

**MASTER OF LAWS (LL.M.)
LL.M. BUSINESS AND CORPORATE LAWS
(ONE-YEAR POSTGRADUATE DEGREE PROGRAMME)
(Effective from Academic Year 2025-26)**

**SYLLABUS, COURSE OF STUDY AND
EXAMINATION**



**PREPARED BY:
BOARD OF STUDIES (LAW)**

Faculty of Legal Studies

**Mahatma Jyotiba Phule Rohilkhand University
Bareilly, U.P. (India)**

LL.M. DEGREE COURSE OF STUDY AND EXAMINATION

WHEREAS, it is necessary to adopt and implement the revised curriculum and rules formulated by the University Grants Commission (Guideline of Model Curriculum and Action Plan for Academic and Administrative Reforms DO No. F-1-2/2009(XI Plan Dated 30 March 2009) and implementation of CBCS system MJP Rohilkhand University, Bareilly hereby adopts LL.M. Executive Two Years (Four Semester) Degree Course of Study and frames the following general rules and regulations to be applicable from the academic year 2025-26 onwards.

1. THE DEGREE OF MASTER OF LAWS

The M.JP Rohilkhand University may confer the Degree of Master of Laws on such candidates who, being eligible for admission to the LL.M. Degree Course, have received regular instruction in the prescribed courses of study, passed relevant examinations and being otherwise suitable by virtue of their character, have fulfilled such other conditions as may be laid down from time to time by the appropriate authorities.

2. REQUIREMENT FOR ADMISSION**A. Minimum Qualification for Admission:**

- Admission to the LL.M. Degree Course of study shall be open to those candidates who have passed the Three Year LLB. Degree Examination of this University or such Examination of any other University or Institution after Graduation under 10+2+3 pattern: or Five Year LL.B. Degree Course under 10+2+5 pattern as is recognized by this University as equivalent for the purposes of LL.M. Degree Course and have secured not less than 50% marks in aggregate in the LL.B. Examinations: However, For SC/ST and other category candidates, an exemption in the requirement of securing minimum percentage of marks shall be applicable as in other disciplines under University Rules.
- Admission to LL.M. Course may be granted in order of merit in the Entrance Test to be conducted by the University for this purpose or on the basis of marks secured by the candidates in the qualifying examination for each academic session. Admission shall be made according to merit as determined by the University and availability of seats in LL.M. Course.

3. RESERVATION:

Reservation shall be as per University Rules.

4. PROHIBITION TO REGISTER FOR TWO REGULAR COURSE OF STUDY:

No students shall be allowed to register simultaneously for LL.M. Course with any other graduate or post graduate degree run by MJP Rohilkhand University or any other University or any Institute for academic or professional learning.

5. INTRODUCTION TO CBCS SYSTEM:

The CBCS provides an opportunity for the students to choose courses from the prescribed courses comprising Generic Core, Elective Groups (FIVE fixed specialization) and Choice Based Disciplinary Courses (CBDC), Choice Based Interdisciplinary Courses (CBIC) and Half Credit/Minor Courses /MOOCS/ Value Added Courses. The courses can be evaluated following the grading system. Grading system provides uniformity in the evaluation and computation of Cumulative Grade Point Average (CGPA) based on student's performance in examinations which enables the student to move across institutions of learning. The uniformity in evaluation system also enable the potential employers in assessing the performance of the candidates.

6. PROGRAMME OBJECTIVES (POS):

The LL.M. One Year Programme is aimed at:

- (i) Familiarizing students with laws and judicial interpretations at the national and international level and provide a comparative study of the contemporary and traditional laws and judicial interpretations.
- (ii) Apprising students of the legal system, rule of law, and administration of justice, while promoting specialized branch of study and research in diverse fields of law
- (iii) Imparting interdisciplinary approaches to law and legal development by involving philosophy, economics and scientific approach towards law study and research.
- (iv) Imparting professionally and socially relevant legal education.

- (v) Sensitizing students towards the issues of access to justice of the deprived, marginalized and weaker sections of society.
- (vi) Producing internationally competent litigating lawyers, corporate lawyers, judges, judicial officers, legal officers, researchers, law reformers, law teachers, etc.
- (vii) Imparting skills of legal reasoning, problem solving, research, legal writing, oral and written communication, persuasion, leadership and teamwork.
- (viii) Promoting ethical practices in the profession of law.
- (ix) Promoting inter-disciplinary approach to legal profession.

7. PROGRAMME SPECIFIC OUTCOMES (PSOS):

At the end of the LL.M. course, the students will be able to:

- (i) Analytically learn the legal and judicial system in India
- (ii) Apply legal knowledge so acquired to solve the socio-legal problems of the society with emphasis on vulnerable sections of the society
- (iii) Identify contemporary research areas relevant to the society and undertake such research for the benefit of the society
- (iv) Acquisition of Advocacy Skills, legal writing, management of time and court etiquette to argue in a logical manner
- (v) Uphold ethical and professional values in the practice of legal profession

8. LL.M. PROGRAMME DETAILS PROGRAMME STRUCTURE:

Master of Laws (LL.M.) will be a full-time One-year programme to be covered in four (I, II) Semesters, each of six months duration.

Part	Year	Semester	Semester
Part-I	First Year	Semester-I	Semester-II
Part-II	Second Year	Semester-III	Semester-IV

9. PROGRAMME STRUCTURE:

The LL.M. Programme is a Two-year course divided into Four Semesters. A student has to complete 96 credits for the completion of the course and award of the degree. The scheme is as follows:

		Semester	Semester		
Part – I	First Year	Semester I (24 credit)	Semester II (24 credit)		
Part-II	Second Year	Semester III (24 credit)	Semester IV (24 credit)		
Semesters	Generic Core Papers 4 Credits Each Dissertation and viva-voce 8 Credits	Elective Group Papers or MOOCS 4 Credits Each	Value Added or Interdisciplinary or Skill Based Papers 4 Credits Each	Internship or Project Work 4 Credits Each	Total Credits
I	4	-	1	1	24
II	4	-	1	1	24
III	4	-	1	1	24
IV	4	-	1	1 Dissertation 1 Viva Voce	24

Semesters	Core	Elective/MOOCs /Interdisciplinary	Value Added/ Skill Based	Internship / Project Work	Total Credits
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I	4 Core Papers 4*4 (16)	-	1 Credit 1*4 (4)	1 Credit 1*4 (4)	24
II	4 Core Papers 4*4 (16)	-	1 Credit 1*4 (4)	1 Credit 1*4 (4)	24
III	4 Core Papers 4*4 (16)	-	1 Credit 1*4 (4)	1 Credit 1*4 (4)	24
IV	3 Core Papers 3*4 (12)	-	1 Credit 1*4 (4)	1 Dissertation 1*4 (4) 1 Viva Voce 1*4 (4)	24

Total- 96 Credits

9. ASSESSMENT OF STUDENTS' PERFORMANCE AND SCHEME OF EXAMINATION PASS PERCENTAGE & PROMOTIONAL CRITERIA:

- Assessment of students' performance shall consist of 70 marks (End Semester Written Examination) and 30 marks (Internal Assessment).
- The duration of the End Semester Written Examination in Core Courses and Elective Courses shall be three hours for 70 marks.
- For internal assessment of 30 marks, one internal Test+ Assignment+ Presentation+ Viva+ seminar shall be in the class in each course in each term.

- Internal assessment of each paper shall be evaluated by a panel of three teachers of the department. For each paper panel is to be formed by HOD/Principal accordingly.
- Dissertation will carry 100 marks.
- Viva-voce exam will carry 100 marks Viva-voce shall be held soon after the fourth semester.
- In each paper 30 marks shall be reserved for award on the bases of continuous internal assessment of the student in the class room. The HOD will notify information regarding each internal assessment at least one week prior of the presentation with consultation to the teacher concern. All awards of marks will be verified by the HOD and will be send to exam controller accordingly.
- The criteria for Internal assessment for each paper will be as follows –
Internal Test- 10 marks
Assignment with presentation – 10 marks
Class room seminar and viva – 10 marks

10. ATTENDANCE

The student whose attendance is less than 75% will not be allowed to appear in the end semester examination. Head of the Department may permit a student to appear in examination by relaxation of 25% attendance in special conditions such as;

- Participation in NCC/NSS camps duly supported by a certificate from competent authority.
- Participation in University or College Team (S) Games or Inter State or Inter University Tournament (S) duly supported a certificate from competent authority
- Participation in any of the co-curricular activity organized by University/ Department duly certified by competent authority.
- Prolonged illness duly certified by superintendent/CMO of government hospital or registered medical practitioners/hospitals.

Note: The Vice Chancellor shall have the power to condone any deficiency of attendance for cogent reasons.

11. ENROLLMENT

Admitted candidates shall be required to get him/her enrolled with the University if he/she is not already enrolled as a student of this University. They will be required to submit their migration certificate along with the enrolment form and prescribed fee.

12. END SEMESTER EXAMINATION

There shall be an end semester examination at the end of the I, and II semesters. The semester examination will be held every year normally in December and May or on the dates declared in the academic calendar of the University. A student proceeding to appear in the end semester examination will submit through the Head of the Department his/her application on the prescribed form along with the required examination fee, etc. to the Registrar of the University. Every student will have to appear in six respective theory papers and one internship, examinations in the I, and II semesters. In the II semester, every student will be allotted one dissertation work in lieu of Viva-voce Exam.

