



SNU
SISTER NIVEDITA
UNIVERSITY

Syllabus for LL.M.

COURSE OUTLINE

SEMESTER - I

SUBJECT CODE	SUBJECT NAME	CREDIT
	Constitutional law-I (Core Course)	4
	Advanced Jurisprudence-I (Core Course)	4
	Judicial Process-I (Core Course)	4
	Law and Social Change-I(Core Course)	4
	Research Methodology (Core Course)	4
	Business Law (Generic Elective)	4
	Academic Writing, Project work, Debating & Teaching (Skill Enhancement Course I)	3
	Foreign Language (University Specified Course I)	2

TOTAL CREDITS: 29

SEMESTER - II

SUBJECT CODE	SUBJECT NAME	CREDIT
	Constitutional law-II (Core Course)	4
	Advanced Jurisprudence-II (Core Course)	4
	Judicial Process-II (Core Course)	4
	Law & Social Change-II (Core Course)	4
	Discipline Specific Elective-I	4
	Teaching- (Skill Enhancement Course-II)	3
	Foreign Language (University Specified Course II)	2

TOTAL CREDITS: 25

SEMESTER - III

SUBJECT CODE	SUBJECT NAME	CREDIT
	Core Course (Environmental Law)	4
	Discipline Specific Elective -II	4
	Discipline Specific Elective – III	4
	Discipline Specific Elective IV	4
	Discipline Specific Elective -V	4
	Discipline Specific Elective -VI	4

	Experimental Learning (Skill Enhancement Course III)	3
	Foreign Language (University Specified Course III)	2

TOTAL CREDITS: 29

SEMESTER - IV

SUBJECT CODE	SUBJECT NAME	CREDIT
	Dissertation/Project	12
	Foreign Language (University Specified Course)	2

TOTAL CREDITS: 14

TOTAL CREDITS (4 SEMESTERS): 97 CREDITS

SEMESTER-I

Paper - I: CONSTITUTIONAL LAW – I

UNIT I

1. Preamble - Importance and amenability 2. Fundamental Rights - Concept - Nature - Necessity and justification - Fundamental Rights under Indian Constitution 3. Definition of State - Other authorities - Application of ejusdem generis- Instrumentality

UNIT II

1. Enforceability of Fundamental Rights - Judicial Review - Distinctions between pre and post Constitutional laws - Doctrine of eclipse - Doctrine of Severability - Doctrine of waiver 2. Right to equality - Equality before law and equal protection of laws – Reasonable classification - Absence of arbitrariness - From Ramakrishna Dalmia to Maneka Gandhi and thereafter - Prohibition against discrimination - Equality of opportunity in Public employment - Concept of protective discrimination - From

Champakam Dorairajan to Indra Sawhney and thereafter - Prohibition of untouchability
- Protection of Civil Rights Act, 1995.

UNIT-III

1. Right to Freedom - Freedom of Speech and expression and its 'Territorial Extent - Right to Information - Right to silence - Freedom of Press - Implications of Commercial Advertisements - reasonable restrictions - Freedom to assemble peacefully - to form association - to move freely throughout the territory of India - to reside and settle in any part of India - to practice any profession or occupation, trade or business – reasonable restrictions. 2. Freedom of the Person - Right of the accused - ex post facto laws - Double jeopardy – right against self Incrimination - right to life and liberty - scope and contents - from A K Gopalan to Maneka Gandhi - Impact of Maneka Gandhi's case on prisoners' right, criminal justice, Death sentence, Environmental protection, Right to Education, Right to health and Emerging trends in Compensatory jurisprudence - protection against arrest and detention - Constitutional validity of Preventive Detention Laws in India - Judicial review of preventive detention laws.

UNIT-IV

1. Right against exploitation - trafficking in human beings - forced labor - child employment from Peoples' Union for Democratic Rights to M.C Mehta. 2. Freedom of Religion - Concept of Religion - Freedom of Conscience and right to profess, practice and propagate religion - freedom to manage religious affairs - freedom from payment of tax for promotion of religion - restriction on religious instructions in certain educational institutions - Right of Minorities - Right to conserve language, script of culture Admission to educational institutions - Minorities right to establish educational Institutions -From in Re Kerala Education Bill to T M A Pai Foundation and trends thereafter. 3 Right to Property - Constitutional policy before and after the Forty fourth Amendment 4. Right to Constitutional Remedies - Features of Writ Jurisdiction under Art. 32 Concept of locus standi - Dynamic approach of Supreme Court on Public Interest Litigation – Judicial Activism - Comparison between Art. 32 and 226.

