

RADHA GOVIND UNIVERSITY

RAMGARH

Master of Laws (LL.M.)

NEW SYLLABUS

(Duration -2 years)

The mission of the RGU Law College is to advance the study of law- through interdisciplinary academic study, through commitment to excel in liberal and professional education, through cooperative study involving teachers, researchers, members of Bar and Bench, civil society organizations and theorists.

OBJECTIVE

The objectives of the Master of Laws programme are as follows:

- The students not only know the law but also can to use it in the best interest of multicultural society
- Build analytical foundation of the students to enter into the theoretical world of legal discourse. Thus enable them to critically examine the existing dogmas and belief and create new foundations.

GENERAL INSTRUCTIONS

The Master of the Laws (LL.M.) course running under the aegis of Radha Govind University Law College will be a full time course of study spreading over a period of four (4) academic semesters each of 6 months duration. The course cannot be pursued simultaneously with any other full-time course or employment.

ADMISSION SCHEDULE

- Admission to the LL.M. course shall be ordinarily made in the first semester at the beginning of each academic year.

ELIGIBILITY CRITERIA

- A candidate seeking admission to the course must possess a Bachelor Degree in the field of law with a minimum of 45% marks or equivalent grade / CGPA. The same

for SC/ST/PH candidates shall be 45%. Rounding off of marks will not be allowed.

- Only such candidates, who possess a bachelor degree of law for many recognized Indian or foreign University incorporated by any law for the time being in force or such other examinations has been recognized equivalent, shall be considered for admission.
- Candidates appearing for bachelor degree (law) examination or those awaiting for result, are also legible. However, if such a candidate secures a seat, his/her admission shall be provision a land will be confirmed only when all the prerequisites for admission are fulfilled within the stipulated time frame as decided by the University.

DISTRIBUTION OF SEATS

- The total number of candidates to be admitted in the LL.M. shall be Forty (40) with the distribution as per the reservation policy of the University.
- The University reserves the right to make special provision for admission to candidates belonging to any other disadvantaged group/s.

ADMISSION PROCESS

- Admission will be made purely on the basis of candidate's performance in the RGU Law College test either in form of written/merit for the concerned course.
- Details regarding Admission Notification, Mode of Application, Last Date for receiving application forms, Application Fee, Entrance Examination Syllabus, Exam Date, Test Centre, Publication of Result and Counseling shall be followed in accordance to the schedule and guidelines of RGU Law College. Admission Deadlines shall be notified accordingly.
- Classes shall commence from the 1st or 2nd week of July at the RGU Law College Campus, Ramgarh .

IMPORTANT INSTRUCTIONS

- The medium of instruction, examination, viva-voce, interview or any other academic activity relating to the course shall be English.
- A student admitted to the course must attend a minimum of 75% of the lectures,

seminars and tutorials conducted in the RGU Law College. Apart from this, field work or library visits also form a mandatory part of the course. Failure in fulfilling these requirements nullify the entitlement of a candidate for appearing in the written examination or viva-voce or both.

- If at any time, it is discovered that a candidate has made false or incorrect statement(s) or any fraudulent means have been used for securing admission his/her name shall be immediately removed from the rolls of the University. The RGU Law College may also recommend for removal of the name of a student from the course on the basis of unsatisfactory performance or indiscipline or on grounds of medical unfitness or any other activity deemed unsuitable or erroneous.
- Ragging is totally banned at the RGU Law College campus including its departments/centers, constituent units, all its premises (academic, residential, sports, canteen etc.) whether located within the campus or outside and in all means of transportation of students whether public or private, and anyone found guilty of ragging and/or abetting ragging is liable to be punished including immediate cancellation of admission or suspension.

CHOICE BASED CREDIT SYSTEM (CBCS)

Under the Choice Based Credit System of education, students apart from their core courses, have the freedom to opt and study any other course offered by the RGU law College of their choice as long as they fulfill the prerequisites for that course.

According to established norms of the UGC and incorporated in the RGU Law College :

- One Credit is equal to 15 hours of instruction per semester either in the form of lecture or tutorial and it shall include time devoted in field study or library visit during the writing of Dissertation.
- The RGU Law College, LL.M. programme will follow the Choice Based Credit System (CBCS) of education and shall be divided as follows:

Core Course :

- Core courses are those, knowledge of which is deemed essential for students registered for a particular programme. Core courses shall be mandatory and a student must pass in all the core courses.
- Each core course shall be of 4 credits (3 Lecture+ 1Tutorial). Research Dissertation

shall carry 8 credits (2 Tutorial+6 Practical).

Elective Course:

Elective courses are intended to allow students to specialize in one or more branches of the broad subject area or acquire knowledge and skill in a related area that may have applications in the broad subject area or bridge any gap in the curriculum and enable acquisition of essential skills or help pursue an area of interest of the student.

The RGU Law College elective courses shall be classified in two categories i.e. Human Rights Law and Environment Law

SPECIALISATION PAPER

This course offers two specialization papers, understanding of Business Law and Criminal Law including theories, their supposed to be a philosophical and sociological justifications aspects. Specialisation papers are elective papers and started from second semester.

SCHEME OF EXAMINATION AND EVALUATION

The LL.M. programme shall consist of 12 courses along with compulsory submission of a research dissertation at the end of the final semester. For evaluating the enrolled students **GRADING SYSTEM** shall be followed.

THE CRITICAL COURSES

For every theoretical course (either core or elective), there shall be an End Semester Exam at the completion of every semester. Prior to that, there shall be a sessional test. The sessional test would carry 30% weightage whereas the End Semester Exam will account for the remaining 70% of the evaluation.

End Semester Exam :

There shall be one End Semester Examination of 3 hours duration carrying 70% weightage for each theoretical course. It shall cover the entire syllabus prescribed for the course.

Sessional Tests :

For every theoretical course, there shall be a sessional test. The sessional test shall not be limited to questions and answer format. The concerned faculty may incorporate innovative methods to

test the analytical skills of the students. It may include book reviews, term papers, presentation etc.

DISSERTATION COURSES

Every student enrolled in the LL.M. programme, shall have to mandatorily submit a concierge search dissertation (not exceeding 150 pages) at least a fortnight before the commencement of end semester examination of the 4th semester. The dissertation shall carry weight age equivalent to two theoretical papers.

Before final submission of dissertation, every student shall present a synopsis of their search topic at the department. The faculty members shall ensure that overlapping of the research topic be strictly avoided. Dissertation shall be in the area of the specialization.

The dissertation shall be evaluated jointly by the supervisor and one external examiner. In the course of evaluation 60% weight age will be awarded for assessing the quality of dissertation, 20% for its presentation and 20% for viva-voce/ interview concerning the topic of dissertation.