13. ALLOTMENT OF THE DISSERTATION

- Allotment of the dissertation will be done by a committee comprising of the Head of the Department, one Professor and one Associate Professor of the Department by rotation according to seniority. The Proposal for dissertation shall be submitted by candidate through head of department.
- Candidate shall be required to submit the Dissertation at least two weeks before the commencement of Fourth Semester Examination. Prior of submission of dissertation the students shall make a pre submission seminar in department of law, MJPRU. Seminar shall be opened to all faculty members, research scholar and other LL.M. students of the faculty.
 - The candidate shall be required to secure at least 50% marks in the Dissertation to pass the Examination.
- The maximum number of students enrolled for dissertation under one teacher will be as follows-
 - Assistant Professor – 05
 - Associate Professor – 08
 - Professor – 10

- Full time teacher of the department is authorized for dissertation guidance. If there is non availability of full time teachers in the department/college concern, the HOD/ principal will allot dissertation among the teachers who are teaching in LL.M. and have full qualification to be appointed as guide. Rest of all student will be supervised by HOD/ principal and Dean accordingly.

14. VIVA-VOCE EXAMINATION:

- The Viva Voce Examination shall be conducted by a Board of Examiners.
- The Board shall consist of three members;
- One member shall be a Professor/Associate Professor as external member of any other university or college.
- The head of the department (H.O.D.) shall be a member of the board and, ☐ One Professor/Associate professor of the department as internal examiner.
- The internal examiner shall be appointed for every year by rotation.
- The Viva-Voce Examination shall carry 100 marks. The external examiner shall evaluate the candidate out of 70 maximum marks and two examiners shall evaluate out of 15 maximum marks each.
- Candidate shall be required to secure at least 50% marks in the Viva-voce to pass the Examination.

15. GRADE POINTS:

O (Outstanding)	10
A+ (Excellent)	9
A (Very Good)	8
B+ (Good)	7
B (Above Average)	6
C (Average)	5
P (Pass)	4
F (Fail)	0
AB (Absent)	0

16. CGPA Calculations:

Grading Pattern and illustration of Grading Pattern

Assessment as per university policy relating to implementation of choice-based credit system (CBCS) to all the programs offered at M.J.P. Rohilkhand University.

Illustration:

Course	Credit	Grade	Grade Point	Credit Grade	SGPA
Semester I					
Core I	04	B+	7	28	
Core II	04	B+	7	28	
Core III	04	B+	7	28	
Core IV	04	A	8	32	
Project Exercise	04	B	6	24	
Internship	04	B+	7	28	
Total	24				196/24=8.1
Semester II					
Core I	04	B+	7	28	
Core II	04	B+	7	28	
Core III	04	B+	7	28	
Core IV	04	B+	7	28	
Project Exercise	04	A	8	32	
Internship	04	B	6	24	
Total	24				164/24=6.8
Semester III					
Core I	04	B+			
Core II	04	B+			
Core III	04	A			
Core IV	04	B			
Project Exercise	04	B+			
Internship	04	B+			
Total	24				

Semester IV					

Thus:
 Semester I Credits SGPA Semester I 24 7.00
 Semester II 24 6.70 Total 48
 $CGPA = (24 \times 7 + 24 \times 6.58) / 48 = 6.79125$

17. CONDITION FOR A PASS AND PROMOTION TO NEXT SEMESTER YEAR

For each course, each student has to appear in internal assessment and semester examination otherwise, the student will be awarded an "Ab" grade. The total marks obtained in the end semester examination, and internal assessment the continuous evaluation will be considered to decide the grade in that course. In addition, a student also has to get valid credits for value added Skill development modules' courses and grades as per university rules. The grading will be made on a 10-point scale as follows:

Letter Grade	Grade Point	Description	Range of marks (%)
O	10	Outstanding	95% or above
A+	9	Excellent	85-94%
A	8	Very Good	75-84%
B+	7	Good	65-74%
B	6	Above Average	55-64%
C	5	Average	45-54%
P	4	Pass	36-44%
F	0	Fail	Below 36%
Ab	0	Absent	Absent

For passing the examination in each semester, a candidate must have secured a minimum of 36% marks ("P" Grade: 4 Grade Points) in the course. If the marks obtained by the student in a course are less than the minimum cut-off percentage of marks, then an "F" grade will be awarded. If a student obtains an "F" or "Ab" Grade in any course, he/she will be treated to have failed in the course.

The decision of the teacher regarding the evaluation and the grade shall be final. However, a student submits in writing for a review of his Marks/Grade to the Head/Director who will place the case before the board of comprehensive viva voce. The decision of the board will be final. The result of the review will be declared by the concerned Head/Director. Review is effective only when the grade improves. The review will be allowed only if-

- The prescribed fee is paid.
- The candidate applies within 7 days of the declaration of the grade in that course.
- In matters not covered under this ordinance, general rules of the University shall be applicable.
- In case of any dispute/ambiguity, the decision of the Vice-Chancellor shall be final and binding.

18. RULES OF PROMOTION

A student can not to be promoted to next academic year if he/she fails in up to the maximum four courses (papers) including both semesters. The paper/papers in which a student fail shall be considered as back paper. In no case a student having back in more than four papers can be promoted to next year and will be treated to have year back. In case of year back, he/she have to take readmission by paying approved tuition fee in same year after the recommendation of HOD/Dean. After readmission students have following options;

1. He/ She can choose to pass all the papers of the academic year.
2. He/ She can opt to pass the papers in which he/she has failed.
3. Students will have to submit their choices/options at the time of readmission.
4. No repeat attempt is allowed to pass for internal assessment only.
5. He/ She has to repeat complete course i.e. theory and internal assessment both.

19. GENERAL RULES:

These will be the same as applicable for the other LL.M. courses of the University.

20. DEFINITION:

- I. Course (paper) - A segment of the Master of Laws (LL.M.) programme i.e. a paper
- II. Core Course-A course (a paper) which cannot be substituted by any other course (paper)
- III. Elective Course- An optional course to be selected by a student out of such courses by student out of such courses offered by the department.
- IV. Value added courses - An optional course to be selected offered by other university teaching department.

21. CONVERSION OF MARKS INTO GRADES:

- Grade Points: Grade point table as per University examination rule.
- SGPA (Semester Grade Point Average): Calculation as per University Examination rule.
- YGPA (Year Grade Point Average): Calculation as per University Examination rule.
- CGPA (Cumulative Grade Point Average): Calculation as per University Examination rule.
- Grade Point conversion into Marks: Calculation as per University rule.

22. UPGRADATION AND MODIFICATION OF SYLLABUS

Up-gradation and Modification of the syllabus shall be proposed by the BOS and shall be approved by the Academic Council through Faculty Board time-to-time, as and when required.

23. DETAILS OF SYLLABUS

• APPENDIX-I

Core Papers:

(i) Semester I

- Research Methodology and Legal Writing
- Law of Corporate Management and Governance
- Banking and Insurance Laws
- Investment Laws and Commercial Arbitration
- Elective Paper (Admiralty Law)
- Value Added Course (Credited)

(ii) Semester II

- Laws on Securities & Financial Markets
- Law of Corporate Finance
- Elective Paper (Law of E-Commerce)
- Value Added Course (Credited)
- Dissertation
- Viva-Voce

• **APPENDIX-II**

Elective Papers- I: Semester I

- i. Admiralty Law
- ii. Law of Copyright
- iii. Constitutionalism, Pluralism and Good Governance
- iv. Treatment of Offender and Victimology

Elective Papers- II: Semester II

- v. Law of E- Commerce
- vi. Cyber crimes and IT Laws
- vii. Forensic Science & Its Evidentiary Value
- viii. Federalism and Comparative Power Sharing

Value Added Courses

Skill based in Each Semester, a candidate shall take one paper:

- 1. Practice of Yoga (Department of Sports)
- 2. Introduction to Linguistics and Phonetics (Department of Multilingual Studies)
- 3. Labour Welfare, Social Security Law (Department of Business Administration)
- 4. Legal Framework governing human relations (Department of Business Administration)
- 5. Pharmaceutical Jurisprudence (Department of Pharmacy)
- 6. Social Work Profession: Concept, Philosophy and Development, MSW (Department of Social Work)
- 7. Computer Applications/Computer Fundamentals (Department of CSIT)
- 8. Right to Information & Good Governance
- 9. Security Law (Department of CSIT)
- 10. Labour Jurisprudence, MSW (Department of Social Work)
- 11. Clinical Legal Aid (Department of Social Work)

LL.M (Business and Corporate Law)

LL.M. SEMESTER I CORE PAPER-I

RESEARCH METHODOLOGY AND LEGAL WRITING

Course Outcomes:

The objective of this paper is to equip students with essential research and writing skills for legal academia and practice.

1. Understanding Research Fundamentals
2. Research Design and Problem Formulation
3. Legal Research Techniques
4. Data Collection and Techniques
5. Legal Writing Skills
6. Application in Legal Practice

UNIT I: Basics of Legal Research Meaning, Objectives of legal research – Interdisciplinary research, Kinds of Legal research – doctrinal, traditional and non-doctrinal, empirical research, descriptive and analytical research, applied and fundamental research, historical research-sociological research, Characteristics of scientific method – applicability of scientific method Relationship between theory and fact - Stages of Research Process.

UNIT II: Research Design and Research Techniques, Research Design – Meaning and essentials of Research Design, Forms of Research Design, Major steps in Research Design - Research Problem – Definition, Determination, Sources of Data; Hypothesis – Meaning and definitions, Characteristics, Research Questions and Hypothesis - Testing of Hypothesis – Census and Sampling techniques – Advantages and disadvantages – Various kinds of Sampling - Survey and Case study method - scaling and content analysis.

