

Syllabus and Subject Codes

Two Year LL.M Course

Semester –I Constitutional Law Branch

S.No.	Subject	Codes	Remarks
1	Legal Education and Research Methodology	PG69T101	Common
2	Comparative Public Law	PG69T102	Common
3	Fundamental Rights and Directive Principles of State Policy	PG69T103A	Specialisation
4	Law and Administration	PG69T103B	Specialisation

Semester –I Corporate Law Branch

S.No.	Subject	Codes	Remarks
1	Legal Education and Research Methodology	PG69T101	Common
2	Comparative Public Law	PG69T102	Common
3	Law Relating to Organisation of Companies and Corporate Governance	PG69T103C	Specialisation
4	Competition Law	PG69T103D	Specialisation

SEMESTER-I

LEGAL EDUCATION AND RESEARCH METHODOLOGY (PG69T101)

This course is designed to prepare the Post-Graduate student with the necessary understanding of legal education and legal research in contemporary society. The objectives and goals of legal education and legal research are to be introduced. The student should be deeply exposed to the legal regime governing legal education so that they can contribute meaningfully when involved in the any activities of centers of legal education and research. Further the students should be thoroughly introduced to the idea and methods of legal research to better equip them to effectively discharge their responsibilities in the capacity of both academicians and professionals.

Unit I: Introduction to Legal Education.

Legal Education: History of legal education; National Education Policy; Objectives of Legal Education; Bar Council of India Rules of Legal Education; present problems of legal education and future perspectives; Curriculum making and reform; designing teaching methods to suit the curricular requirements; diversity in teaching methods and their merits and demerits; legal aid, legal literacy and law reform

Unit II: Idea of Legal Research, Methodology and ensuring good quality research

Legal Research: Introduction; Legal Research Methodology, purposes and footsteps; thinking process in legal research: diverse models; objectivity, value neutrality, originality, and ethics in legal research; choosing, designing, and building the legal research theme; formulation and testing of hypothesis; rules against plagiarism; introduction to kinds of research.

Unit III: Doctrinal Legal Research Methods

Doctrinal legal research as a means of synthesizing facts, thoughts and legal principles; analytical legal for expanding the legal world; historical legal research: implications and applications; philosophical research in law: the possibilities; comparative method of legal research: nature, process and potentiality.

Unit IV: Non-doctrinal Methods of Legal Research:

Empirical legal research: nature, features and expanding horizons; tools of data collection in empirical legal research: observation, interview, case study, ethnography, questionnaire, survey; qualitative legal research; sampling method: varieties and uses; quantitative legal research.

Unit V: Integrated methods of legal research and Research Reporting:

Multi-method legal research: nature, need, procedure and potentiality; policy research in law; action research in law; methodology of feminist legal research; Legal writing based on research: report writing, writing articles. case comments and notes.

Prescribed Book:

1. Bhat Ishwara P., *Idea and Methods of Legal Research*, (Oxford: Oxford University Press, 2019)
2. Whitney F.L., *The Elements of Research*, (rev.edn. Prentice Hall, 1948)
3. Goode, William J. and Hatt Paul K., *Methods in Social Research, I*" Ind. Re.pt. (Delhi: Surjeet Publications, 2006)
4. Mike McConville and Wing Hong Chi, *Research Methods for Law* (Edinburg University Press, 2007)
5. SK Verrna and Afzal Wani, *Legal Research Methodology* (Indian Law Institution, Second Edition, 2007)
6. I.L.I. *Legal Research and Methodology* (Relevant Chapters).
7. Young P.V. *Scientific Social surveys and Research* (Relevant Chapters).
8. Festinger L & Katz d ;(ed.) *Research Methods in the Behavioural Science*.
9. Wilkinson and Bhandarkar, *Methodology and Techniques of Social Research*.
10. Justice A.R.Lakshmanan, "Legal Education — Role of the Bar," in Lokendra Malik and Manish Arora cd., *Legal Education in India: Essays in honour of Professor Ranbir Singh*, (New Delhi: Universal Law Publishing Co., 2014) Pp.35-48.
11. Justice A.S.Anand, "Legal Education in India- Past, Present and Future," in Lokendra Malik and Manish Arom ed., *Legal Education in India: Essays in honour of Professor Ranbir Singh*, (New Delhi: Universal Law Publishing Co., 2014) Pp.11-20.

COMPARATIVE PUBLIC LAW (PG69T102)

The syllabus aims at introducing basic concepts underlying modern governmental process in different parts of the world. It is now recognized that to understand and appreciate any branch of law knowledge of public law from a comparative prospective is essential. The course attempts to analyse and evaluate basic principles and concepts forming normative and institutional framework of modern governmental process emphasizing the role of constitutions and constitutionalism in public law. These concepts have to be analysed and appreciated with reference to provisions of U.S, U.K., E.U., French and Indian Constitutions.

Unit-I

Public Law and its Relevance: Nature of public law, distinction between public and private law, scope and content of public law – Constitutional law, Administrative law and Criminal law. Comparative public law – Need of the study methods of comparison. Limits of comparative public law.

Unit-II

Constitutions and Constitutionalism: Need for Constitution, evolution of Constitution and Constitutional law, Parts of a perfect Constitution. Constitutionalism and its incorporation into a written Constitution. Limited Government, Separation of powers, Federal Principles, Fundamental rights or Liberty of the subjects, and Judicial Review.

Unit-III

Governance: Legislature and the Government: Organization of Legislatures – Legislative or Parliamentary sovereignty and its limits. Presidential and Parliamentary Government. Cabinet System and its weakness. Legislative supervision over executive government.

Unit-IV

Administrative Process: Basic Principles of administrative law – Rule of Law, Separation of powers, and delegation of powers, principles of natural justice and judicial review of administrative action. Accountability and transparency in administration – Right to information, Citizens Charters and Ombudsman (Lakopal and Lok Ayuktas)

Unit-V

Independent Judiciary and Judicial Review: Independent judiciary and Constitutional adjudication. Independence of Judiciary under Indian Constitution. Judicial Review: Growth and Development, Judicial Activism and Judicial restraint. Public interest Litigation. Theory of basic structure.