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COURSE STRUCTURE AND CREDIT DISTRIBUTION

SEMESTER -I					
Sl.	NAME OF THE COURSE	CREDIT DISTRIBUTION			TOTAL
		Lecture	Tutorial	Practical	
1.	Indian Constitutional Law	3	1	0	4
2.	Family Law	3	1	0	4
3.	Law of Torts	3	1	0	4
4.	Criminology And Penology	3	1	0	4
GRAND TOTAL					16

SEMESTER –II						
Sl.	NAME OF THE COURSE	CREDIT DISTRIBUTION			TOTAL	
		Lecture	Tutorial	Practical		
COMPULSORY PAPER						
1.	Legal Education and Research Methodology	3	1	0	4	
2.	Law And Social Transformation In India	3	1	0	4	
SPECIALISATION PAPER						
	BUSINESS LAW		CRIMINAL LAW			
3.	Insurance Law	Crime and Administration of Criminal Justice	3	1	0	4
4.	Banking Law	Penology :Treatment of Offenders	3	1	0	4
GRAND TOTAL					16	

SEMESTER –III						
Sl.	NAME OF THE COURSE		CREDIT DISTRIBUTION			TOTAL
			Lecture	Tutorial	Practical	
	COMPULSORY PAPER					
1.	Jurisprudence and Legal Theory		3	1	0	4
	SPECIALISATION PAPER					
	BUSINESS LAW	CRIMINAL LAW				
2.	Intellectual Property Rights	Comparative Criminal Law	3	1	0	4
3.	Corporate Finance	Privileged Class Deviance	3	1	0	4
4.	International Trade Law and Development	Law And Organized Crime	3	1	0	4
GRAND TOTAL						16

SEMESTER –IV						
Sl.	NAME OF THE COURSE		CREDIT DISTRIBUTION			TOTAL
			Lecture	Tutorial	Practical	
1.	Library Study/ Field Work based Dissertation And Viva- Voce		3	1	0	8
GRAND TOTAL						8

FIRST SEMESTER
PAPER- I
PAPER NO. -101
INDIAN CONSTITUTIONAL LAW

UNIT –I :

1. Constitutionalism And Constitutional Development in India

- What is Constitution
- Constitutional Law and Constitutionalism
- Concept of limited Government and limitations on government power
- Conventions of Constitutionalism
 - ✓ Law and conventions
 - ✓ Historical evaluation of Constitutional government in India.

2. Rule of Law

- Concept
- new horizons
 - ✓ Separation of powers
 - ✓ Concept and its applicability in India.

3. Sovereignty of Indian Parliament

- Powers and Functions
- Privileges of the Parliament and Courts – India.

UNIT -II

4. Theory of Constitutionalism

- Concept Context
- Content
- Constitutionalism in India

5. Federalism

- Concept of Federalism
- Indian Constitution and its Federal Nature
- Comparative Study with USA and Australian pattern
- Comparative Federalism.

6. Distribution of Legislative Power:

- The scheme of the distribution of legislative powers in India.
- The judicial approach and the present position in Indian Context.

7. The Judiciary:

- Independence of Judiciary
- The Nature of Judicial Process
- Decision Making in the Supreme Court
- Judicial Activism
- Accountability

UNIT -III**8. Right to Equality**

- Scope of the right to Equality
- New approach of Article 14.
- Equality of opportunity in matters of public employment
- Admission to educational institutions.

9. Freedom of Speech and Expression

- The area of freedom and its limitation
- Freedom of Press
- Challenges of new scientific development.

10. Emerging regime of new Fundamental Rights

- The changing dimension
 - ✓ Right to life
 - ✓ Personal Liberty
- Directive Principles of State Policy
- Fundamental Duties into Fundamental rights.

11. Right to Freedom of Religion:

- The scope of the freedom
- The State Control
- Secularism
- Religious fanaticism.

UNIT – IV :

12. Comparative and Cooperative Federalism.

- Indian Federal Constitution
- Its present shape.
- The changing dimension of modern federal Constitutions
- New trends in federalism.
- National supremacy
- Cooperative federalism.
- The scheme of the distribution of legislative powers in India
- The specific legislative powers
 - ✓ Defense
 - ✓ External Affairs.

13. Emergency provisions

- Effect of emergency on the federal structure
- Judicial approach
- Indian experiences.

14. Judicial review for federal Umpiring

15. Scope of judicial review in the federal Constitutions

16. The approach of Indian Supreme Court.

17. Scope of Constituent power

18. Amending process and process in action

19. Judicial response

20. The direction of the Indian Constituent power.

Suggested Readings :

- U. Baxi, *The Indian Supreme Court and Politics* (1980), Eastern, Lucknow.
- H.M. Seervai, *Constitutional Law of India* (1991), Tripathi, Bombay.
- Sudha Bhatnagar, *Union-State Financial Relations and Finance Commissions*, (1979)
- Ashok Chandra, *Federalism in India*, (1965)
- V.D. Sebastian, *Indian Federalism: The Legislative Conflicts* Chs. 6-7 and 8 (1980).
- Chandrapal, *Centre-State Relations and Cooperative Federalism*, Chs. 5 and 8 (1983)
- G.C.V. Subba Rao, *Legislative Powers in Indian Constitution Law*, Chs. 37, 38, 39 (1982)
- Richard M. Pious, *The American Presidency*, 293-331, Ch. 9 (1979)
- Daniel J. Elazar, *American Federalism*, Chs. 3 and 4 (1984)
- K.P. Krishna Shetty, *The Law of Union-State Relations and the Indian Federalism* Ch.
- M.P. Jain, *Indian constitutional Law* (1994), Wadhwa.
- *Judicial Activism in India : Transgressing Borders and Enforcing Limits : S. P. Sathe*, OUP India, Paperback-November 6, 2003.
- *The Indian Constitution : Cornerstone of a Nation (Law in India S.) : Granville Austin*, OUP India, Paperback-October 1999.
- *Subverting the Constitution : G. G. Mirchandani*, Abhinav Publications, Paperback-June 16, 2003.
- *Justice V. R. Krishna Iyer on Fundamental Rights and Directive Principles : S. Chander*, Deppt & Deep Publications. Hardcover-September 1, 2002.
- *The Constitution of India : V. Grover*, Deep & Deep Publications, Hardcover-September 1, 2002
- *The Indian Constitution and International law (International Law in Asian Perspective) : P. Chandrasekhara rao*, Brill, Hardcover-January 1995.

PAPER -II
PAPER N0 -102
FAMILY LAW

UNIT- I:

1. Hindu Law including Hindu Jurisprudence

- Basic Principle of Hindu Jurisprudence
- Sources of Hindu Law
- Concept of Marriage under Hindu Law
- Matrimonial Remedies
 - ✓ Nullity of Marriage
 - ✓ Restitution of Conjugal Rights
 - ✓ Judicial Separation
 - ✓ Divorce

2. Changing Concept of Adoption: From religious to secular

3. Inheritance and Succession power

- Historical perspective
- Succession to property of a Hindu male dying intestate under the Hindu Succession Act, 1956.
- Devolution of Interest in Mitakshara Coparcenary under the Hindu Succession Act.1966.
- Succession of property of Hindu female dying intestate.
- General principle of Succession.

UNIT -II

4. Minority & Guardianship under the Minority & Guardianship Act, 1956.

5. Maintenance

- Wife
- Divorced woman
- Unmarried woman
- Children
- Parents.

6. Joint family & coparcenary

UNIT- III**7. Muslim Law including Muslim Jurisprudence**

- Basic Principle of Muslim Jurisprudence
- Sources of Muslim Law
- Schools of Muslim Law

8. Law of Marriage under Muslim Law

- Kinds of Marriage
- The History Of Nikah
- Definition Of Marriage
- Capacity Of Marriage
- Nature Of Muslim Marriage

9. Law of Dower in Muslim Law**10. Maintenance under Muslim Law****11. Divorce under Muslim Law****12. Dissolution of Muslim Marriage Act.****13. Paternity & legitimacy in Muslim Law****14. Law of Inheritance according to Muslim Law****15. Uniform Civil Code****Unit III****16. Christian Law of Marriage, Divorce and Successions**

- Essentials of Marriage
- Divorce
- Maintenance
- Divorce
- Nullity of marriage
- Judicial Separation
- Alimony
- Custody of Children

UNIT- IV**17. Parsi Law of Marriage, Divorce and Succession**

- Essentials of Marriage
- Divorce
- Nullity of marriage
- Judicial Separation
- Alimony
- Custody of Children
- Intestate succession of Parsis
- Intestate succession other than Parsis

18. Jews Law of Marriage, Divorce and Successions

- Essentials of Marriage
- Divorce
- Nullity of marriage
- Judicial Separation
- Alimony
- Custody of Children

➤ Suggested Readings:

- Dr. Paras Diwan, Modern Hindu Law, 20th Ed., 2009, Allahabad Law Agency
- Dr. B.K. Sharma, Hindu Law, 3rd Ed. 2011, Central Law Publication, Allahabad.
- Mulla, Hindu Law, 20th Ed., 2007
- Lexis Nexis, Butterworths
- Aqil Ahmed, Mohammedan Law, 23rd Ed, 2009, Central Law Agency
- Dr. Paras Diwan, Muslim Law in Modern India, 9th Ed., 2004, Allahabad Law Agency
- Dr. Paras Diwan, Customary Law of Punjab and Haryana Publication Bureau, Panjab University, 2002 (4th Ed.)
- Mayne's Treatise on Hindu Law and Usage, 15th ed., 2003, Bharat Law House, New Delhi
- Fyzee, Outlines of Mohammedan Law, 5th Ed., 2008, Oxford University Press
- Ratigan's Customary Law, 16th Ed, 2007, Universal Law Publishing, Co.