UNIT III: Data Collection techniques Sources of data collection - Social and legal survey - Primary and Secondary Sources - Sociometrics and Jurimetrics - Questionnaire Schedule; Literature Review - Observation and interview - Use of Modern Technology/ Computer Assisted Research – Data processing.

UNIT IV: Tabulation and Interpretation Classification and Tabulation of Data - Analysis and interpretation of Data– Inductive and deductive method - Use of Statistical methods and computers in legal research - socio- metric and jurimetrics.

UNIT V: Legal Writing, Reporting and Methods of Citations – Use of legal maxims and idioms in legal writing - Doctrines in legal research - Book review and case comments - Ethical and Legal Issues: Plagiarism and Copyright Violation

Reference Books:

1. William J. Goode, P.K. Hatt, Methods in Social Research, 1952, McGraw-Hill
2. Pauline Vislick Young, Calvin Fisher Schmid, Scientific Social Surveys and Research, 4th ed., 2008, Prentice-Hall
3. Morris L. Cohen, Kent C. Olson, Legal Research in a Nutshell, 2010
4. Victor Tunkel, Legal Research - Law Finding & Problem Solving, 1991, Gaunt
5. Shashi Kant Verma, Mohammad Afzal Wani, Legal Research and Methodology, 2001, Indian Law Institute
6. Anwarul Yaqin, Legal Research and Writing, 2007, Lexis Nexis
7. C.R. Kothari, Research Methodology: Methods and Techniques, 2011, New Age International
8. John A. Yogis, I.M. Christie, Legal Writing and Research Manual, 1988, Butterworth Pub. Ltd
9. Harvard Law School, The Bluebook: A Uniform Style of Citation 33
10. Whitney, F.L., The elements of Research.
11. Amy E Sloan, Basic Method Research – Tools and Materials
12. Robert Watt- Concise book on Legal Research
13. Ram Ahuja-Research Method 14. S.K. Verma & Afzal Wani- Legal Research Methodology

**LL.M. SEMESTER I
CORE PAPER-II**

LAW OF CORPORATE MANAGEMENT AND GOVERNANCE

Course Outcomes:

The main objective of this paper is to focus on legal principles, regulatory frameworks, and best practices in corporate governance and management. 1. Understanding Corporate

Governance Framework

2. Corporate Structures and Legal Compliance

3. Roles and Responsibilities of Key Stakeholders

4. Shareholder Rights and Investor Protection

5. Corporate Social Responsibility and Ethics

UNIT I: Introduction to Corporate Governance Evolution of law relating to corporate governance in UK, USA and in India – Corporate personality – Registration and Incorporation of a company – Kinds of Companies - Promoters.

UNIT II: Management of Corporate Affairs Management and control of companies - Shares – Shareholders – Share capital - Board of Directors - Responsibilities and Duties of Directors – Majority rule and minority rights - Protection of minority shareholders – Oppression and Mismanagement - Remedies in case of mismanagement - Accounts and audit - Divisible profits - Appointment of statutory auditors - Powers and duties.

UNIT III: Corporate Reconstruction, Merger and Amalgamation Strategic Planning and formulation towards Corporate reconstruction – Compromises and arrangements with members and creditors – Role of Tribunal - Introduction and meaning of amalgamation and merger - Reasons and objectives of merger - Categories of merger - Sick industrial Companies - Important provisions of Sick Industrial Companies (Special Provisions) Act, 1985 - Revival of sick companies – Amalgamation in public interest – Defunct companies Appointment of Administrator.

UNIT IV: Winding up Introduction and meaning - Kinds of winding up - Winding up through court - Grounds for winding up by the Court - Rights of filing petition for winding up before the

court - Provisions and procedures - Voluntary winding up and winding up under the supervision of Court - Kinds of voluntary winding up - Provisions and procedure - Consequences of winding up - Appointment of liquidators, powers and duties of liquidators - Process of winding up Offences and penalties for defaults - Officers in defaults; - Recovery of damages - Compounding of offences.

Unit V: Corporate Social Responsibility Concept of CSR - Importance of Corporate Social Responsibility - Corporate Governance and Corporate Social Responsibility - National Voluntary Guidelines on Social, Environmental and Economic Responsibilities of Business (NVG, 2011) - Corporate Social Responsibility under Companies Act of 2013 - Preference to Local Area - CSR Committee - Comply or Explain approach - Social Responsibility – A Comparison between Companies Act, 2013 and UK Companies Act, 2006 – Business Ethics – Committee Reports on Corporate Audit and Governance - Principles of Good Governance and Code of Best Practices.

Reference Books:

1. Gower & Davies, Principles of Modern Company Law, Sweet & Maxwell, 9th edn, 2014
2. A. Ramaiya: Guide Companies Act, Wadhwa & Company, Nagpur
3. Dr. Avtar Singh: Indian Company Law, Eastern Book Company, Lucknow, 16th edn, 2015.
4. Taxmann, A Comparative Study of Companies Act 2013 and Companies Act 1956
5. Institute of Company Secretaries of India, Companies Act 2013, CCH WolterKluwer
6. Business, 2013
7. Charles Wild & Stuart Weinstein Smith and Keenan, Company Law, Pearson Longman, 2009
8. L.M.Sharma: Amalgamation, Mergers, Takeovers, Acquisitions – Principles, Practices & Regulatory framework; Company Law Journal, New Delhi

BANKING AND INSURANCE LAWS

Course Outcomes:

This paper ensures that students gain both theoretical knowledge and practical insights into banking and insurance laws, preparing them for careers in legal practice, compliance, risk management, or financial advisory roles.

1. Understand the RBI's regulatory framework and the Banking Regulation Act, 1949.
2. Analyze legal aspects of loans, mortgages, and negotiable instruments.
3. Study customer rights, privacy laws, and grievance redressal mechanisms.
4. Explore digital banking laws and the Insolvency and Bankruptcy Code (IBC).
5. Understand principles of insurance contracts (utmost good faith, indemnity, etc.).

UNIT-I: Banking Definition of bank and banking companies – Essentials of a banking company – Relationship between Banker and Customer – Customer Accounts and Banks – Letter of Credit – e-banking.

UNIT-II: Legal Regulation RBI Act, 1934 – Banking Regulation Act, 1949 – Lending and Recovery – Recovery of Debts due to Banks and Financial Institutions Act, 1993 – Role of courts- Government Control over banks – Ombudsman.

UNIT-III: Negotiable Instruments Act Nature and scope of NI Act– Kinds of Negotiable Instruments – Promissory Note – Bill of Exchange – Open and crossed cheques – Holder and holder in due course – Rights and liabilities – Payment in due course – Endorsement - Presentment – Dishonour of cheques – Judicial Interpretations.

UNIT-IV: Insurance General Principles – Nature of Insurance contracts – Indemnity – Life Insurance – Medical Insurance - Fire Insurance – Motor Vehicle Insurance - Burglary Insurance – Marine Insurance – Consumer Insurance

UNIT-V: Legal Regulation Insurance Act, 1938 – Amendments to the statute – Insurance Regulatory Authority Act, 1999 – Public Liability Insurance Act, 1991.

Reference Books:

1. Bird's Modern: Insurance Law (Sweet & Maxwell)
2. Banerjee: Law of Insurance, Asia Law House 40

3. R.N. Chaudhary, Banking Laws, Central Law Publishers, Allahabad, 4th Edn., 2016.
4. Avtar Singh, Law of Insurance, EBC, Lucknow, 3rd Edn., 2017
5. M. Srinivasan: Insurance Law (Eastern Law House)
6. Tannon's Banking Law and Practice, Lexis Nexis
7. M. Hopgood: Paget's Law of Banking, (London: Butterworth)

**LL.M. SEMESTER I CORE
PAPER-IV**

INVESTMENT LAWS AND COMMERCIAL ARBITRATION

Course Outcomes:

The main objective of this paper is to:

1. Assess how arbitration resolves investment disputes (e.g., ICSID, UNCITRAL).
2. Understand enforcement of foreign arbitral awards under the New York Convention.

3. Examine conflict of laws in cross-border commercial and investment arbitration.
4. Develop drafting skills for arbitration clauses in investment contracts.
5. Evaluate ethics, transparency, and challenges in investment arbitration.

UNIT-I: Capital Market Introduction to Capital Market – Origin of Security Law in India – Types of Investments – Kinds of Securities - Loan and investment by Company – Protection of Investors in the Companies Act, 2013.

UNIT-II: Regulatory Framework Securities Contracts (Regulation) Act, 1956 – Recognition of Stock Exchange –SEBI Act, 1992- Depositories Act, 1996 – Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002, NBFI and Foreign Exchange Management NBFI – Classifications – Law related to NBFI – FERA1973 - FEMA 1999 – Foreign Contribution Regulation Act, 2010.

