

DETAIL SYLLABUS

SEMESTER : I

Course Title : ADVANCE JURISPRUDENCE

Course Code : MLLMCCT101

Credit : 6

Total Marks : 100 (IA:20 / ESE:80)

- UNIT 1. Definition, Nature, Scope and Importance of study of Jurisprudence
- UNIT 2. Positivism and Analytical Theories of Law
a. Jeremy Bentham's Utilitarianism and Analytical Positivism
b. Austin's Theory of Law
c. Analytical Positivism and Indian Legal System
d. Kelson's Pure Theory of Law
- UNIT 3. Natural Law Theories
a. Historical Development in Ancient, Medieval and Renaissance Period
b. Twentieth Century Natural Law Revival
c. Hart on Natural Law
d. Fuller and Morality of Law
- UNIT 4. Sociological Jurisprudence
a. Roscoe Pound's Theory of Social Engineering and Theory of Interest
b. Theories of Duguit and Ihering
- UNIT 5. Historical and Anthropological Theories
a. The German Historical School-Savigny's Volksgeist Theory
b. The English Historical School-Sir Henry Maine
- UNIT 6. American Realism
- UNIT 7. Law and Morality- Relationship and Enforcement of Morality by Law- Hart-Devlin Debate
Feminist Jurisprudence-Liberal, Socialist and Radical Feminism
- UNIT 8. The Critical Legal Studies Movement- Post-Modernist Jurisprudence.

Books Recommended:

1. Friedman- Legal Theory
2. Dias- Jurisprudence
3. Bodenheimer- Jurisprudence: The Philosophy and Method of Law
4. Salmond- Jurisprudence
5. G. W Paton- Jurisprudence
7. V.D. Mahajan- Jurisprudence
8. Dr. S.K. Tiwari- Jurisprudence: Legal Theory and elements of Law

(Students should attempt 4 Questions out of 6 Questions [4X20 = 80]

Course Title : TRENDS IN INDIAN CONSTITUTIONAL LAW

Course Code : MLLMCCT102

Credit : 6

Total Marks : 100 (IA:20 / ESE:80)

- UNIT 1. Preamble- Its Philosophical Foundation and Importance
- UNIT 2. Protective Discrimination: From Quantum Test to Creamy Layer Doctrine- the March from Balaji to Indra Sawhney and After.
- UNIT 3. Freedom of Speech and Expression.
- UNIT 4. New Dimension of Right to Life: Initial Approach and Its Changes with Maneka Gandhi and After.
- UNIT 5. Reading Directive Principles into Fundamental Rights.
- UNIT 6. Distribution of Legislative Powers.
- UNIT 7. Emergency.
- UNIT 8. Amendment of the Constitution of India and Basic Structure Doctrine.

Books Recommended:

1. Durga Das Basu, Shorter Constitution of India
2. Durga Das Basu, Constitutional Law of India
3. Udai Raj Rai, Fundamental Rights and Their Enforcement, PHI Learning
4. Jatindra Kumar Das, Human Rights Law and Practice, PHI Learning, 2020
5. M.P. Jain, Indian Constitutional Law
6. V. N. Shukla, Constitution of India.
7. H.M. Seervai, Constitutional Law of India.

(Students should attempt 4 Questions out of 6 Questions [4X20 = 80]

Course Title : LEGAL METHODOLOGY I

Course Code : MLLMCCT103

Credit : 6

Total Marks : 100 (IA:20 / ESE:80)

- UNIT 1. Meaning, objective and importance of research, Criteria of Good Research, philosophy of Legal Research, Research Ethics,
- UNIT 2. Types of research: Qualitative Research, ethnography and participant Observation, Grounded Theory, Action Research, Quantitative research, jurimetrics, induction and deduction.
- UNIT 3. Formulation of the Research problem, Preparation of the Research Design, Hypothesis
- UNIT 4. Tools and Techniques for Collection of Data: Primary and Secondary Sources
- UNIT 5. Literature Review, Observation Method, Questionnaire · Interview · Case study , Sampling procedures.
- UNIT 6. Processing and Analysis of data, Testing of Hypothesis, Searching the library catalogue, E-research.
- UNIT 7. Report Writing, Structure and Components of Research Report, Mechanism of writing a research report, Citation, Referencing and footnotes, abbreviation,
- UNIT 8. Bibliography, How to Write a research project.

Books Recommended:

1. Blaxter, L, C Hughes & M Tight. How to Research (Buckingham: Open University Press). ISBN: 0-335-19452-4
2. Buckley, P & D Clark. Rough guide to the Internet (London: Rough Guides). ISBN: 1-84353-338-3
3. Calishain, T. Web search garage (Upper Saddle River: Prentice Hall). ISBN: 0-13-147148-1
4. Clinch, P. Using a law library : a student's guide to legal research skills (London: Blackstone). ISBN: 1-84174-029-2
5. Cole, J. Using Moodle: teaching with the popular open source course management system, (Sabastopol, CA: O'Reilly). ISBN: 0-596-00863-5
6. Webley, L. Legal writing (London: Cavendish). ISBN: 1-85941-919-4

Note: - All latest volumes of above mentioned books must be preferred. The above list of books is not an exhaustive one.

