

Sant Baba Bhag Singh University



DEPARTMENT OF LAW

SYLLABUS

One Year LL.M Course (UIL)

(Semester System)

Session: 2024-2025

ONE YEAR LL.M. COURSE

ORDINANCES GOVERNING LL.M. (ONE YEAR) DEGREE PROGRAMME

WHEREAS, The Sant Baba Bhag Singh University, would adopt the UGC guidelines for the One year - LL.M. Programme and also the latest rules and regulations of UGC from time-to-time.

AND WHEREAS, with the approval from UGC also under the guidance and supervision of the board of studies, Faculty of Law, The Sant Baba Bhag Singh University, is committed to the promotion of quality education by adopting latest study methods & curriculums and following this approach the faculty is likely to start one year LL.M programme.

AND WHEREAS, it is necessary to reorient legal education by making provisions for instruction in new courses of study, extensive as well as intensive study of prescribed courses and for adequate practical training for diverse careers open to Law Graduates;

AND WHEREAS, with a view to further the process of reorientation of legal education and to provide sufficient opportunity for specialization in selected field of study as well as to develop research facilities, the Faculty of Law, The Sant Baba Bhag Singh University, has decided to introduce its LL.M. one year Degree Programme of Study;

AND WHEREAS, under the provision of the Institute of Chartered Financial Analysts of India University (Establishment and Regulation) Act, 2011, as amended, the University hereby institutes the two-semester programme for the degree of LL.M. One Year and makes the following ordinances governing admission, course of study, selection of optional papers, submission of dissertation and its evaluation, examinations and other matters relating to this Degree under the Faculty of Law of The Sant Baba Bhag Singh University.

CONSTITUTION OF CENTRE FOR POST-GRADUATE LEGAL STUDIES (CPGLS): The Vice-Chancellor shall constitute a Centre for Post Graduate Legal Studies consisting of the faculty members competent to guide Post Graduate scholars. The Vice-Chancellor shall nominate one faculty member as Head of the Department of the Centre. The Centre shall supervise the overall functions of One Year LL.M. Degree Programme and shall make necessary recommendations on academic, examinations and other academic related matters.

Master of Laws (LL.M)

The Master of Laws (LL.M) degree course is a one-year post graduate course. This programme is introduced to attract students who either wish to join the academia or seek to acquire advanced research skills before joining the legal profession. The students therefore come from a wide variety of backgrounds with divergent legal interests and career plans. Our senior faculty members work closely with the students to help them in realizing their full academic potential. We also actively involve students in our ongoing efforts to improve and enhance the programme.

Together, we work to make each student's experience in the SBBSU. a rich and fulfilling one that broadens his or her intellectual horizons.

With an aim of growth of the School of Law in its impact and size, and to stimulate the academic environment intellectually, the Centre for Post Graduate Legal Studies has been established to conduct the Post Graduate Courses in Law, and to equip the Law graduates with the dynamism to comprehensively understand the fast-changing legal scenario all around. The center is established as per the UGC Notification no. D.0 No. 5-1/99(CPP- II) Dated 18th January 2013 and offers a one-year LL.M Degree program with three specializations. The curricular structure of the LL.M. Programme complies with the Guidelines for introduction of One Year LL.M. Degree Programme, 2012 issued by the UGC. It will be run by qualified, experienced and dedicated teaching staff who would contribute in the transformation of a student as a global leader in the field of Law. The faculty members associated with the center will also be working towards planning and executing the activities like workshops, seminars and training programs to imbibe the expertise and to enhance the skills of the beneficiaries of the center.

SPECIALIZATIONS OFFERED

1. Constitutional and Administrative Law
2. Corporate and Commercial Law
3. Criminal Law
4. Intellectual Property Rights

ELIGIBILITY REQUIREMENTS

1. Three or Five years LL.B. Degree from any Indian or Foreign University recognised by the UGC with at least 50% marks or equivalent grade (45% for SC/ST Candidates).
2. A candidate shall be eligible for appearing in the Post Graduate Entrance Test (PET) for the admission to LL.M. (One Year) Degree Programme, if he or she has passed LL.B. or equivalent degree securing not less than 50% marks in aggregate considering all the papers in Three Year or Five Year Degree Course as recognized by the Bar Council of India.
3. Candidates (who have appeared for the final year LL.B. examination) awaiting result of the qualifying examination can appear for the Entrance Test, subject to the condition that they produce the certificate of having passed the qualifying examination as the timeline fixed by the University.
4. All candidates, except for those applying under Foreign National Category should appear for Post- graduate Entrance Test.

ADMISSION TO THE LL.M. (ONE YEAR) DEGREE PROGRAMME

1. There shall be an Admission Committee constituted under the provision of this Ordinance that shall consist of the Head & Dean or his nominee of the Faculty and two senior members from the teaching staff of the faculty.

2. Admission to all the LL.M. (One Year) Degree Programme in the Faculty of Law shall be based on the merit in the PET (Post- graduate Entrance Test).
3. The candidate shall secure a minimum of 50% of the marks in the written test to become eligible for admission. In the case of SC/ST candidates, it is 40%. The University has a right to keep the seats vacant if there are no candidates who secured minimum cut off marks.
4. Admission cannot be claimed by any candidate as a matter of right. The admission or readmission of a candidate shall be entirely at the discretion of the Admission Committee, which may refuse or admit any student without assigning any reason thereof.
5. On his/her selection for admission to LL.M. (One Year) Degree Programme, the candidate shall, within the time fixed by the Head/Dean, Faculty of Law deposit tuition and other fees prescribed for this programme. If the candidate fails to deposit the prescribed fees within the stipulated time, his/her selection shall automatically stand cancelled. Such a candidate shall not be admitted to the programme unless a fresh order of selection or extension of date for payment of fees is issued by the Head/Dean of the Law Faculty.
6. There is no provision for re-admission in the 1st semester of LL.M. (One Year) Degree Programme (except as stated in promotion rules).

ATTENDANCE

No Student shall be permitted to take the examination in any of the courses if he / she has not attended at least 75% of the classes in every semester.

The attendance of a newly admitted candidate shall be counted from the date of his/her admission, or date of beginning of classes whichever is later, while in the case of promoted candidates, attendance shall be counted from the date on which respective class begins.

Promotion from one semester to another is allowed only if the candidate passes the semester examination as a whole. However, a candidate who has failed in not more than two courses in a semester may be promoted to the next semester. Under such circumstances, the candidate has to re-register for the courses. A sum of Rs. 4000/- will be collected as Re-registration Fee from such candidates.

There shall be an Attendance Monitoring Committee in the Faculty under the supervision of Head/Dean Faculty of Law.

AWARD OF DEGREE

A Candidate shall be eligible for the award of the LL.M. Degree only when he / she has completed all the prescribed courses, including the dissertation, only when he/she has successfully completed all the prescribed Eleven (11) Courses with a total of 24 Credits and obtained a CGPA at 4.00 out of 7.00.

A Candidate admitted to LL.M. Degree Programme shall have to complete all the prescribed requirements within a maximum period of Three years from the date of enrollment to be eligible for the award of the degree.

Note: During the Second semester the candidates are also required to engage BA.LL.B Classes in the University. The candidate may attend the Courts as well as Moot Court training programs in the University.

The Candidate seeking condonations on shortage of attendance on medical grounds shall submit the application along with certificate of registered Medical Practitioner approved by the University and the University Doctor, if any. Absence on medical grounds should not be more than 9% limit. However, the Vice-Chancellor of the University has the power to condone the required attendance and allow the candidate to appear in the examination with a minimum of 66% attendance. In case of any doubt / difficulty the decision of the Vice-Chancellor shall be final and binding.

COURSE STRUCTURE

1. LL.M. (One Year) Degree shall be awarded to candidates on successful completion of two semester programme of study and after the successful submission and viva of their dissertation work. The total intake of students in the course shall be 20 or as notified by the University from time to time.
2. Medium of Instruction and Examinations of LL.M. (One Year) Degree programme shall be English. Admission, studies, examination, and continuance from semester to semester, promotion and declaration of results for the LL.M. (One Year) Degree Programme as per the ordinance prescribes.
3. LL.M. (One Year) Degree Programme runs full time from July to June. There are several stream of courses (study group in the ordinance) in LL.M. (One Year) Degree Programme with specialization offered as follows:
 - i. Constitutional and Administrative Law
 - ii. Corporate and Commercial Law
 - iii. Criminal Law
 - iv. Intellectual Property rights

LL.M. (One Year Degree) Programme will have courses of 24 credits in two semesters covering core papers and elective papers as given below:

Core Papers: These are the courses fundamental to the study of law as they build the foundation of legal understanding, its application in the form of tools for solving various types of problems, allowing the students to understand the underlying principles and canons of Law.

Elective Papers: There are wide range of Elective papers enabling students to opt papers of their choice and interest. These papers are introduced with the purpose of incorporating modern social, political, technological and legal advances requiring legal intervention in the form of new legal instruments. The students are free to choose any area of study they wish to specialize in.

The compulsory\core paper shall consist of the following four papers and that shall be completed in the first and second semester.

The Compulsory Paper in the first semester:

- i) Research Methodology and Legal Writing
- ii) Jurisprudence

The Compulsory Paper in the second semester:

- i) Interpretation of Statutes

Specialization papers/ Elective papers will be offered in one or more groups of specialization.

Each group of specialization shall consist of six papers.

- i. Constitutional and Administrative Law
- ii. Corporate and Commercial Law
- iii. Criminal Law
- iv. Intellectual Property Rights

The Faculty may at its discretion alter the scheme and structure of specialization. Each group of specialization shall consist of several papers from which students can choose the option required for specialization. Minimum teaching hours per paper shall be four hours per week.

Course Curriculum LLM (One Year)

Semester- I			
S. No.	Code	Subject (Compulsory Papers)	Credits
1.	LAW501	Jurisprudence	3
2.	LAW503	Research Methodology and Legal Writing.	3
Semester- II			
3.	LAW502	Interpretation of Statutes	3

Specialization- I

Constitutional and Administrative Law

Semester- I			
S. No.	Code	Subject (Elective Papers)	Credits
1.	CAL01	Indian Constitutional Law: The New Challenges	2
2.	CAL02	Local Self Governance and Direct Democracy	2
3.	CAL03	Fundamental Rights and Directive Principles.	2
Semester- II			
4.	CAL04	Media Law.	2
5.	CAL05	Administrative Law.	2
6.	CAL06	Constitutionalism, Pluralism and Federalism	2
7.	DIS02	Dissertation.	3

Specialization- II

Corporate and Commercial Law

Semester- I			
S. No.	Code	Subject (Elective Papers)	Credits
1.	CCL01	Corporate Management and Governance	2
2.	CCL02	Banking and Insurance Law	2
3.	CCL03	Competition Law	2
Semester- II			
4.	CCL04	Laws on securities and Financial Markets	2
5.	CCL05	Mergers and Acquisitions	2
6.	CCL06	International Commercial Arbitration	2
7.	DIS02	Dissertation	3

Specialization- III

Criminal Law

Semester- I			
S. No.	Code	Subject (Elective Papers)	Credits
1.	CL01	Criminology, Penology and Victimology	2
2.	CL02	Criminal Law in India	2
3.	CL03	Corporate Crimes	2
Semester- II			
4.	CL04	Collective Violence and Criminal Justice System	2

5.	CL05	Crimes against Social and Economic Security	2
6.	CL06	Cyber Crimes	2
7.	DIS02	Dissertation	3

Specialization-IV**Intellectual Property Rights**

Semester- I			
S. No.	Code	Subject (Elective Papers)	Credits
1.	IPR01	Nature, Emergence and Development of IPR	2
2.	IPR02	Law of Copyright	2
3.	IPR03	Law of Patents	2
Semester- II			
4.	IPR04	Law of Design, Layout Designs and Geographical Indications	2
5.	IPR05	Law of Trademark	2
6.	IPR06	Protection of Plant Varieties & Traditional Knowledge	2
7.	DIS02	Dissertation.	3

Note: The dissertation would carry a total of 200 Marks (150 Marks for Written and 50 Marks for Presentation and Viva Voce).

CORE PAPERS:

**SYLLABUS
LAW501: JURISPRUDENCE**

Course Objective

1. Demonstrate an advanced and integrated understanding of the political, social, historical, philosophical, and economic context of law.
2. Engage in identification, articulation and critical evaluation of legal theory and the implications for policy.
3. Critically analyse and research complex problems relating to law and legal theory and make reasoned and appropriate choices amongst alternatives.
4. Demonstrate sophisticated cognitive and creative skills in approaching legal theory;
5. Demonstrate the intellectual and practical skills needed to justify and interpret theoretical propositions.