UNIT-III: Introduction a. Concept and nature and emergence of International Commercial Arbitration b. Dispute resolution in international trade c. Important terms used in international commercial arbitration d. International Arbitration Institutions e. A comparison between institutional versus ad-hoc rules of arbitration

UNIT-IV: Applicability of Laws a. Types of laws applicable in international commercial arbitration b. Governing law of arbitration, Law applicable to the substantive and procedural issues c. Enforcing the choice of law clause d. Party Autonomy: Choice of law (Seat Theory), Choice of national law. e. Conflict Rules. **f.** Regulating International Commercial Arbitration- An introduction to UNCITRAL Model law on International Commercial Arbitration, Judicial intervention to arbitration, Reference to arbitration d. Interim measures

UNIT-V: General policy for enforcement, review and refusal of foreign award in India. Recognition or enforcement of foreign arbitral awards a. Foreign award- meaning b. The International Conventions for recognition and enforcement of arbitral awards c. Reciprocity and commercial reservation d. Indian law- scope and applicability e. Recognition and enforcement of annulled awards

Text Books:

1. Jay E. Grenig, International Commercial Arbitration, West Thomson Reuters, 1st ed.(2014).

2. Kroll, Laukas A Mistelis, Viscasilas, V. Rogers, International Arbitration and International Commercial Law, Kluwer International (2011)

References:

1. Ashwinie Kumar Bansal, International Commercial Arbitration - Practice and Procedure (Enforcement of Foreign Awards - Covering more than 75 Countries), Universal Law Publication Co. Pvt. Ltd, 1st ed. (2014).
2. Justice R.S. Bachawat, Anirudh Wadhwa, Anirudh Krishnan, Law of Arbitration and Conciliation with Exhaustive Coverage of International Commercial Arbitration & ADR, Lexis Nexis Butterworth, 5th ed. (2013).

**LL.M. SEMESTER I
Value Added Course**

COMPETITION LAW

Course Outcomes:

1. Understand the objectives and evolution of competition law in India and globally.
2. Analyze the provisions of the Competition Act, 2002 and its amendments.
3. Examine anti-competitive agreements (Section 3) and their impact on markets.
4. Study abuse of dominant position (Section 4) with relevant case studies.
5. Evaluate combinations (M&A regulations) under Section 5 & 6 and CCI approval process.
6. Learn the role and functions of CCI (Competition Commission of India) and COMPAT.

UNIT I: INTRODUCTION TO COMPETITION LAW

Concept of market, Open market- Regulated market, Market functions of role of competition law Nature & Scope of competition law and policy
Evolution & Growth of competition law
Theoretical foundations of competition law
Competition Act, 2002- overview, definitions and ideas of agreement, dominant position, combination and effects of anti- competitive activities

UNIT II: ANTI-COMPETITIVE AGREEMENTS AND ABUSE OF DOMINANT POSITION

Anti-competitive agreements: Concept, forms and treatment in India

Parallel import

Treatment of anti- competitive agreements under USA, EU, UK, Australia

Abuse of dominant position: Concept, forms and treatment in India

Essential facilities doctrine

Refusal and abuse of dominant position. Pricing strategies and abuse of dominant position

Treatment of abuse of dominant position under USA, EU, UK, Australia

UNIT III: COMBINATIONS

Combinations: Concept, forms, reasons and regulatory framework in India

Different tests for studying the impacts of combinations in the market

Unilateral and co- ordinate effects of combinations

Foreclosure

Failing firm

Creeping acquisitions

Regulation of Cross- border combinations

Treatment of combinations under USA, EU, UK, Australia

UNIT IV: COMPETITION COMMISSION OF INDIA

Composition, powers and function of CCI

Role of the DG

Appellate Tribunal

Penalties and remedies

UNIT V: MODERN DIMENSIONS OF COMPETITION LAW

WTO and its impacts on Competition Laws with reference to UNCTAD

International enforcement and judicial assistance

Applicability of competition law into agricultural sector

Dumping

State aid

Reference Books:

1. Alexandra Karmarling, Restrictive Covenants Under Common And Competition Law: London Sweet And Maxwell 2007.
2. Alphen aan den Rijn, The reform of EC competition law : new challenges
3. Avtar Singh; Competition Law; Eastern Law House, 2012-11-27
4. Competition Law and Cartels ICFAI University,
5. Competition Law in India; Srinivasan Parthsarthy; Wolter Kluwer, 2012
6. Competition Law-Emerging Trends: ICFAI University
7. D P Mittal, Competition Law and Practice : New Delhi Taxmanns Allied Services 2008
8. Dabbah, Maher M., EC and UK competition law : commentary, cases, and materials /Cambridge, UK
9. Dugar, S.M , Guide to Competition Law : Containing commentary on Competition Act, MRTP Act & Consumer Protection Act LexiNexis Butterworths Wadhwa Nagpur, 2010
10. Furse, Mark., Competition law of the EC and UK, Oxford University Press, 2008
11. Gurbax Singh, Law of Consumer Protection.
12. Haracoglou, Irina, Competition law and patents: a follow-on innovation perspective in the biopharmaceutical industry Cheltenham, UK
13. Haracoglou, Irina, Competition law and patents : a follow-on innovation perspective in the biopharmaceutical industry Cheltenham, UK ;
14. Indian Competition Law: An International Perspective; Suzanne Rab; CCH - A Wolters Kluwer Business, 2012
15. Ioannis, N Kessides, Reforming Infrastructure: Privatization, Regulation, and Competition, Washington D C World Bank 2004.
16. Law of Monopolistic, Restrictive and Unfair Trade Practices, Wadhwa & Co.
17. Ritter European, Competition Law: A Practitioners Guide Netherlands Kluwer Law International 2004

LL.M. SEMESTER I
Elective Paper
ADMIRALTY LAW

Course Outcomes:

1. Understand the historical evolution and scope of admiralty jurisdiction in India and globally.
2. Analyze key statutes like Admiralty (Jurisdiction and Settlement of Maritime Claims) Act 2017 and international conventions (UNCLOS, Hague-Visby Rules).
3. Examine maritime claims including ship arrests, cargo disputes, and salvage operations.
4. Study ship registration, mortgages, and liens under maritime law.
5. Understand dispute resolution mechanisms (admiralty courts, arbitration, and LMAA procedures).
6. Explore emerging issues like piracy, maritime cybersecurity, and autonomous vessels.
7. Develop practical skills in drafting maritime contracts and pleadings for admiralty cases.

UNIT I: The Nature and Content of Maritime Action: Tortuous and Contractual

Introduction

Action in Personam

Action in Rem

Action in res

UNIT II: Common Law and Admiralty Jurisdiction Admiralty
Law and its evolution in England

The USA and Admiralty Law

Admiralty Law and the Constitution of India

Admiralty Law in India before the Admiralty Act, 2017

UNIT III: Admiralty Jurisdiction: Legal Architecture in India

Admiralty Jurisdiction (Sec.1-3 of Admiralty Act, 2017)

Arrest of vessel in rem (Sec.5-7, Admiralty Act, 2017)

Procedural aspect of Admiralty Jurisdiction (S.12-15 Admiralty Act, 2017)

Sec.4 and 9, Admiralty Jurisdiction Act, 2017

Miscellaneous Sec.16-18 Admiralty Act, 2017

UNIT IV: Law of Maritime Claims

Maritime Claim

S.4, Admiralty Act, 2017

Convention on Limitation of Liability for Maritime Claims, 1976

S. 352 A, Merchant Shipping Act, 1958

UNIT V: Maritime Liens

Maritime Liens

Ss 139 & 149 Merchant Shipping Act, 1958,

International Conventions on Maritime Liens and Mortgages, 1993

Priority of Maritime Lien

S.9, Admiralty Act, 2017

Suggested readings:

Commercial Maritime Law, ed. Melis Ozdel, Bloomberg
https://www.google.de/books/edition/Commercial_Maritime_Law/=maritime+law+UK&prints=frontcover

R.P. Anand, 'Maritime Practice in South-East Asia until 1600 A. D. and the Modern Law of the Sea', The International and Comparative Law Quarterly Vol. 30, No. 2 (Apr., 1981), pp. 440-454 (15 pages)

S. Beecher, 'Can the Electronic Bill of Lading Go Paperless?', *The International Lawyer* Vol. 40, No. 3 (FALL 2006), pp. 627-647 (21 pages)

B. McChensey, 'Marine Insurance and the Substantive Admiralty Law: A Comment on the Wilburn Boat Company Case', *Michigan Law Review* Vol. 57, No. 4 (Feb., 1959), pp. 555- 576 (22 pages)

E.R. Hardy, 'Exceptions Clauses and the Liability for Demurrage', *The Modern Law Review* Vol. 23, No. 4 (Jul., 1960), pp. 437-440 (4 pages)

Michael J. Daly, Louis R. Koerner Jr., Anne L. Kulesa, Joseph F. Kulesa and Laurie Sands, 'Recent Development in Maritime and Admiralty Law', *Tort Trial & Insurance Practice Law Journal* Vol. 45, No. 2 (WINTER 2010), pp. 119-147 (29 pages)

A.K. Bansal, 'The Four Pillars of International Maritime Law and Bills of Lading' *Journal of the Indian Law Institute*

Vol. 48, No. 4 (October-December 2006), pp. 527-539 (13 pages)

Union of India v. Compania Naviera Aeolus S.A. [1960] 1 W.L.R. 297; [1960] 1 All E.R. 753.

Saxon Ship Co. Ltd. v. Union S.S. Co. Ltds (1898) 4 Com.Cas. 29

**LL.M. SEMESTER II CORE
PAPER-I**

LAWS ON SECURITIES & FINANCIAL MARKETS

Course Outcomes:

1. Understand the regulatory framework governing securities markets (SEBI Act, SCRA, Depositories Act).
2. Analyse types of securities (equity, debt, derivatives) and their legal treatment.
3. Examine SEBI's role in investor protection, market integrity, and enforcement.
4. Study listing obligations (LODR) and disclosure requirements for public companies.
5. Evaluate prohibition of insider trading (SEBI PIT Regulations) and case studies.