(Students should attempt 4 Questions out of 6 Questions [4X20 = 80]

Course Title : LEGAL AID AND LEGAL AWARENESS

Course Code : MLLMORP104

Credit : 4

Total Marks : 50

DETAIL SYLLABUS

SEMESTER : II

Course Title: PRINCIPLES OF COMPANY LAW

Course Code : MLLMMET201 (GR.A)

Credit : 6

Total Marks : 100 (IA:20 / ESE:80)

- UNIT I : Philosophy of Incorporation; Trends in Incorporation
Types of Companies
Essential ingredient for the formation of company
Promotion of Company & Role of Promoters
Certificate of Incorporation
MOA, AOA and other allied documents necessary for incorporation
Doctrine of Ultra Vires
Doctrine of Indoor Management
- UNIT 2 : Membership in a Company
Who are the members?
Modes of acquiring membership
Restriction, Cessation and Expulsion of membership
Rights and duties of members
Key Managerial Persons
Who are Key Managerial Persons?
Their Roles and duties under the Company Act, 2013
- UNIT 3 : Directors
(Dis) / Qualification; Types; appointment and Removal; Duties and powers
Management/Running of a Company
- UNIT 4 : Share Capital

Concept of Share Capital, Share and Stock
Types of Shares
Process of raising capital
Allotment of shares
Buyback of securities & Reduction of Share Capital
Forfeiture of Shares
Transfer and Transmission of Shares

Debenture and Charge

Distinction between Debenture and Shares
Meaning of Charge & its kinds

Creation of charge on Company's Assets- Requirements under Company Act,2013

UNIT 5 :

Accounts and Audit

Accounts of Company and its need under the Company Act 2013 a
Auditing Standards and NRFA
Role of ICAI
Inspection and Investigation under Company Act,2013

Oppression and Mismanagement

Majority Rule and relevant caselaws
Protection of minority Rights
Prevention of Oppression & Mismanagement

UNIT 6 :Reconstruction, Amalgamation and Takeover

Concepts

Relevant Provisions in Company Law & SEBI guidelines
Role of Tribunal and ROC
Consequences of Amalgamation

UNIT 7. Winding up of Company

The need for Insolvency and Bankruptcy Code, 2016 in Winding up of
companies (to be studied in relation to the relevant provisions of the
Company Act, 2013)

UNIT 8. Corporate Governance

What is it & its needs

Global and Domestic scams that necessitated emergence of Corporate
Governance as a concept

Relevant provisions of CG under the Company Act, 2013

Corporate Social Responsibility

Evolution of CSR as aconcept

Dimensions of CSR required under Company Act, 2013

Introduction to E-governance

Introduction

Organisation of ROC office under MCA-21

Back Office

E-form

Digital Signature Certificate (DSC)

CIN based search of Companies

2015 Amendment to Company Act, 2013

Books Recommended:

1. G. K Kapoor et al on Company Law
2. J.M. Thomson-Palmer's Company Law
3. Gower-Principles of Modern Company Law
4. Ramaiya -Guide to Companies Act
5. Indian Law Institute-Current problems of Corporate Law

(Students should attempt 4 Questions out of 6 Questions [4X20 = 80]

Course Title : FUNDAMENTAL PRINCIPLES OF CRIMINAL LAW

Course Code :MLLMMET201 (GR.B)

Credit : 6

Total Marks : 100 (IA:20 / ESE:80)

- UNIT 1 Constituent Elements of Crime
 Actus reus: External element of crime
 Mens rea: concept and relevance
 Mens rea in the Indian Penal Code
 Joint Liability
 Specific Offences
 Attempt
 Abetment
 Criminal conspiracy
 Culpable homicide and murder
 Offences against women and children: Dowry Deaths, Sexual
 Offences, Human Trafficking
 Offences against property: theft, Extortion, Robbery, and Dacoity,
 Cheating
- UNIT 2 Classification of Offences
 a) Cognizable and Non-cognizable offences.
 b) Bailable and Non-Bailable offences.
 c) Compoundable and Non-Compoundable offences
 d) Investigation, Prosecution and Trial
 e) Warrant cases and Summons cases
 f) Summary Trials
- UNIT 3 Constitutional Provisions
 a) Art. 20 Protection against Ex-Post Facto Laws, Protection against
 Double Jeopardy and Protection against Self Incrimination

- b) Art. 21 Impact of expansive interpretation on criminal jurisprudence
Meaning of terms : Life and Personal liberty Fair Procedure Due Process of Law
- c) Right of Accused Arrest, Hand Cuffing Bail, Speedy Trial Torture Custodial Violence Compensation Public Interest Litigation : Direct access to Courts in case of violation of Fundamental Right and other implicit rights
- d) Death Penalty in Light of Art. 21
- e) Art. 22 Protection to Accused in case of punitive detention
Protection ageist Preventive Detention

- UNIT 4 Procedural Criminal Law – Initiation of Proceeding
- a) FIR – rights of complainant,
 - b) Duties of Police Officers under Sec 154
 - c) Delay in lodging FIR.
 - d) Complaint Proceedings
 - e) Jurisdiction of Courts.
 - f) Quashing of Proceedings Sec. 482 CrPC & Article 227 of Constitution
 - g) Extent and Nature of interference by Superior Courts
- UNIT 5 Procedural Criminal Law (Trial Procedures).
- a) Arrest and questioning of accused (Sec. 41,42,46, 65, 57 . CRPC
 - b) Guidelines of Supreme Court in i) D.K Basu v Union of India
 - c) Rights of the Accused 28 i) Pre arrest and Post arrest Bail, Remand ii) Right to Legal Aid iii) Search and Seizure, Surveillance (Sec- 91,94, 97, 103, 165. CRPC) iv) Charge Sheet- powers and duties of Police at the time of investigation v) Extent of interference by court in investigation
- UNIT 6 Admissibility of Evidence.
- a) Relevancy and admissibility, of facts
 - b) Relevancy of confessions and dying declarations
 - c) Appreciating expert evidence in court
- UNIT 7 Relevancy and Admissibility of evidence collected through Forensic and other modern tools and techniques
- UNIT 8 Admissibility of evidence in Cyber Crime
Role of the Court in drawing inference from evidence
Protection of Witnesses
Hostile witnesses

Books Recommended:

1. Dutta K.K., Some Aspects of Criminal Law, Law Research Institute, Edition 1997, APH, Publishing House, Darya Ganj, New Delhi -02.
2. Malik P.L., Criminal Court Hand Book, 18 th Edition, Eastern Book Company, 32, Lalbagh, Lucknow -01.
3. Justice Chandrachud Y V and Manohar V R, Ratanlal and Dhirajlal's The Indian Penal Code. 28th Edition 199, Wadhwa and Company New Delhi.
4. Manjari Rajendra, First Information Report, Edition 2001, Asia Law House, Hyderabad-2
5. Mahendra Kumar Sharma, minimum Sentencing for Offences in India, Law and Policy, Edition 1996, Deep and Deep publications, Rajori Garden, New Delhi-64
6. Handbook of Criminal Procedure Code
7. Jadhav N.K. Is Capital Punishment Necessary, 1st Edition 1973, Anmol Publications, Bombay-52