Prescribed Reading:

1. D.D.Basu, *Comparative Constitutional Law*, 2nd edn, (Wadhwa, Nagpur, 2010)
2. David Starnes, *The Living Constitution*, (Oxford University Press, 2010).
3. M.V.Pyle, *Constitutional of the World*, (Universal Publishers, 2006).
4. Sudhir Krishna Swamy, *Democracy and Constitutionalism in India – A study of the Basic Structure Doctrine* (Oxford University Press, 2013).
5. Vikram David Amar, Mark Tushnet, *Global Perspectives on Constitutional Law* (Oxford University Press Inc United States 2009)
6. M.P.Singh, *Comparative Constitutional Law*, (Eastern Book Company, 1989.
7. J.P. Pennock and J.W. Chapman, *Constitutionalism, NOMOSXX*, (New York University Press, 1979).
8. M.P.Jain, *Constitutional Law*, 6th edn, (Mumbai : Lexis Nexis, 2013)
9. M.P.Singh, V.N Shukla's. *Constitution of India*, 12th edn, (Lucknow: Eastern Book Company, 2013)
10. Vicki c. Jackson, *Comparative Constitutional Law*, Foundation Press, 2006
11. David Strauss, *The Living Constitution* (Oxford University Press, 2010)
12. Neal Devins and Louis Fisher, *The Democratic Constitution* (Oxford University Press, 2010)
13. Zachery Elkins, Tom Ginsburg, James Melton, *The Endurance of National Constitutions* (Cambridge University Press, 2009).

FUNDAMENTAL RIGHTS AND DIRECTIVE PRINCIPLES OF STATE POLICY (PG69T103A)

Fundamental rights and Directive Principles form the essence of the Indian Constitution and every student specializing in Constitutional law must possess detailed knowledge the developments in this area of the law. The primary thrust of the paper/course is to impart detailed knowledge of the necessary skills to evaluate and appreciate the provisions of the Constitution of India relating to Fundamental Rights and Directive Principles. Such an evaluative effort necessarily involves comparison of developments in the law in other jurisdictions such as U.S., U.K., and Europe. The study is also with reference to landmark decisions of the Superior Courts in India, U.S. and U.K.

Unit –I

Nature and functions of fundamental rights, Evolution of fundamental rights in U.K., U.S.A. and in India. Methods of guaranteeing fundamentals rights through written and unwritten Constitutions. Scope of fundamental rights – state action and judicial review.

Unit-II

Right to Equality and protective discrimination. Privatization and its impact on affirmative action. Reservations in promotions and cost benefit analysis. Right to freedom under Article 19 and new challenges to freedom of press due to new scientific developments.

Unit-III

Right to life and personal liberty – New dimensions of Right to life and expansion of fundamental rights- unremunerated fundamental rights. Compensation jurisprudence. Right to education and its commercialization, right against exploitation, empowerment of women and Rights of the Child.

Unit-IV

Right to Religion, Religious fanaticism and secularism, Uniform Civil Code; Problems and perspectives. Minority rights, Tribal rights, Right to Judicial remedies and Limits to Judicial enforcement of fundamental rights.

Unit-V

Directive Principles and Fundamental Duties; Nature of Directive Principles, Relation between Directive Principles and fundamental rights, Judicial enforcement of Directive Principles, Right based on Directive Principles and justifiability of Directive Principles. Legislative incorporation of Directive Principles – Importance of Fundamental Duties.

Prescribed Readings

1. B.Shiva Rao, *Framing of the Indian Constitution*, New Delhi: Universal Law Publishers, 2004.
2. M.P.Jain, *Constitutional Law*, Nagpur: wadhwa, 2012.
3. H.M.Seervai, *Constitutional Law of India*, New Delhi: Universal Law Publishers, 2012.
4. M.P.Singh, V.N.Shukla's *Constitution of India*, Lucknow: Eastern Book Company, 2012.
5. M.V.Pylee, *Constitution of the World*, New Delhi: Universal Law Publishers, 2006.
6. Vikas David Amar, Mark Tushnet, *Global Perspectives on Constitutional Law*, Oxford University Press, 2009.

LAW AND ADMINISTRATION (PG69103B)

Unit I:

Administrative process, nature and scope; Rule of Separation of powers; control of delegated legislation, Administrative discretion.

Unit II:

Judicial Control of Administrative action Doctrine of ultravires, Discretion and justifiability, procedural fairness – principles of Natural justice

Unit III:

Liability of public authorities – Tortious liability; contractual liability; Emerging trends – personal accountability, compensatory jurisprudence.

Unit IV:

Right to information, official secrecy, Executive privilege, security of state and control on information; promissory estoppel.

Unit V:

Controls on maladministration - Ombudsman, evolving Indian models Lokpal and Lokaukta; Commission of Inquiry; Vigilance Commission, The CBI, Inquiries by Legislative Committees, Judicial inquiries.

Books prescribed for Reading

1. Jain and Jain, Principles of Administrative Law
2. S.P.Sathe, Administrative Law
3. De Smith, Judicial Review of Administrative Action.
4. M.P.Jain, The Evolving Indian Administrative Law

LAW RELATING TO ORGANISATION OF COMPANIES AND CORPORATE GOVERNANCE (PG69T103C)

Unit I

Introduction: History: History of Company Legislation. Legal formalities for Incorporation of Companies under the Indian Companies Act, 2013. Various kinds of Companies. Corporate personality. The binding force of Articles of Association and Memorandum of Association of the Company. Share Holders and Outsiders

Unit II

Issue of Shares Types of Shares. Various types of Share Holders and their Privileges⁴ Forfeiture of Shares. Kinds of Share Capital. Debentures Charges and Dividends. Majority Powers and Minority Rights

Unit III

The Running of the Affairs of the Company - the Prevailing norms. The manner in which the Agents of the Company are appointed – their Duties, Powers and Accountability. Prevention of Oppression and Mismanagement. Winding up of the Companies under the Indian Legal Regime.