PAPER -III
PAPER NO. -103
LAW OF TORTS

UNIT- I

1. Development of Law of Torts and Tort actions generally.
 - Evolution of Law of Torts
 - Definition
 - Nature
 - Scope
 - Objects
2. Principles of liability in torts
3. Justification in Tort
4. Extinguishment of liability in certain situations
5. Standing
6. Vicarious liability
7. Doctrine of sovereignty and its relevance in India.
8. Absolute Strict liability
9. Legal Remedies

UNIT II.

10. Specific Torts- I
 - Assault, batter, mayhem False imprisonment
 - False imprisonment
 - Defamation
 - Malicious prosecution
 - Trespass to land
 - Trespass to goods
 - Detinue
 - Conversion.
 - Injurious falsehood, misstatements, passing off

UNIT III

11. Specific Torts II

- Negligence:
 - ✓ Basic concepts
 - ✓ Theories of negligence
 - ✓ Standards of care
 - ✓ Duty to take care carelessness
 - ✓ Inadvertence
 - ✓ Doctrine of contributory negligence
 - ✓ Res ipsa loquitor and its importance in contemporary law
 - ✓ Liability due to negligence-different professionals.
 - ✓ Liability of common causes for negligence.
- Nervous shock

UNIT -IV

12. Nuisance

- Definition
- Essentials
- Types

13. Acts which constitute nuisance-obstructions of highways

14. Pollution of air

15. Pollution of Water

16. Pollution of Noise

17. Interference with light and air.

18. Liability due to negligence- different professions- under the consumer protection Act.

19. Liability of manufacturers and business houses for their products under the consumer Protection Act.

PAPER- IV

PAPER NO - 104:

CRIMES CRIMINOLOGY AND PENOLOGY

UNIT -I

1. Criminology

- Definition
- Nature
- Scope
- Utility

UNIT -II

2. Methods of Criminological Studies

- historical method
- comparative method
- psychological method
- statistical method
- prognostic method
- case study
- prophylactic method

UNIT -III

3. Schools of Criminology:

- Classical
- Biological Cartographic
- Sociological
- Socialist.

UNIT- IV

4. Theorising Criminal aetiology

- Lombroso
- Neo- Lombrosian
- Psycho-analysis
- Differential Association

- Anomie Tradition
- Critical Criminology with reference to Labeling
- Interactionism
- Conflict Theory

UNIT- V

5. Modern Trends in Criminology

- Phenomenology
- Postmodernism
- Feminism Crime
- Feminism.

UNIT -VI

6. Punishment

- Concept
- Theories

UNIT -VII

7. Death Sentence

UNIT -VIII

8. Treatment of offenders

- Prison
- Probation
- Parole

UNIT -IX

9. Victimology.

SECOND SEMESTER
COMPULSORY PAPER

PAPER- V

PAPER NO –201

LEGAL EDUCATION AND RESEARCH METHODOLOGY

UNIT –I:

1. Research:

- Conceptual Understanding
- Objectives
- Types of Research
 - ✓ Fundamental
 - ✓ Applied
 - ✓ Empirical
 - ✓ Conceptual
 - ✓ Exploratory
 - ✓ Explanatory
- Approaches of Research
 - ✓ Qualitative
 - ✓ Quantitative
 - ✓ Pragmatic
 - ✓ Participatory
- Doctrinal and Non-Doctrinal Research

UNIT –II :

2. Key Factors in Socio-Legal Research

- Etic and Emic Perspective in Research
- Reflexivity in Social Research
- Relevance of Cultural Relativism in research
- Avoiding Ethnocentrism in Research
- Ethics and Moral in Conducting Research
 - ✓ Intellectual Property Right Issues

- ✓ Informed Consent
- ✓ Confidentiality and Privacy
- ✓ Plagiarism
- ✓ Other malpractices

3. Jurimetrics

- Concept
- Aspects

UNIT –III :

4. Research Techniques

- Method of Research
 - ✓ Inductive
 - ✓ Deductive
- Cross-Cultural Comparison
- Historical Method
- Triangulation Technique

UNIT –IV

5. Survey

- Concept
- Types
- Difference with ethnographic research methods
- Merits and Demerits

6. PRA/PLA and RRA

7. Projective Testing Techniques

8. Judicial Impact Assessment

UNIT- V

9. Research Design

- Basic Concept
- Types

- Major Steps in formulating Research design

10. Sampling

- Basic Understanding
- Merits
- Demerits
- Its basic types

UNIT -VI

11. Data Collection Techniques

- Observation
- Interview
- Schedule
- Questionnaire
- Case study
- Library Method
- Genealogical Table Method

12. Quantitative Analysis of Data

UNIT -VII

13. Research Methodology

- Hypothesis
 - ✓ Concept
 - ✓ Its importance in research
- Pilot Study
- Concept Mapping
- Rapport Establishment
- Relevance of Bibliographical
- Literature Review (including juristic literature and decisional material which have not been over-ruled)

Report Writing:

Key factors that must be taken in to consideration while preparing dissertation/research report.

- Ahuja, Ram: Research Methods, Rawat Publications, Jaipur, India.
- Bernard, H Russell: Research Methods in Anthropology: Qualitative And Quantitative Approaches, Rowman Altamira.
- Bernard, H. Russell: Social Research Methods: Qualitative and Quantitative Approaches, SAGE Publications.
- Colman, Andrew M. and Briony D. Pulford: A Crash Course in SPSS for Windows: Updated for Versions 14, 15, and 16, John Wiley & Sons.
- Cooley, Linda: Dissertation Writing in Practice-Turning Ideas Into Text, Hong Kong University Press.
- Danda, Ajit K.: Research methodology in anthropology, Inter-India Publications.
- Ember, Carol R. and Melvin Ember: Cross-Cultural Research Methods, Rowman Altamira.
- Fischer, Michael D.: Applications in Computing for Social Anthropologists, Routledge Publication.
- Goode, William Josiah and Paul K. Hatt: Methods in Social Research, Mc Graw Hill.
- Hinton, Mark Justice :Windows 7 For Seniors For Dummies, John Wiley & Sons.
- Johnson, Steve: Microsoft Windows 7: Complete, Cengage Learning.
- Kirkpatrick, Lee A. and Brooke C. Feeney: A Simple Guide to SPSS: For Version 17.0, Cengage Learning.
- Lecompte, Margaret D. and Jean J. Schensul: Designing & Conducting Ethnographic Research: An Introduction, Rowman Altamira.
- Madrigal, Lorena : Statistics for Anthropology, Cambridge University Press.
- Mc Conville, Michael and Wing Hong Chui: Research Methods for Law, Edinburgh University Press.
- Mills, W. R.: Microsoft Windows 7a Beginner's Guide, Author House.
- Murray Michael D. and Christy Hallam De Sanctis: Legal research methods, Foundation Press.
- Murray, Robert Thomas and Dale L. Brubaker: Theses and Dissertations-A Guide to

Planning, Research, and Writing, Greenwood Publishing Group.