Course Outcome

1. Demonstrate a progressed and coordinated comprehension of the political, social, verifiable, philosophical, and financial setting of law.
2. Engage in recognizable proof, explanation and basic assessment of lawful hypothesis and the suggestions for strategy.
3. Critically break down and research complex issues identifying with law and legitimate hypothesis and settle on contemplated and proper decisions amongst alternatives.

Unit- I Jurisprudence and the Sources of Law -Jurisprudence: Definition, Nature, Scope and Utility; Social Theory Definition of Law, Justice, Rule, Duties, Rights, Sources of Law: Legislation, Custom, Precedent.

Unit-II Schools of Jurisprudence- Natural Law School Analytical School- Austin's Theory of Law Vienna School – Kelson's Pure Theory of Law Historical School- Savigny and Sir Henry Maine Sociological School, Social Engineering Realistic School, Realism theory

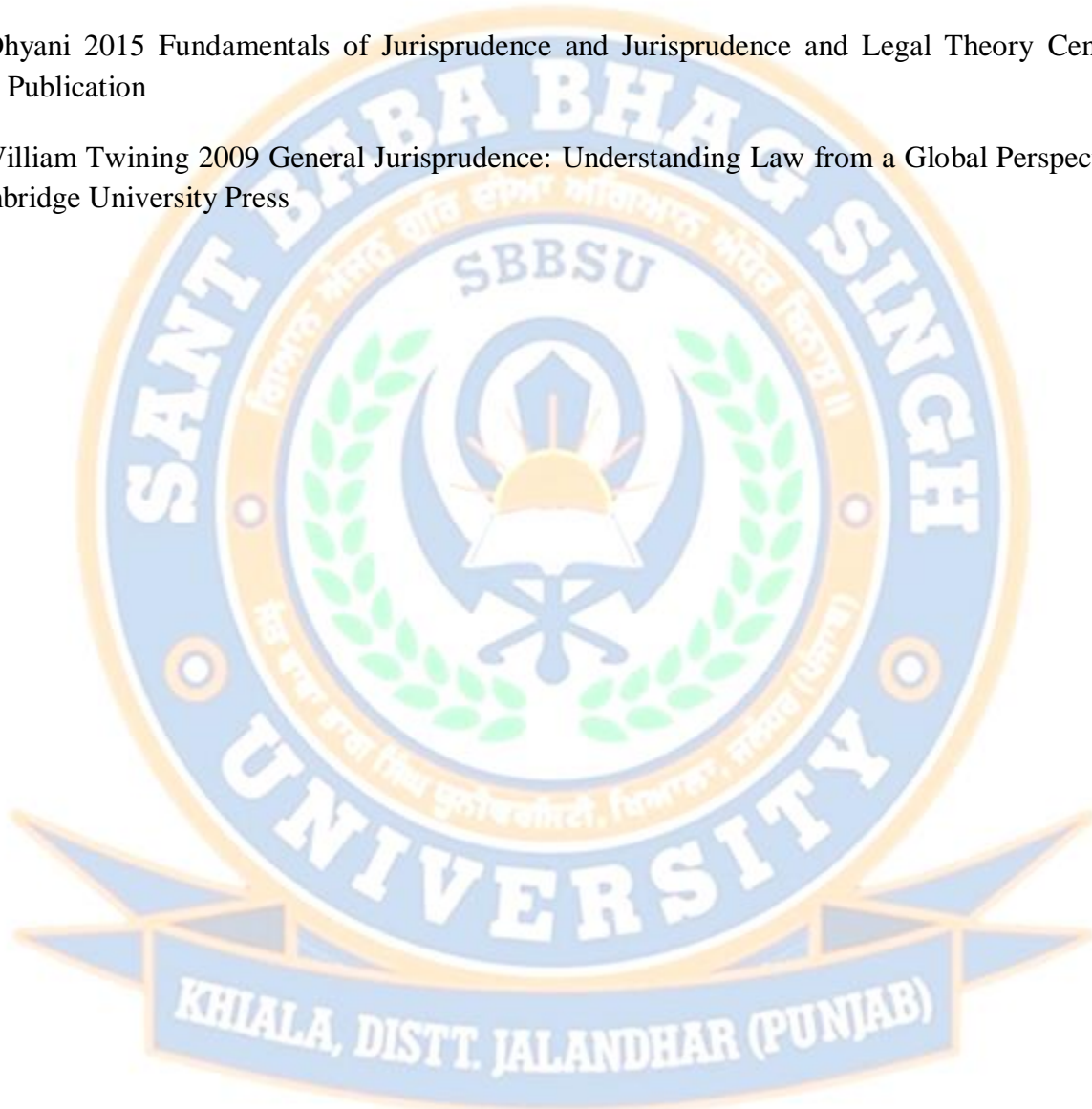
Unit-III Concepts of Law and Legal System Legal Rights and Duties Ownership and Possession Personality Indian Legal System,

Unit- IV Social Control through Law- The Penal Techniques- Preventive Perspective Deterrent Perspective Retributive Perspective Reformatory Perspective, Remedial Techniques,

The Administrative- Regulatory Techniques The Constitutive Techniques The Conferral of Social Benefits Techniques.

Suggested Readings

1. R.W.N. Dais 1994 Jurisprudence 5th ed Aditya Books Private Ltd. NewDelhi,1994.
2. W. Friedman 1967 Legal Theory 5th ed. London Stevens & Sons
3. Dhyani 2015 Fundamentals of Jurisprudence and Jurisprudence and Legal Theory Central Law Publication
4. William Twining 2009 General Jurisprudence: Understanding Law from a Global Perspective Cambridge University Press



LAW503: RESEARCH METHODOLOGY AND LEGAL WRITING

Course Objective:

To familiarize the scholars with tools, techniques and methods of research and to equip them with data collection, analysis, interpretation and report writing techniques

Course Outcomes:

1. To understand the overview of research.
2. To understand Qualitative Research Design
3. To Understand Review of Literature
4. To understand parametric and Non-Parametric Tests
5. To understand various Techniques

Unit-I : Introduction to Research: Definition and Meaning of Research, Objectives, Motivation and Significance of Research ,Scientific Methods of Research: Characteristics of Scientific Method , Types of Research – Theoretical vs. Empirical, Descriptive vs. Analytical, Fundamental vs. Applied, Quantitative vs. Qualitative and other types like Historical and Action Research.

Unit-II: Understanding Legal Research: Definition and Meaning of Legal Research - Objectives of Legal Research, Motivation for Legal Research, Significance of Legal Research, Logic and Research, Induction and Deduction Method in Scientific Research. Criteria for a Good Legal Research Report, The Problem of Plagiarism, Citation Methods: Footnotes, Endnotes, References and Bibliography, Citation Styles: MLA Handbook Format, Blue Book Citations.

Unit-III: Methods of Legal Research: Doctrinal or Traditional Research Methods - Meaning of Doctrinal Research, Characteristics of Doctrinal Research, Merits and Demerits of Doctrinal Research in Law, Non-Doctrinal or Empirical Legal Research - Meaning of Non-Doctrinal Research, Features and Characteristics of Non-Doctrinal Research, Merits and Demerits of Non-doctrinal Research in Law, Survey Method: Census and Sample Survey, Case Study Method, Historical and Ethnographic Methods

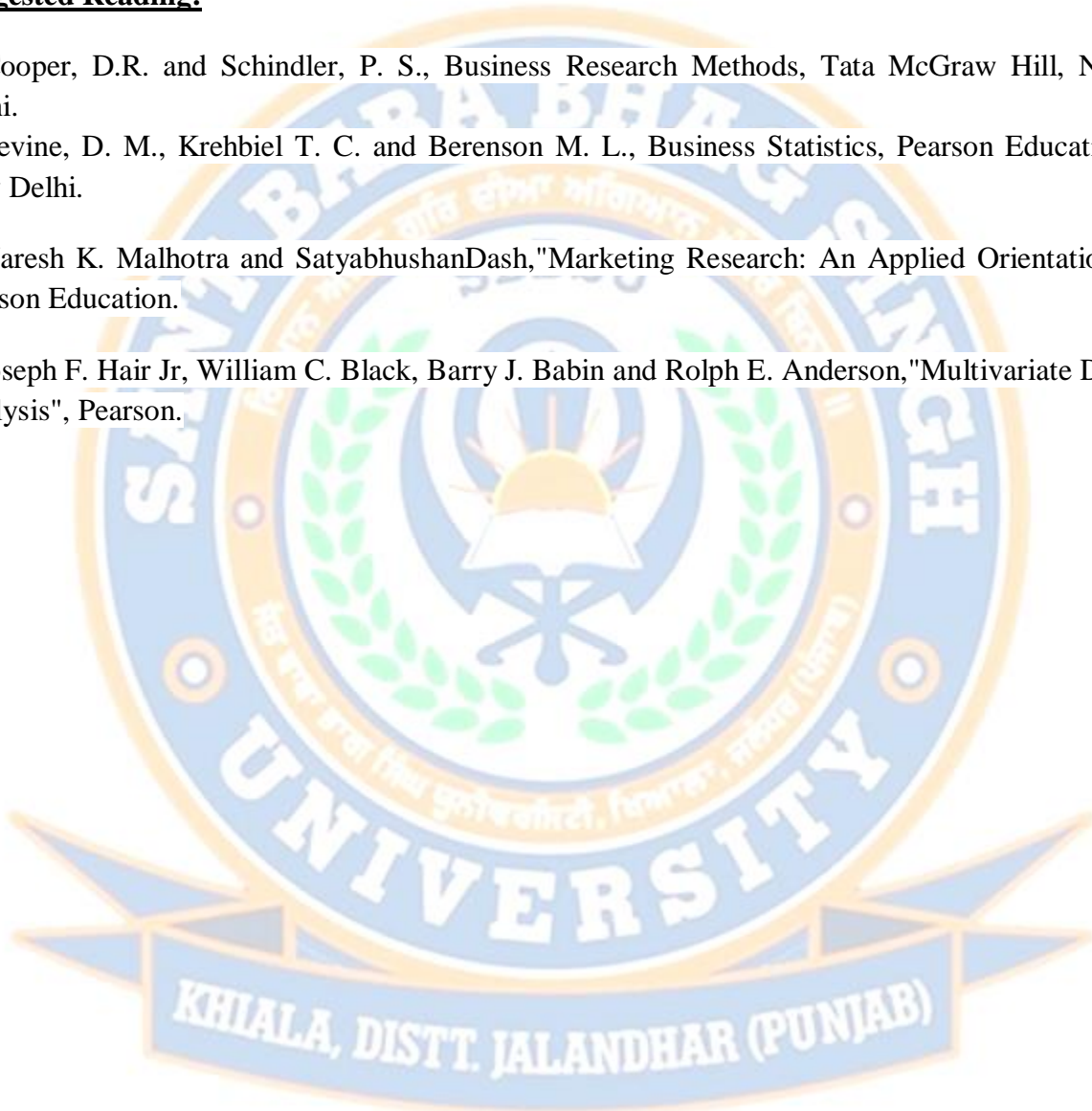
Unit-IV: Major Steps in Legal Research: Research Problem: Identifying and defining the Research Problem, Steps in Problem Formulation, Significance of Research Problem, Rationale of Study, Review of Literature and Identification of Research Gaps, Significance of Review of Literature, Steps involved in Review of Literature, Formulation of Objectives, Hypothesis: Meaning and Importance of Hypothesis, Formulation of Hypothesis, Types of Hypothesis in Legal Research, Sources of Hypothesis, Characteristics of a Good Hypothesis,

Research Design: Meaning and Significance of Research Design, Working out a Research Design, Types of Research Design, Data Collection in Doctrinal Research: Meaning of Data, Types of Data, Primary and Secondary Sources of Data; Data Analysis, Data Interpretation and

Drawing of inferences, Data Collection in Non-Doctrinal Research: Primary and Secondary Sources of Data, Meaning of Universe, Population and Sample, Importance of Sampling, Types of Sampling, Difference between sampling method and census method, Methods of Data Collection in Non-Doctrinal Research: Questionnaires and Schedules, Observation, Interview, Group Discussion, Focused Group Discussion, Analysis and Interpretation of Data in Non-Doctrinal Research

Suggested Reading:

1. Cooper, D.R. and Schindler, P. S., Business Research Methods, Tata McGraw Hill, New Delhi.
2. Levine, D. M., Krehbiel T. C. and Berenson M. L., Business Statistics, Pearson Education, New Delhi.
3. Naresh K. Malhotra and SatyabhushanDash,"Marketing Research: An Applied Orientation", Pearson Education.
4. Joseph F. Hair Jr, William C. Black, Barry J. Babin and Rolph E. Anderson,"Multivariate Data Analysis", Pearson.