Unit IV

Reduction of Share Capital. Buyback of Shares. Re-Organization through Arrangement. Mergers and Acquisitions and its Regulation (Domestic and International) . Competition Law in Regulating Mergers and Acquisitions

Unit V

Litigation and ADR in Corporate Disputes. Company Law Board & National Company Law Tribunal

Books prescribed for Reading

1. Majumdar A.K. 'Company Law and Practice (2010) 15th Edition, Taxmann's Publication (P) Ltd. New Delhi
2. Avtar Singh 'Company Law' (2017) 17th Edition; Eastern Book Company, Lucknow
3. Ramaiah A 'Guide to the Companies Act (1992) 12th Edition
4. Bhandari M.C. 'Guide to the Company Law (1994) 12th Edition
5. Gower L.G.B. "Principles of Modern Company Law", (London), Sweet and Maxwell, 2002
6. Palmer "Company Law" (London), Stevens.
7. Shah S.M. "Lectures on Company Law", 19th Edition (Bombay) N.M. Tripathi, 1990.
8. Larry Cata Backer, "Comparative Corporate Law in United States, European Union, China and Japan – Cases and Materials" (North Carolina) Carolina Academic Press(2006)
9. Ramaiya A., Guide to Companies Act, 17th edition, Lexis Nexis Butterworths Wadhwa, Nagpur (2010).
10. Agarwal & Baby, SEBI Act: A Legal Commentary on Securities & Exchange Board of India, Taxmann (2011).
11. Bhandari, M.C., Guide to Company Law Procedures, 20th Edition, Wadhwa (2007)
12. Dutta C. R., The Company Law, Lexis Nexis Butterworth's, 6th Edition, (2008)

COMPETITION LAW (PG69T103D)

In the era of liberalized markets there has been a considerable awareness towards establishing the competitive process in developing economies such as India. Until recently most of the developing countries operated without a structured competition policy, and have justified the intervention by the state over economic activities. India owing to its WTO obligations enacted Competition Act, 2002. The course seeks provide fundamentals of market economy and extensive knowledge of application of competition policy in India. The course aims to study the developments of the policy of free and fair competition in India and analyze the legal developments, from MRTP to the Competition Act.

Unit I- History and Development of Competition Law

History and Development of Competition Law, Constitutional vision of Social Justice/ Socialism – Liberalization and Globalization; Raghavan Committee Report, Competition Act 2002; an Overview of Competition Law in India, Important Definitions under the Competition Act, 2002.

Unit II- Anti Competitive Agreements

Anti- Competitive Agreements under the Competition Act, 2002. Appreciable Adverse Effect on competition in the Market. Determination of Relevant Market – Rule of Reason and Perse. Illegal rule – Horizontal and Vertical restraints, Exemption, Penalties, Prohibition of Anti-Competitive Agreements. Cartel- Predatory Pricing, bid rigging.

Unit III- Regulation of Abuse of Dominant Position and Regulation of Combinations

Introduction – Dominance in the Market – Relevant Market – Abusive Conducts under the Competition Act. 2002 – Penalties – Prevention of Abuse of Dominance. Combinations: Merger, Acquisition, Amalgamation and Takeover- Horizontal, Vertical and Conglomerate Mergers- Combinations covered under the Competition Act. 2002 – Regulations, Penalties.

Unit IV- Enforcement Mechanisms

Enforcement Mechanisms under the Competition Act. 2002 – Competition Commission of India – Constitution of the CCI – Powers and Functions – Jurisdiction of the CCI adjudication and appeals- Director General of Investigation (DGI) – Competition Appellate Tribunal (CAT) – Enforcement Mechanisms.

Unit V- Competition Advocacy and Emerging Trends in Competition

Law (National and International)

Competition Advocacy in India and other foreign jurisdictions, Intellectual Property Rights and Competition Law, International Trade Law and Competition Law.

Prescribed Readings:

1. Mittal D.P., Taxmann's Competition Law (2007) Universal Guide to Competition Law in India-2003, Universal Law Publishing Company, New Delhi.
2. Ramappa. T., Competition Law in India- Policy, Issues and Development 3rd ed.- 2013, Oxford University Press, New Delhi
3. Ad iP.Talati and Nahar S. Mhala, Competition Act, 2002- Law, Practice And Procedure, Commercial Law Publishers (India)Pvt.Ltd. (2006)
4. Dr. V.K. Agarwal Competition Act, 2002 – Principles and Practices
5. Barry J Rodger and Angus MacCulloch, Competition Law And Policy In The EU And UK , 293-295, Cavendish Publishing Limited, 3rd ed. (2004)
6. Cedric Ryngert, Ec Competition Law Giorgio Monti, Cambridge University Press(2007)
7. M. Dugar, Commentary on MRTP Law, *Competition Law & consumer Protection Law*, 4th ed. – 2006, Wadhwa Nagpur
8. Richard Whish, *Competition Law*, Oxford University press, 2008

Syllabus and Subject Codes

Two Year LL.M Course

Semester –II Constitutional Law Branch

S.No.	Subject	Codes	Remarks
1	Alternative Dispute Resolution System And Enforcement Of Foreign Awards	PG69T201	Common
2	Judicial Process	PG69T202	Common
3	Indian Constitutional Law	PG69T203A	Specialisation
4	Comparative Administrative Law	PG69T203B	Specialisation

Semester –II Corporate Law Branch

S.No.	Subject	Codes	Remarks
1	Alternative dispute resolution system and enforcement of foreign awards	PG69T201	Common
2	Judicial Process	PG69T202	Common
3	Law Relating to Multinational Corporations	PG69T203C	Specialisation
4	Labour And Management Relations Law	PG69T203D	Specialisation

Open Elective Course (Other Department Students)

5	Fundamental Rights and Directive Principles of State Policy	PG69T203E	OEC
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SEMESTER-II

ALTERNATIVE DISPUTE RESOLUTION SYSTEM AND ENFORCEMENT OF FOREIGN AWARDS (PG69201)

Unit I:

The Concept of Alternative Dispute Resolution – The Advantages. The Changing perceptions of Political Economy of the State. Various types of Alternative Dispute Resolution Systems.