Unit I: An Overview of the Financial System

1. Constituents of the financial system: significance, development and growth of financial and capital markets in India.
2. Financial reforms and present scenario.
3. Regulatory authorities governing financial and capital markets:

Unit II: Primary Market and Secondary Market

1. Primary and Secondary Markets: Meaning, significance, scope and developments in both the markets.
2. Difference between Primary and Secondary markets.
3. Primary and Secondary Market Intermediaries
4. Issue of Capital SEBI Guidelines (Initial public offer).
5. Stock Exchanges

Unit III: Capital Market and Money Market Instruments

1. Capital market instruments: Equity shares, Preference shares, Sweat Equity shares, Nonvoting shares, Debentures. New instruments of capital market – pure, hybrid and derivatives.
2. Money market instruments: Treasury bills, Commercial bills, Certificate of deposits. New money market instruments.

Unit IV: Mutual Funds and Collective Investment Schemes

1. Mutual Funds

- Introduction, definitions, types, risks involved, performance evaluation
- SEBI regulations for Mutual Funds.

2. Collective Investment Schemes

- Introduction, definitions, types, risks involved and performance evaluation.
- SEBI regulations for collective investment schemes.

Unit V: Depository System

An analysis of the Depositories Act, 1996:

- Constitution, role, and functions of depository.
- Depository participants, issuers, and registrars.

Text & References:

- E. Gordon & H. Natarajan: Capital Market in India.Himalaya publishing House
- H.R. Machiirmu: Indian Financial system: Vikas publishing House Pvt. Ltd
- Guide to Indian Capital Market: Sanjeev Agarwal: Bharat Law House
- SEBI practice Manual: V.L. Iyer: Taxman Allied Service (P) Ltd
- M.Y. Khan: Indian Financial Systems: Tata McGraw-Hill
- SEBI Manual: Taxman

**LL.M. SEMESTER II
CORE PAPER-II**

LAW OF CORPORATE FINANCE

Course Outcomes:

1. Understand the legal framework governing corporate finance (Companies Act 2013, SEBI, FEMA).
2. Analyse capital raising mechanisms (equity, debt, hybrid instruments).
3. Examine legal aspects of IPOs, FPOs, and private placements (SEBI ICDR Regulations).
4. Study corporate debt instruments (bonds, debentures, NCDs) and their regulatory compliance.
5. Evaluate mergers, acquisitions, and restructuring under Companies Act and competition law.

UNIT I

Meaning, importance, and scope of corporation finance • Capital needs - capitalization - working capital – securities borrowings- deposits debentures

UNIT II- Objectives of corporate Finance: profit maximisation and wealth maximisation. Constitutional perspectives - the entries 37, 38, 43, 44, 45, 46, 47, 52, 82, 85, and 86 of List 1 - Union List; entry 24 of List 11 - State List.

UNIT III- Equity Finance

Share capital

Equity Securities

Prospectus - information disclosure

Issue and allotment • Shares without monetary consideration Non-opting equity shares

UNIT IV- Debt Finance

Debentures

Nature, issue, and class Deposits and acceptance

UNIT V- Creation of charges

Fixed and floating charges Mortgages

Convertible debentures

Textbooks:

1. Alastair Hundson -The Law on Financial Derivatives (1998), Sweet & Maxwell
2. Ferran - Company Law and Corporate Finance (1999), Oxford.

Reference books:

1. Jonathan Charkham- Fair Shares: The Future of Shareholder Power and Responsibility (1999),
2. Oxford.
3. Ramaiya A - Guide to the Companies Act (1998), Vol. I, II, and III.
4. H.A.J. Ford and A.P. Austen - Ford's principle of Corporations Law (1999) Butterworths. •
Brealey and Meyers, Principles of Corporate Finance, Tata McGraw Hill, New Delhi (2008)

•
Pasacal Quiry, Maurizio Dallochio, Yann Le Fur, Antonio Salvi, Corporate Finance Theory and Practice, 5th ed., Wiley (2018) • John B. Guerard Jr., Anureet Saxena and Mustafa Gultekin, Quantitative Corporate Finance, 2nd ed., Springer (2021) • Louise Gullifer and Jennifer Payne, Corporate Finance Law: Principles and Policy, 3rd ed., Hart Publishing (2020) • Peter Bossaerts and Bernt Arne Odegaard, Lectures on Corporate Finance, World Scientific Publishing Pvt. Ltd. (1960)

LL.M. SEMESTER II
CORE PAPER
Value Added Course

INTERNATIONAL TRADE LAW

Course Outcomes:

1. Understand the legal framework of international trade, including WTO rules, GATT, and regional trade agreements.
2. Analyse key principles like Most Favoured Nation (MFN), National Treatment, and trade liberalization.
3. Examine trade remedies such as anti-dumping, subsidies, and safeguards under WTO laws.
4. Study cross-border contracts, Incoterms, and dispute resolution mechanisms in global trade.
5. Evaluate the role of international organizations (WTO, UNCTAD, ICC) in regulating trade.
6. Learn about trade compliance, customs laws, and import-export regulations.

UNIT I:

Introduction to International trade and the law of the WTO, Sources, Basic rules and principles of WTO Law

Economic Theories of free trade-Absolute Advantage theory; Comparative Advantage theory; Heckscher–Ohlin theory; Leontief Paradox and New trade theory

Historical background of WTO

WTO as an International institution- Origin, Mandate, Membership of WTO; Institutional structure of the WTO; Decision-making in the WTO; Other Issues- status of WTO; budget of WTO.

WTO Dispute Settlement

Principles of Non-discrimination favoured nation treatment and National treatment obligation; General & Security Exceptions; Art XX and XXI

UNIT II:

WTO jurisprudence on TBT and SPS Agreements- Agreement on Sanitary and Phyto Sanitary Measures; Agreement on Technical Barriers to Trade

Regional and Free Trade Agreements WTO and environmental protection.

Environmental initiatives under the WTO

General Agreement on Trade in Services (GATS)

Trade-Related Aspects of Intellectual Property Rights (TRIPs)

Trade Related Investment Measures (TRIMS)

UNIT III:

Transnational Commercial Laws: Meaning and scope of Transnational Commercial Law, Sources of Transnational Commercial Law.

Evolution of Law Merchant. Movement towards unification of national commercial laws (UNIDROIT and UNCITRAL).

International Carriages- Carriage of goods by sea; Carriage by air; Multimodal transportation.

UNIT IV:

International Sales of goods- Vienna Convention on Contract for International Sale of Goods; Drafting of International Commercial contracts- an Introduction.

International Payments- The role of International Chamber of Commerce in the development of Transnational Commercial Laws; Uniform Customs and Practices on Documentary Credits.

UNIT V:

Introduction to Law and Policy of Export-Import Trade in India

Foreign Trade (Development and Regulation) Act, 1992.

Foreign Exchange Management Act, 1999.

Special Economic Zones and International trade

Law relating to Customs- Customs Act, 1962

Foreign Investment in India-Liberalization in the nineties. Foreign Investment Promotion Board. Current issues relating to foreign direct investment.

The Industries (Development and Regulation) Act and its application.

References:

1. A.G. Benjamin's Sale of Goods (6th edn, London: Sweet & Maxwell, 1995)
2. B. Griffin, Day & Griffin, The Law of International Trade (3rd edn., London: Butterworth's Lexis Nexis, 2003)
3. Bhagirath Lal Das, The WTO: a guide to framework for International Trade.
4. C. Debattista, Sale of Goods carried by Sea (2nd edn., London: Butterworth's,

1998)

5. Carole Murray, David Holloway, Schmitthoff's export trade: The Law & Practice of International Trade.
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. From GATT to the WTO: the multilateral trading system in the new millennium by World Trade Organization Secretariat, Graduate Institute of International studies (Geneva, Switzerland.
9. Indira Carr & Richard Kidner, Statutes and Conventions on International Trade Law, 4th edition, Routledge Cavendish.
10. Jackson, John H. and Edwin A. Vermulst, Anti-Dumping Law and Practice
11. Jason C.T. Chauh, Law of International Trade, Fourth Edition, Sweet and Maxwell, South Asian Edition, 2011.

LL.M. SEMESTER II ELECTIVE PAPER

LAW OF E-COMMERCE

Course Outcomes:

1. Understand the legal framework governing e-commerce, including IT Act, 2000, Consumer Protection Act, 2019, and GDPR

2. Analyze electronic contracts, digital signatures, and validity under the Indian Contract Act, 1872
3. Examine consumer rights, liability of intermediaries, and grievance redressal mechanisms in online transactions.
4. Study data privacy, cybersecurity laws, and compliance requirements for e-businesses.
5. Evaluate intellectual property issues (copyright, trademarks, domain disputes) in digital commerce.
6. Learn about payment gateway regulations, fintech laws, and RBI guidelines for online transactions

UNIT I: Introduction To E-Commerce

Concept of e- commerce and differences with e- business

Advantages and disadvantages of e- commerce

Types of e- commerce

Medium and Transactions in e- commerce UNCITRAL

Model Law on e-commerce,

Information Technology Act,2000

Cloud Computing and E-commerce

UNIT II: Contracts In Electronic Environment E-contracts

– concept, offer and acceptance,

Acceptance of contract: applicability of postal rule

E-commerce directives and Regulations

Incorporation of terms

Identity of contracting parties

E-contracts: extent of details

Breach of contract

UNIT III: Electronic Signature

Provisions under IT Act

Certifying authorities

Issuing authorities

PKI

Electronic Signature Certificate

Grant, Revocation and withdrawal of ESC

UNIT IV: Payment Issues

Modes and mechanism of payment in electronic environment

Fraud Risk and Protection

Breach of contract

Charge back agreements

EDI

Electronic fund transfer

UNIT V: Consumer Protection

Concept of the rights of consumer

Problems of protection of consumers in virtual world

Consumer Protection Act, 1986

EC Directive on distance selling 5.5. E-commerce Directives and consumer protection

Suggested Readings

1. Paul Todd. Law of E-commerce. London: Cavendish, 2008.
2. Sharma, Vakul. Information Technology: Law and Practice. 2nd ed. New Delhi: Universal Law Publishing Co., 2007.
3. Ramappa, T. Legal Issues in Electronic Commerce. Delhi: Macmillan, 2003.
4. Schellekens, M. H. M. Electronic Signatures: Authentication Technology from a Legal Perspective. The Hague: T. M. C. Asser Press, 2004.
5. Ahmad, Tabrez. Cyberlaws, e-commerce & m-commerces. New Delhi: A. P. H. Publishing Corporation, 2009.
6. Phillips, Jeremy. Butterworths E-commerce and IT Law Handbook. 4th ed. London: LexisNexis Butterworths, 2007.
7. Seth, Karnika. Cyber Laws in the Information Technology Age. New Delhi: LexisNexis Butterworths Wadhwa, 2009.
8. Ryder, Rodney. Guide to Cyber Laws. 3rd ed. New Delhi: Wadhwa & Co., 2007.