(Students should attempt 4 Questions out of 6 Questions [4X20 = 80]

Course Title : PUBLIC INTERNATIONAL LAW

Course Code : MLLMMET201 (GR.C)

Credit : 6

Total Marks : 100 (IA:20 / ESE:80)

UNIT 1	Historical Background and Theoretical Foundation of International Law
UNIT 2	Codification and Progressive Development of International Law
UNIT 3	Relationship between International Law and Municipal Law – Indian Practice
UNIT 4	Nature and Functions of State under International Law, State Responsibility, State Succession
UNIT 5	Diplomatic and Consular Relations – The Vienna Convention on Diplomatic Relations, 1961
UNIT 6	Law Relating to Outer Space Law of Seas

UNIT 7 War Crimes, Crimes against Peace and Humanity, Role of the ICC

UNIT 8 Law of Neutrality
India and International Law – A Review

Books Recommended:

1. O. Connel, D.P. – International Law, Vol. I & II
2. S.K. Agarwal (Ed.) – Essays on the Law of Treaties (1972)
3. Roselyn Higgins – The Development of International Law through the Political Organs of the UN (1963)
4. D.J. Harris – Cases and Materials on International Law (Third Ed. 1983)
5. Francis M. Sekandi (Ed.) – New Horizons in International Law (Second Revised Edition)
6. George Schwarzenberger – International Law
7. Brownlie – Principles of Public International Law, 4th Edn. 1990
8. Rebecca, M. Wallace : International Law

(Students should attempt 4 Questions out of 6 Questions [4X20 = 80]

Course Title : FUNDAMENTALS OF COMPETITION LAW

Course Code : MLLMMET202 (GR.A)

Credit : 6

Total Marks : 100 (IA:20 / ESE:80)

UNIT 1. Origin and Development of Competition Law in India and Shortcomings of MRTP Act, Salient features of Competition Act, 2002.

UNIT 2. Anti-competitive Agreement and Freedom of Contract, Unfair Trade Practice.

UNIT 3. Abuse of dominant position.

UNIT 4. Combinations

UNIT 5. Competition Commission of India

UNIT 6. IPR and Competition Law

UNIT 7. Investment and Competition Law

UNIT 8. New Dimensions of Competition Law

Books Recommended:

1. Abir Roy and Jayant Kumar, Competition Law in India, Eastern Law House.
2. S.M. Dugar, Commentary on MRTP Law, Competition Law and Consumer Protection Law, Wadhwa Nagpur
3. D. P. Mittal, Competition Law and Practice, Taxmanns Allied Services.
4. Suresh T. Vishwanathan, Law and Practice of Competition Act, Bharat.
5. Richard Whish, Competition Law, Oxford University Press.
6. Piet Jan Slot and Angus Johnston, An Introduction to Competition Law, Oxford and Portland, Oregon.
7. T Ramappa, Competition Law in India: Policy, Issues and Developments, Oxford University Press.

(Students should attempt 4 Questions out of 6 Questions [4X20 = 80]

Course Title : CRIMINOLOGY AND PENOLOGY

Course Code : MLLMMET202 (GR.B)

Credit : 6

Total Marks : 100 (IA:20 / ESE:80)

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| UNIT 1 | Criminology- Definition, Nature, Scope and utility |
| UNIT 2. | Methods of Criminological Studies |
| UNIT 3. | Schools of Criminology: Classical, Biological Cartographic, Sociological and Socialist |
| .UNIT 4. | Theorising Criminal aetiology : Lombroro and Neo- Lombrosian, Psycho-analysis, Differential Association, Anomie Tradition; Critical Criminology with reference to Labeling, Interactionism and Conflict Theory |
| UNIT 5. | A brief discussion on Modern Trends in Criminology: Phenomenology, Postmodernism and Feminism Crime and Feminism. |
| UNIT 6. | Punishment: Concept and Theories |
| UNIT 7. | Death Sentence |

Treatment of offenders: Prison, Probation and Parole

UNIT 8. Victmology and Compensation - state of Jail reform - Classification of prisoners
- Rights of prisoners - open prison.

Books Recommended:

1. Mamata Rao Law Relating to Women and Children
2. G B Reddy Law Relating to Women and Children
3. K S Shukla Adolescent Offender [1985]
4. C Chhabra The Quantum of Punishment in Criminal Law [1970]
5. H. L. A Hart Punishment and Responsibility
6. A Siddique Criminology [1984], Eastern Lucknow
7. Justice N. K. Chakraborti Probation system in the Administration of Criminal Justice
8. Bharat B Das Victims in the Criminal Justice System

(Students should attempt 4 Questions out of 6 Questions [4X20 = 80]

Course Title : PRIVATE INTERNATIONAL LAW

Course Code : MLLMMET202 (GR.C)

Credit : 6

Total Marks : 100 (IA:20 / ESE:80)

UNIT 1	Scope and Nature of Private International Law
UNIT 2	Theories of Private International Law
UNIT 3	Jurisdictions
UNIT 4	Exclusion of Foreign Law and Sovereign Immunity
UNIT 5	Family Law
UNIT 6	Law of Property
UNIT 7	Law of Obligations
UNIT 8	India And Private International Law – The Practices

Books Recommended :

- 1) Dicey – Conflict of Laws
- 2) Cheshire – Private International Law
- 3) Paras Diwan – Private International Law, Indian and English
- 4) Lakshmi Jambholkar (Ed.) – Select Essays on Private International Law (2011)

(Students should attempt 4 Questions out of 6 Questions [4X20 = 80]

Course Title : BANKING AND INSURANCE LAW

Course Code : MLLMMET203 (GR.A)

Credit : 6

Total Marks : 100 (IA:20 / ESE:80)

- UNIT 1 The Evaluation of Banking Services and its History in India**
History of Banking in India
Bank nationalization and social control over banking.
Various types of Banks and their functions.
Contract between banker and customer: their rights and duties.
Role and functions of Banking Institutions
- UNIT 2 Lending by Banks and Recent Trends of Banking System in India**
Advances, Loans and Securities.