Unit II:

International Conventions – Multilateral Conventions – Bilateral Conventions. Law Applicable to International Arbitration Proceedings – Applicability of Indian Law to the Arbitration Agreement. Position in India and in other leading Countries.

Unit III:

Kinds of Alternative Dispute Resolution Systems in India - The Normative Standards. Alternatives to the Litigation – Conciliation, Mediation, Negotiation, Arbitration and other Alternative Dispute Resolution Systems. Consumer Forums under the Consumer Protection Act. Constitution, Jurisdiction, Power and Procedure Remedy Provided.

Unit IV:

History and Development of Law of Arbitration in India – Characteristic Features of Arbitration – Scope and Ambit of ‘Agreement’ or ‘Contract’ within the frame work of Arbitration. Different kinds of Arbitration – The Mechanism provided under the Arbitration and Conciliation Act, 1996.

Unit V:

Online Dispute Resolution System – Development of Online Dispute Resolution System. Online Technology in Court Proceedings – Coverage of Disputes in Online Dispute Resolution System – Extent of Technology Applied – Mode of Communication and Evidence.

Books Prescribed for Reading:

1. R.D. Rajan, “A Primer on Alternative Dispute Resolution” (Tirunelveli), Barathi Law Publications (2005)
2. P.C. Rao and William Sheffield, “Alternative Dispute Resolution”, (New Delhi) Universal Law Publishing Co (P) Ltd. (2001)
3. Kwatra G.K. “The New Arbitration & Conciliation Law in India”, (New Delhi), The Indian Council of Arbitration (1998).
4. Other Reading Materials as suggested by the Course Teacher.

JUDICIAL PROCESS (PG69T202)

Unit-I:

Doctrine of Precedent in England – *ratio decidendi and obiter Dictum* – Methods of determining *ratio decidendi- stare decisis* and its exceptions.

Unit-II:

Doctrine of Precedent in India, Precedents and problems – certainty, retro-activity and prospective overruling- judicial restraint and judicial activism- plurality of opinions, anonymous opinion, Precedential value of advisory opinion.

Unit-III:

Judicial Reasoning- logic and growth in law- categories of illusory references. legal reasoning- New rhetoric- Role of judicial concepts and judicial discretion.

Unit-IV:

Legislative Process- Constitutional background Nature of legislative process under Indian Constitution as distinguished from the U.K. U.S.A. Forms of legislations. Parliamentary practice relating to legislation. – Legislative Committees.

Unit-V:

Interpretation of Statutes- General Principles: literal construction, mischief rule, external and internal aid to construction, Reading down and reading up.

Books Prescribed for Reading

1. Rajeev Dhavan, *Supreme Court of India*- Chapter 2 & 8
2. Cross and Harris, *Precedent in English Law*, 4th edn., (London: clarendon Press).
3. Laxminath, *Precedent in Indian Law*, (Lucknow: Eastern Book Co.)
4. Julius stone, *Legal System and Lawyer Reasoning*.
5. R.Dickerson, *Interpretation and application of statutes*.
6. A.R.Mukerjee, *Parliamentary Procedure in India* (Chapter on “legislation” and “Committees”)
7. M.Zander, *Law Making Process*.
8. H.M.Seervai, *Constitutional Law of India*- IV Edition (Chapter on Uman Judiciary).

INDIAN CONSTITUTIONAL LAW (PG69T203A)

Unit-I

Indian Federalism: Conceptual position of Federalism. Nature of the Indian Constitution. Cooperative Federalism, Relationship of trust and faith between centre and states. Challenges before the Indian Federalism.

Unit-II

Distribution of Legislative Powers: The Scheme of the distribution of legislative powers in India, the judicial approach and the present position. Recommendation of Sarkaria Commission & Venkatachaliah Commission.

Unit-III

The Judiciary: The Supreme Court of India. Jurisdiction and Powers. Its role as guardian of the Constitution. Right to Equality: Scope of the right to Equality. New approach of Article 14. Equality of opportunity in matters of public employment and in admission to educational institutions.

Unit-IV

Freedom of Speech and Expression: The area of freedom and its limitation. Freedom of Press and challenges of new scientific development. Working of the Constitution: Achievements and failures. Areas of concern and challenges before the Constitution.

Unit-V

Emerging regime of new Fundamental Rights: The changing dimension of Right to Life and Personal Liberty. Reading Directive Principles and Fundamental Duties into Fundamental Rights. Right to Freedom of Religion: The scope of the freedom and the State Control. Secularism and religious fanaticism.

Prescribed Readings

7. B.Shiva Rao, *Framing of the Indian Constitution*, New Delhi: Universal Law Publishers, 2004.
8. M.P.Jain, *Constitutional Law*, Nagpur: Wadhwa, 2012.
9. H.M.Seervai, *Constitutional Law of India*, New Delhi: Universal Law Publishers, 2012.
10. M.P.Singh, V.N.Shukla's *Constitution of India*, Lucknow: Eastern Book Company, 2012.
11. M.V.Pylee, *Constitution of the World*, New Delhi: Universal Law Publishers, 2006.
12. Vikas David Amar, Mark Tushnet, *Global Perspectives on Constitutional Law*, Oxford University Press, 2009.

COMPARATIVE ADMINISTRATIVE LAW (PG69T203B)

Unit-I

Merits of French Administrative Law, Remedies available under French Administrative Law; Availability of Judicial Review in the United States, Doctrine of Primary Jurisdiction; Doctrine of Exhaustion of Administrative Remedies; Doctrine of Standing; Doctrine of Ripeness;

Unit-II

The Government liability for torts committed by its employees in Great Britain, France and India; Promissory Estoppels in Great Britain and India. Right to Information Act, 2005. State privilege to refuse Production of documents in Courts in Great Britain and India;

Unit-III

Judicial Review in United States; Doctrine of Primary Jurisdiction; Doctrine of Exhaustion of Administrative Remedies; Doctrine of Standing; Doctrine of Ripeness

Unit-IV

The Official Secrets Act, 1923 (India, The Freedom of Information Act, 2002, Doctrine of Legitimate Expectation in India and Great Britain.