- Murray, Rowena :How to Write a Thesis, McGraw-Hill International.
- Pallant, Julie: SPSS Survival Manual: A step by step guide to data analysis using SPSS, McGraw-Hill International.
- Pelto P. and G. H. Pelto: Anthropological Research: The Structure of Inquiry, Cambridge University Press.
- Poggie, John J. and Billie R. De Walt: Anthropological Research: Process and Application, SUNY Press.
- Shelly, Gary B. and Misty E. Vermaat: Microsoft Office 2010-Introductory, Cengage Learning.
- Shoup, Kate : Office 2010 Simplified, John Wiley & Sons.
- Stanek, William: Windows 7: The Definitive Guide, O'Reilly Media, Inc.
- Starr, June and Mark Goodale: Practicing Ethnography in Law: New Dialogues, Enduring Methods, Palgrave Macmillan.
- Swetnam, Derek: Writing Your Dissertation-How to Plan, Prepare and Present Your Work Successfully, How To Books Ltd.
- Wang, Wallace: Office 2010 For Dummies, John Wiley & Sons.
- Young, V. Pauline : Scientific Social Surveys And Research, Phi Learning.
- Ethanol Production Incentives, 2007
- [Tariff Policy](#), 6 January 2006, amended 2011
- [National Electricity Policy](#), 3 February 2005
- National Auto Fuel Policy, 2003

Suggested Readings :

- Verheyen Roda, *Climate Change Damage and International Law: Prevention Duties and State Responsibility*, Martinus Nijhoff Publishers (2007)
- Lavanya Rajamani & Shibani Ghosh, [India](#), in CLIMATE CHANGE LIABILITY, 139-77 (Richard Lord et al. eds., Cambridge University Press 2011).

- [Indian Climate Change Policy \(Exploring a Co-Benefits Based Approach\)](#)
- [Dubash, Navroz K., D. Raghunandan, Girish Sant, and Ashok Sreenivas. "Indian Climate Change Policy Exploring a Co-Benefits Based Approach." *Economic and Political Weekly* \(n.d.\): n. pag. *Epw.in*. Economic and Political Weekly, 1 June 2013. Web.](#)
- [The Challenge of Environmental Regulation in India](#)
- [Mejia, Robin. "The Challenge of Environmental Regulation in India." *Environmental Science and Technology* \(2009\): n. pag. *Pubs.acs.org*. ACS Publications, 9 Nov. 2009. Web.](#)
- [A Review of Energy Conservation Initiatives by the Government of India](#)
- [Nandi, P., and S. Basu. "A Review of Energy Conservation Initiatives by the Government of India." *Renewable and Sustainable Energy Reviews* 12.2 \(2008\): 518-30. Print.](#)
- [Adaption to Climate Change in India](#)
- [Ganguly, Kaushik, and Gyana Ranjan Panda. "Adaptation to Climate Change in India: A Study of Union Budgets." *Oxfamindia.org*. Oxfam, May 2010. Web.](#)
- [U.S.-India Partnership to Advance Clean Energy: A Progress Report \(June 2012\)](#)
- [India's Response to Climate Change: The 2009 Copenhagen Summit and Beyond](#)
- [Saha, Autri, and Karan Talwar. *India's Response to Climate Change: The 2009 Copenhagen Summit and Beyond*. 2009. 159-90. *HeinOnline*. Web.](#)
- [Rosencranz, Armin, Dilpreet Singh, and Jahnvi G. Pais. "Climate Change Adaptations, Policies, and Measures in India." *Climate Change Adaptations, Policies, and Measures in India*. N.p.: Georgetown Environmental Law Review, 2010. 575-90. *HeinOnline*. Web.](#)
- [Wold, Chris, David Hunter, and Melissa Powers. "India's Evolving Climate Change Strategy." *Climate Change and the Law*. Newark, NJ: LexisNexis Matthew Bender, 2009. N. pag. Print.](#)

PAPER –VI

PAPER NO- 202

LAW AND SOCIAL TRANSFORMATION IN INDIA

UNIT -I

1. Law and social change :
 - Law as an instrument of social change.
 - Law as the product of traditions and culture.
 - Criticism
 - Evaluation in the light of colonization
2. The introduction of common law system
3. Institution in India
4. Its impact on further development of law
5. Legal institution in India

UNIT-II

6. Religion and the law
 - Religion as a divisive factor.
7. Secularism as a solution to the problem Reform of the law on secular lines
 - Problems
 - Freedom of religion
 - Non-discrimination on the basis of religion.
8. Religious minorities and the law

UNIT -III

9. Language and the Law :
 - Language as a divisive factor
 - Formation of linguistic states
 - Constitutional guarantees to linguistic minorities
 - Language policy and the constitution
 - Official language
 - Multi-language system
 - Non-Discrimination on the ground of language

10. Community and the law

- Caste as a divisive factor Non-discrimination on the ground of caste Protective discrimination
- Scheduled castes
- Scheduled tribes and backward classes.

11. Reservation

- Statutory commissions
- Statutory Provisions.

UNIT-IV

12. Regionalism and the law

- Regionalism as a divisive factor Concept of India as one unit Right of movement
- Residence and business
- Impermissibility of state or regional barriers
- Admission to educational institutions
- Preference to residents of a state

UNIT-V

13. Women, children and law

- Crimes against women
- Gender injustice and its various forms
- Women Commission
- Empowerment of women
- Constitutional and other legal provisions
- Child labour
- Adoption and related problems
- Children and education

UNIT-VI

7. Modernization and law

- Modernisation as a value
- Constitutional perspectives reflected in the fundamental duties
- Democratic decentralization
- Local self-government.

8. Alternative approaches to law

- The jurisprudence of Sarvodaya
 - ✓ Gandhiji
 - ✓ Vinoba Bhave
 - ✓ Jayprakash Narayan
- Surrender of dacoits
- Concept of Grama Nyayalayas
- Socialist thought on law and justice
 - ✓ An enquiry through constitutional debates on the right to property.

Suggested Readings :

- March Galanter (ed.), Law and Society in Modern India (1997), Oxford
- Robert Lingat, The Classical Law of India (1998), Oxford.
- U.Baxi, The Crisis of the Indian legal system (1998) Vikas, New Delhi.
- U. Baxi, (ed) Law and Poverty Critical Essays (1988), Tripathi, Bombay
- Munushi, A. Journal about Women and Society • Duncan Derret, The State, Religion and Law in India (1996) Tripath
- Duncan Derret, The State, Religion and Law in India (1999). Oxford University Press, New Delhi.
- D.D. Basu, Shorter Constitution of India (1996), Prentice - Hall of India (P) Ltd., New Delhi.
- Sunil Deshta and KiranDeshta, Law and Menace of Child Labour (2000) Armol Publications, Delhi.
- SavitriGunasekhare, Children, Law and Justice (1997), Sage

SPECIALISATION PAPER

BUSINESS LAW

PAPER-VII

PAPER NO- -203

INSURANCE LAW

UNIT –I

1. General Principles of Contract.

- Formation of Contract
- A critical study of offer and acceptance.

2. Doctrine of Consideration and Privity of Contract

3. Capacity to contract

- Nature of minor's agreements
- The doctrine of restitution.
- Free consent with special reference to Fraud and Misrepresentation.