LAW502: INTERPRETATION OF STATUTES

Course Objective

1. Enacted laws are the major source of modern legal system. Though Legislation is enacted after much deliberation so there is a little scope for interpretation but still at certain instances Judiciary explores the intention behind the statutes and construes certain words phrases and expression.
2. In their attempt of construing the same the Courts have developed certain rules, doctrines and principles of interpretation.
3. The objectives of the course are to make students familiar with the doctrines, rules and principles of interpretation.

Course Outcome

- The Students will:-
1. Comprehend what are the strategies received by courts in interpreting rules and the significance of the law making process in the current setting;
 2. What are the issues to be dealt with by law making body while ordering laws?
 3. Comprehend and investigate the legal translation, development of words, expressions and articulations

Unit – I Principles and Methods of Interpretation- Statute – Meaning, Nature and Classification, Interpretation: History, Meaning and Object of Interpretation, Elementary Principles of Interpretation and Construction of Statutes, Maxims of Statutory Interpretation:

- a- Ejusdem Generis
- b- Noscitur A Sociis
- c- Expressio Unius Est Exclusion Alterius
- d- Ut Res Magis Valeat Quam Pereat
- e- Contemporanea Expositio

Unit- II Methods of Interpretation - Literal Meaning Rule ,Golden Rule, The Mischief Rule, Harmonious Construction of Statutes, Literal and Beneficial Construction, Remedial and Penal Statutes- Meaning and Distinction, Liberal Construction of Penal Statutes, Strict Construction of Penal Statutes.

Unit – III Internal Aids to Interpretation a- Short Title, Long Title, Preamble, Marginal Notes, Headings, b- Definition of Interpretation Clauses, Provisions, Illustrations, Explanations c- Provisos, Exceptions and Saving Clauses, d- Punctuations Marks and Schedules

Unit-IV External Aids and Interpretation of Specific Statutes- a- Dictionaries, Text Books, b- Historical Background, Legislative History c- Use of Foreign Decisions, d- Administrative Conveyancing and Commercial Practice. e- Statute and Pari Materia. Interpretation of

Constitution: a- Doctrine of Pith and Substance b- Doctrine of Colourable Legislation c- Doctrine of Sovereignty d- Doctrine of Eclipse

Suggested Reading

1. Langan, P. St. J. : Maxwell on The Interpretation of Statutes.
2. Sarathi, V.P. : Interpretation of Statutes (EBC).
3. Edgar, S.G.G. : Craies on Statute Law
4. Katju, Markandey: K. L. Sarkar's Mimansa Rules of Interpretation
1. G. P. Singh 1999 Principles of Statutory Interpretation (7th Edition Wadhwa, Nagpur)



OPTIONAL GROUPS

GROUP A: CONSTITUTIONAL AND ADMINISTRATIVE LAW

CAL- 01: INDIAN CONSTITUTIONAL LAW: THE NEW CHALLENGES

Course Objectives:

The Constitution, a living document, is said to be always in the making. The judicial process of constitutional interpretation involves a technique of adapting the law to meet changing social mores. Constitution being the fundamental law, an insight into its new trends is essential for a meaningful understanding of the legal system and processes. The postgraduate students in law who had the basic knowledge of Indian Constitutional Law at graduate level, should be exposed to the new challenges and perspectives of constitutional development while they are allowed to choose an area of law for specialization. Obviously, rubrics under this paper require modification and updating from time to time.

Course Outcomes:

1. Understand and interpret Constitution to address the emerging complex issues;
2. Explore the various functional theories, doctrine and Constitutional principles working in the backdrop and its interplay with the emerging issues; and
3. Examine the boundaries, limitations, of the Constitution from different perspectives and explore the possible approaches of interpretation and understanding from the perspective of Law and Justice.

Unit-I Federalism

Creation of new states, The inter-state disputes on resources, Centre's responsibility and internal disturbance within States, Federal Comity : Relationship of trust and faith between Centre and State, Special status of certain States, Tribal Areas, Scheduled Areas. Definition of state, Need for widening the definition in the wake of liberalization.

Unit-II Democratic process

Nexus of politics with criminals and the business, Election, Election commission: status, Electoral Reforms, Coalition government, 'stability, durability, corrupt practice' Grass root democracy.

Unit-III Emerging regime of new rights and remedies

Reading Directive Principles and Fundamental Duties into Fundamental Rights Compensation jurisprudence Right to education, Commercialization of education and its impact, Brain drain by

foreign education market, Right of minorities to establish and administer educational institutions and state control.

Unit-IV Separation of powers stresses and strain

Judicial activism and judicial restraint, PIL: implementation, Judicial independence, Appointment, transfer and removal of judges, Accountability: executive and judiciary, Tribunals.

Suggested Reading:

1. Dr.Subhash C. Kashyap, Our Constitution-An Introduction to India's Constitution and Constitutional Law, 5th edition reprint 2014.
2. G.C.V Subbarao, Legislative powers in Indian Constitutional Law.
3. Glanville Austin, The Indian Constitution: Cornerstone of a nation, Delhi; Oxford University Press.
4. H.M. Seervai, Constitutional Law of India – Vol.I&II
5. K.C.Wheare, Federal Government.
6. K.P. Krishna Shetty, the Law of Union-State Relations and Indian Federalism.
7. K.Subba Rao, the Indian Federation.
8. Kabbur, A.S. Centre-State Relations in India, New Delhi: Trust Books, 2004
9. Keith A.B. , Constitutional History of India
10. L.M Singhvi, Union-State Relations in India
11. M.P.Jain, Indian Constitutional Law.
12. M.V Pylee, Constitutional History of India

CAL-02: LOCAL SELF GOVERNANCE AND DIRECT DEMOCRACY

Course Objectives:

With the introduction of the Constitution Seventy third and Seventy fourth amendments, India is moving towards the ideal of direct democracy endowing the local bodies with powers of administration in matters of regional and local importance. This change has added new vistas of Indian democracy and it offers an opportunity to translate the Gandhian concept of Gram Swaraj into practice. Necessarily, a person specializing in administrative law has to be equipped with the knowledge on the working of early systems, the present constitutional scheme, and the legislative powers of the State transferring responsibility to local bodies and on the increasing regulatory and financial powers of the local bodies. The nature of the democratic functioning of these elected bodies and the scope of administrative control as well of the judicial control over them are challenging areas for students of administrative law to evaluate and help the formulation of new and pragmatic working methods.

Course Outcomes:

1. To understand the introductory aspects, the historical and philosophical background for the Local Self-Government.
2. To discuss the Constitutional scheme for the local self-government.
3. To explain the structure, powers and functions of the urban local self government.
4. To discuss the issues of decentralization and grass- root planning of the local self-government.
5. To analyze the modern dimensions of local self government.

Unit-I Introduction

1. Historical Perspectives: Early period, Gram Swaraj-the Gandhian concept
2. Constitutional Scheme: Directive Principles, Structure and powers of local bodies
3. Legislative Powers: Direct democracy and grass root planning, Municipalities and corporation, gram Sabha
4. The Balwantrai Mehta committee report, 1957; The Ashok Mehta Committee Report, 1977; GVK Rao committee report, 1985,etc.

Unit-II Constitutional Scheme

1. Federalism in India and Local Self Government
2. Directive Principles of State Policy - Art. 40
3. 73rd and 74th Constitutional Amendments
4. Schedules XI and XII of the Constitution
5. Second Administrative Reforms Commission
6. Sarkaria Commission, Punchhi Commission and Local Governments

Unit- III Rural Local Government

1. Gram Sabha- Meaning, importance, functions, meetings, Social Audit, Nyaya panchayat
2. Gram Panchayat-Introduction, composition, functions, Sarpanch, Powers and functions of Sarpanch
3. Block Panchayat-Introduction, Composition, functions, Chairman-powers and functions
4. Zilla Panchayat-Introduction, composition, functions
5. Financial administration-devolution of financial powers, Composition of State Finance commission

6. State Control over PRIs

Unit- IV urban Local Government

1. Municipal Corporation-Organization and functions; Municipal Council; Mayor-functions and powers; committee-wards committees, district planning committee, Metropolitan planning committee; Municipal Commissioner- appointment, tenure, powers and functions

2. Cantonment Boards; Special purpose urban development agencies

3. Municipal Finance; State control and supervision

Suggested Reading:

1. Ivor Jennings, Law and the Constitution
2. Jain & Jain, Principles of Administrative Law (1986), Tripathi, Bombay
3. Joshi, R.P., Narwani, G.S., Panchayat Raj in India: Emerging Trends across the States (Rawat Publications), Hyderabad, 2011
4. Khanna, B.S: Panchayati Raj in India- National Perspectives and State Studies (Deep and Deep Publications), New Delhi, 1994.
5. M. Venkatarangaiya& M. Pattabhiram, Local Government in India (1969) Allied, New Delhi
6. Neville L. Brown and J.F. Garner, French Administrative Law
7. RadhakumudMookerji, Local Government in Ancient India (1985), Daya Publishing Delhi.

CAL- 03: FUNDAMENTAL RIGHTS AND DIRECTIVE PRINCIPLES

Course Objectives:

The paper deals with the meaning, nature and evolution of fundamental rights. It deliberates on the right to equality and its various dimensions along with the idea of reservation through significant case laws. It will also explain and examine the various facets of the ‘right to freedom’; ‘rights of accused persons’; ‘protection of life and personal liberty’ and ‘religious and minority rights’, the concept of judicial review and constitutionality of statutes and the underlying philosophy of Directive Principles of State Policy and its relation to Fundamental Rights. It seeks to explore the interdependence between the two and constitutional remedies

Course Outcomes:

1. Explain and interpret the various facets of fundamental rights

2. Explain and analyze the right to equality and ambit of right to freedom
3. Examine the meaning and scope of life and liberty
4. The concept of judicial review and constitutionality of statutes

Unit-I Forms of Fundamental Rights

1. Rights to Equality: Reasonable Classification, Wednesbury's Principle, Legitimate

expectation, Doctrine of proportionality and Administrative discretion, Equality under personal laws

2. Equality of Opportunity in public employment: Mandal Commission Case, Protective Discrimination
3. Right to Freedom and Reasonable restrictions
4. Right to Life and Personal Liberty: Changing dimensions of Right to Privacy, Pre and Post Maneka Gandhi case
6. Freedom of Religion and Secularism

Unit-II Directive Principles of State Policy and their Unenforceability

1. Development and Importance of Directive Principles of State Policy and their Unenforceability
2. Inter-relationship between Fundamental Rights and Directive Principles
3. Emerging Regime of New Rights and Remedies under the Garb of Fundamental Rights – Use of DPSP and International Instruments in Interpreting FRs.
4. Significance of Fundamental Duties

Unit-III Judicial Review OF Fundamental Rights and Directive Principles

1. Right to Property: Present Position
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2. Exceptions to Fundamental Rights (Arts.31-A, 31-B and Ninth Schedule)
 3. Right to Constitutional Remedies (Writs) and Public Interest Litigation
 4. Judicial Review of FRs and DPSP: Concept of Socio-Economic Justice
 5. Amendment to FRs and DPSP (Shankari Prasad to I.R.Coelho's Case)

Unit-IV Right to Constitutional Remedies

Writ Jurisdiction of Supreme Court and High Court Article 32 and 226 of the Constitution of India - Habeas Corpus, Mandamus, Prohibition, Certiorari and Quo-Warranto.