Direct, collateral and miscellaneous Securities.

Default and recovery.

Bank Debt Recovery Tribunals.

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.)

- UNIT 3 General Principles of Law of Insurance**
Definition, nature and history.
Contract of insurance and principles.
The Risk – commencement, attachment, assignment.
Types of insurances.
Policy and its Legal Status.
- UNIT 4 Insurance against third party risks (relevant provisions from Motor Vehicles Act,1988.)
- UNIT 5 Liability Insurance.
- UNIT 6 Consumer Protection and Banking and Insurance Services.
- UNIT 7 The Insurance Act, 1938 and the Insurance Regulatory & Development Authority Act, (IRDA), 2000.
- Unit 8. Miscellaneous Insurance Schemes: New Dimensions (Group Life Insurance, Mediclaim, Sickness).

Books Recommended:

- 1) Tannan, M.L., Tannan's Banking Law and Practice in India, 2008, Wadhwa and Co.
- 2) Tannan, M.L., Tannan's Banking Law and Practice in India, 2004, India Law House.
- 3) Tannan: Banking Law and Practice in India (in 3 vols.), 22nd Ed., R. Cambay & Co. Pvt. Ltd.
- 4) Gupta, S. N., The Banking Law in Theory and Practice (in three volumes), 2006, Universal Law Publishing Co.
- 5) Sharma, B.R. and Nainta, R.P., Principles of Banking Law and Negotiable Instruments Act 2004, Allahabad Law Agency
- 6) Nainta, R.P., Baking System, Frauds and Legal Control, 2005, Deep and Deep Publications.
- 7) Murthy, K.S.N., and Sarma, K.V.S., Modern Law of Insurance in India, 2002, Lexis Nexis Butterworth
- 8) Birds, John, Modern Insurance Law, 2003, Universal Publishing Co.
- 9) Shah, M. B., Landmark Judgments on Insurance, 2004, Universal Publishing Co.

10) Mishra, M.N., Law of Insurance Principles and Practice, 2008, Radhakrishan Prakashan

11) Rangarajan, C., Handbook of Insurance and Allied Laws.

(Students should attempt 4 Questions out of 6 Questions [4X20 = 80]

Course Title : CRIME AND ADMINISTRATION OF CRIMINAL JUSTICE

Course Code : MLLMMET203 (GR.B)

Credit : 6

Total Marks : 100 (IA:20 / ESE:80)

- UNIT 1. Crime - Causes of Crime - Concept of Criminal Jurisprudence
- UNIT 2. Administration of Criminal Justice - Organizational hierarchy of criminal courts - Jurisdiction- prosecution - Police - FIR - charge sheet - withdrawal of criminal prosecution
- UNIT 3. Arrest - interrogation - rights of accused - right to counsel - right to bail - Witness protection -hostile witness - Perjury.
- UNIT 4. Trial Procedure - Accusatory system and the inquisitorial system - pre-trial procedure
- UNIT 5. Law of Evidence - Narco analysis - evidentiary value of statements / article seized - admissibility and inadmissibility of evidence - expert evidence
- UNIT 6. Directions for criminal prosecution [PIL]

UNIT 7. Plea bargaining - preventive detention law - protection of public peace/order

UNIT 8. Special enactment -TADA/POTA -Essential Services Act.

Books Recommended:

1. Tapas Kumar Banerjee Background to Indian Criminal Law [1990]
2. Ratan Lal Law of Criminal Procedure
3. Sarkar, Law of Evidence
4. K N Chandrasekharan Pillai [ed.] R V Kelkar's Outline of Criminal Procedure [2000]
Eastern Book House
5. Law of Commission of India, forty-second Report Ch. 3 [197 1
6. Malimath Committee Report 2004
7. Patric Devlin The Criminal Prosecution in England
8. Sanders and Young Criminal Justice [1994]
9. P D Sharam Police and Criminal Justice System in India

(Students should attempt 4 Questions out of 6 Questions [4X20 = 80]

Course Title : INTERNATIONAL REFUGEE LAW AND HUMANITARIAN LAW

Course Code : MLLMMET203 (GR.C)

Credit : 6

Total Marks : 100 (IA:20 / ESE:80)

UNIT 1 Definition, origin and historical development of refugee law

UNIT 2. Limitation and methods of use of force - International Instruments and institution on refugee law

UNIT 3. Humanitarian law in internal armed conflict and international armed conflicts - Conventions and customary law - Geneva Conventions 1949.

UNIT 4. Application and implementation of humanitarian law and refugee law - Internationally displaced persons

UNIT 5. Origin and Development of International Humanitarian Law

UNIT 6. Sources of International Humanitarian Law

UNIT 7. ICRC – its Role and Function

UNIT 8. International Measures for Implementation of International Humanitarian Law – the Mechanism

Books Recommended :

- 1 Y.S.R. Murty – Human Rights Hand Book
- 2 Ian Brownlie – Basic Documents on International Law, Oxford, 2012
- 3 Rhona K.M. Smith – International Human Rights, Oxford, 2012
- 4 Balchandran-Vearghese – Introduction to International Humanitarian Law
- 5 B.S. Chimni – International Refugee Law
- 6 S. Rajkhowa and Manik Chakraborty – Indigenous Peoples and Human Rights (2010)
- 7 Manik Chakraborty – Human Rights and Refugees
- 8 Manik Chakraborty (Ed.) – Human Rights in Twenty First Century : An Anthology (2014)
- 9 Upendra Baxi – Human Rights in the Administration of Criminal Justice
- 10 E. Lanterpacht – International Law and Human Rights
- 11 Upendra Baxi (Ed.) – The Right to be Human
- 12 Indian Society of International Law – Year Book on IHL and Refugee Law

(Students should attempt 4 Questions out of 6 Questions [4X20 = 80]

Course Title : LEGAL METHODOLOGY II (Practical)

Course Code : MLLMCCP204

Credit : 4

Total Marks : 50

UNIT I **Doctrinal research (10 marks)**

Each student is assigned in advance a separate topic and asked to collect materials. A period of 5-7 days can be set apart for carrying out this assignment in the library. The assignment shall be evaluated internally by a designated faculty member who are engaging LL.M. Classes regularly.