UNIT –II

4. Consent

- Meaning
- Importance

5. The factors vitiating

6. Standard form Contracts.

UNIT- III

7. Void Agreements

- With special reference to agreements relating to
 - ✓ Restraint of trade
 - ✓ Wagering agreements.

8. Discharge of contracts with special reference to the doctrine of frustration.

9. Relations resembling those created by contract.

10. Remedy in the form of compensation.

UNIT- IV

11. Nature and definition of Contract of Insurance.

- Definition of Contract of Insurance.
- Contract is 'Aleatory'
- Contract of utmost good faith.
- Contract of indemnity.
- Contract of Wager.

12. Insurable interest:

- Nature of insurable interest
- Time or duration of interest
- Insurable interest and Life insurance.
- Insurable interest and Fire insurance.

UNIT -V

13. The Risk:

- Meaning of risk
- Scope of risk
- Application of rule in various classes of insurance
- The elements of risk
- The alteration of the risk

14. The Insurance Regulatory and Development Authority:

- Establishment
- Composition
- Duties, powers and functions.

UNIT –VI

15. Life Insurance

- History
- Definition

- Nature
- Kinds (Classification of Life Insurance Policies)
- Insurable Interest
- Premium
- Risk
- Certificate of Insurance
- Doctrine of Subrogation and Contribution
- Rights and Liabilities of Insurer and Insured Person
- Life Insurance Contract
- Policy and conditions or construction of Life Insurance Policy
- Personal Accident Insurance
- Establishment
- Functioning of Life Insurance Corporation (LIC) of India

Unit - VII

16. Marine Insurance

- General Insurance
- Nature and Scope of Marine Insurance
- Classification of Marine Insurance
- Marine Insurance Policies and Kinds of Marine Policies
- Voyage
- Losses
- The Perils of the Sea
- Implied Warranties in Marine Insurance Contract
- Assignment of Marine Policy
- Other Provisions of Marine Insurance Act

UNIT – VIII

17. Fire Insurance

- Nature of Fire Insurance Contract
- Scope of Fire Policy

- Cover Note
- Right to Contribution and Right to Average
- Principle of Reinstatement
- Double Insurance and Reinsurance
- Doctrine of Approximation
- Burglary Insurance

Suggested Readings :

- Insurance Law for the Construction Industry, Robert Hogarth, Alexandra Anderson, Simon Goldring, 2013
- Law of Insurance, Asia Law House , by Dr. S. R. Myneni
- Insurance Law, Amar Law Publication by Paridhi Sharma, Harsha Bhalse
- Law of Insurance, Central Law Agency, by Prof. M. N. Mishra
- Law of Insurance , Delhi Law House Hand Book
- Central Law Publication's General Principles of Insurance Law by R.N. Chaudhari
- Eastern Book Company's Law of Insurance by Avtar Singh
- Lexisnexis's The Modern Law of Insurance by McGee

CRIMINAL LAW

CRIME AND ADMINISTRATION OF CRIMINAL JUSTICE

UNIT-I

1. Crime
2. Causes of Crime
3. Concept of Criminal Jurisprudence
4. Administration of Criminal Justice
5. Organizational hierarchy of criminal courts

UNIT- II

6. Jurisdiction- prosecution
7. Power of Police
8. FIR
9. Charge sheet
10. Withdrawal of criminal prosecution

UNIT- III

11. Arrest
12. Interrogation
13. Rights of accused
14. Right to counsel
15. Right to bail
16. Witness and protection
17. Hostile witness
18. Perjury.

UNIT-IV

19. Trial Procedure
20. Accusatory system and the inquisitorial system
21. Pre-trial procedure
22. Law of evidence

23. Narco analysis
24. Evidentiary value of statements
25. Article seized
26. Admissibility and inadmissibility of evidence
27. Expert evidence
28. Directions for criminal prosecution

BUSINESS LAW

PAPER-VIII

PAPER NO - 204

BANKING LAW

UNIT –I

1. Introduction.

- Nature and development of banking.
- History of banking in India and elsewhere – indigenous banking –evolution of banking in India – different kinds of banks and their functions.

2. Multi-functional banks

- Growth and legal issues.
- Law Relating to Banking companies in India.
- Controls by government and its agencies.
- On management.
- On accounts and audit.
- On accounts and audit.
- Credit policy.
- Reconstruction and reorganization.
- Suspension and winding up.
- Contract between banker and customer : their rights and duties.

UNIT -II

3. Social Control over Banking.

- Nationalization.

- Evaluation : private ownership, nationalization and
- Disinvestment.
- Protection of depositors.
- Priority lending.
- Promotion of underprivileged classes.

4. Deposit Insurance.

- The Deposit Insurance Corporation Act 1961 : objects and reasons.
- Establishment of Capital of DIC.
- Registration of banking companies insured banks, liability of DIC to depositors.
- Relations between insured banks, DIC and Reserve Bank of India.

UNIT -III

5. The Central Bank.

- Evolution of Central Bank.
- Characteristics and functions.
- Economic and social objectives.
- The Central Bank and the State – as bankers' bank.
- The Reserve Bank of India as the Central Bank.
- Organisational structure.
- Functions of the RBI.
- Regulation of monetary mechanism of the economy.
- Credit control.
- Exchange control.
- Monopoly of currency issue.
- Bank rate policy formulation.
- Control of RBI over non-banking companies.
- Financial companies.
- Non-financial companies.

6. Relationship of Banker and Customer.

- Legal character.
- Contract between banker and customer.
- Bankers' lien.

- Protection of bankers, Customers.
- Nature and type of accounts.
- Special classes of customers – lunatics, minor, partnership, corporations, local authorities.
- Banking duty to customers.
- Consumer protection : banking as service.

UNIT -IV

7. Negotiable Instruments.

- Meaning and kinds.
- Transfer and negotiations.
- Holder and holder in due course.
- Presentment and payment.
- Liabilities of parties.

8. Lending by Banks.

- Good lending principles.
- Lending to poor masses.
- Securities for advances.
- Kinds and their merits and demerits.
- Repayment of loans : rate of interest, protection against penalty.
- Default and recovery.
- Debt recovery tribunal.

9. Recent trends of Banking System in India.

- New technology.
- Information technology.
- Automation and legal aspects.
- Automatic teller machine and use of internet.
- Use of expert system.
- Smart Card.
- Credit cards.

CRIMINAL LAW**PENOLOGY: TREATMENT OF OFFENDERS****UNIT -I**

1. Introduction and Theories of Punishment

- Definition of Penology
- Retribution
- Utilitarian prevention: Deterrence
- Utilitarian: Intimidation
- Behavioural prevention: Incapacitation
- Behavioural prevention: Rehabilitation – Expiation
- Classical Hindu and Islamic approaches to punishment.

UNIT- II

2. The Problematic of Capital Punishment

- Constitutionality of Capital Punishment
- Judicial Attitudes towards Capital Punishment in India - An inquiry through the statute law and case law.
- Law Reform Proposals

UNIT-III

3. Approaches to Sentencing

- Alternatives to Imprisonment
- Probation
- Corrective labour
- Fines
- Collective fines
- Reparation by the offender/by the court

UNIT-IV

4. Sentencing

- Principal types of sentences in the Penal Code and special laws
- Sentencing in white collar crime
- Pre-sentence hearing
- Sentencing for habitual offender
- Summary punishment
- Plea-bargaining

UNIT-V

5. Imprisonment

- The state of India's jails today
- The disciplinary regime of Indian prisons
- Classification of prisoners
- Rights of prisoner and duties of custodial staff.
- Deviance by custodial staff
- Open prisons
- Judicial surveillance - basis - development reforms

Suggested Readings :

- S. Chhabbra, The Quantum of Punishment in Criminal Law (1970),
- H.L.A. Hart, Punishment and Responsibility (1968)
- Herbert L. Packer, The Limits of Criminal Sanction (1968)
- Alf Ross, On Guilt, Responsibility and Punishment (1975)
- Siddique, Criminology (1984) Eastern, Lucknow. Law Commission of India, Forty-Second Report Ch. 3 (1971)
- K.S. Shukla, "Sociology of Deviant Behaviour" in 3 ICSSR Survey of Sociology and Social
- Anthropology 1969-179 (1986)
- Tapas Kumar Banerjee, Background to Indian Criminal Law (1990), R.Campray & Co., Calcutta.