Suggested Readings

1. H.M. Seervai, Constitutional Law of India – Vol. I &II
2. V.N.Shukla , Constitution of India
3. Subhash C Jain, The Constitution of India
4. D.D. Basu, Commentaries on Constitutional Law of India, Vol. A to E
5. M. Hidayatullah (Ed.), Constitution of India.
6. M.P.Jain, Indian Constitutional Law.
7. SubbaRao G C, V Indian constitutional law

CAL- 04: MEDIA LAW

Course Objectives:

Media often referred to as the fourth state, plays an important role in creating and molding public opinion and strengthening society. A free and an independent press is a sine qua non in a democratic form of government. It acts as a watchdog and maintains checks and balances the relationship between the State and its citizens. The study of media law is very important for students of law as it gives them an insight into the legal, ethical and regulatory framework governing media in India. With the developments in the field of information and communication technologies many issues and challenges are coming to the fore. The course is designed to give an insight into the various facets of media and examines the legal and regulatory framework governing media in India.

Course Outcomes:

1. Explain the concept, types, theories and organizational set-up of Media; And historical background of the freedom of Press and broadcasting in India.
2. Examine the constitutional framework in relation to freedom of speech and expression, freedom of press, right to privacy; the importance and necessity of media ethics and journalistic integrity.
3. Analyze the issues raised and the principles laid down in the judgments of the courts in the realm of media law.

4. Explain and analyze the legal, ethical and regulatory framework governing Media in India.

Unit-I Freedom of Speech and Expression of Media under Indian Constitution

(a). Freedom of Speech and Expression under Preamble, Freedom of the press as enshrined in article 19(1) (a) of Indian Constitution

(b). Restrictions on Freedom of Press, Parliamentary Privileges and Freedom of Speech & Expression of Media

(c). Parliamentary Privileges under Indian Constitution & 42th Amendment and 44th Amendment

(d). Censorship of Press, Censorship of Films, its Constitutionality,

Unit-II Freedom of Speech & Expression and Social Media

(a). Freedom of Speech and Expression of social media under Indian Constitution

(b). Freedom of Speech and Expression of social media and The Information Technology Act, 2000.

(c). Misuse of social media and its regulations

(d). Social Media and Right to Privacy

Unit-III Freedom of Speech & Expression and Electronic Media

(a). Airwaves and Government Control, Public Policy Issues on Airwaves,

(b). Open Skies Policy, Licensing issues in Broadcast Sector

(c). Cable T.V. Networks (Regulation) Act, 1995

(d). 2 G Spectrum case

Unit-IV Contempt of Court and Media

(a). Contempt: a 'reasonable restriction' on freedom of speech: Article 19(2)

(b). Criminal Contempt: Section 2(c) of The Contempt of Courts Act, 1971

(c). Balancing of Two Competing Democratic Values: The right to free speech and the right of criticism

Suggested Reading:

1. Ursula Smartt, Media and Entertainment Law, Routledge
2. Roy L Moore, Mass communication Law and Ethics
3. Perry Keller, European and International Media Law, Oxford
4. Sallie Spilsbury, Media Law, Cavendish
5. Frank Leishmann, Policing and the Media, Lawman
6. Roger L Sadler, Electronic Media Law, Sage
7. Sebastian Paul, Forbidden Zones; law and media
8. Jaya Patil, Mass media: support for rural development

CAL- 05: ADMINISTRATIVE LAW

Course Objectives:

The objective of studying Administrative law is to understand the nature of the administration and the role of law. Earlier, the functions of the state were so defused and were dealing with sporadic issues such as policing and protection from external aggression. There is a sea change in the philosophy of governance of the state and there is a paradigm shift from laissez faire to welfare state. The welfare state is now to show concern for every issue of the subjects almost from cradle to grave. It proliferates into every aspect of life. The three wings of the state established under the Constitution functions to ensure welfare of the subjects. Therefore, administrative law has evolved into a separate branch of law taking into its fold complex and intricate issues and exercising fundamental principles of law and justice. Its rapid growth in the 20th century is regarded as the most significant development in the field of law. It deals with the adjective form of the legal framework governing public administration and the principles to control executive power to avoid arbitrariness.

Course Outcomes:

1. Identify the nature, scope, necessity and development of Administrative Law.
2. Analyze the working of the administrative adjudication system and control mechanism of administrative discretionary power
3. Analyze the working of the administration vis-à-vis rights of citizens
4. Provide a critique of the remedies available against administrative actions
5. Examine the role and liability of public undertakings in the light of privatization.

Unit I: Growth and Development of Administrative Law

1. Nature, Importance and Scope of Administrative Law
2. Droit Administratif
3. The Concept of Rule of Law

4. The Doctrine of Separation of Power

Unit II: Delegated Legislation

1. Importance and Need of Delegated Legislation

2. Permissible limits of D.L. with special reference to UK, USA and India

3. Legislative Control on DL with special reference to UK and India

4. Judicial Control on DL: Procedural Ultra vires and Substantive Ultra vires

Unit III: Natural Justice

1. Concept of Natural Justice

2. Rule Against Bias

3. Audi Alteram Partem

4. Doctrine of Legitimate Expectation

Unit IV: Administrative Adjudication

1. Need Impotency for Administrative Adjudication

2. Efficacy of Tribunals as an alternative institutional mechanism with special reference to CAT, NGT etc.

3. Terms and condition of service, tenure of office – the doctrine of pleasure its extent and limitations and exceptions Administrative Adjudication –Exclusion clause and Administrative Tribunals.

Suggested Reading:

1. De Smith - Judicial Review of Administrative Action, 6th Revised Edition 2006, Sweet and Maxwell Publication.
2. H.W.R. Wade and C.F. Forsyth - Administrative Law, 10th Edition 2009, Publication-Oxford University Press,New York.
3. I. P. Massey - Administrative Law, 7th Edition 2008. Publication-Eastern Book Company, Luck now.
4. Jain, M.P, Cases and Materials on Indian Administrative Law, Nagpur: LexisNexis, India.
5. M. P. Jain & S. N. Jain, Principles of Administrative Law, Nagpur: LexisNexis, India, 2010.

6. S. P. Sathe - Administrative Law, 7th Edition 2006. LexisNexis, Butterworths Publication.

CAL- 06: CONSTITUTIONALISM, PLURALISM AND FEDERALISM

Course Objectives:

Constitutionalism essentially means a limited government. Where the government functions according to certain principles, it is said to be abiding by constitutionalism. In ancient India, the king was supposed to act according to dharma. He was not absolute in the sense in which John Austin defined sovereignty. Constitutionalism may therefore be determined by a written constitution or by religion or tradition or by mere practice or convention as in England. In a plural society, where different religious as well as linguistic groups have to live together, various rules of accommodation and mutual recognition are incorporated in the Constitution. Usually these are contained in the bills of rights which contain guarantees of individual liberty and equality against majoritarian rule. The purpose of this paper is to provide exposure to the students to various models of pluralism and forms of constitutional governments and federal structures.

Course Outcomes:

1. To understand the meaning and concept of constitutionalism, pluralism and federalism.
2. To establish a plural form of constitutional governments wherein all communities exist with unity and integrity.
3. Providing an ambience environment for mutual understanding and recognition of cultural differences of people.

UNIT – 1 Constitutionalism

Authoritarianism –Dictatorship, Democracy –Communism, Limited Government concept
Limitations on government 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 and India, Separation of powers: Montesquieu, Rule of law: Concept and new horizons

UNIT – II Pluralism

What is a pluralistic society, Ethnic, linguistic, cultural, political pluralism, individual rights – right to dissent, Freedom of speech and expression, Freedom of religion, Freedom of association, Rights of the religious and linguistic minorities.

UNIT – III Equality in plural society

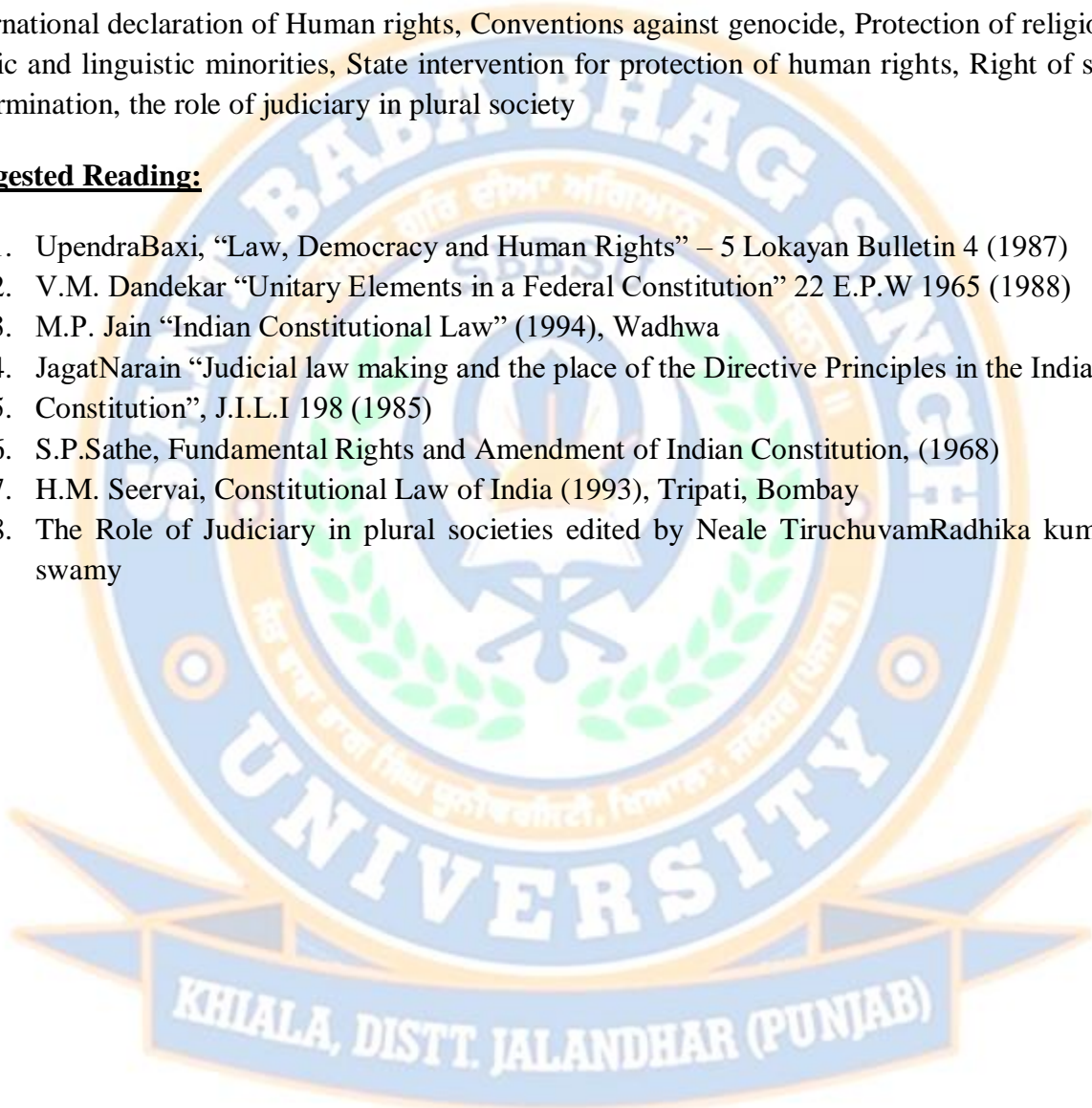
Right to equality and reasonable classification, prohibition of discrimination on ground of religion, caste, sex, language, compensatory discrimination for backward classes, Women-rights to equality and right to special protection, Abolition of untouchability, Secularism – constitutional principles, Scheduled Tribes, District Identity – protection against exploitation, Tribal Group and Equality.

UNIT – IV Pluralism and International concern

International declaration of Human rights, Conventions against genocide, Protection of religious, ethnic and linguistic minorities, State intervention for protection of human rights, Right of self-determination, the role of judiciary in plural society

Suggested Reading:

1. UpendraBaxi, “Law, Democracy and Human Rights” – 5 Lokayan Bulletin 4 (1987)
2. V.M. Dandekar “Unitary Elements in a Federal Constitution” 22 E.P.W 1965 (1988)
3. M.P. Jain “Indian Constitutional Law” (1994), Wadhwa
4. JagatNarain “Judicial law making and the place of the Directive Principles in the Indian Constitution”, J.I.L.I 198 (1985)
5. S.P.Sathe, Fundamental Rights and Amendment of Indian Constitution, (1968)
6. H.M. Seervai, Constitutional Law of India (1993), Tripathi, Bombay
7. The Role of Judiciary in plural societies edited by Neale TiruchuvamRadhika kumara swamy



GROUP B: CORPORATE AND COMMERCIAL LAW

CCL- 01: CORPORATE MANAGEMENT AND GOVERNANCE

Course Objectives:

Corporate governance is the set of processes, customs, policies, laws and institutions affecting the way a corporation is directed or controlled. Emergence of corporate social responsibility affecting all the stakeholders seeks to make the corporations socially responsible. The course aims at providing basic idea about corporate governance and its implications on society and legal system. It focuses on distinct approaches to corporate management; assess the role of various strategists in corporate management. It also identifies factors leading to the need of corporate management and helps them to analyse the different approaches in corporate management practices adopted by various corporations in their activities and processes.