UNIT 2 **Non-Doctrinal research (10 marks)**

Here the students are asked to go out of the class room and library and make an empirical study of a problem which has social, economic, moral or political dimension. Field data can be collected through any model of data collection. The results are to be assessed internally by a designated faculty member who are engaging LL.M. Classes regularly.

Note: Only a single topic will be assigned to each student for project work which should be consists of both doctrinal and non- doctrinal research work and comprises of 20 marks as a combination of unit I and unit II mentioned above.

UNIT 3 **Clinical work (10 marks)**

The method is that the Legal Aid Clinic of the Department of Law can involve itself with other legal aid programmes in the area. Students are encouraged not only to work with the clinic but also to acquaint themselves with court proceedings, working of a business organisation, tackling of labour disputes, drafting of business or other deeds and with public interest litigation. The initiative and potential of the student and the actual submission of report turned out by him/her shall be assessed by the team of senior faculty who are engaging LL.M. Classes regularly. Focus, priority and weightage shall be for the research being done by the students in the above areas.

UNIT 4

Law Teaching (20 marks)

A topic is assigned to the student in advance. He is required to handle a class for 25 to 30 minutes. The students may be asked to teach the LL.M Semester I students. They can select any of the methods of teaching. In law teaching practical, the LL.M students are to be evaluated internally. The average marks shall be reckoned. Internal evaluation shall be by a group of senior faculty who are regularly engaged in handling LL.M. classes.

Books Recommended :

1. Sami Pathasarathy, Corporate Governance, Principles, Mechanisms and Practice
2. Dimple Grover, AmulyaKhurana, Ravi Shankar, The Regulatory Norms of Corporate Governance in India.
3. SadhalaxmiVivek Rao, Legal Framework and corporate Governance: An Analysis of Indian Governance System
4. Ministry of Corporate Affairs, Voluntary Guidelines on Corporate Governance, 2009
5. Sanjay Anand, Essentials of Corporate Governance

(For 3rd Semester, Papers only for Group A are given)

SEMESTER: III (Paper 1)

Course Title: Fundamentals of Intellectual Property Law

Course Code: MLLMMET 301

Credit: 6

Total Marks: 100 (IA: 20 / ESE: 80)

Unit 1: a) Concept, Nature and Scope of Intellectual Property Rights
b) Historical Background of Intellectual Property Rights
c) Significance of Intellectual Property Rights and Its Enforcement

Unit 2: a) Kinds of IPR
b) Theories of Intellectual Property Rights
c) IPR and International Legal Instruments

Unit 3: a) Introduction to the TRIPS Agreement
b) Historical and Legal Background to TRIPS
c) Objectives and Principles of TRIPS Agreement

Unit 4: a) WIPO and Its Functions, Agreement between WIPO and WTO.
b) Role of Government in the Administration of IPR
c) Interface Between IPR And Competition Law

Unit 5: a) Economic analysis of Intellectual Property Rights
b) Need for Private Rights versus Public Interests
c) Advantages and Disadvantages of IPR.

Unit 6: a) Criticisms of Intellectual Property Rights
b) Politics of Intellectual Property Rights
c) Third World Criticisms

Unit 7: a) Human Rights and IPR
b) Overlapping of Human Rights and IPR
c) IPR and realisation of Human Rights

Unit 8: New Trends and expanding horizons of Intellectual Property

Books Recommended:

1. Ahuja V.K, Intellectual Property Rights in India (3rd Edition, July 2017, LexisNexis, Butterworths, Wadhwa, Nagpur)
2. Bainbridge, David, Intellectual Property Rights, 10th Edition, Pearson
3. Correa, Carlos M, Trade Related Aspects of Intellectual Property Rights, A Commentary on TRIPS Agreement(Oxford University, Press, Oxford/New York, 2007)

4. Cornish W.R, Case and Materials on Intellectual Property, 3rd Edition (1999)
5. Das, J.K, Intellectual Property Rights (2008)
6. Steven D Anderman (ed.) The Interface between Intellectual Property Rights and Competition Policy, (Cambridge University Press, New York, 2007)
7. Vashisth V, Law and practice of Intellectual Property in India,(1999)
8. WIPO Intellectual Property Handbook, (2004); WIPO Intellectual Property Law; Introductory notes, WIPO Intellectual Property Handbook; Law Policy and use (2004)
9. Wadhera, B.L, Law relating to Patents, Trademarks, Copyrights, Designs and Geographical Indications, Fifth Edition, 2016

Note: - All latest volumes of above mentioned books must be preferred. The above list of books is not an exhaustive one.

SEMESTER: III (Paper 2)

Course Title: Patent and Trademark Law

Course Code: MLLMMET 302

Credit: 6

Total Marks: 100 (IA: 20 / ESE: 80)

Students should attempt 4 Questions (2 questions from each Module) out of 6 Questions [4X20 = 80]

Module I

Law of Patent

- Unit 1: a) Introduction, definition, scope and objectives of Law of Patents
b) Subject Matter of Patents.
c) International Conventions and treaties regarding patents.
d) History of Indian Patent System
- Unit 2: a) Procedure for Obtaining Patents.
b) Patentability and Patentable Subject – Matter
c) Process and Product Patent
d) Specification
e) Opposition to grant of Patents
- Unit 3: a) Register of Patents and Patent Office
b) Rights and Obligations of Patentee
c) Transfer of Patent Rights

- d) Voluntary Licences, Compulsory Licences,
- e) Licence of Right and Revocation for non-working patents.
- f) Assignment and Licensing of Patents.
- g) Patenting of Traditional Knowledge. Issues related to Bio piracy and Bio Prospecting

- Unit 4:
- a) Powers of Central Government to acquire and use patents for public purpose.
 - b) Revocation and Surrender of Patents.
 - c) Infringement of Patents. Threat of Infringement Proceedings
 - d) Offences and Penalties.
 - e) Appellate Tribunal Proceedings
 - f) Ever Greening of Patents.