Unit-V

Doctrine of Legitimate Expectation in India and Great Britain

Books prescribed for Reading

1. Jain and Jain, Principles of Administrative Law
2. S.P.Sathe, Administrative Law
3. De Smith, Judicial Review of Administrative Action.
4. M.P.Jain, The Evolving Indian Administrative Law
5. English Authored Referred Text Books

LAW RELATING TO MULTI-NATIONAL CORPORATIONS (PG69T203C)

Unit-I

The Problems of Definition and various Legal Forms a MNC, The Regulation of MNEs through Company Law

Unit-II

Taxation Problems Associated with MNEs, International double Taxation, The Transfer Pricing Problem, The Indian Tax Law and the Incomes of Non-Resident Indians.

Unit-III

Domestic Laws on Foreign Shareholdings in National Companies: The Relevant Provisions of the FEMA, Corporate Governance and MNCs

Unit-IV

The Environmental Issues and MNEs, Exporting Environmental Hazards through MNEs, Industrial Accidents and the Problem of Corporate Veil

Unit-V

International Standards and the Foreign Investors: The Draft UN Code of Conduct on Transnational Corporation and the OECD Guidelines

Books Prescribed:

1. Peter T Muchlinski *Multinational Enterprise and the Law* –Oxford University Press(2007)
2. Olufemi Amao *Corporate Social Responsibility and Human Rights and Law- Routledge publisher(2011)*
3. Taxman's *Foreign Exchange Management* (July)2019)
4. SK Sarvaria *Commentary on the Foreign Exchange Management Act* Universal Law Publisher (2018)
5. Jessie Russell, Ronald Cohin *Organisation for Economic Co-Operation and Development Bookvika publishing*

LABOUR AND MANAGEMENT RELATIONS LAW (PG69T203D)

Unit I:

Formation of a Trade Union – The Norms relating to the Registration of a Trade Union – Objects of a Trade Union – Executive Committee Composition – The Conflicts. The Trade Union Federations – The Role assumed by the Non-Governmental Organizations.

Unit II:

The Collective Bargaining Process Dynamics – Types of Settlements – Norms relating to the enforceability of Settlements. The basis for Industrial Conflicts – The legal norms relating to Strikes and Lock-outs, its impact on Contract of Employment.

Unit III:

Resolution of Industrial Conflicts – The Role of the State – The Machinery for Resolution of Industrial Conflicts. Pendency of Proceedings and its implications on Contract of Employment. The Scope of Award and its Enforceability.

Unit IV:

The Immunities of a Registered Trade Union – The position under Criminal and Civil Law in respect of Conspiracy. The Position under Common Law. The Judicial Reflections there under.

Unit V:

The Feature of Trade Union Movement - The Changing Perspectives. A Comparative Analysis.

Books/Reports Prescribed for Reading:

1. J.N. Mallik, *Trade Union Law* (Calcutta: S.C. Sarkar & Sons Private Ltd. 1970)
2. S.N. Dhyani, *Trade Unions and The Right to Strike* (Bombay: S. Chand & Co (P) Ltd. 1996)
3. Dr. Sharath Babu & Rashmi Shetty, *Social Justice and Labour Jurisprudence – Justice V.R. Krishna Iyer's Contributions*: (New Delhi: Sage India Publications, 2007)
4. Lord Wederburn, *The Worker and the Law*: (London: Butterworths & Co, 1986)
5. Richard Kidner, *Trade Union Law*, (London: Stevens & Sons, 1979)
6. *Report of the National Commission on Labour*, (New Delhi: Ministry of Labour, Govt. of India, 1969)
7. *Report of the National Commission on Labour*, (New Delhi: Ministry of Labour, Govt. of India, 2002)
8. Srivastava S.C., *Industrial Relations and Labour Law* (1984)
9. Malhotra O.P., *The Law of industrial Disputes*, (New Delhi: Universal Law Publishing Co. (P) Ltd. 2004)

Open Elective Course – (Other Department Students

FUNDAMENTAL RIGHTS AND DIRECTIVE PRINCIPLES OF STATE POLICY (PG69T203E)

Fundamental rights and Directive Principles form the essence of the Indian Constitution and every student specializing in Constitutional law must possess detailed knowledge the developments in this area of the law. The primary thrust of the paper/course is to impart detailed knowledge of the necessary skills to evaluate and appreciate the provisions of the Constitution of India relating to Fundamental Rights and Directive Principles. Such an evaluative effort necessarily involves comparison of developments in the law in other jurisdictions such as U.S., U.K., and Europe. The study is also with reference to landmark decisions of the Superior Courts in India, U.S. and U.K.

Unit –I

Nature and functions of fundamental rights, Evolution of fundamental rights in U.K., U.S.A. and in India. Methods of guaranteeing fundamentals rights through written and unwritten Constitutions. Scope of fundamental rights – state action and judicial review.

Unit-II

Right to Equality and protective discrimination. Privatization and its impact on affirmative action. Reservations in promotions and cost benefit analysis. Right to freedom under Article 19 and new challenges to freedom of press due to new scientific developments.

Unit-III

Right to life and personal liberty – New dimensions of Right to life and expansion of fundamental rights- unremunerated fundamental rights. Compensation jurisprudence. Right to education and its commercialization, right against exploitation, empowerment of women and Rights of the Child.

Unit-IV

Right to Religion, Religious fanaticism and secularism, Uniform Civil Code; Problems and perspectives. Minority rights, Tribal rights, Right to Judicial remedies and Limits to Judicial enforcement of fundamental rights.

Unit-V

Directive Principles and Fundamental Duties; Nature of Directive Principles, Relation between Directive Principles and fundamental rights, Judicial enforcement of Directive Principles, Right based on Directive Principles and justifiability of Directive Principles. Legislative incorporation of Directive Principles – Importance of Fundamental Duties.