Course Outcomes:

1. To equip legal professionals with specialized knowledge.
2. To inculcate the skills needed to navigate the complex legal landscape of business management and contribute to the strategic decision-making process within organizations.
3. To understand the combined legal theory with practical applications to prepare students for a variety of roles in business law practice, corporate legal departments, or consulting.
4. To understand the Corporate Social Responsibility and its application.

Unit I: Introduction to Corporate Governance

Corporate governance - meaning, Corporate governance: Shareholder vs. Stakeholder perspective, Development of concept of corporate governance – historical antecedents, Concept of corporate governance and stakeholders, Principles of corporate Governance – OECD principles, Corporate Governance Committees Reports

Unit II: Management

Position of Directors under Companies Act 2013- Independent directors, Nominee directors, woman director, SEBI regulation and recommendations relating to board, Corporate Fraud and crimes-setting up responsibilities of directors- Introduction to SFIO, Corporate Succession, Board composition, Case Studies, International perspective on Corporate Governance and position of directors. Whistleblower policies in board – with reference to Companies Act 2013 and Whistle blower Protection Act, 2014. Director's responsibility for framing, implementing and monitoring the risk management plan for the company

Unit III: Auditors and Other Disclosures

Position of auditors, role and responsibilities of statutory auditors as set in Companies Act 2013 and clause 49, Audit Committee- composition and role, Related Party Transactions (“RPT”), Subsidiary Company disclosure, compulsory auditor rotation, appointment and removal of auditors, Auditors right to representation before shareholders meeting.

Unit IV: Corporate Social Responsibility and Winding up of Companies

CSR- meaning and definition, its effect on investors, Corruption, Regulatory Framework, Ethics and social responsibility of companies, Relationship of CSR and Environment Modes of Winding up of Companies, Compulsory Winding up by Order of the Tribunal, Voluntary winding up

Suggested Reading:

1. Gower’s Principles of Company Law 8th Edition 2008, R. Cambray & Co. Pvt.Ltd.
2. Smith and Keenan’s, Company Law (2002).
3. Avtar Singh, Company Law, 16th Edition, 2015.
4. J. Sarkar, S. Sarkar, Corporate Governance in India, 2012, Sage Publications India
5. A.C Fernando, Corporate Governance: Principles, Policies and Practices, 2nd Edition 2011.
6. R.I. Rob Tricker, Corporate Governance: Principles, Policies and Practices, 3rd Edition 2015.
7. S. K. Verma & Suman Gupta, Corporate Governance and Corporate Law Reform in India.(2005)

CCL- 02: BANKING AND INSURANCE LAW

Course Objectives:

The course aims to equip students with skills to work as legal advisors to banking and financial Companies, train students in identifying legal issues and challenges faced in the Banking sector that needs further research, discuss and analyse important principles governing Banking sector, familiarize students with the working of the banking sector especially transactions that require legal assistance. As far as Insurance law is concerned, this course equips students to understand the practical application of contract of indemnity incorporated as an insurance policy. This course aims to impart analytical skills and equip the students with the basic problems concerning law of banking and insurance and the possible solutions.

Course Outcomes:

1. To draft arguments for and against Banking and Non-Banking Financial Companies, undertaking research projects related to banking related law and policies.
2. To attain knowledge on the development of insurance sector in India.
3. The students will gain knowledge on the factors for growth of insurance sector in India. the student will be able to appreciate the inevitable relationship between risk and insurance.

Unit-I Banking Law

1. The evaluation Banking Services and Historical Background in India

i History of Banking in India

ii Bank Nationalization and Social Control over Banking

iii Various Types of Banks and their Functions

iv Contract between Banker and Customer: their Rights and Duties

UNIT – II Lending by Banks and Recent Trends of Banking System in India

1. Advances, Loans and Securities. 2. Direct, collateral and miscellaneous Securities. 3. Default and recovery. 4. Bank Debt Recovery Tribunals. 5. The Securitization and Reconstruction of Financial Assets and Enforcements of Security Interest Act, 2002 (Definitions, Section 13 – Enforcement of security interest, Section 17 - Right to appeal.) 6. Regulatory Framework of Banks : Constitution, Objectives, Functions & powers of RBI

UNIT – III General Principles of Law of Insurance

1. Definition, nature and history. 2. Contract of insurance and principles. 3. The Risk – commencement, attachment, assignment. 4. Types of insurances. 5. Policy and its Legal Status.

UNIT – IV Recent Trends in Insurance

1. Insurance against third party risks (relevant provisions from Motor Vehicles Act, 1988.) 2. Liability Insurance. 3. Consumer Protection and Banking and Insurance Services. 4. The Insurance Act, 1938 and the Insurance Regulatory & Development Authority Act, (IRDA), 2000. 5. Miscellaneous Insurance Schemes: New Dimensions (Group Life Insurance, Mediclaim, Sickness).

Suggested Reading:

1. Banking and Insurance Law and Practice, Institute of Company Secretaries of India, Taxmann Publishers, 2010
2. M.N. Mishra, Law of Insurance, Central Law Agency, 9th Edition, 2012
3. Jyotsana Sethi&Nishwar Bhatia, Elements of Banking and Insurance, PHI Publishers, 2nd Edition, 2013.
4. Murthy, K.S.N., and Sarma, K.V.S., Modern Law of Insurance in India, LexisNexis Butterworth, 2002

CCL- 03 COMPETITION LAWS

Course Objectives:

This course is designed to provide an introductory overview of the main principles of competition law and their application in today's global economy and thus provide a solid background for further studies of this subject. Students will explore various aspects of competition law, including abuse of a dominant position, anti-competitive agreements, merger control, state aids and topical issues related to competition compliant business strategy in the current economy.

Course Outcomes:

1. To Identify Competition Law and its role in the economic development.
2. To understand the role of Anticompetitive agreements, cartels.
3. To explain the abuse of Dominant Position in competition Law.
4. To analyze how and when combination is to be allowed or combination may be prohibited.
5. To elaborate the emerging trends in Competition Law and Policy.

Unit:I Development of law from MRTP to Competition Act 2002

a. Aims, Objects and Salient features b. Comparison between MRTP Act and Competition Act c. Anti-Competitive Agreement d. Abuse of Dominant Position e. Combination f. Protection of consumers

Unit-II Competition Commission of India

a. Structure and function of CCI b. Regulatory role

Unit-III Competition Appellate Tribunal

a. Composition, Functions, Powers and Procedure b. Award Compensation c. Power to punish for contempt d. Execution of orders

Unit-IV Other Related Issues

a) Competition Advocacy, b) Advertisement and Competition Law, c) IPRs and Competition, d) Educational Initiative and other Contemporary issues

Suggested Reading:

1. Vinod Dhall , Competition Law Today: Concept Issues and Law in Practice, Oxford University Press, 2007
2. T. Ramappa, Competition Law in India- Policy, Issues and Development Oxford University Press, 3rd Edition, 2013
3. D.P. Mittal, Taxmann's Competition Law and Practice, 3rd Edition , 2007.

4. Abir Roy & Jayant Kumar, Competition Law in India (Eastern Law House, New Delhi, 2nd Edn. 2018).
5. Srinivasan Parthasara, Competition Law in India, (Kluwer Law International B.V. 4th Edn. 2017).

CCL- 04: LAW ON SECURITIES AND FINANCIAL MARKETS

Unit-I Overview of Capital and Financial Markets Capital Market

Introduction, meaning and significance, Investors and companies, Securities laws and regulatory framework governing Indian capital market, Financial Market: Introduction, meaning and significance, Financial reforms and present scenario, Regulatory authorities governing financial market.

Unit-II SEBI Act, 1992 & The Foreign Exchange Management Act, 1999

Objective, Powers and Functions, Appellate Tribunal, Appeals, Appearances.

Unit-III The Depositories Act, 1996

Definitions, setting up depositories, its type, role, functions, Admission of securities, Dematerialization v rematerialisation, Depository process, Inspection and penalties, Internal audit, concurrent audit of depository participants.

Unit-IV Other Related Laws

Limited Liability Partnership, Venture capital, Mutual Fund, Foreign Direct Investment, Foreign Trade (Development & Regulation) Act, 1992,

CCL- 05 MERGERS AND ACQUISITIONS

Course Objectives:

Business restructuring is an integral part of the new economic paradigm. As controls and restrictions give way to competition and free trade, rationalism and reorganization are a necessary concomitant. This trend is the natural outcome of the liberalized economic and trade policy being advocated and pursued the world over. Through adoption of such strategies corporate adjust themselves to the highly volatile business and economic scenario in order to enhance or at least maintain their competitiveness. Thus, the rationale for business combinations, acquisitions, mergers, demergers, amalgamations co-exists without any contradictions.

Course Outcomes:

1. Understand the practical and procedural aspects related to Mergers and Acquisitions in India.
2. Identify the concepts related to corporate restructuring that have been added in the New Companies Act 2013.

Unit I. Corporate Restructuring

1. Corporate Structure - Basic Concepts
2. Corporate Restructuring - Meaning, Nature and Scope
3. Need for Corp. Reconstruction
4. Kinds – Organic, Non-Organic
5. Modes of Corp. Reconstruction
6. Corporate Strategies - Meaning and Need – Kinds

Unit II Non-Organic Reconstruction

1. Reconstruction- Meaning, Concept & Need
2. Compromise & arrangements – Meaning and Scope
3. Kinds of Merger/Amalgamation - Cogeneric Mergers - Conglomerate Mergers
4. Economic aspects of Mergers/Amalgamation
5. Human aspects of Mergers/Amalgamation

Unit III: Mergers & Amalgamation

1. Legal & Regulatory framework – Companies Act
2. Changes as per the 2013 Act
3. Procedural Aspects, Requirements
4. Powers of Tribunal to sanction/modify schemes
5. Merger or Amalgamation of Certain Companies and Amalgamation of companies in Public Interest

Unit IV. Corporate Demergers and Takeovers as Schemes of Arrangement

1. Demerger - Meaning, Nature & Scope - Types of Demerger - Conditions for Demerger
2. Procedure for Demerger
3. Reverse Merger – Features, Procedure
4. Takeover Code 2011 - Meaning, Objects and Kinds - Legal aspects

Suggested Reading:

1. K.R. Sampath; Law and Procedure for Mergers/Joint Ventures Amalgamations Takeovers & Corporate Restructure
2. Dr. K.R.Chandrate; Corporate Restructuring
3. Dr. J.C.Verma; Corporate Mergers Amalgamations & Takeovers-Concept, Practice & Procedure
4. S. Ramanujam; Mergers et al- Issues Implications and Case Law in Corporate Restructuring,
5. ICSI; Handbook on Mergers Amalgamations and Takeovers-Law and Practice
6. Sridharan & Pandian; Guide to Takeovers and Mergers

CCL- 06 INTERNATIONAL COMMERCIAL ARBITRATION

Course Objectives:

International Commercial Arbitration is the burning mode of Alternate Dispute Settlement. The Course shall acquaint the students of the international mode of dispute resolution pertaining to arbitration and other ADR that can be adopted to solve International disputes.

Course Outcomes:

1. Define the nature, development and meaning of ICA.
2. Classify International agreements to arbitration.
3. Apply the role of UNCITRAL MODEL LAW in Arbitration.
4. Analyse the functioning of various International Arbitration Institutions.
5. Appraise the recognition and enforcement of international arbitration awards.

Unit: I Historical Background of the Arbitration

Existing justice delivery system in India: effectiveness and weaknesses, Reform in the legal system for achieving effective and speedy resolution of disputes, Historical background of the arbitration & arbitration agreements.

Unit: II Conduct of Arbitral Proceeding

Composition & jurisdiction of arbitral tribunal, Conduct of arbitral proceeding, Making of arbitral award and termination of proceedings.