Model II

Law of Trademarks

- Unit 5:
- a) General Principles of Trademarks.
 - b) International and National Laws relating to trademarks
 - c) Property in Trademarks – how acquired?
 - d) Conditions and Procedure for Registration of Trademarks.

- Unit 6: Opposition of Registration of Trademark.
- a) Effect of Registration
 - b) Registerable and Non Registerable Trademarks.
 - c) Similar, Nearly Resembling and Deceptively Similar Trademarks.
 - d) Trademark Registry and Register of Trademarks
 - e). Assignment, Transmission and Abandonment

- Unit 7:
- a) Licensing of Trademarks and Registered Users
 - b) Collective Marks Service Marks and Textile Trademarks
 - c) Infringement and Passing Off.
 - d) Action for Infringement
 - e) Passing off Action.
 - f) Certification of Trademark

- Unit 8:
- a) Offences and Penalties.
 - b) Threat of Legal Proceedings.
 - c) Appellate Tribunals
 - d) Emerging New Trends in Trademarks.

Books Recommended:

1. Phoebe Li, Health Technologies and International Intellectual Property Law: A Precautionary Approach, Routledge Research in Intellectual Property, 2014. See Part I, Chapter 1.2 and Chapter 5.

2. Joo-Young Lee, A Human Rights Framework for Intellectual Property, Innovation and Access to Medicines, Routledge Publishers, 2015, see Chapters 2 to 4 and 7. Jakkritkuanpoth, Patent Rights in Pharmaceuticals in Developing Countries: Major Challenges for the Future, Edward Elgar Publishing Ltd, 2011.
3. Thomas Pogge, Matthew Rimmer, Kim Rubenstein (Eds), Incentives for Global Public Health: Patent Law and Access to Essential Medicines, Cambridge University Press, 2010.
4. E. Wyndham Hulms, "The History of Patent System under the Prerogative and at Common Law, 12 L.Q. R.141, 13 L.Q.R. 313 & 16 L.Q.R. 44
6. Hughes J. "Philosophy of Intellectual Property" 77 The George Town Law Journal 285
7. Peter Drahos, A Philosophy of Intellectual Property, Dartmouth, (1996)
8. Terrel on the law of Patents, Sweet & Maxwell (18th Edn. 2019)
9. The Paris Convention 1883
10. Bodenhausen, Guide to the Application of Paris Convention for the Protection of Industrial Property, WIPO (2004)
11. Rajiv Dhavanet.al, "Paris Convention Revisited" 31, JILI (1991)
12. Thomas Pogge, Mathew Rimmer, Kim Rubenstein (ed), Incentives for global public health: Patent law and access to essential medicines, Cambridge University Press (2010)
13. MANISH ARORA, GUIDE TO TRADEMARK LAW, UNIVERSAL LAW PUBLICATION CO. (2007)

SEMESTER: III (Paper 3)

Course Title: Law of Copyright

Course Code: MLLMMET 303

Credit: 6

Total Marks: 100 (IA: 20 / ESE: 80)

Unit 1: a) Introduction to Copyrights

- b) International Conventions relating to Copyrights
- c) Indian Laws relating to Copyright
- d) Nature of Copyrights
- e) Subject Matter of Copyrights.

Unit 2: a) Authorship and Ownership.

- b) Rights Conferred by Copyright
- c) Rights of Broadcasting Organizations, Producers of Phonograms and Performers.
- d) Assignment, Transmission and Relinquishment.

Unit 3: a) Compulsory and statutory licensing

- b) Publication
- c) Copyright Societies
- d) Copyright office and Boards.

Unit 4: a) Emerging New Trends in copyrights.

- b) International Copyrights.
- c) Registration of Copyrights
- d) Appeals.

Unit 5: a) Moral Rights and related/ neighbouring rights

- b) Different statutory agencies under the Copyright Act and their roles
- c) Drafting of agreements to transfer copyright and related rights

Unit 6: a) Fair dealing/ fair use – comparison of US, UK & India

- b) ISP liability
- c) Digital Rights management
- d) Remedies for infringement

Unit 7: a) Berne Convention for the Protection of Literary and Artistic Works, 1883

- b) Universal Copyright Convention, 1952
- c) Rome Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organisations 1961
- d) Brussels Satellites Convention, 1974

Unit 8: a) TRIPS Agreement, 1994

- b) WIPO Performances and Phonograms Treaty, 1996
- c) International Copyright Order, 1999
- d) Beijing Treaty on Audio-visual Performances, 2012

Books Recommended:

1. Adeney, Elizabeth. *The Moral Rights of Authors and Performers: An International Comparative Analysis*. London: Oxford University Press, 2006.
2. Alain Strowel, *Peer to peer File Sharing and Secondary Liability in Copyright Law*, Edward Elgar, 2009
3. Cohen, Loren et.al, *Copyright in the Global Information Economy*, Aspen, 2nd ed., 2006
4. Copinger and Skone James on Copyright, Vol. 1, Sweet & Maxwell, 2010
5. Cornish, Graham P., *Copyright: Interpreting the Law for Libraries, Archives and Information Service*, Facet Publishing, London, 2009
6. D'Agostino Guiseppina, *Copyright, Contracts, Creators: New Media, New Rules*, Edward Elgar, 2010
7. ElezabethAdeney, *The Moral Rights of Authors and Performers: An International and Comparative Analysis*, OUP, 2006
8. Gervais, *Collective management of Copyright and Related Rights*, Kluwer, 2010
9. Goldstein on Copyright Law, Kluwer, 2000

