the guide and other by the external examiner. In the credit pattern the written part of the dissertation will have 6 credits and the viva-voce will have 2 credits. The dissertation needs to be commenced from the III semester onwards. In the IV semester before starting the dissertation the students are expected to give an oral presentation before the guide, before the submission of the dissertation.