Unit: III Arbitral Award and Appealable Awards

Recourse against arbitral award, Finality & enforceability of arbitral award, Appealable orders and miscellaneous provisions

UNIT: IV Foreign Arbitral Awards

Provisions regarding foreign awards and their enforcement; The London Court of International Arbitration; Recognition and Enforcement of International Arbitration Awards

Suggested Reading:

1. N.K. Acharya; Law Relating to Arbitration and ADR; Asia Law House
2. Ashwini Kr. Bansal; Arbitration: Procedure and Practice; LexisNexis
3. S.B. Malik; Commentary on Arbitration and Conciliation Act; Universal
4. Margaret L. Moses- The Principles and characteristics of International Commercial Arbitration

GROUP C: CRIMINAL LAW

CL- 01: CRIMINOLOGY, PENOLOGY AND VICTIMOLOGY

Course Objectives:

Crime and the threat of victimization are inescapable realities of contemporary society. Crime is so common place that prevention and security measures are viewed as natural and necessary precautions in both public and private life. A considerable and growing percentage of public resources are allocated for juvenile delinquency prevention initiatives, law enforcement training and technology, corrections, substance abuse treatment and numerous other aspects of criminal justice.

Course Outcome:

Upon completion of the Criminology, Penology, and Victimology course, students will gain a comprehensive understanding of criminal behavior, its causes, and societal responses. They will analyze the dynamics of the criminal justice system, exploring punishment theories in penology. Additionally, students will delve into Victimology, understanding the impact of crime on individuals and communities. The course aims to equip learners with the knowledge to critically evaluate criminal justice policies, contribute to crime prevention strategies, and empathetically engage with victims. Ultimately, graduates will possess a well-rounded perspective on the complexities of crime, punishment, and victim experiences within the broader context of society.

Unit- I Introduction

1. Criminology

- a) Definition of Criminology - Social, Psychological and Legal approaches
- b) Nature and scope of Criminology

2. Principles of Criminal Jurisprudence

- a) Adversarial (Accusatorial) and Inquisitorial System
- b) Recommendations of Malimath Committee Report- Shift from Co-ordination in Criminal Justice system, from 'justice model' to crime control model'.
- c) How the burden of proof shifts as per the nature of crime?

Unit-II Criminology

- 1. Criminology- Nature, Definition, Scope and Importance
- 2. Police Reforms and role played by Supreme Court

3. Theories of Criminal Etiology: Lombroso and Neo-Lombrosian, Psychoanalytical, Differential Association, Anomie, Critical Criminology with special reference to Labeling, Interactionism and Conflict Theory.
 4. Peace Making Criminology, Post Modern Criminology and Feminist Criminology
 5. Globalization and Crime
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Unit-III. Penology

1. Definition, Nature, Scope and Importance of Penology
2. Concept and Forms of Punishment: From Ancient to Modern
3. Theories of Punishment
4. Capital Punishment
5. Concept of Treatment with Special reference to Prison, Probation and parole

Unit- IV. Victimology

6. Evolution and Growth of Victimology
7. Approaches to Victimology: Positivist Victimology, Radical Victimology and Critical Victimology.
8. Compensation to Victims of Crime in Indian perspective

Suggested Reading:

1. Dutta K.K., Some Aspects of Criminal Law, Law Research Institute, Edition 1997, APH, Publishing House, Darya Ganj, New Delhi -02.
2. Dr. Mrinmaya Chaudhari, Languishing for Justice, A Critical Survey of the Criminal Justice System, DATTSONS, J. Nehru Marg, Sadar, Nagpur.
3. Malik P.L., Criminal Court Hand Book, 18th Edition, Eastern Book Company, 32, Lalbagh, Lucknow -01.
4. Manjula Batra, Protection of Human Rights in Criminal Justice Administration, Deep and Deep Publication, New Delhi.
5. Parvesh K Atri, Readings in Criminal and Criminology, 1st edition 1998, Anmol Publication Pvt. Limited, New Delhi -2
6. Ahmed Siddiqui, Criminology, Problems and Perspectives, 4th edition 1997, Eastern Book Company, Lucknow -01

CL- 02: CRIMINAL LAW IN INDIA

Course Objective:

This course aims to provide a comprehensive understanding of criminal law in India, encompassing its principles, statutes, and procedural aspects. Participants will delve into the Indian Penal Code, Criminal Procedure Code, and other relevant legislations, gaining insights into the intricacies of criminal offenses, their classifications, and corresponding penalties. Emphasizing case analyses and landmark judgments, the course seeks to cultivate a nuanced perspective on legal precedents and evolving jurisprudence. Additionally, participants will explore the roles of key stakeholders, ethical considerations, and contemporary issues within the criminal justice system, fostering critical thinking and a practical understanding of criminal law dynamics in the Indian context.

Course Outcome:

Upon completion of the Criminal Law course in India, students will acquire a comprehensive understanding of the Indian legal system's criminal justice framework. They will demonstrate proficiency in analyzing and interpreting key statutes, landmark judgments, and procedural aspects governing criminal offenses. Participants will develop the ability to assess evidence, apply legal principles, and formulate sound arguments in criminal cases. Additionally, students will gain insights into emerging legal issues, ethical considerations, and the role of stakeholders within the criminal justice system. This course aims to equip learners with the knowledge and skills necessary for effective legal practice, fostering a deep appreciation for justice, fairness, and the rule of law in India.

The Course shall comprise of the following:

Unit-I Crime and Preliminary offences:

Elements of Crime: External and Internal Intention, Negligence, Relevance of Motive, Strict Liability, Joint and Constructive Liability, Attempt, Criminal conspiracy, Abetment

Unit-II. Defences of Crime:

- i) Mistake
- ii) Necessity
- iii) Unsoundness of mind
- iv) Intoxication
- v) Private Defence

Unit-III Offences against Human Body

- i) Culpable Homicide and Murder
- ii) Kidnapping and Abduction

Unit-IV Offences Against Property:

- (i) Theft (ii) Extortion (iii) Robbery (iv) Dacoity

Suggested Reading:

1. Dutta K.K., Some Aspects of Criminal Law, Law Research Institute, Edition 1997, APH, Publishing House, Darya Ganj, New Delhi -02.
2. Dr. Mrinmaya Chaudhari, Languishing for Justice, A Critical Survey of the Criminal Justice System, DATTSONS, J. Nehru Marg, Sadar, Nagpur.
3. Malik P.L., Criminal Court Hand Book, 18th Edition, Eastern Book Company, 32, Lalbagh, Lucknow -01.
4. Manjula Batra, Protection of Human Rights in Criminal Justice Administration, Deep and Deep Publication, New Delhi.
5. Parvesh K Atri, Readings in Criminal and Criminology, 1st edition 1998, Anmol Publication Pvt. Limited, New Delhi -2
6. Ahmed Siddiqui, Criminology, Problems and Perspectives, 4th edition 1997, Eastern Book Company, Lucknow -01

CL- 03: CORPORATE CRIMES

Course objective:

This course aims to provide participants with a comprehensive understanding of corporate crimes, exploring their intricate legal, ethical, and socio-economic dimensions. Students will delve into the various forms of corporate wrongdoing, including fraud, corruption, environmental violations, and white-collar offenses. Through case studies and real-world examples, participants will analyze the impact of corporate crimes on society, stakeholders, and the business landscape. Additionally, the course seeks to equip students with the knowledge and skills necessary to identify, prevent, and address corporate misconduct, fostering a proactive approach to corporate governance and ethical business practices. By the end, participants will have a nuanced grasp of the complexities surrounding corporate crimes and their implications for both businesses and society.

Course Outcome:

This corporate crimes course equips participants with a comprehensive understanding of white-collar offenses within the corporate sphere. Students will grasp the intricacies of financial fraud, insider trading, embezzlement, and other illicit activities that impact businesses. Through case studies and real-world examples, participants will develop analytical skills to identify potential corporate misconduct. The course fosters ethical decision-making by exploring regulatory

frameworks and corporate governance practices. Participants will gain insights into the legal consequences and preventive measures to mitigate corporate crimes. Ultimately, graduates will emerge with a heightened awareness of corporate accountability and the tools to navigate the complex landscape of corporate wrongdoing.

The Course shall comprise of the following:

Unit-1 Corporate Crimes: Meaning, Nature and Scope; Causes of Corporate Crimes, Socio-economic Offences

Unit-2 Corporate Criminal Liability- Jurisprudential Aspect; Various theories of Corporate Criminal Liability

Unit-3 Origin of Corporate Crimes in India; Major Issues in Prosecution of Corporations; New Judicial Trend, Financial and Economic Frauds

Unit-4 Statutory Provisions relating to Corporate Criminal Liability

- i. PMLA 2002
- ii. FEMA 1999
- iii. IT Act 2000
- iv. Companies Act 2013
- v. The Prevention of Corruption Act 1986

Suggested Reading:

1. Manjula Batra, Protection of Human Rights in Criminal Justice Administration, Deep and Deep Publication, New Delhi.
2. Parvesh K Atri, Readings in Criminal and Criminology, 1st edition 1998, Anmol Publication Pvt. Limited, New Delhi -2
3. Ahmed Siddiqui, Criminology, Problems and Perspectives, 4th edition 1997, Eastern Book Company, Lucknow -01

CL-04: COLLECTIVE VIOLENCE AND CRIMINAL JUSTICE SYSTEM

Course Objective

Explore the dynamics of collective violence and its intersection with the criminal justice system in this comprehensive course. Investigate the root causes, manifestations, and consequences of collective violence, ranging from riots to terrorism. Analyze the role of the criminal justice system in preventing, responding to, and mitigating such incidents. Examine legal frameworks, law enforcement strategies, and judicial processes relevant to collective violence. Develop a

nuanced understanding of the challenges faced by the criminal justice system in addressing and preventing collective violence, and explore potential reforms and innovative approaches to enhance societal resilience and justice. Gain insights into policy implications and contribute to informed discourse on this critical societal issue.

Course Outcome:

Upon completing the course on Collective Violence and the Criminal Justice System, students will gain a comprehensive understanding of the dynamics between large-scale acts of violence and the criminal justice apparatus. They will explore the root causes, manifestations, and societal impact of collective violence, examining case studies and historical perspectives. Participants will analyze the challenges that law enforcement, legal institutions, and policymakers face in responding to and preventing collective violence. Furthermore, students will develop critical thinking skills to evaluate the effectiveness of various criminal justice strategies in mitigating and addressing these complex issues, fostering a nuanced comprehension of the intricate relationship between social unrest and the legal framework.

The Course shall comprise of the following:

Unit-I Introductory

- i) Notions of “force”, “coercion”, “violence”
- ii) Distinction: “Symbolic violence”, “Institutionalized violence”, “Structural violence”
- iii) Legal order as a coercive normative order
- iv) “Constitutional” and “criminal” speech: Speech as incitement to violence
- v) “Collective political violence” and legal order

Unit-II Approaches to Violence in India

- (i) Religiously sanctioned structural violence: Caste and gender based.
- (ii) Ahimsa in Hindu, Jain, Buddhist, Christian, and Islamic traditions in India
- (iii) Gandhiji’s approach to non-violence
- (iv) Discourse on political violence and terrorism during colonial struggle
- (v) Attitudes towards legal order as possessed of legitimate monopoly over violence during the colonial period.

Unit-III Violence against the Scheduled Castes

- (i) Notion of Atrocities
- (ii) Incidence of Atrocities

(iii) Uses of Criminal Law to combat Atrocities or contain aftermath of Atrocities

(iv) Violence Against Women.

Unit-IV Communal Violence

i Incidence and courses of “communal” violence

ii Findings of various commissions of enquiry

iii The role of police and para-military systems in dealing with communal violence

iv Operation of Criminal Justice system in relation to Communal Violence.

CL- 05: CRIMES AGAINST SOCIAL AND ECONOMIC SECURITY AND PROBLEMS OF THEIR CONTROL

Course Objective:

The objective of this course is to provide students with a comprehensive understanding of the various types of crimes that impact social and economic security, including their causes, consequences, and methods of control. Students will learn about the legal, sociological, and economic aspects of such crimes and will be able to analyze and evaluate strategies for preventing and combating these crimes. Additionally, the course will explore ethical considerations in crime control and the role of institutions and law enforcement in safeguarding social and economic security.