10. Gopalakrishnan, N. S. & Agitha T. G, Principles of Intellectual Property, Eastern Book Company, 2009
11. Jude C. Umeh, The World beyond Digital Rights Management, British Computer Society, UK, 2007
12. Kathey Bowery, New Directions in Copyright Law, Edward Elgar, 2007
13. Lionel Bently et.al., Copyright and Piracy: An Interdisciplinary Critique, CUP, 2010
14. Lior Zemer, Idea of Authorship in Copyright Law, Ashgate, 2007
15. Nimmer on Copyright Law, LexisNexis, 2007
16. Nimmer, Copyright Illuminated, Kluwer, 2008
17. Okediji, Cohen et.al., Copyright in a Global Information Economy, Aspen, New York, 2006
18. Stamatoudy, Irini A., Copyright Enforcement and the Internet, Kluwer, 2010
19. Stavroula Karapapa, Private Copying, Routledge 2012.

(Students should attempt 4 Questions out of 6 Questions [4X20 = 80])

SEMESTER: III (Paper 4)
Course Title: Human Rights
Course Code: MLLMOET 304
Credit: 4
Total Marks: 50 (IA: 10 / ESE: 40)

Unit 1: a) Fundamental Principles of Universal Declaration of Human Rights
 b) International Covenant on Civil and Political Rights

Unit 2: a) Salient Features of Protection of Human Rights Act, 1993
 b) Role of National Human Rights Commission

Unit 3: International Terrorism and Human Rights
 Sustainable development-Need for Human Rights Education

Unit 4: Human Rights and Duties – Areas of harmony and conflict
 Public Interest Lawyering and Human Rights

Books Recommended:

1. Julius Stone, Human Rights and Human Justice (2000) Universal Publication, New Delhi.
2. M.G. Chitkara- Human Rights: Commitment and Betrayal (1996)
3. The Human Rights Watch Global Report on Women's Human Rights (2000) Oxford

4. B.P.Singh Sehgal-Human Rights in India (1996)
5. Raman Kannamma-Universality of Human Rights Discourse-an overview-Department of Civics and Politics, University of Mumbai, Mumbai 1998
6. Vijapur Abdul Rahim (Ed) Essays on International Human Rights-1991
South Asian Publishers Pvt.Ltd, New Delhi
7. Justice Venkataramiah-Human Rights in the Changing world (1998)
8. Agarwal H.O-Implementation of Human Rights Contents with Special reference to India -1993 D.K Publishers, New Delhi
9. Baxi Upendra-Mambeino's Helmet? Human Rights in the Changing world, Har Anand Publishers,1994
10. Iyer Krishna V.R-Human Rights and Inhuman Wrongs,D.K.Publishers,New Delhi 1993
11. Iyer Krishna V.R-The Dialectics and Dilemmas of Human Rights-Yesterday, Today and Tomorrow
12. NHRC Annual Reports, New Delhi
13. Sehgal B.P S-Human Rights in India-Problems and Prospects, Deep and Deep Publications, New Delhi 1995
14. Justice Hosbet Suresh" All Human Rights are Fundamental Rights"-Universal Law Publication, New Delhi
15. Weeramantry C G-Human Rights and Scientific and Technology Development,1990
16. Baxi Upendra-Rights to be Human (1986)
18. Krishna Iyer V.R-Human Rights- A Judge's Miscellany (1995)

(Students should attempt 2 Questions out of 4 Questions [2X20 = 40])

SEMESTER: IV (Paper 1)
Course Title: Law and Social Transformation in India
Course Code: MLLMCCT401
Credit: 6
Total Marks: 100 (IA: 20 / ESE: 80)

Unit 1: Law and Social Change

Law as an instrument of social change, Law as the product of traditions and Culture, Criticism and evaluation in the light of colonization and the introduction of common Law system and institutions in India and its impact on further development of law and Legal institutions in India.

Unit 2: Religion and the Law

Freedom of religion and non-discrimination on the basis of religion, Religious minorities and the law.

Unit 3: Language and the Law

Language as a tool of Social Transformation
Salient features of 'The Official Languages Act, 1963'

Unit 4: Community and the law

Protective discrimination: Scheduled castes, tribes and backward classes, Reservation; Statutory Commission, Statutory provisions, Caste as a divisive factor, Non-discrimination on the ground of caste, Acceptance of Caste as a factor to undo past injustices.

Unit 5: Women and the Law

Crimes against women, Gender injustice and its various forms,
Women's commission,
Empowerment of women

Unit 6: Children and the Law

Constitutional and other legal provisions, child labour,
Adoption and related problems,
Children and education.

Unit 7: Modernisation and the Law

Modernization as a value: Constitutional perspectives reflected in the fundamental Duties, Democratic decentralization and local self-government, Modernization of Social institutions through law

Unit 8: Alternative approaches to law

The jurisprudence of Sarvodaya – Gandhiji, Vinoba Bhave ; Jayaprakash Narayan,
Grama nyayalayas
ADR

Books Recommended:

1. Marc Galanter (ed), Law and Society in Modern India (1997) Oxford
2. Robert Lingat, The Classical Law of India (1998), Oxford
3. U. Baxi, The Crisis of the Indian Legal System (1982), Vikas , New Delhi
4. U.Bixi (ed), Law and Poverty Critical Essays (1988), Tripathi , Bombay
5. Manushi , A journal About of Women and Society
6. Duncan Derrret , The State, Religion and Law in India (1999), Oxford University Press, New Delhi
7. H.M.Seervai , Constitutional Law of India (1996), Tripathi
8. D.D.Basu, Shorter Constitution of India (1996), Prentice–Hall of India (P) Ltd.,New Delhi
9. Sunil Deshta and Kiran Deshta, Law and Menace of child Labour (2000) Armol Publications, Delhi.
10. Savitri Gunasekhare, Children, Law and Justice (1997), Sage
11. Indian Law Institute, Law and Social Change: Indo-American Reflections,Tripathi (1988)
12. J.B.Kripalani, Gandhi: His Life and Thought, (1970) Ministry of Information and Broadcasting. Government of India
13. M.P.Jain, Outlines of Indian Legal History, (1993), Tripathi, Bombay
14. Agnes, Flavia, Law and Gender Inequality: The Politics of Women’s Rights in India (1999), Oxford