Prescribed Readings

13. B.Shiva Rao, *Framing of the Indian Constitution*, New Delhi: Universal Law Publishers, 2004.
14. M.P.Jain, *Constitutional Law*, Nagpur: wadhwa, 2012.
15. H.M.Seervai, *Constitutional Law of India*, New Delhi: Universal Law Publishers, 2012.
16. M.P.Singh, *V.N.Shukla's Constitution of India*, Lucknow: Eastern Book Company, 2012.
17. M.V.Pylee, *Constitution of the World*, New Delhi: Universal Law Publishers, 2006.
18. Vikas David Amar, Mark Tushnet, *Global Perspectives on Constitutional Law*, Oxford University Press, 2009.

Syllabus and Subject Codes

Two Year LL.M Course

Semester –III Constitutional Law Branch

S.No.	Subject	Codes	Remarks
1	Law And Social Transformation In India	PG69T301	Common
2	Law Relating To Protection Of Natural Resources And Pollution Control In India	PG69T302	Common
3	Service Law In India	PG69T303A	Specialisation
4	Law Relating To Citizenship, Election And Formation Of Government	PG69T303B	Specialisation

Semester –III Corporate Law Branch

S.No.	Subject	Codes	Remarks
1	Law And Social Transformation In India	PG69T301	Common
2	Law Relating To Protection Of Natural Resources And Pollution Control In India	PG69T302	Common
3	Intellectual Property Rights	PG69T303C	Specialisation
4	Development And Regulation Of International Trade Law	PG69T303D	Specialisation

Open Elective Course (Other Department Students)

5	Information Technology and Cyber Law	PG69T303E	OEC
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SEMESTER-III

LAW AND SOCIAL TRANSFORMATION IN INDIA (PG69T301)

Unit I:

Law as an instrument of social change, Law as the Product of traditions and culture, Criticism and evaluation in the light of colonisation 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 II:

Religion as a divisive factor, secularism as a solution to the problem, Reform of the Law on secular lines, Freedom of religion and non-discrimination on the basis of religion Religious minorities and the law; Constitutional guarantee to linguistic minorities, caste as a divisive factor, non-discrimination on the ground of caste, Protective discrimination; Right of movement, residence and business, equality in matters of employment, admission to educational institutions.

Unit III:

Women and law - crimes against women, gender injustice, and its various forms, women's commission, Empowerment and protection of women children and law- protection of child rights, child labour, sexual abuse of children and women

Unit IV

Reform of family law, Agrarian reform, industrial reform, Reform of Court processes; criminal law- plea bargaining, Compounding and payment of compensation to victims; Prison reforms.

Unit V:

The Jurisprudence of Sarvodaya – Gandhiji, Vinoba Bhave, Jayaprakasha Narayan; Concept of Gram Nayayalayas Socialist thought on law and justice; An enquiry through constitutional debates on the right to property, Indian Marxist critique of law and justice; Naxalite movement- causes and cure.

Books Prescribed for Reading:

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 System (1982) Vikas, New Delhi.
4. U. Baxi (ed.) Law and Poverty Critical Essay (1988) Tripathi, Bombay.
5. H.M.Seervai, Constituoinal Law of India (1996), Tripathi.
6. M.P.Jain, Outlines of Indian Legal History, (1993), Tripathi, Bombay.

LAW RELATING TO PROTECTION OF NATURAL RESOURCES AND POLLUTION CONTROL IN INDIA ((PG69T303B)

Unit-I

Protection of Wild Life- with special reference to authorities, sanction and remedies under Wild Life (Protection) Act, 1972, Protection and conservation of Forest-with special reference to Authorities, and Forest Conservation Act.1980.

Unit-II

Conservation of Fresh water and Ground water. Coastal Zone Management, Protection and Conservation of Biodiversity with special reference to Biodiversity Act 2002. The role of PIL to protect the natural resources.

Unit-III

Constitutional Mandate and Environment with special reference to Article 32 and 226 (emphasis shall be given on use of PIL as a tool to provide environmental justice), Comparative Study of Water Act, 1974, the Air Act, 1981 and the Environment (Protection) Act, 1986 with special reference to authorities, and mechanism.

Unit-IV

Efficacy of Remedies- Section 133 Criminal Procedure Code, Public Liability Insurance Act, 1991, National Environmental Tribunal Act, 1995, National Environment Appellate Authority Act, 1997, National Green Tribunal.

Unit-V

Eco-Tourism, Environment Impact Assessment and Public Participation, Public Hearing under the Environment Protection Act, 1986, Environmental Audit.

Books Prescribed for Reading:

1. Armin Rosencranz, *et.al*, (ed.), *Environmental Law and Policy in India*, Bombay: N.M.Tripahi, 1991.
2. P.Leelakrishnan, *Environmental Law in India*, New Delhi, Butterworths, 1999.
3. Gurdip Singh, *Environmental Law*, New Delhi: Lawman 1995.
4. Alexander Kiss, *Introduction to Intentional Environmental Law*, Geneva: Unitar, 1997.
5. Anil Agarwal *et.al*. (eds.), *State of India's Environment*, New Delhi, CSE, 1995.
6. Simon Ball and Stuart Bell- *Environmental Law*.
7. Garner's *Environmental Law*, New Delhi: Butter worth.
8. Dr.H.N.Tripathi and Dr.S.N.Pandey, *Commentaries on the Pollution Control Laws*, Allahabad: Hari Law Agency, 1992.
9. Walter Fernandsz and Vijay Paranjpe eds, *Rehabilitation Policy and Law in India; A Right to Livelihood*, New Delhi, ISI 1997.
10. CEERA, *Cases and Materials Concerning the Coastal Environment*. Bangalore CEERA, 1999.

SERVICE LAW IN INDIA (PG69T303A)

Unit- I

Concept of service, civil service, public service and employment. Importance of civil service and the role of civil servants in modern governance. Factors of affecting effective public service delivery in India. Accountability and transparency. Citizens charters and public service delivery.

Unit –II

Civil servants and their Recruitment. Doctrine of Phasure and conditions of service. Central and State civil Service Rules. Contract of Employment.

Unit – III

Neutrality of Public service. Privileges of civil servants – constitutional protection to civil servants, and security of tenure. Promotions and reservations in promotions and its consequences and related constitutional amendments.