THIRD SEMESTER
PAPER-IX
COMPULSORY PAPER
PAPER NO -301
JURISPRUDENCE AND LEGAL THEORY

UNIT-I

1. Nature and scope of Jurisprudence
2. Schools of Jurisprudence
 - Analytical
 - Historical
 - Philosophical
 - Sociological

UNIT-II

3. Meaning of Positivism
 - Analytical positivism
 - ✓ Bentham's Pure Theory of Law
 - ✓ Austin/Kelsen's Pure Theory
 - ✓ Hart's Concept of Law
 - ✓ Dworkin's criticism/Hart
 - ✓ Fuller controversy
 - ✓ Hart-Devlin's debate
4. Modern trends in Analytical and Normative Jurisprudence
 - Rawls and Distributive Justice
 - Nozick and the Minimal State.

UNIT-III

5. Historical and Ancient Indian Jurisprudence
6. Savigny's concept of Volksgeist
7. Contribution of Henry Maine

8. Economic theory of law

9. Views of Karl Marx and Friedrich Engels

UNIT -IV

10. Sociological theories of law

- Contribution of Ihering
- Contribution of Ehrlich

11. Duguit's theory of Social Solidarity Roscoe Pound's Social Engineering

12. Classification of Interests American and Scandinavian Realism

13. Critical Legal Studies Movement.

UNIT-IV

14. Theories of Natural Law

- Meaning of Natural Law
- History of Natural law

15. Greek origins

- Medieval period
- View of St. Thomas Aquinas
- Period of Renaissance/Reformation

16. Grotius and International Law-

- Transcendental
- Idealism

UNIT-V

17. View of Immanuel Kant"

18. Natural Law

19. Social Contract theories

20. Stammler and Natural Law with variable content

21. Fuller and the Morality of Law

UNIT- VI

22. Hart on Natural Law
23. Finnis and Restatement of Natural law
24. Positivists and Naturalists debate.

Suggested Readings:

- G.W.Paton: A Text book of Jurisprudence, 4th Edition; Clarendon Press, Oxford, 1972.
- R.W.M. Dias, Jurisprudence. 5th Edition; Aditya Books Private Ltd., New Delhi, 1994.
- W.Friedmann: Legal Theory, 5th Edition; Columbia University Press, New York
- Dennis Lloyd: Lloyd's Introduction to Jurisprudence, 6th Edition, Sweet and Maxwell, London, 1994.
- Julius Stone: The Province and Function of Law; Associated General Publications Pvt. Ltd. Sydney.
- Howard Davies and David Holdcraft: Jurisprudence: Texts and Commentary; Butterworths, London, Dublin, Edinburgh, 1991.
- S.N.Dhyani: Fundamentals of Jurisprudence: The Indian Approach, 2nd Edition, Central Law Agency, Allahabad, 1997.
- Edgar Bodenheimer: Jurisprudence; The Philosophy and Method of the Law, Universal Book Traders, Delhi, 1996.
- Rama Jois, Seeds of Modern Public Law in Ancient Jurisprudence, Eastern Book Company, Lucknow, 1990.
- Rama Jois, Ancient Indian Law-Eternal Values in Manu Smriti, Universal Law Publishing Co., New Delhi, 2002.

SPECIALISATION PAPER
BUSINESS LAW
PAPER-X
PAPER NO- -302
INTELLECTUAL PROPERTY RIGHTS

UNIT -I

1. Intellectual Property Rights

- Concepts
- Definitions
- Institutions.

UNIT -II

2. Protection of intellectual Property in India the Patents Act, 1970 and the Patents (Amendment) Act, 1999

- The meaning of Patent
- How to obtain a patent
- Specification
- Opposition to Grant of Patent
- Register of Patents and Patent Office
- Rights and obligations of a patentee
- Transfer of Patent Rights
- Compulsory Licenses and Licenses of Right
- Revocation and surrender of patents
- Infringement of Patents and penalties

3. International Copyright Protection

- Berne Convention for the Protection of Literacy and Artistic Works 1886 and its amendments
- Rome Convention for the Protection Procedures of Phonograms and Broadcasting

Organizations 1961

- Geneva Convention for the Protection of producers of Phonograms against Unauthorized Duplication of their Phonograms, 1971
- Brussels Convention relating to the Distribution of Programme - carrying signals transmitted by Satellites, 1974

UNIT- III

4. International Protection of Industrial Property Rights - Paris Convention for the Protection of Industrial Property, 1883

5. International Agencies and intellectual Property

- World Intellectual Property Organization (WIPO)
- United Nations Educational, Scientific and cultural organization
- United Nations Conference on Trade and Development

6. WIPO Copyright Treaty (20 December 1996)

- WIPO Performances and Phonograms Treaty (20 December 1996)

7. Convention on Biological Diversity

8. European Patent Convention, 1973

UNIT- IV

9. The Indian Copyright Act, 1957

- Rights of authors
- Ownership in Copyright
- Rights conferred under copyrights
- Rights of Broadcasting organizations and of Performers
- Assignment
- Infringement of copyright

UNIT- V

10. Trade marks

- The Trade and Merchandise Marks Act, 1958
 - ✓ Trade Marks Registry and Register of Trade Marks

- ✓ Property in a Trade Mark and Registration and Registration of Trade Marks
- ✓ Deceptive Similarity
- ✓ Assignment and transmission
- ✓ Licensing of Trade Marks and Registered users
- ✓ Rectification of Register
- ✓ Infringement, Threat and Trade Libel
- ✓ Good Will
- ✓ Passing off
- ✓ Offences and Penalties

UNIT -VI

11. Industrial Designs Act, 2001

- Nature of Industrial Designs
- Subject matter of Industrial Designs
- C. Rights conferred by Designs
- Term of Designs
- Remedies for infringements

UNIT- VII

12. International Protection of IPR

- The International Trade Organization and the events leading to the creation of GATT, 1947
- The GATT, it's working and salient features
- Negotiating history of the WTO, the Dunkel Draft and the Agreement stabilizing the WTO, 1994
- Agreement on Agriculture
 - ✓ Agreement on Textile and clothing
 - ✓ Agreement on import licensing Procedure
 - ✓ The Agreement on Safeguards
 - ✓ General Agreement on Trade in Services

- The Agreement on Trade related aspects of intellectual Property Rights - General
- Provisions and Basic Principles - Objectives and principles
- Protection of Specific Intellectual Property Rights under TRIPS
 - ✓ Copyrights and related Rights'
 - ✓ Trademarks
 - ✓ Geographical indications, protection plant varieties
 - ✓ Industrial designs
 - ✓ Patents
 - ✓ Layout Designs
 - ✓ Undisclosed information
 - ✓ Control of anti-competitive Practices in Contractual Licenses
- Enforcement of Intellectual Property Rights
 - ✓ Civil and Administrative procedures and Remedies
 - ✓ Provisional Measures
 - ✓ Special Requirements Related to Border measures
 - ✓ Dispute Prevention and Settlement

8. Rules and procedure Governing the Settlement of Disputes

9. Role of intellectual Property in Economic Development

Suggested reading

- Michael Blakeney and Cornish W. R. , Trade Related Aspects of Intellectual Property Rights:
A concise Guide to the TRIPS Agreement and Intellectual Property Law
- Prabudh Ganguli Gearing up for Patents and Intellectual Property Rights
- P. Narayanan Intellectual Property Law
- Wadehra B. L. Patents, Trademarks, Designs and Geological Indications
- Cornish P. Intellectual Property Law
- M. B. Rao WTO and International Trade
- S.R.Mynani , Intellectual Property Law

CRIMINAL LAW
COMPARATIVE CRIMINAL LAW

UNIT – I

1. Organisation of Courts and Prosecuting Agencies

- Hierarchy of criminal courts and their jurisdiction
- Nyaya Panchayats in India
- Panchayats in tribal areas
- Organisation of prosecuting agencies for prosecuting criminals
- Prosecutors and the police
- Withdrawal of prosecution.