Course Outcomes:

1. **Identify and Analyze Crimes Against Social and Economic Security:** Recognize different types of crimes impacting social and economic security, such as fraud, embezzlement, corruption, and cybercrime, and understand their underlying causes and consequences.
2. **Evaluate Legal and Policy Frameworks:** Assess the legal and policy frameworks related to crimes against social and economic security, including their effectiveness and potential improvements.
3. **Critically Examine Control Strategies:** Analyze and critique various strategies for preventing and controlling these crimes, including law enforcement, regulatory measures, and community-based approaches.

4. **Conduct Independent Research:** Independently research a specific type of crime against social and economic security, gathering data, and presenting findings in a structured manner.
 5. **Engage in Ethical and Informed Discussion:** Engage in thoughtful discussions on the ethical considerations of crime control and the role of justice, human rights, and fairness in addressing crimes against social and economic security.
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UNIT I Offences against Consumers: Food Adulteration, Hoarding and Black Marketing, Food Safety and Standard Act 2006, Essential Commodities Act 1955, Prevention of Black Marketing and maintenance of Supplies of Essential Commodities Act 1980.

UNIT II Drug Addiction and Drug Peddling: Narcotic Drugs and Psychotropic Substances Act (NDPS Act), Prevention of illicit Traffic in Narcotic Drugs and Psychotropic Substances Act 1988 (PITNDPS Act).

UNIT III Professional Deviance: Medical Practitioners – Indian Penal Code, Criminal Procedure Code, Medical Termination of Pregnancy Act 1971, Pre-Conception and Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) Act 1994, Organ Transplant Act 1994.

UNIT IV Corruption: Prevention of Corruption Act, Prevention of Money Laundering Act 2002, Lokpal and Lokayukta Act 2013, Prohibition of Benami Property Transactions Act 1988.

Suggested Reading:

1. An Introduction to Cyber Crime and Cyber Law ;Dr.R.KChaubay
2. Cyber crime in India :Dr.M.Dasgupta
3. Cyber laws and Crimes :Barkha&U.Ramamohan Information Technology Act 2000
4. Albert J. Marcellaa and Robert S. Greenfiled (Ed) (2002) Cyber
5. Forensics, A Field Manual for collecting, examining and preserving evidence ofcomputer crimes, Auerbach publications.

CL-06 CYBER CRIMES

Course Objectives:

Cyber law is a branch pertaining to evidence found in computers and digital storage media. The goal of cyber law is to examine digital media in a forensically sound and constructive manner with the aim of identifying, preserving, recovering, analyzing and presenting facts and evidence in a court of law. The courses are designed with a focus on strengthening students' knowledge in all areas of cyber security and digital forensics. This course provides hands – on experience in different computer forensics situations that are applicable to the real world. Students will learn different aspects of digital evidence: ways to uncover illegal or illicit activities left on disk and recovering files from intentionally damaged media with computer forensics tools and techniques.

Course Outcomes:

1. To identify the emerging areas in cyber jurisprudence and apply the existing laws to them
2. To interpret the concept and various types of E-contracts in Cyber Space
3. To examine the different aspects of cyber and its implementation
4. To Analyze the various facets of cyber crime
5. To explain the role of digital forensics and the relationship of digital forensics to traditional forensic science, traditional science and the appropriate use of scientific methods.
6. To Apply concepts of Cyber laws and pursue good quality research.

UNIT-I Meaning and Evolution

1. Meaning, Definition, Nature of Cyber crimes
2. Historical Genesis and Evolution of Cyber Crimes

UNIT-II Statutory Provisions

Statutory Laws pertaining to Cyber Crimes in India:

- i. Indian Penal Code
- ii. Indian Evidence Act.
- iii. Information Technology Act 2000 and amendments act 2008.
4. Specific Cyber crimes
 - i. Cyber Stalking
 - ii. Cyber Terrorism
 - iii. Child Pornography
 - iv. Computer viruses

UNIT-III Cyber Policing in India

6. Offence and Penalties under the IT Act 2000
7. Cyber Policing in India: Legal Status
8. Cyber Crime Investigation
 - i. Technical Aspect: Information in the computer, confiscation, protection and packing, computer examination.

- ii. Legal Aspect: power to investigate and procedure for investigation.
- iii. Jurisdiction over Cyber crimes.

UNIT-IV International Perspectives

9. Cyber Crimes Laws of USA, U.K. and Canada: A Comparative Study.

10. Cyber Law: International Perspectives

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

Suggested Reading:

1. An Introduction to Cyber Crime and Cyber Law ;Dr.R.KChaubay
2. Cyber crime in India :Dr.M.Dasgupta
3. Cyber laws and Crimes :Barkha&U.Ramamohan Information Technology Act 2000
4. Albert J. Marcellaa and Robert S. Greenfiled (Ed) (2002) Cyber
5. Forensics, A Field Manual for collecting, examining and preserving evidence ofcomputer crimes, Auerbach publications.
6. Deflem, Mathieu, and J. Eagle Shutt. 2006 "Law Enforcement and ComputerSecurity Threats and Measures." pp. 200-209 in The
7. Handbook of Information Security, Volume 2: Information
8. Warfare; Social, Legal, and International Issues; and Security
9. Foundations, edited by HosseinBidgoli. Hoboken, NJ: John Wiley & Sons.
10. Giddens, A (1990) The Consequences of Modernity, Polity Press: Oxford.
11. Hafner, K. &Markoff, J. (1995). Cyberpunks: Outlaws and hackers on the computerfrontier. Toronto: Simon and Schuster.

GROUP D : INTELLECTUAL PROPERTY

IPR01 Nature, Emergence and Development of IPR

Course Objective:

The objective of this course is to provide students with a foundational understanding of the nature, emergence, and development of intellectual property rights (IPR). Students will learn about the key concepts, principles, and historical evolution of IPR across different types such as patents, copyrights, trademarks, and trade secrets. Through case studies and real-world examples, students will explore the role of IPR in innovation, creativity, and economic development, as well as the challenges and opportunities presented by IPR in a globalized world.

Course Outcomes:

Upon successful completion of this course, students will be able to:

1. **Understand the Nature of Intellectual Property Rights:** Grasp the fundamental concepts and different types of intellectual property rights, including their legal foundations and distinctions among patents, copyrights, trademarks, and trade secrets.
2. **Analyze the Historical Emergence and Development of IPR:** Explore the historical evolution of IPR and understand how legal frameworks and practices have shaped their development over time.
3. **Evaluate the Role of IPR in Innovation and Economic Development:** Examine the impact of IPR on promoting creativity, innovation, and economic growth, while considering the balance between protection and access.
4. **Critically Assess Contemporary IPR Challenges:** Analyze contemporary challenges faced by IPR, including globalization, digitalization, and emerging technologies, and their impact on existing legal and ethical frameworks.
5. **Conduct Research and Engage in Informed Discussion:** Conduct research on specific IPR topics and present findings through written or oral communication, engaging in informed discussions on the role and impact of intellectual property rights in society and the economy.

UNIT – I: Introduction to Intellectual Property

- a. Concept & Meaning of Intellectual Property
- b. Nature and Characteristics of Intellectual Property
- c. Origin and Development of Intellectual Property

d. Kinds of Intellectual Property

UNIT –II: Theories of Intellectual Property

i. Natural Theory

ii. Hegelian Philosophy (Personality Theory)

iii. Lockes' Theory of Property (Labour Theory)

iv. Social Contract Theory

v. Social Planning Theory

vi. Incentive Theory

vii. Reward Theory

viii. Prospect Theory

ix. Schumpeterian Theory

x. Economic Theory

UNIT – III: International Institutions and Basic International Conventions

a. Paris Convention for the Protection of Industrial property, 1883

b. The Berne Convention, 1886

c. TRIPS Agreement, 1994

d. International Institutions Concerned with Intellectual Property

UNIT – IV: Contemporary Issues in IPR

a. Interface between IPR and Human Rights

b. Interface between IPR and Competition Law

c. IPR and sustainable development

d. The Impact of Internet on IPR

e. IPR Issues in Biotechnology

f. E-Commerce and IPR issues

Suggested Readings

1. David I. Bainbridge, Intellectual Property, Longman, 9th Edition, 2012 2
2. Peter Groves, Sourcebook on Intellectual Property Law, Routledge-Cavendish, 1997.
- 3.. Susan K Sell, Private Power, Public Law: The Globalization of Intellectual Property Rights, Cambridge University Press, 2003
4. N.S. Gopalakrishnan& T.G. Ajitha, Principles of Intellectual Property, Eastern Book Company, 2ndEdition , 2014
5. JayashreeWatal, Intellectual Property Rights in the WTO and Developing Countries, Oxford University Press, 2001
6. Lionel Bently& Brad Sherman, Intellectual Property Law, Oxford University Press, 3rd Edition, 2008
7. Peter Drahos, A Philosophy of Intellectual Property, Dartmouth Pub Co, 1996
8. DuggalPavan, Legal Framework on Electronic Commerce & Intellectual Property Rights, Universal Publishing House, 2014
9. Paul Torremans, Intellectual Property And Human Rights, Kluwer Law International, 2008
8. Steven D Anderman, Interface Between Intellectual Property Rights and Competition Policy, Cambridge University Press, 2007.
10. Philippe Cullet, Intellectual Property Protection and Sustainable Development, Lexis Nexis, 2005

IPR02 Law of Copyright

Course Objective:

The objective of this course is to provide students with a comprehensive understanding of the legal framework governing copyright law. The course will cover the principles, scope, and limitations of copyright protection, including the rights of creators and users. Students will explore the role of copyright in promoting creativity and innovation, as well as the challenges posed by technological advancements and globalization. Through case studies and legal analysis, students will develop the ability to critically evaluate copyright issues and apply legal concepts to real-world scenarios.

Course Outcomes:

Upon successful completion of this course, students will be able to:

1. Understand the Fundamentals of Copyright Law: Gain a solid understanding of the basic principles of copyright law, including the subject matter, duration, and exclusive rights granted to copyright holders.
2. Analyze Legal Precedents and Statutes: Evaluate key legal cases and statutory provisions related to copyright, and understand how they shape the interpretation and application of copyright law.
3. Critically Assess Copyright Limitations and Exceptions: Examine the limitations and exceptions to copyright protection, such as fair use, public domain, and statutory licenses, and assess their impact on creators and users.
4. Evaluate the Impact of Technology on Copyright: Analyze the challenges and opportunities presented by emerging technologies, such as digital media and the internet, and their effect on copyright protection and enforcement.
5. Apply Copyright Law to Real-World Scenarios: Use legal concepts and precedents to analyze and resolve copyright issues in real-world contexts, such as infringement claims, licensing agreements, and disputes involving digital content.

Unit – I

Origin and development of Intellectual Property, Concept of Property, Meaning and Concept of Copyright, Nature of Copyright

Unit-II

International Protection to Intellectual Property- Important Provision relating to Protection of Copyrights under Berne Convention, Universal Copyright Convention, Rome Convention, TRIPS, WIPO Copyright Treaty, WIPO Performers and Phonograms Treaty.

Unit-III

History of Copyright law in India, The Copyright Act, 1957- Subject matter of Copyright, Rights of Copyright Owner, Term of Copyright

Unit-IV

Authorities and Institutions under Copyright Law, Infringement of Copyrights, Remedies against infringement of Copyright

Suggested Readings:

1. P. Narayanan: Intellectual Property Law

2. W.R Cornish: Intellectual Property Law 3. N.S GopalKrishan: Cases & Material on Intellectual Property Law

3. W.R .Cornish.: Intellectual Property Law, Sweet and Maxwell

4. N.S. GopalKrishan: Cases and Materials on Intellectual Property Law, National Law School, Bangalore

5. T.R. Srinivasa: The Copyright Act, 1957

6. Meenu Paul: Intellectual Property Laws

7. M.K. Bhandari: Law relating to intellectual Property Rights Central Law Publication

IPR03 Law of Patents

Course Objective:

The objective of this course is to provide students with a thorough understanding of the legal principles and frameworks governing patent law. Students will learn about the requirements for patentability, the process of obtaining a patent, the scope of patent protection, and the rights and responsibilities of patent holders. Through case studies and legal analysis, students will explore the role of patents in promoting innovation and economic development, as well as the challenges and ethical considerations in patent law.