**LL.M. SEMESTER II
CORE PAPER- III
DISSERTATION**

ALLOTMENT OF THE DISSERTATION

- Allotment of the dissertation will be done by a committee comprising of the Head of the Department, one Professor, and one Associate Professor of the Department by rotation according to seniority. The proposal for dissertation shall be submitted by candidate through Head of Department.
- Candidate shall be required to submit the Dissertation at least two weeks before the commencement of Fourth Semester Examination. Prior of submission of dissertation, the students shall make a pre submission seminar in Department of Law, MJPRU.

Seminar shall be opened to all faculty members, research scholar, and other LL.M. students of the faculty.

- The candidate shall be required to secure atleast 50% marks in the dissertation to pass the Examination.
- The maximum number of students enrolled for dissertation under one teacher will be as follows:-
Assistant Professor- 05
Associate Professor- 08
Professor- 10
- Full-time teacher of the department is authorized for dissertation guidance. If there is non-availability of full-time teachers in the department concern, rest of all students will be supervised by HOD /principal and Dean accordingly.

LL.M. SEMESTER II CORE PAPER- IV

VIVA VOCE

Viva Voce Examination:

- The Viva Voce Examination shall be conducted by a Board of Examiners.
- The Board shall consist of three members; One member shall be a Professor/Associate Professor as an external member of any other University or college. The Head of Department (HOD) shall be a member of the board and one Professor/Associate Professor of the Department as Internal Examiner.
The internal examiner shall be appointed for every year by rotation.
- The Viva-Voce Examination shall carry 100 marks. The External Examiner shall evaluate the candidate out of 70 maximum marks and two examiners shall evaluate out of 15 maximum marks each.

- Candidate shall be required to secure at least 50% marks in the Viva-Voce to pass the Examination.

APPENDIX-II

LL.M. I SEMESTER

ELECTIVE PAPERS

ADMIRALTY LAW

Course Outcomes:

1. Understand the historical evolution and jurisdictional framework of admiralty law.
2. Analyse key international conventions (e.g., UNCLOS, SOLAS, MARPOL) and their domestic implementation.
3. Examine ship registration, ownership rights, and maritime liens under national/international laws.
4. Study charter parties, bills of lading, and carriage of goods by sea under COGSA/Hague-Visby Rules.
5. Evaluate maritime claims, ship arrests, and admiralty court procedures
6. Learn about marine insurance principles, P&I clubs, and claim settlements

UNIT I: The Nature and Content of Maritime Action: Tortuous and Contractual

Introduction

Action in Personam

Action in Rem

Action in res

UNIT II: Common Law and Admiralty Jurisdiction Admiralty

Law and its evolution in England

The USA and Admiralty Law

Admiralty Law And the Constitution of India

Admiralty Law India before the Admiralty Act, 2017

UNIT III: Admiralty Jurisdiction: Legal Architecture in India

Admiralty Jurisdiction (Sec.1-3 of Admiralty Act, 2017)

Arrest of vessel in rem (Sec.5-7, Admiralty Act, 2017)

Procedural aspect of Admiralty Jurisdiction (S.12-15 Admiralty Act, 2017)

Miscellaneous Sec.16-18 Admiralty Act, 2017

UNIT IV: Law of Maritime Claims and Maritime Liens

Maritime Claim

S.4, Admiralty Act, 2017

Convention on Limitation of Liability for Maritime Claims, 1976

S. 352 A, Merchant Shipping Act, 1958

UNIT V: Maritime Liens

Maritime Liens

Ss.4 and 9, Admiralty Jurisdiction Act, 2017,

Ss 139 & 149 Merchant Shipping Act, 1958,

International Conventions on Maritime Liens and Mortgages, 1993

Priority of Maritime Lien

S.9, Admiralty Act, 2017

Suggested readings:

Commercial Maritime Law, ed. Melis Ozdel, Bloomberg

https://www.google.de/books/edition/Commercial_Maritime_Law/

R.P. Anand, 'Maritime Practice in South-East Asia until 1600 A. D. and the Modern Law of the Sea', The International and Comparative Law Quarterly Vol. 30, No. 2 (Apr., 1981), pp. 440-454 (15 pages)

S. Beecher, 'Can the Electronic Bill of Lading Go Paperless?', *The International Lawyer* Vol. 40, No. 3 (FALL 2006), pp. 627-647 (21 pages)

B. McChensey, 'Marine Insurance and the Substantive Admiralty Law: A Comment on the Wilburn Boat Company Case', *Michigan Law Review* Vol. 57, No. 4 (Feb., 1959), pp. 555- 576 (22 pages)

E.R. Hardy, 'Exceptions Clauses and the Liability for Demurrage', *The Modern Law Review* Vol. 23, No. 4 (Jul., 1960), pp. 437-440 (4 pages)

Michael J. Daly, Louis R. Koerner Jr., Anne L. Kulesa, Joseph F. Kulesa and Laurie Sands, 'Recent Development in Maritime and Admiralty Law', *Tort Trial & Insurance Practice Law Journal* Vol. 45, No. 2 (WINTER 2010), pp. 119-147 (29 pages)

A.K. Bansal, 'The Four Pillars of International Maritime Law and Bills of Lading' *Journal of the Indian Law Institute*

Vol. 48, No. 4 (October-December 2006), pp. 527-539 (13 pages)

Union of India v. Compania Naviera Aeolus S.A. [1960] 1 W.L.R. 297; [1960] 1 All E.R. 753.

Saxon Ship Co. Ltd. v. Union S.S. Co. Ltds (1898) 4 Com.Cas. 29

**LL.M. I SEMESTER
ELECTIVE PAPERS**

LAW OF COPYRIGHT AND NEIGHBOURING RIGHTS

Course Outcomes:

1. Understand the fundamentals of copyright law under national (Copyright Act, 1957) and international regimes (Berne Convention, TRIPS).
2. Analyze subject matter protected by copyright (literary, artistic, musical works, software, etc.) and exclusions
3. Examine rights of authors (economic/moral rights), duration of protection, and exceptions (fair use/dealing).
4. Study ownership, assignment, and licensing of copyrights under Indian and comparative laws.
5. Evaluate infringement remedies (civil/criminal) and defenses in copyright disputes.
6. Learn about neighbouring rights (performers' rights, broadcasting rights, phonogram producers' rights).

UNIT-I Introduction to Copyrights

Introduction to Copyright, Evolution of Copy Right, History of Copy Rights Law

International Copy right Law, Subject matter of Copyrights Under The Copyright Act, 1957, Fair use, Infringement and remedies, Copyright vis-a-vis Digital Technology, Computer programme Software Copyright, Implication of International Conventions in India.

UNIT-II Copy Right: National Perspective

Nature and Scope of Copyright, Meaning of Copyright, Aims, Objectives and Range of Copy Right

Copy Right on cyber space and emerging Aspects

Infringement of Copy Right

Property Rights and Exploitation

UNIT-III Copy Right: International Perspective

International Copy Right Law, Berne Convention for the Protection of Literary and Artistic works.

Universal Copyright Convention.

Convention for the Protection of Producers of Phonograms against Unauthorised Duplication of their phonograms.

Multilateral Convention for the Avoidance of Double Taxation of Copyright Royalties.

Trade Related Aspects of Intellectual Property Rights (TRIPS) Agreement.

Copyright-related treaties administered by WIPO, WIPO Copyright Treaty (WCT)

WIPO Performances and Phonograms Treaty (WPPT), Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled

UNIT IV- Neighbouring Rights

Definition and Scope, Historical Development of neighbouring rights, International Legal Frameworks, Rights Holders and Protected Subject Matter, Economic and Moral Rights, Licensing and Collective Management, Enforcement and Remedies

Recommended Readings:

1. Cornish W.R. - Intellectual Property; Patents, Copyright, Trade Marks and allied Rights.
2. P.M. Bakshi - Intellectual property, Indian Trends
3. P. Narayanan - Intellectual Property Law

**LL.M. I SEMESTER
ELECTIVE PAPERS**

CONSTITUTIONALISM, PLURALISM AND GOOD GOVERNANCE

Course Outcomes:

1. Understand core principles of constitutionalism (rule of law, separation of powers, fundamental rights).
2. Analyze the relationship between pluralism and constitutional democracy in diverse societies.
3. Examine mechanisms for protecting minority rights in constitutional frameworks.
4. Study judicial review as a tool for upholding constitutionalism and checking government power.
5. Evaluate different models of federalism/decentralization in plural societies.
6. Learn about institutional safeguards for good governance (transparency, accountability, anti-corruption).