UNIT V

1. Restriction, Abrogation and Suspension of Fundamental Rights - Articles 32 (4), 33 and 34 -suspension of Fundamental Rights during Emergency Art. 19 and the Power of President to suspend the enforcement of rights conferred under Part - III - Relevance of 42nd and 44th Constitutional Amendment Acts. 2. Directive Principles of State Policy - Nature, content and justifiability - Inter relationship between Fundamental Rights and DPSP - From Champakam Dorirajan to Mohini Jain and thereafter - Transition of DPSP into Fundamental rights by judicial interpretation

Suggested Readings;

1. P. Ishwara Bhat - Inter-relationship between Fundamental Rights
2. M P Jain - Indian Constitutional Law
3. H M Seervai - Constitutional Law of India
4. V N Shukla - Constitution of India
5. J. V R Krishna Iyer - Fundamental Rights and Directive Principles
6. P B Gajendragadkar -Law, Liberty and Social Justice
7. David Karrys -Politics of Law

Paper-II: ADVANCED JURISPRUDENCE-I

UNIT-I

1. Nature and source of law
 - a) Meaning and Scope of Law
 - b) Relationship between law and morality
 - c) Sources of law

UNIT-II

2. Schools of Jurisprudence
 - a) Natural Law Theory
 - b) Sociological Theory
 - c) Pure theory of Law

UNIT-III

3. Rights and Duties
 - a) Concept of Legal Right

- b) Relation between Rights and Duties
- c) Theories of Right
- d) Classification of Rights and Duties

UNIT-IV

- 4. Legal Personality
 - a) Theories of Corporate Personality
 - b) Legal Status of – Animals/Dead persons and unborn
 - c) Personality of natural and artificial person
 - d) Liabilities of Corporation

Suggested Readings:

- 1) Jurisprudence – R.W.M Dias
- 2) A Text Book of Jurisprudence – G. W .Paton
- 3) Law in the making – C. K. Allen
- 4) Legal Theory – W. Friedmann
- 5) Introduction to Jurisprudence – Denis Lloyd
- 6) The Concept of Law – H. L. A. Hart
- 7) The Morality of Law – Fuller
- 8) Social Dimension of Law and Justice – J. Stone
- 9) Province of Jurisprudence Determined – Austin
- 10) Law and Morals - Pound

Paper-III JUDICIAL PROCESS-I

UNIT 1 -Nature and Concept of Judicial Process

- a) Analysis of Judicial process in India
- b) Emerging tools in the Judicial Process – A critical study

UNIT 2 – Judicial Process and applications of the law of Precedent in India

- a) Judicial Precedent – Its application in India
- b) Descriptive and Prescriptive rules of practice
- c) Doctrine of Stare Decisis
- d) Doctrine of Obiter Dicta

UNIT 3 – Judicial Contribution in bringing Social Change

- a) Judiciary and Social Change
- b) Role of Judiciary in the dispensation of Social Justice in India

UNIT 4 – Dimensions of Writ Jurisdiction Remedies through writ jurisdiction

- a) Judicial Review of Administrative action
- b) Writ Jurisdiction of Supreme Court and High Court
- c) Bar of Alternative remedy
- d) Delay. Laches and Acquiescence – Disentitles writ

Suggested Readings:

- 1) Legal Theory – Friedmann
- 2) The Commentaries of Constitution of India – D. D Basu
- 3) Administrative Law – SP Sathe
- 4) Nature of Judicial Process – Casdoys
- 5) Criminal Procedure Code- Ratanlal & Dhirajlal
- 6) The Supreme Court of India – Rajeev Dhavan

Paper- IV LAW AND SOCIAL CHANGE IN INDIA-I

Unit 1 – Law & Social Change in jurisprudential Perspective

- a) Function of Law in contemporary society
- b) The changing role of law in interdependent society
- c) The interplay of state action and Public opinion
- d) Democracy and Legal change

Unit 2 – Social Change and interpretation of Constitution

- a) Right to Property
- b) Right to Development
- c) Right of Privacy
- d) Rights of subordinate People
- e) Right of information
- f) PIL

Unit 3 –Social Change and Family Law

- a) The role of family in changing society
- b) The changing concept of family Ideology
- c) The changing Concept of Family Property
- d) Equality of Sexes and control of Infanticide and Foeticide

Unit 4 – Social Change and Labour Law

- a) Role of Law in organized and unorganized labour
- b) Equality and Employment Laws

Suggested Readings:

- 1) Law in Changing Society – W. Friedmann
- 2) Administrative Law – D. D. Basu
- 3) Ombudsman – D. R. Saxena
- 4) Human Rights & Social Justice – Gokulesh Sharma
- 5) Law , Justice and Social Change –D. R. Saxena
- 6) Freedom Of Information – V.R. Krishna Iyer
- 7) Right to Property – A Constitutional Right – T.D .Mudliar
- 8) Women ,Law and Social Change – Shamsuddin Shains
- 9) Children and Legal Protection – Paras Diwan
- 10) Crime against Women and Protective Laws – Shobha Saxena

Paper V – LEGAL EDUCATION & RESEARCH

METHODOLOGY

Part – 1 LEGAL EDUCATION

- 1. OBJECTIVES - Objectives of legal education and systematic instructional design
- 2. DEVELOPMENT – Present status of legal education in India with reference to existing system & curriculum, Development of legal education in India, Role of Bar Council of India
- 3. PEDAGOGY OF LAW TEACHING – Clinical legal education: Concept, Case law technique, Lecture method of teaching: Advantages & disadvantages