Unit –IV

Misconduct and discipline. Confidential Report, Suspension and inquiry. Types of punishments. Procedure for award of punishment. Prosecution of Civil Servants

Unit – V

Central and State Administrative Tribunals and their power and functions. Role of High Courts and Supreme Court in respect of matters relating to disciplinary proceedings against Civil Servants and private Services.

Books Prescribed for Reading:

1. Justice M.Rama Jois, *Services under the state*, Indian Law Institute 1987
2. Samaraditya Pal, *Law Relating to Public Service*, 3rd edn, Easter Law House, 2011.
3. Chabra, *Administrative Tribunals*, Eastern Book Company, 2010.
4. G.B.Singh, *Commentaries on CSS and CCA Rules*.
5. G.M.Kothari, *How to conduct and Defend Disciplinary Enquiries*, Eastern Book Company, 2008.
6. Surendera Mallik, *Mallik's Service Law*, Eastern Book Company, 2011.

LAW RELATING TO CITIZENSHIP, ELECTION AND FORMATION OF GOVERNMENT (PG69T303B)

Unit-I

Citizenship meaning; Citizenship under Indian Constitution

Unit-II

Conduct of Elections- Provisions of the Representation of Peoples Act, 1951-Powers of the Election Commission of India; Recognition of Political Parties; Allotment of Symbols

Unit-III

Declaration of Election Results; the role of the President in the formation of the Government; Scope of Anti-Defection Law

Unit-IV

Declaration of Election Results to the State Assemblies; the role of the Governor in the formation of the Government; Scope of Anti-Defection Law

Unit-V

Judiciary on the formation of the Government in Centre and State; the established Practice and Law

Books Prescribed:

1. Masodkar B.A, 'Law Relating to Electoral Disqualification' (1986) 1st Edition; Bombay; N.M. Tripathi Publications
2. Dev Indar, 'Manual of Election Law in India' (2004) New Delhi; Universal Law Publishing Co. Ltd.
3. Mendiratta S.K. 'How India Votes, Election Laws, Practice and Procedure (2014) 3rd Edition; Gurgaon, Lexis Nexis

INTELLECTUAL PROPERTY RIGHTS (PG69T303C)

Unit – I

Importance of Intellectual Property Rights. Need for legal protection of IPR . Economic importance of IPR, Constitutional and human Rights Dimensions of IPR. International Protection of IPR, TRIPs and WTO.

Unit -II

Patents – Validity of Patents- Patentable subject matters – Patenting of life forms and plant varieties and product patenting - Traditional knowledge – Infringement of patents.

Unit - III

International conventions relating to patents. TRIPs and its importance. TRIPs and Human Rights, TRIPs and Agriculture, TRIPs and its impact on Indian Economy. TRIPs and Monopoly.

Unit - IV

Copyrights law- Copyrightable subject matter, Authorship and moral rights, Performers rights and neighbouring rights. Copyrights and Video films, Sound recordings, etc. Infringement of Copyrights. Industrial designs and Geographical Indications.

Unit - V

Trademarks and Domain names – Registration of Domain Names, Domain name dispute resolution. Confidential Information and Trade Secrets, Integrated circuits.

Books Prescribed Reading

1. W.R.Cornish, Intellectual Property, (London: Sweet and Maxwell) latest edition.
2. Paul Torremans and Ian Holyoak - Intellectual Property Law ,7th edn, (Oxford University Press)
3. P.Narayanan, Law of Trade Marks and Passing of , Calcutta; Eastern Law House, 2000
4. P.Narayanan, Intellectual Property Law, Calcutta : Eastern Law House
5. P.Narayanan, Patent Law (Easter Law Hosuse,
6. N.R.Subraaman, Patent Law (Madras, MLJ, 2000)
7. S.R.Iyngar, Copyright Act (Butter worths, 2005)
8. Shavksha, Trade Marks, 1999(, Butter worth's)
9. Bibek Debroy (ed), Intellectual Property Rights.

DEVELOPMENT AND REGULATION OF INTERNATIONAL TRADE LAW

(PG69T303D)

Unit-I

International Economic order – Characteristics of Developed and developing countries and conflicts; Balance of Payment; General agreement on Tariffs and Trade (GATT) Evolution of GATT; World Trade Organization – Structure, Power and objectives; Most Favoured Nation Treatment and National Treatment.

Unit-II

Tariffs; safeguards, technical Barriers to Trade; Sanitary and Phyto Sanitary Measures, Trade Related Investment Measures; Subsidies and counter vailing measures; Anti-dumping measures; Agreement on Agriculture.

Unit-III

International Sale of Goods – Special Trade Terms in Export sales; Responsibilities of the parties, Formation of Contract; performance of contract, Frustration of Contract; UN Convention on Contracts for the International Sale of Goods.

Unit-IV

International Transport of Goods – Carriage of Goods by Sea – Freight, Bills of Lading, Charter Party, Liability of carrier, Hague and Visby rules, Hamburg Rules; carriage by Air- Warsaw Convention, Documents of carriage, Basic Liability of Carriers.

Unit-V

International Commercial Dispute Resolution – International Commercial Arbitration – UNCITRAL Model law on Arbitration, Conciliation Rules, The ICC International Court of Arbitration, The London Court of International Arbitration, The International Centre for Settlement of Investment Disputes; Enforcement of Foreign judgments and Arbitral Awards.

Books Prescribed for Reading

1. John H.Jackson, *The World Trading System*, Cambridge: The MIT Press, 1998
2. Bhagiratha Lal das, *The World Trade Organization*, Earthworm Books, 1999.
3. Arun Goyal, *WTO in New Millennium*, 2000.
4. Schmithoff's Export Trade, *The Law and Practice of International Trade*, Sweet and Maxwell.
5. R. Swaroop, *Law Relating to Carriers*, Chennai: Deccan Publications, 1998.
6. Eugen Langen, *Transnational Commercial Law*, Netherlands, A.W. Sijthoff International Publishing co., 1973.