Unit I: Constitutionalism

Authoritarianism-Dictatorship,

Democracy-Communism,

Limited Government-concept, Limitations on Governmental Power,

What is a Constitution? Development of a democratic government in England-

Historical evolution of Constitutional government,

Conventions of Constitutionalism-law and conventions,

Written Constitutions: U.S.A., Canada, Australia, Sweden, South Africa and India,

UNIT II: Separation of Powers & Rule of Law

Separation of Powers: Montesquieu,

Rule of Law: Concept and new horizons,

Marxist concept of constitutionalism,

Dictatorship of the proletariat,

Communist State from Stalin to Gorbachov,

Fundamental Rights: Human Rights,

Judicial Review: European Court of Human Rights, Human Rights: International conventions.

Unit III: Federalism

What is a federal government? Difference between confederation and federation

Conditions requisite for federalism,

Patterns of federal government-USA, Australia, Canada, India, Judicial review-for federal umpiring,

New trends in federalism: Co-operative federalism,

India-Central Control v. State Autonomy,

Political factors influencing federalism,

Plural aspects of Indian Federalism: Jammu & Kashmir, Punjab, Assam, Dynamics of federalism.

Unit IV: Pluralism

What is a pluralistic society? Ethnic, linguistic, cultural, political pluralism,

Individual rights, Right to dissent, Freedom of speech and expression, Freedom of the Press,

Freedom of association, Rights to separateness, Rights of the religious and linguistic minorities,

Compensatory discrimination for backward classes,

Scheduled Tribes,

Distinct identity-protection against exploitation,

Uniform Civil Code-Non-State Law (NSLS) and State Law Systems - Problem of a Uniform v. 4.8 Personal laws - vertical federalism.

Unit V

Equality in Plural Society: Right to equality and reasonable classification,

Prohibition of discrimination on ground of religion, caste, sex, language,
Abolition of untouchability, Secularism-Constitutional principles, Tribal Groups
and Equality.

Pluralism and International Concerns: International Declaration of Human
Rights, 5.4 Conventions against genocide, Protection of religious, ethnic and
linguistic minorities, State intervention for protection of human rights, Right
of self-determination.

Recommended Books:

1. Upendra Baxi, Law, Democracy and Human Right, 5 Lokayan Bulletin 4 (1987)
2. V.M. Dandekar. Unitary Elements in a Federal Constitution, 22 E.P.W 1865, 1988
3. Rajeev Dhavan, The Press and the Constitutional Guarantee of Free Speech and
Expression, 28 JILI 299 (1986)
4. M.A.Fazal, Drafting a British Bill of Rights, 27 JILI 423, 1985
5. M.P.Jain, Indian Constitutional Law (1994), Wadhwa
6. H.M.Seervai, Constitutional Law of India, (1993)

**LL.M. I SEMESTER
ELECTIVE PAPERS**

TREATMENT OF OFFENDER AND VICTIMOLOGY

Course Outcomes:

1. Explain the theories and models underlying the treatment and rehabilitation of offenders, including psychological, sociological, and criminological perspectives.
2. Evaluate various correctional treatment programs, such as cognitive-behavioral therapy, substance abuse programs, and restorative justice initiatives.
3. Analyze the effectiveness of institutional vs. community-based correctional interventions in reducing recidivism.
4. Define the field of victimology and explain its evolution as a discipline within criminology and criminal justice.
5. Identify and classify different types of victims, including victims of violent crime, domestic abuse, trafficking, and white-collar crime.
6. Analyze the psychological, social, and economic impacts of victimization on individuals and communities.
7. Evaluate the role of the criminal justice system in responding to victims, including victim rights, compensation programs, and court processes.

Course Outcomes

Unit I: Introductory: Definition of Criminology and Penology

Theories of Punishment: Retribution, Utilitarian prevention: Deterrence; Utilitarian: Intimidation; Behavioural prevention: Incapacitation, Behavioural prevention: Rehabilitation- Expiation, Classical

Hindu and Islamic approaches to punishment. School of Criminology: The Constitutional School of

Criminology, Lombroso and others, Hereditary and mental retardation as causes of Crime, Sociological theories Anomies, Modern Sociological Theories: Sutherland's differential Association theory, Reckless social vulnerable theory. Multiple Causation Theories.

Unit II: Approaches to Sentencing

Alternatives to Imprisonment, Probation, Corrective labour, Fines, Collective Fines, Reparation by the offender/by the court, Constitutionality of Capital Punishment, Judicial Attitudes towards Capital Punishment in India-An inquiry through the status law and case law, Law Reform Proposal.

Unit III: 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, Deviance by custodial staff, Open prisons, Judicial Surveillance-basis- development reforms, rights of women prisoners

Unit IV: Victimology

Status of victim in Criminal Justice System, Rights of Victim, Compensation to victims of crime,

UN Declaration on Rights of victim of crime and abuse of power, recommendations of Malimath

Committee and Law Commission of India, Neo victimology, rights of tourist victim, victimization, victimological theories, concept in victimology, victim psychology.

Unit-V: Victim and Witness Protection

Witness protection, witness protection scheme,3018, approach of International criminal court, Victim assistance and service: types, victim assistance and service of criminal justice system. Criminal justice system and victim relationship: Collaborator or evidence-Victim and police

Bibliography

1. Schur, Edwin, M, 1965, Crimes without victims, Prentice hall. Inc.
2. Mc Donald, William F, 1976, Criminal Justice and the Victim, Sage Publications, London
3. Singh Makkar, S.P, 1993, Global perspectives in Victimology, ABC Publications, Jalandar.
4. Rajan, V.N, 1981, Victimology in India: An Introductory Study, Allied Publishers,

New Delhi

5. Ahmad Siddique, Criminology: Problem & Perspectives, Eastern Book Company
6. William Doerner, Victimology
7. Mike Maguire, Rod Morgan and Robert Reiner, The Oxford Handbook of Criminology (5th edn, 2012)

Sutherland, Edwin Hardin (1974), Criminology, (9th edn.), Philadelphia, Lippincott.

**LL.M. II SEMESTER
ELECTIVE PAPERS-1**

LAW OF E-COMMERCE

Course Outcomes:

1. Understand the legal framework governing e-commerce, including IT Act, 2000, Consumer Protection Act, 2019, and GDPR
2. Analyze electronic contracts, digital signatures, and validity under the Indian Contract Act, 1872
3. Examine consumer rights, liability of intermediaries, and grievance redressal mechanisms in online transactions.
4. Study data privacy, cybersecurity laws, and compliance requirements for e-businesses.
5. Evaluate intellectual property issues (copyright, trademarks, domain disputes) in digital commerce.
6. Learn about payment gateway regulations, fintech laws, and RBI guidelines for online transactions

UNIT I: Introduction To E-Commerce

Concept of e- commerce and differences with e- business

Advantages and disadvantages of e- commerce

Types of e- commerce

Medium and Transactions in e- commerce UNCITRAL

Model Law on e-commerce,

Information Technology Act,2000

UNIT II: Contracts In Electronic Environment

E-contracts – concept, offer and acceptance,

Acceptance of contract: applicability of postal rule

E-commerce directives and Regulations

Incorporation of terms

Identity of contracting parties

E-contracts: extent of details

Breach of contract

UNIT III: Electronic Signature

Provisions under IT Act

Certifying authorities

Issuing authorities

PKI

Electronic Signature Certificate

Grant, Revocation and withdrawal of ESC

UNIT IV: Payment Issues

Modes and mechanism of payment in electronic environment

Fraud Risk and Protection

Breach of contract

Charge back agreements 4.5. EDI 4.6. Electronic fund transfer **UNIT V: Consumer Protection**

Concept of the rights of consumer

Problems of protection of consumers in virtual world

Consumer Protection Act, 1986

EC Directive on distance selling 5.5. E-commerce Directives and consumer protection

UNIT 6: Cloud Computing and E-Commerce

Concept of cloud computing

Impacts of cloud computing in e- commerce

Suggested Readings

1. Paul Todd. Law of E-commerce. London: Cavendish, 2008.
2. Sharma, Vakul. Information Technology: Law and Practice. 2nd ed. New Delhi: Universal Law Publishing Co., 2007.
3. Ramappa, T. Legal Issues in Electronic Commerce. Delhi: Macmillan, 2003.
4. Schellekens, M. H. M. Electronic Signatures: Authentication Technology from a Legal Perspective. The Hague: T. M. C. Asser Press, 2004.
5. Ahmad, Tabrez. Cyberlaws, e-commerce & m-commerces. New Delhi: A. P. H. Publishing Corporation, 2009.
6. Phillips, Jeremy. Butterworths E-commerce and IT Law Handbook. 4th ed. London: LexisNexis Butterworths, 2007.

7. Seth, Karnika. Cyber Laws in the Information Technology Age. New Delhi: LexisNexis Butterworths Wadhwa, 2009.
8. Ryder, Rodney. Guide to Cyber Laws. 3rd ed. New Delhi: Wadhwa & Co., 2007.

**LL.M. II SEMESTER
ELECTIVE PAPERS-1**

CYBER CRIMES AND IT LAWS

Course Outcomes:

1. Understand and explain the nature and scope of cyber crimes, including various types such as hacking, identity theft, phishing, cyberbullying, and cyber terrorism.
2. Analyze the legal framework governing cyber crimes in India (e.g., the Information Technology Act, 2000) and international cyber law conventions.