UNIT – II

2. Pre-trial Procedures

- Arrest and questioning of the accused
- The rights of the accused
- The evidentiary value of statements / articles seized / collected by the police
- Right to counsel
- Roles of the prosecutor and the judicial officer in investigation.

UNIT – III

3. Trial Procedures

- The accusatory system of trial and the inquisitorial system
- Role of the judge, the prosecutor and defence attorney in the trial
- Admissibility and inadmissibility of evidence
- Expert evidence
- Appeal of the court in awarding appropriate punishment.
- Plea bargaining

UNIT – IV

4. Correction and Aftercare services

- Institutional correction of the offenders
- General comparison - After - care services in India and France

- The role of the court in correctional programmes in India.

UNIT –V

5. Preventive Measures in India

- Provisions in the Criminal Procedure Code
- Special enactments
- Public Interest Litigation - Directions for criminal prosecution.

Suggested Readings :

- Celia Hamptom, Criminal Procedure
- Wilkins and Cross, Outline of the Law of Evidence
- Archbold, Pleading, Evidence and Practice in Criminal Cases
- Sarkar, Law of Evidence
- K.N.Chandrasekharan Pillai(ed.), R.V. Kelkar's Outlines of Criminal Procedure (2000), Eastern, Lucknow.
- John N. Ferdico, Criminal Procedure (1996), West
- Sanders & Young, Criminal Justice (1994)
- Christina Van Den Wyngart, Criminal Procedure Systems in European Community Joel Samaha,
- Criminal Procedure (1997), West
- Criminal Procedure Code, 1973
- The French Code of Criminal Procedure,
- 14th and 41st Reports of Indian Law Commission

BUSINESS LAW

PAPER- XI

PAPER- 303

CORPORATE FINANCE

UNIT- I:

1. Introduction
2. Meaning
3. Importance
4. Scope

UNIT- II

5. Capital Needs
 - Capitalization
 - Working Capital
 - Securities
 - Borrowings
 - Deposits Debentures
6. Objectives of Corporation Finance
 - Profit Maximization
 - Wealth Maximization
7. Constitutional Perspectives
 - The Entries 37, 38, 43, 44, 45, 46, 47, 52, 82, 85, and 86 of List 1 - Union List
 - Entry 24 of List 11 - State List.

UNIT- III

8. Equity and Debt Finance
9. Share Capital
10. Prospectus - Information Disclosure
11. Issue and Allotment
12. Shares without Monetary Consideration

13. Non-Opting Equity Shares

UNIT-IV

14. Debentures

15. Nature, Issue and Class

16. Deposits and Acceptance

17. Creation of Charges

18. Fixed and Floating Charges

19. Mortgages

20. Convertible Debentures

UNIT- V

21. Conservation of Corporate Finance

22. Corporate Fund Raising

24. Regulation by Disclosure

25. Control on Payment of Dividends

UNIT- VI

26. Managerial Remuneration

27. Protection of Creditors

28. Need For Creditor Protection

29. Preference in Payment

30. Protection of Investors

UNIT -VII

31. Individual Share Holder Right

32. Corporate Membership Right

33. Derivative Actions

34. Qualified Membership Right

UNIT-VIII

35. Depositories

- IDR (Indian Depository Receipts)
- ADR (American Depository Receipts)
- GDR (Global Depository Receipts)

36. Public Financing Institutions

- IDBI, ICICI, IFC and SFC
- Mutual Fund
- Other Collective Investment Schemes Institutional Investments - LIC, UTI
- Banks FDI and NRI Investment
- Foreign Institutional Investments (IMF and World Bank)

UNIT- IX

37. Administrative Regulation on Corporate Finance

38. Inspection of Accounts

39. SEBI

- Central Government Control
- Control by Registrar of Companies
- RBI Control

Suggested Readings

- Hundson Alastair.(1998) The Law On Financial Derivatives. London: Sweet & Maxwell
- Ferran, Eil's. (1999) Company Law and Corporate Finance. Oxford.
- Charkham, Jonathan. (1999) Fair Shares: The Future of Shareholder Power and Responsibility. Oxford.

- Ramaiya A, (1998) Guide to the Companies Act Vol. I, II and III.
- Ford, H.A.J. And Austen, A.P.(1999) Fords' Principle of Corporations Law. Butterworths.
- Farrar J.H. And Hanniyan, B.M. (1998) Farrar's Company Law. Butterworths.
- Austen R.P. (1986) The Law of Public Company Finance. Lbc
- Goode, R. M. (1988) Legal Problems of Credit and Security. London: Sweet and Maxwell.
- Altman and Subrahmanyam, (1985) Recent Advances in Corporate Finance. LBC
- Gilbert Harold. (1956) Corporation Finance
- Henry E. Hoagland, (1947. Corporation Finance.
- Kristein, Maryin M. (1975) Corporate Finance.

Suggested Readings Journals

- Journal of Indian Law Institute, Journal of Business Law, Chartered Secretary, Company Law Journal, Law and Contemporary Problems.
- Statutory Materials - Companies Act and Laws Relating SEBI, Depositories, Industrial Financing and Information Technology

CRIMINAL LAW**PRIVILEGED CLASS DEVIANCE****UNIT - 1.**

1. Introduction

- Conceptions of white collar crimes
- Indian approaches to socio-economic offences
- Notions of privileged class deviance as providing a wider categorization of understanding Indian development

2. Typical forms of such deviance

- Official deviance (deviance by legislators, judges, bureaucrats)
- Professional deviance: journalists, teachers, doctors, lawyers, engineers, architects and publishers
- Trade union deviance (including teachers, lawyers/urban property owners)
- Landlord deviance (class/caste based deviance)
- Police deviance
- Deviance on electoral process (rigging, booth capturing, impersonation, corrupt practices)

Gender-based aggression by socially, economically and politically powerful

UNIT - II

3. Official Deviance

- Conception of official deviance - permissible limit of discretionary powers.
- The Chambal valley dacoit Vinoba Mission and Jai PrakashNarain Mission – in 1959 and 1971
- The Chagla Commission Report on LIC-Mundhra Affair
- The Das Commission Report on Pratap Singh Kairon
- The Grover Commission Report on Dev Raj Urs
- The Maruti Commission Report
- TheIbakkar-Natarajan Commission Report on Fairfax.