Open Elective Course (Other Department Students)

INFORMATION TECHNOLOGY AND CYBER LAW (PG69T303E)

Unit - I

Evolution of Computers and Internet; Understanding Cyber Space, Internet Jurisdiction and governance, data protection in U.K. and India; Privacy issues in Cyber Space

Unit – II

Cyber crimes – Computer fraud, Theft of Information or data, Pornography, Defamation, Cyber Terrorism, Hacking, Virus /Worm attack, Trojan attack, Cyber stalking spoofing, Spam, Detecting and prosecution of computer crimes.

Unit – III

IPR in Cyber space; Technology of software, Software – Copyright v. Patents protection, Software Piracy, Copyright in Internet, Computer related Patents, Domain name, registration, protection, Regulation, Disputes Resolution; Liability for defective Software.

Unit - IV

Database in information Technology, Protection of database in U.S.A., U.K. and India; Internet Service Providers and their Liability; Electronic Contracts – Formation, requirements, Encryption, Digital Signature.

Unit - V

E-commerce – Salient features, jurisdictional issues in E-commerce, Security and evidence in E-commerce, UNCITRAL Model Law of E-commerce; E-Banking and Legal issues – Electronic Money, Credit card and Internet, Taxation issues in Cyber Space.

Books Prescribed for Reading:

1. Ion Lloyd- *Information Technology Law* (Butterworths, 1997)
2. Ion Lloyd- *Legal Aspects of the Information society* (Butterwoths, 2000).
3. Chris Reed and John Angel, *Computer Law* (Blakstone Press Ltd., 2000).
4. Diana Rowland and Elizabeth Macdonald , *Information Technology Law*, (Cavendish Publications Limited, 19976),
5. Nandan Kamath, *Law Relating to Computers, Internet and E-Commerce*, (ed) (Universal Law Pub Co. 2000).
6. Krishnakumar- *Cyber Laws* (Dominant Pub. And Distributors 2001).
7. The Information Technology Act, 2000.

Syllabus and Subject Codes

Two Year LL.M Course

Semester –IV Constitutional Law Branch

S.No.	Subject	Codes	Remarks
1	Dissertation and VIVA-VOCE	PG69T401	Common
2	Directive Principles Of State Of Policy And The Concepts Of Social Welfare And Social Justice	PG69T402A	Specialisation

Semester –IV Corporate Law Branch

S.No.	Subject	Codes	Remarks
1	Dissertation and VIVA-VOCE	PG69T401	Common
2	Information Technology and Cyber Law	PG69T402B	Specialisation

SEMESTER- IV

DISSERTATION AND VIVA-VOCE (PG69T401)

The Dissertation shall be written under the guidance of a course teacher and shall be submitted to the Department one week prior to the last working day of the IV Semester

DIRECTIVE PRINCIPLES OF STATE OF POLICY AND THE CONCEPTS OF SOCIAL WELFARE AND SOCIAL JUSTICE (PG69T402A)

Unit-I

Concept of Socio-Economic Justice under the Constitution; Dimensions of Socio-Economic Justice vis-s-vis the role of the Directive Principles of State Policy

Unit-II

The Commonwealth of India Bill, 1925 and Swaraj Constitution; The Nehru Committee Report 1928; The Sapru Committee Report 1944-45

Unit-III

The Constituent Assembly and Directive Principles of State Policy; Scheme of Directives under the Constitution; Dichotomy between the concept of Fundamental Rights and Directive Principles

Unit-IV

Directive Principles and the implementation of Socio-Economic Justice; Impact of Planned Economic Development; Role of Legislature and Executive in its implementation

Unit-V

Directive Principles and the Role of the Judiciary: An Assessment

Books Prescribed:

1. Sharma B.R. 'Socio-Economic Justice under Indian Constitution (1984) New Delhi, Deep and Deep Publications.
2. Shiva Rao B 'The Framing of India's Constitution- A Study' (1968) New Delhi, Asian Publishers.
3. Aggarawala R.N. 'National Movement and Constitutional Development of India', (1980), New Delhi, Tripathi Publishers.
4. H.M.Seervai, *Constitutional Law of India*, New Delhi: Universal Law Publishers, 2012.
5. M.P.Singh, *V.N.Shukla's Constitution of India*, Lucknow: Eastern Book Company, 2012.

INFORMATION TECHNOLOGY AND CYBER LAW (PG69T402B)

Unit - I

Evolution of Computers and Internet; Understanding Cyber Space, Internet Jurisdiction and governance, data protection in U.K. and India; Privacy issues in Cyber Space

Unit – II

Cyber crimes – Computer fraud, Theft of Information or data, Pornography, Defamation, Cyber Terrorism, Hacking, Virus /Worm attack, Trojan attack, Cyber stalking spoofing, Spam, Detecting and prosecution of computer crimes.

Unit – III

IPR in Cyber space; Technology of software, Software – Copyright v. Patents protection, Software Piracy, Copyright in Internet, Computer related Patents, Domain name, registration, protection, Regulation, Disputes Resolution; Liability for defective Software.

Unit - IV

Database in information Technology, Protection of database in U.S.A., U.K. and India; Internet Service Providers and their Liability; Electronic Contracts – Formation, requirements, Encryption, Digital Signature.

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E-commerce – Salient features, jurisdictional issues in E-commerce, Security and evidence in E-commerce, UNCITRAL Model Law of E-commerce; E-Banking and Legal issues – Electronic Money, Credit card and Internet, Taxation issues in Cyber Space.

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8. Ion Lloyd- *Information Technology Law* (Butterworths, 1997)
9. Ion Lloyd- *Legal Aspects of the Information society* (Butterwoths, 2000).
10. Chris Reed and John Angel, *Computer Law* (Blakstone Press Ltd., 2000).
11. Diana Rowland and Elizabeth Macdonald , *Information Technology Law*, (Cavendish Publications Limited, 19976),
12. Nandan Kamath, *Law Relating to Computers, Internet and E-Commerce*, (ed) (Universal Law Pub Co. 2000).
13. Krishnakumar- *Cyber Laws* (Dominant Pub. And Distributors 2001).
14. The Information Technology Act, 2000.