3. Identify key legal concepts and terminology related to cyber law, digital evidence, data protection, and privacy rights.
4. Evaluate the procedures for investigation, prosecution, and adjudication of cyber crimes, including the role of cyber forensics and law enforcement agencies.
5. Apply legal provisions to real-life scenarios and case studies involving cyber offences and regulatory violations.
6. Critically assess current challenges in cyber law enforcement, such as jurisdictional issues, cross-border data access, anonymity, and emerging technologies (e.g., AI, blockchain).
7. Recommend legal reforms and policy improvements to enhance cybersecurity and protect against cyber threats.

UNIT-I: Introduction

Conceptual and theoretical perspective of Cyber Law - Computer and Web Technology - Development of Cyber Law – National and International Perspective Cyber Law - Legal Issues and Challenges in India, USA and EU Data Protection - Cyber Security. Cyber Space Jurisdiction

UNIT-II: International Perspectives

International Perspectives - Budapest Convention on Cybercrime - ICANN's core principles and the domain names disputes - Net neutrality - EU electronic communications regulatory framework - Web Content Accessibility Guidelines (WCAG).

UNIT-III: Information Technology Act, 2000

Information Technology Act, 2000 - Aims and Objects - Overview of the Act – Jurisdiction - Electronic Governance – Electronic Evidence - Digital Signature
Certificates - Digital signatures - Duties of Subscribers - Role of Certifying Authorities
- The Cyber Regulations Appellate Tribunal - Internet Service Providers and their Liability – Powers of Police - Impact of the Act on other Laws - Social Networking Sites
Vis-à-vis Human Rights.

UNIT-IV: Cyber Law and IPR

Cyber Law and IPRs - Understanding Copy Right in Information Technology - Software - Copyrights Vs Patents debate- Authorship and Assignment Issues - Copyright in Internet - Multimedia and Copyright issues - Software Piracy –Patents - Understanding Patents

European Position on Computer related Patents - Legal position of U.S. on Computer related Patents - Indian Position on Computer related Patents –Trademarks - Trademarks in Internet - Domain name registration - Domain Name Disputes & WIPO - Databases in Information Technology - Protection of databases - Position in USA, EU and India

UNIT-V: E-Commerce:

E-Commerce - UNCITRAL Model - Legal aspects of E-Commerce - Digital Signatures - Technical and Legal issues - E-Commerce, Trends and Prospects - Etaxation, Ebanking, online publishing and online credit card payment - Employment Contracts – Non Disclosure Agreements - Shrink Wrap Contract -Source Code - Escrow Agreements, etc.

References:

1. Justice Yatindra Singh, Cyber Laws, Universal Law Publishing, UP, 2016.
2. Farouq Ahmed, Cyber Law in India, Allahabad Law Agency, 2015
3. Karnika Seth, Computers, Internet and New Technology Laws-A Comprehensive Reference Work With Special Focus On Developments In India, LexisNexis, Nagpur, 2016.
4. Kamath Nandan: Law relating to Computer, Internet and E-Commerce, Universal Law Publishing, UP, 2007.

LL.M. II SEMESTER ELECTIVE PAPERS

FORENSIC SCIENCE AND ITS EVIDENTIARY VALUE

Course Outcomes:

1. Explain the fundamental principles and scope of forensic science, including its multidisciplinary nature and role in the criminal justice system.
2. Identify various branches of forensic science (e.g., forensic biology, toxicology, ballistics, fingerprint analysis, digital forensics) and their applications in crime investigation.
3. Evaluate the process of collection, preservation, and analysis of physical and digital evidence, maintaining the chain of custody.
4. Interpret the evidentiary value of forensic reports and expert testimony in judicial proceedings, with reference to relevant legal provisions (e.g., Indian Evidence Act, 1872).
5. Analyze landmark case laws that have shaped the admissibility and reliability of forensic evidence in courts.

6. Critically assess the limitations, challenges, and ethical issues involved in the use of forensic science in legal contexts.
7. Demonstrate the ability to apply forensic techniques in hypothetical case scenarios and evaluate their legal significance.

UNIT-I: Crucial Role of Evidence in Criminal Trials

Need for investigating agencies to appreciate the special value of use of modern technology in collection and presentation of evidence

The role of Forensic Sciences in Criminal Cases

Kinds of Forensic Evidence

The basic question in investigation-*Qui Bono*;

The scene of crime;

Discovery of traces of physical evidence;

Classification and reference to classified record: Systematization and classification of physical evidence and comparison with suspected material;

1.1 The principles of exchange;

1.2 The principles of heredity, Taxonomy, etc.

1.3 Probative Value of Forensic Evidence

1.4 Processes Involved in Collecting Forensic Evidence

UNIT-II

The Establishment of Identity

The Establishment of Identity of Individuals: Footprints, hair, skin, blood grouping; physical peculiarities.

The 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.

UNIT-III

Questioned Documents and the Identification of

Handwriting: 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. The Identification of Fire-Arms and Cartridges and
Related Problems:

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

UNIT-IV

Injuries to Persons

i. Evidentiary value of details of injuries; ii. Traces left by the weapon used: its range
and direction; iii. Danger to clothing worn by the victim and related problems; iv. The
flow of blood from injuries;
v. The shape and directions of blood drops and their evidentiary value, the discovery of
blood and semen stains on various objects; vi. Accidental deaths and suicides.
Evidentiary value of Physical Evidence as Evaluated a Forensic sciences laboratory viz,
Evidence with scientific report.

i. Fallibility of eye witnesses. The probative value of such evidence. ii. Findings of
scientific methods of investigation; their probative value. iii. Assessment of value
from actual cases. Value to be assigned to the different types of exhibit. Restoration
of numbers; iv. Examination of the walking, picture of footprints; clothing; copper
wire; pieces of wood etc.

Modern scientific Techniques

Narco-Analysis ii. Tests, Polygraph test, Brain Mapping Test, hypnotism, iii. Lie
Detector

Test & others

UNIT-V: Victimology and Forensic Science

- i. Meaning of Victimology and forensic psychology
 - ii. Insanity in its medico legal aspect iii. Mental ill-health, feigned mental ill
health and criminal responsibility
- Bibliography**

1. Max M. Houck, Jay Siegel: Fundamentals of Forensic Science
2. Sharma: Forensic Science in Criminal Investigation and Trials

3. Modern Criminal Investigation: Harry Soderman and John J.O.Conell
(Published by Funk &Wagnalls Co. Inc., New York)
4. Indian Evidence Act, (Amendment up to date)
5. Rattan Lal, Dhiraj Law of Evidence (1994) Wadhwa, Nagpur
6. Pole in Murphy, Evidence (5th Edn. Reprint 3000) Universal Delhi
7. Albert S. Osborn, The Problem of Proof (First Indian Reprint 1998) Universal, Delhi
8. Sarita Jha, Forensic Science and Law, 9. Ishita Chatterjee, Law on Forensic Science.
10. Cross: Crime investigation, Sweet and Maxwell Ltd., London
11. Parekh, Medical Jurisprudence

**LL.M. II SEMESTER
ELECTIVE PAPERS-1**

FEDERALISM AND COMPARATIVE POWER SHARING

Course Outcomes:

1. Define and explain the concept of federalism, including its origins, principles, and types (dual, cooperative, asymmetric, etc.).
2. Compare federal structures across different countries, such as India, the USA, Canada, Germany, and Switzerland, with respect to division of powers, fiscal relations, and constitutional frameworks.
3. Analyze models of power sharing, including horizontal (across branches of government), vertical (between different levels), and social (among ethnic, linguistic, or religious groups).
4. Evaluate the effectiveness of federal arrangements in managing diversity, promoting democracy, and ensuring good governance.
5. Interpret constitutional and judicial developments affecting the federal balance of power in different nations.
6. Assess the challenges and tensions in federal systems, such as centralization, regional autonomy demands, and intergovernmental conflicts.
7. Apply comparative federalism theories to real-world case studies and propose reforms for improving federal governance and equitable power distribution.

UNIT I

Conceptual position of federation and confederation.

Rights and Duties of the states in confederal union.

Nature and scope of cooperative federalism.

Is India quasi-federal?

Relationship of trust and faith between centre and state in federalism.

UNIT II

Federalism in USA, Canada, Australia and Switzerland.

Views of Thomas Jafferson about federalism.

Comparative analysis of federalism of Government of India Act 1935 and Constitution of India.

Role of concurrent list in federal structure of India and Australia.

Lujan v. Defenders of wildlife, 504 U.S. 555 (1992).

Analysis of United States v. Munoz-Flores, 495 U.S. 385, 394 (1990) with search light case.

UNIT III

Concept of Checks and balances in India, USA, Canada and Australia.

Separation of powers is a corner-stone of federalism or not?

UNIT IV

Administrative relations of centre and state/cantons in India and Switzerland.

Allocation of Taxing powers in India, USA and Canada.

Concept of Grants-in-Aid.

UNIT V

The Official Languages Act, 1963 and the concern amendments.

Concept of Legislative relation between centre and state in South Asia.

Distribution of powers in USA, Canada, Australia and Switzerland.

Article 352 v. Article 356 (Indian Constitution).

BOOKS

1.UpendraBaxi, Law, Democracy and Human Right, 5 Lokayan Bulletin 4 (1987).

2.V. M. Dandekar. Unitary Elements in a Federal Constitution, 22 E.P.W
1865, 1988

3. Rajeev Dhavan, The Press and the Constitutional Guarantee of Free Speech and Expression, 28 JILI 299 (1986)
4. M.A. Fazal, Drafting a British Bill of Rights, 27 JILI 423, 1985
5. M.P. Jain, Indian Constitutional Law (1994), Wadhwa
6. H.M. Seervai, Constitutional Law of India, (1993)