UNIT -III

4. Police Deviance

- Structures of legal restraint on police powers in India
- Unconstitutionality of "third-degree" methods and use of fatal force by police
- "Encounter" killings
- Police atrocities
- The plea of superior orders
- Rape and related forms of gender-based aggression by police and para-military forces
- Reform suggestions especially by the National Police Commissions

UNIT- IV

5. Professional Deviance

- Unethical practices at the Indian bar
- The Lentin Commission Report
- The Press Council on unprofessional and unethical journalism
- Medical malpractice

UNIT -IV

6. Response of Indian Legal Order to the Deviance of Privileged Classes

- Vigilance Commission
- Public Accounts Committee
- Ombudsman
- Commissions of Enquiry
- Prevention of Corruption Act, 1947
- The Antulay Case

Suggested Readings

- UpendraBaxi, *The Crisis of the Indian Legal System* (1982) Vikas Publishing House, New Delhi.
- UpendraBaxi (ed.), *Law and Poverty: Essays* (1988)
- UpendraBaxi, *Liberty and Corruption: The Antulay Case and Beyond* (1989)
- SurendranathDwevedi and G.S. Bbargava, *Political Corruption in India* (1967)
- A.R. Desai (ed.) *Violation of democratic Rights in India* (1986)
- A.G. Noorani, *Minister's Misconduct* (1974)
- B.B. Pande, "The Nature and Dimensions of Privileged Class Deviance" in *The Other Side of Development* 136 (1987; K.S. Shukla ed.).
- Indira Rothermund, "Patterns of Trade Union Leadership in Dhanbad Coal fields" 23 *J.I.L.I* 522 (1981)

BUSINESS LAW

PAPER-XII

PAPER NO- -304

International Trade Law & Development

UNIT- I:

1. The Multilateral Agreements

- PARIS CONVENTION
- BARNE CONVENTION
- GATT
- GATS
- TRIPS
- WIPO
- WTO
- Dispute Settlement Understanding (DSU)
- Liberalization and Development under the international Trade Law Regime

2. History and Structure of the WTO

3. The Covered Agreements

- Agreement on Agriculture
- Agreement on Sanitary and Phytosanitary Measures
- Technical standards
- Food safety
- Government procurement
- Other International Agreements.

UNIT –II

4. International Trade Pillars

- The three pillars
 - ✓ WTO

- ✓ MFN
- ✓ NT
- ✓ SDT

5. Dispute Settlement Procedures in international Trade Law

6. Jurisprudence

- Adjudicatory Structures
- Conciliatory Structures

7. Study of cases against India

8. Study of cases by India at the WTO.

UNIT -III

9. Economic and Political Rationale behind trade liberalization

10. Founding of General Agreement on Tariffs and Trade (GATT)

- Its successor

11. Trade and Geopolitical Tensions between the Developed and the Developing Countries.

12. Trade Liberalization Agenda

- The Doha Round
- Its Issues

13. Trans Pacific Partnership trade negotiations.

14. Integration of the WTO jurisprudence

15. Environmental and Human Rights Jurisprudence.

UNIT IV

16. International Investment Law

17. TRIMS Agreement of the WTO

18. The BITs

19. International investment Law Regime

- Historical background

- International Development

20. TRIMs Agreement of the WTO and Evolution of BITs

UNIT- V

21. Sources of international investment Law

- Customary Law
- Treaty Law

22. State Responsibility for Breach of investment Obligations

23. Concept of 'investor' and 'investment'

24. Scope of investment Treaties

UNIT- VI

25. Expropriation

26. Non- contingent standards and contingent standards

27. Defences

28. Excuses

UNIT- VII

29. Settlement of Disputes

- Investor
- State
- Inter State

30. Investment Treaties

- India and current international investment Arbitration cases in India.

Unit VIII

31. International Commercial Arbitration

32. The role of ICSID and UNCITRAL

33. General Principles of international Commercial Arbitration

34. Arbitration Agreements

- Formation
- Validity
- Scope
- Enforcement
- Parties to an arbitration agreement

36. Procedural stages of arbitration

37. Role of Courts

UNIT- IX

38. Law relating to international Commercial Arbitration

39. Role of ICSID in settlement of investment Disputes

UNIT -X

40. International Sale

41. International Carriage of Goods

42. Passing of Risk and Property

43. CIF and FOB Sales

UNIT- XI

44. Functions and significance of bills of lading and other shipping documents

45. Payments methods

46. Letters of credit and UCP600

47. Frustration and force Majeure

48. Remedies for breach of the sale contract

49. The Vienna Convention on international Sale of Goods 1980

50. The governing law

51. Jurisdiction in the international sale of goods

Suggested Readings :

- Hoekman, B.M. and P.C. Mavroidis, the World Trade organization: Law, Economics, and Politics. London, Routledge, 2007.

- Macrory, P.F.J., A.E. Appleton and M.G. Plummer (eds.), *The World Trade organization: Legal, Economic and Political Analysis*, New York, Springer, 1995.
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- Bethlehem, D., (et al.) (eds.), *The Oxford Handbook of International Trade Law*, Oxford, Oxford University Press, 2009.
- Ramberg, J., *International Commercial Transactions*, Paris, ICC, 2011.
- Binder, P., *International Commercial Arbitration and Conciliation in UNCITRAL Model Law Jurisdictions*, London, Sweet & Maxwell, 2010.
- *International Commercial Arbitration: A Transnational Perspective*, St. Paul, West, 2012.
- Douglas, Z., J. Pauwelyn, and J.E. Viñuales (eds.), *The Foundations of International Investment Law: Bringing Theory into Practice*, Oxford, Oxford University Press, 2014.
- Schreuer, C.H., *the ICSID Convention: A Commentary: A Commentary on the Convention on the Settlement of investment Disputes between States and Nationals of Other States*, Cambridge, Cambridge University Press, 2009.
- Shan, W. (ed.), *The Legal Protection of foreign investment: A Comparative Study*, Oxford, Hart, 2012.

CRIMINAL LAW
LAW AND ORGANIZED CRIME

UNIT -I

1. Conception

- Reasons for Organized Crimes
- Crime Cartels

2. Cartels

- International Cartels
- State sponsored Crimes
- International Crime syndicate

UNIT- II

3. Drug Addiction

- Trafficking
- Narcotics substances
- National and International Matter

4. Approaches to Drug Abuse

- IPC provisions
- Narcotic Substances Act 1985

UNIT-III

3. Prostitution

- Causes
- Concerns
- International responses Prevention of Immoral Activities Act
- IPC

4. Cyber prostitution

5. Internationalization of flesh trade

6. Collective Violence

UNIT- IV

7. Naxal problems

- Causes
- Concerns
- Tribal rebellion
- Dalit

8. Struggle

- Atrocities
- Telangana struggle

UNIT- V

9. Violence against Women

- Domestic violence
- Workplace violence

UNIT-VI

10. Male dominated

11. Atrocities

11. Communal violence in India

- Background
- Reasons
- Solutions
- Problems in the Legal system
- Role of police

UNIT- VII

12. Operation of criminal justice system
13. Politically Organized Crimes
14. Crime during the Cold War Period
15. LTTE raise to political outfit
16. Terrorism
17. Challenges

FOURTH SEMESTER**PAPER -XIII****PAPER NO- 401****DISSERTATION AND VIVA – VOCE**

Every student enrolled in the LL.M. programme, shall have to mandatorily submit a concierge search dissertation (not exceeding 150 pages) at least a fortnight before the commencement of end semester examination of the 4th semester. The dissertation shall carry weight age equivalent to two theoretical papers.

These rules must be followed:-

1. LL.M. IV Semester's students shall prepare a synopsis on the topics allotted to them.
2. It must be approved by the Guide and be submitted to the concerned Head of department in the first week, after commencement of LL.M. IV semester.
3. A Record shall be maintained by the students in which the summary of study and the progress made by them shall be entered once in every 15 days and it is to be signed by the guide in approval of the same.
4. Thorough discussion shall be had by the students with the Guide at the end of the study, and the thesis shall be prepared on the lines indicated by the Guide.
5. The thesis shall correspond with the notes/record maintained by the Guide.

It will be taken by the external examiner and should be concerning topic of dissertation.



RADHA GOVIND UNIVERSITY

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COURSE STRUCTURE OF LL.M.