Course Outcomes:

Upon successful completion of this course, students will be able to:

- 1. Understand the Fundamentals of Patent Law:** Gain knowledge of the key concepts of patent law, including the requirements for patentability (novelty, non-obviousness, and utility), the types of patents, and the scope of protection.
- 2. Analyze Patent Application and Examination Processes:** Understand the procedures for filing and prosecuting patent applications, including prior art searches, examination criteria, and the role of patent offices.
- 3. Evaluate Patent Rights and Enforcement:** Examine the rights granted by a patent, including the ability to exclude others from making, using, selling, or importing the patented invention, and assess the legal remedies available for patent infringement.
- 4. Critically Assess the Role of Patents in Innovation:** Explore the impact of patents on innovation and economic growth, including the balance between encouraging innovation and ensuring access to new technologies.

5. **Apply Patent Law to Real-World Scenarios:** Use legal principles and precedents to analyze and resolve patent-related issues, such as patent infringement disputes, licensing agreements, and questions of patent validity and enforceability.

Unit – I

Origin and development of Intellectual Property, Concept of Corporeal, Incorporeal, and Industrial Property, Meaning and Concept of Patents

Unit-II

The International Regime for Patents Rights Protection, Patent Cooperation Treaty 1970, TRIPS and Indian Patents (Amendment) Act, 2005

Unit-III

The Patents Act, 1970 and the Patents Rules, 2003- Process of obtaining a patent, Application, Publication and Examination, Relevance of Specifications in the Patent application, Opposition Proceedings, Grant of Patents and Rights Conferred thereby, Duration of Patent, Register of Patents and Patents Office Provisions for Convention Applications

Unit-IV

Rights and Obligations of a Patentee, Transfer of patent rights, Compulsory Licenses, Surrender of Patents and Revocation for Non-working, Government Use of Inventions and acquisition of Inventions by Central Government, Suits for infringement and Appeals to Appellate Board

Suggested Readings:

- 1 P. Narayanan: Intellectual Property Law
 - 2 W.R Cornish: Intellectual Property Law
 3. N.S GopalKrishan: Cases & Material on Intellectual Property Law W.R .Cornish. Intellectual Property Law, Sweet and Maxwell
 4. The Patents Act, 1970.
 5. The Patents Rules, 2003
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IPR04 Law of Design, Layout Designs and Geographical Indications

Course Objective:

This course aims to provide students with a comprehensive understanding of design law, layout designs, and geographical indications, exploring the legal frameworks and intellectual property protections associated with each. Through case studies and practical applications, students will learn how these legal concepts protect creativity and innovation and impact global trade and commerce. The course will also address contemporary challenges and emerging trends in these areas.

Course Outcomes:

Upon successful completion of this course, students will be able to:

1. **Understand Design Law and Protection:** Analyze the principles and legal frameworks governing design law, including the criteria for protection and the process for obtaining design rights.
2. **Evaluate Layout Designs:** Examine the legal protections available for layout designs, particularly in the context of semiconductor chips and other technological innovations, and understand how to secure and enforce these rights.
3. **Identify and Analyze Geographical Indications:** Understand the role of geographical indications in protecting and promoting regional products, including the criteria for obtaining GI status and the legal implications for producers and consumers.
4. **Apply Legal Concepts to Real-World Scenarios:** Utilize legal principles in design law, layout designs, and geographical indications to address practical problems and case studies, developing strategies for protection and enforcement.
5. **Stay Informed on Emerging Trends:** Stay updated on the latest developments and challenges in design law, layout designs, and geographical indications, including technological advancements and international legal frameworks.

UNIT-I: Industrial Designs

a. Introduction

b. Evolution

c. Justification

d. International Treaties i. Paris Convention ii. Hague Agreement iii. Locarno Agreement iv. TRIPS e. Industrial Design Act, 2000 f. Interface Between Design, Copyrights and Trademarks

UNIT-II: Semiconductor and Layout Designs

- a. Introduction
- b. Evolution
- c. Justification

- d. International Treaties: i. Washington Treaty ii. TRIPS e. The Semiconductor Integrated Circuits Layout-Designs Act, 2000

UNIT III: Geographical Indications-I

- a. Introduction
- b. Evolution
- c. Justification
- d. International Treaties: i. Paris Convention ii. Madrid Agreement iii. Lisbon Agreement iv. TRIPS Agreement 10

UNIT-IV: Geographical Indications-II

- a. Protection of GI at National Level
- b. Geographical Indication of Goods (Protection & Registration) Act, 1999
- c. Higher Level of Protection of GIs and TRIPS, Article 23 Controversy
- d. Genericides of Geographical Indications

Suggested Readings

1. Ashwani Kumar Bansal, Design Law, Universal Law Publishing Company, 2012.
2. Latha R Nair & Rajendra Kumar, Geographical Indications: A Search For Identity, Lexis Nexis, 2005
3. Tapan Kumar (Ed.), WTO, TRIPS and GIs, New Century Publications, 2014

4. DevGangjee, Relocating the Law of GI, Cambridge University Press, 2012
5. K C Kailasam and RamuVedaraman, Law of Trademarks including International Registration under Madrid Protocol and Geographical Indications, Lexis Nexis, 2013

IPR05 Law of Trademark

Course Objective:

This course aims to provide students with a thorough understanding of trademark law, including its principles, legal frameworks, and procedures for registration and enforcement. The course will explore the significance of trademarks in branding, marketing, and business strategies, as well as their impact on consumers and market competition. Students will engage with real-world cases and scenarios to develop practical skills in trademark application and management.

Course Outcomes:

Upon successful completion of this course, students will be able to:

- 1. Understand Trademark Law and Protection:** Analyze the key principles and concepts of trademark law, including the criteria for registration, the process for securing trademark rights, and the scope of protection offered.
- 2. Assess Trademark Infringement and Remedies:** Evaluate potential trademark infringement cases, identify legal and equitable remedies available for infringement, and understand the factors courts consider in deciding these cases.
- 3. Apply Trademark Strategies in Business:** Develop trademark strategies for branding and marketing, including trademark selection, registration, and enforcement, to protect a company's brand and competitive position in the market.
- 4. Navigate International Trademark Law:** Gain insights into the international aspects of trademark law, including treaties such as the Madrid System, and understand how to protect and enforce trademarks in a global marketplace.
- 5. Stay Informed on Emerging Trends:** Stay up-to-date with the latest trends and developments in trademark law, including the impact of technology on trademark protection and the legal challenges posed by social media and e-commerce platforms.

UNIT-I: Introduction

a. Evolution of Trademark in India

b. Justification

c. International Treaties: i. Paris Convention ii. Madrid Agreement and Protocol iii. NICE Agreement iv. Trademark Law Treaty v. Singapore Law Treaty vi. TRIPS

d. Kinds of Trademarks: Registered and Unregistered Trademarks, Conventional & Non-Conventional Trademarks, Service Mark, Collective Marks, Certification Marks, Well Known Trademarks

UNIT-II: Registration of Trademarks

- a. Pre-requisites
- b. Absolute and Relative Grounds for Refusal of Registration
- c. Concept of Deceptive Similarity and its Applicability in Registration

- d. Procedure for Registration
- e. National and International Registration

UNIT-III: Commercial Exploitation of Trademarks and IPAB

- a. Rights of Proprietor
- b. Assignment, Licensing and Transmission of Trademark
- c. IPAB

UNIT-IV: Infringement and Passing off

- a. Infringement
- b. Goodwill and Passing off
- c. Remedies
- d. Trademark Issues in Cyberspace

Suggested Readings

1. K C Kailasam and Ramu Vedaraman, Law of Trademarks including International Registration under Madrid Protocol and Geographical Indications, Lexis Nexis, 2013
2. A. K. Bansal, Law of Trademark in India, Thomson & Reuter, 2014
3. David T Keeling, David Llewelyn, Kerley's law of Trade Marks and Trade Names, Sweet and Maxwell, 15th Edition , 2014.
4. Narayanan, Trade Marks and Passing Off, Eastern Law House, 2004
5. Ananth Padmanabhan, Intellectual Property Rights Infringement and Remedies, Lexis Nexis, 2012
6. Christopher Wadlow, The Law of Passing Off: Unfair Competition by Misrepresentation, Sweet and Maxwell, 2011.

7. David Lindsay, International Domain Name Laws, Hart Publishing, 2007

IPR06 Protection of Plant Varieties & Traditional Knowledge

Course Objective:

This course aims to provide students with a deep understanding of the legal frameworks and principles surrounding the protection of plant varieties and traditional knowledge. The course will explore the importance of intellectual property rights in safeguarding biodiversity, promoting sustainable development, and supporting indigenous and local communities' contributions to culture and knowledge. Students will engage in case studies and practical exercises to learn how to navigate the complexities of protecting plant varieties and traditional knowledge

Course Outcomes:

Upon successful completion of this course, students will be able to:

- 1. Understand Legal Frameworks:** Analyze the key principles and legal provisions related to the protection of plant varieties and traditional knowledge, including national and international laws such as UPOV, the CBD, and the Nagoya Protocol.
- 2. Evaluate Protection Mechanisms:** Examine the various mechanisms available for protecting plant varieties, including plant breeders' rights, and the protection of traditional knowledge, including benefit-sharing agreements and community protocols.
- 3. Assess Impact on Indigenous and Local Communities:** Understand how intellectual property rights related to plant varieties and traditional knowledge can affect indigenous and local communities, and assess strategies for ensuring equitable access and fair benefit-sharing.
- 4. Apply Legal Concepts to Case Studies:** Utilize legal concepts and frameworks in real-world case studies to develop strategies for protecting plant varieties and traditional knowledge, and address challenges related to conservation, access, and commercialization.
- 5. Stay Informed on Emerging Trends:** Keep abreast of emerging trends and challenges in the protection of plant varieties and traditional knowledge, including advances in biotechnology, climate change impacts, and the evolving legal landscape.

UNIT – I: Introduction

- a. Introduction to Plant Varieties – Law & Science b. Evolution of Plant Patents & Plant Varieties Protection c. Justification for IP Protection d. UPOV e. Essential Requirements- NDUS f. Kinds of Varieties g. Registration of Varieties

UNIT – II: Rights, Limitations & Infringement

- a. Exclusive Rights b. Breeders' Rights v. Farmers' Rights c. Researcher's Rights; Farmers' rights and Rights of Communities d. Compulsory Licence e. Benefit Sharing f. Infringement & Remedies

UNIT – III: Traditional Knowledge (TK)

- a. Meaning, Nature and Characteristics
- b. Need for protection of TK
- i. Equity Considerations
- ii. Conservation Motive
- iii. Preservation of Traditional Practices and Cultures
- iv. For Indigenous Peoples' Participation in Development Process
- v. To Facilitate Access
- vi. For the Conservation of Environment and Management of Bio Diversity
- c. International Initiatives on TK Protection

UNIT – IV: Traditional Knowledge and IPR

- a. Interface between IPR & TK i. Protection of Traditional Knowledge under the Existing Modes of Intellectual Property and Issues thereof ii. Concepts of Prior Informed Consent (PIC) and Agreement to benefit sharing (ABS)
- b. National Initiatives i. Defensive protection of TK through legislative efforts: Constitutional Provisions, The Biological Diversity Act, 2002; Protection of Plant Varieties and Farmers' Rights Act, 2001; The Patent Amendment Acts 2002 and 2005; The Geographical Indications of Goods (Registration and Protection) Act, 1999 .

Suggested Reading

1. Elizabeth Verkey, Law of Plant Varieties Protection, Eastern Book Company, 2007
References: 1. Anthony J. Stenson and Tim S. Gray, The Politics of Genetic Resource Control, Macmillan Press Ltd., London, 1999
2. Brush S.B & D. Stabinsky (ed.), Valuing Local Knowledge- Indigenous people and Intellectual Property Rights, Island Press, Covelo, California, 1996 13

3. Carlos M Correa, Traditional knowledge and Intellectual Property, Issues and Options Surrounding the Protection of Traditional Knowledge, Quaker United Nations Office, Geneva, 2001
4. David Downes, Using Intellectual Property as a Tool to Protect Traditional Knowledge: Recommendations for Next Steps, Center for International Environmental Law, Washington, DC, 1997
5. P. Drahos and M. Blakeney (ed.), Perspectives on Intellectual Property: IP in Biodiversity and Agriculture, Sweet and Maxwell, London, 2001
6. Vandana Shiva, Biopiracy: The Plunder of Nature and Knowledge, South Press, 1997
7. Vandana Shiva, Protect or Plunder: Understanding Intellectual Property Rights, Zed Books Ltd., London, 2001
8. S. K. Verma & Raman Mittal (ed.), Intellectual Property Rights a Global Vision, Indian Law Institute, New Delhi, 2004