(Students should attempt 4 Questions out of 6 Questions [4X20 = 80])

SEMESTER: IV (Paper 2)**Course Title: Judicial Process****Course Code: MLLMCCT402****Credit: 6****Total Marks: 100 (IA: 20 / ESE: 80)****Unit 1: Nature of judicial process**

Judicial process as an instrument of social ordering judicial process and creativity in law–common law model–legal reasoning and the growth of law–change and stability
The tools and techniques of judicial review and judicial creativity
Analysis of the doctrine of Stare Decisis in India

Unit 2: Special Dimensions of Judicial Process in Constitutional Adjudications.

Notions of Judicial Review
Is Judicial Review the same as Judicial Activism?
Judicial Activism and Judicial Self Restraint
Problem of Accountability in judicial law–making

Unit 3: Judicial Process in India

The Indian Debate on the role of the Judges and on the notion of Judicial review
The “Independence” of Judiciary and ‘Political’ nature of Judicial Process
Judicial Activism and Creativity of the Indian Supreme Court; the new dimensions
Institutional liability of Courts and Judicial activism—Scope and Limits

Unit 4: Judicial Process and Constitutional Amendments

Evolution of the Concept of Basic Structure
Philosophy of the doctrine of Basic Structure
The Recent Developments: The “essence of rights” test and “rights test” to determine
Basic structure
Basic Structure and Constitutionalism

Unit 5: The Concept of Justice

The concept of justice or Dharma in Indian thought
Dharma as the foundation of legal ordering in Indian thought
The concept and various theories of justice in the western thought
Various theoretical bases of justice: the liberal contractual tradition, the liberal utilitarian
tradition and the liberal moral tradition

Unit 6: Relation between Law and Justice

Unit 7: Global Justice

Unit 8: Basic features of Realist School

Doctrine of Precedent
Do Judges make Law?

Books Recommended:

1. Cordozo ‘The Nature of Judicial Process (1995). Universal Law Publishing Co., New Delhi
2. Julius Stone. The Province and Function of Law Ch.1, PP 8-16, (2000) Universal Law Publishing Co., New Delhi
3. J.Stone , Precedent and the Law: Dynamics of Common Law Growth(1985),Butterworths. (With effect from the Academic Session 2009-2010)
4. J. Stone. Legal System and Lawyer’s Reasoning (1999), Universal Law Publishing Co., New Delhi
5. Upendra Baxi, The Indian Supreme Court and Politics. (1980) , Eastern Book Co., Lucknow.
6. Rajeev Dhavan. The Supreme Court of India – A Socio-Legal Critique of its Juristic Techniques (1977), Tripathi – Bombay.
7. Virendra Kumar, Basic Structure of the Indian Constitution: Doctrine of Constitutionally controlled Governance, Journal of the Indian Law Institute, PP 365-395, (2007).
8. A. S. Anand, Judicial Review – Judicial Activism—Need for Caution, Journal of Indian Law Institute P. 149 (2000).
9. Upendra Baxi, “On how not to Judge the Judges” 25 Journal of the Indian Law Institute, P. 211 (1983).

10. Henry J. Abraham, *The Judicial Process* (1998), Oxford.
11. S.P.Sathe, *Judicial Activism in India: Transgressing borders and Enforcing Limits*, Oxford New Delhi. (2002)
12. Amartya Sen, 'Idea of Justice'

SEMESTER: IV (Paper3)
Course Title: Dissertation
Course Code: MLLMCCT 403
Credit: 6
Total Marks: 100 (IA: 20 / ESE: 80)

Unit 1: Dissertation (Submission of Research Paper): 50 Marks

Dissertation of each student should be on topics from the area of specialization chosen, and approved by the Departmental Committee. The dissertation is expected to be an in-depth and critical analysis of a legal problem of contemporary significance in the field chosen by the candidate and must incorporate copious reference to judicial decisions, articles and books relevant to the topic in the form of footnotes and bibliographical references. Typed and bound dissertations shall be of uniform pattern. Font size 12, New Times Roman, single space, margin 1", A4 paper, minimum 80 and maximum 100 pages. 2 copies of the Dissertation shall be submitted to the University prior to submitting the form of Semester IV Examination of LL.M Course.

LL.M students are required to follow the steps given below for preparation of Dissertation :

- i. Title of the study
- ii. Problem of the study
- iii. Objectives of the study
- iv. Hypothesis
- v. Review of Literature
- vi. Operational concepts and variables of the study
- vii. Research Design : a) Nature/ Type of the study b) Method of data collection c) Sources of data collection
- viii. Limitations of the study
- ix. Possible contribution of the study
- x. Chapterisation

LL.M students are required to follow the following structure :

- Cover
- Cover Page
- Certificate
- Acknowledgement
- List of Case Laws
- List of Tables

Abbreviations

Contents

Chapter I : Introduction (Theoretical Background and Research Methodology)

Chapter II to Chapter V

Chapter VI : Conclusions (Major Findings and Suggestion)

Bibliography (Books, Journals, News papers, Websites, Research Reports, Magazines etc.

Annexures (Interview Schedules, Questionnaires, Master Charts, Acts, Bills, Maps etc.)

Unit 2: **Presentation: 30 Marks**

Unit 3: **Viva-Voce: 20 Mark**

Students should appear before the External Examiner at the time of Examination.

SEMESTER: IV (Paper 4)

Course Title: Add on Paper

Course Code: MLLMAOT-404

Credit: 4

Total Marks: 50