Part – 2 RESEARCH METHODOLOGY

- 1. INTRODUCTION – Meaning of research, objectives of research, criteria of good research, Types of research – Doctrinal, Non doctrinal; Applied research; Empirical research; Descriptive and analytical research; Quantitative & qualitative research
- 2. IDENTIFICATION OF RESEARCH PROBLEM & PREPARATION OF RESEARCH DESIGN – What is a research problem? Necessity of defining research problem; technique of selecting and defining a problem; Illustrations

in the area of legal research; Research on crime , criminal and victims; need of research design, Features of a good research design; Hypothesis and procedure of hypothesis testing

3. SAMPLING DESIGN AND FUNDAMENTALS – Steps in sampling design; criteria for selecting a sampling procedure; characteristics of a good sample design; Fundamental definitions relating to sampling; random sampling design
4. METHODS AND ANALYSIS OF DATA COLLECTION- Primary and secondary data; collection of primary and secondary data; data collection through questionnaire and interview schedule; Processing of data; evaluation and presentation of research findings; editing the final draft.

Suggested readings:

1. N.R Madhava Menon – Clinical legal education
2. Kaul and Ahuja – legal education in India in 21st century
3. P.L Mehta & Sushma Gupta – Legal education & profession in India
4. Glanville Williams – Learning the law
5. S.K Verma & M. Afzal Wani – Legal research and methodology
6. Tiwari – Research Methodology

GENERIC ELECTIVE I: BUSINESS LAW

UNIT-I- COMMERCIAL LAWS

Contract and essential elements of contract, 2. Breach of contract, frustration of contract, void and voidable agreements. 3. Specific contracts- Bailment, pledge, indemnity, guarantee and agency, 4. Sale of Goods Act 1930 5.Partnership and limited liability partnership 6. Negotiable Instruments Act 1881.

UNIT-2 – COMPANY LAW

Company & its formation 2. Definition and nature of Company, 3. Lifting of Corporate veil 4. Types of Companies 5. Promoters 6. Memorandum and Articles of Association, their effects, Doctrine of Indoor Management, Doctrine of Constructive Notice. 8. Prospectus.

UNIT-3-CORPORATE LAW & IPR

Classification of Directors, women directors, independent directors, Disqualifications of Directors, Legal position, powers and duties, Position of Director as key personnel, 2. Meetings, various types of meetings of shareholders and board, convening and conduct meetings.

Intellectual property Rights in India, Introduction and types, Patents, Copyrights & Trademarks.

UNIT-4-CONSUMER PROTECTION ACT 1986 & COMPETITION ACT 2002

Consumer Protection Act: Objectives, Salient features and Authorities under the Act, Penalties

Competition Act 2002: 1. Objectives of the Act 2. Salient features - Anti competitive Agreements 3. Prevention of abuse of dominant position, Competition 4. Competition Commission of India.

Suggested Readings:

1. Business law by J.P.Sharma & Sunania Kanojia
2. Indian Business law by S.K.Aggarwal
3. Business law by Peddina Mohanna Rao
4. Business law by D. Chandra Bose.
5. Bare Act of Cnsumer Protection Act.
6. Company Law by N.D.Kapoor

SKILL ENHANCEMENT COURSE-I

Academic Writing, Project work, Debating & Teaching.

UNIVERSITY SPECIFIED COURSE-I: Foreign Language

(French/German/Spanish/Japanese)

SEMESTER-II

Paper -I: CONSTITUTION LAW - II

UNIT-I

1. Principles of Parliamentary and Presidential forms of Govt. 2. Nature of the Executive power - Impeachment process - Mercy power – Ordinance making power 3. Composition of Houses of legislature - Disqualifications of members – Legislative privileges Parliamentary procedures.

UNIT-II

1. Jurisdiction of the Supreme Court and High Courts - Judicial self-restraint and judicial Activism-Limits on Judicial review - Appointment of Judges - control of Subordinate judiciary 5. Doctrine of Pleasure - Constitutional exceptions and judicial implications 6. The concept of Federalism - Necessity and Justification of Federal Govt. - Features of Federalism

UNIT-III

1. Legislative relations under the Indian Constitution - Doctrines in legislative relations - Centre's control over State Legislatures 2. Restrictions on the power of State Legislatures on fiscal powers - Residuary taxes - Distribution of revenues between the Centre and State - Doctrine of immunities of instrumentalities - Role of Finance Commission.

UNIT-IV

1. Power of Judicial review 2. Centre - State and Inter-State conflicts, Freedom of trade and Commerce-Exceptions - Importance of Federal Structure, Types of Emergencies and their impact on Federal structure. 3. Amendment of the Constitution

Suggested Readings ;

1. K.C Wheare - Federal Government
2. M P Jain -Indian Constitutional Law
3. H M Seervai -Constitutional Law
4. M C Saxena - Dynamics of Federalism
7. Ivor Jennings - Cabinet and Constitution
8. A V Dicey -Law and Constitution

Paper-II Advanced Jurisprudence-II

UNIT-I

1. Concept of Possession and Ownership
 - a) Concept of Ownership
 - b) Concept of possession
 - c) Classification of ownership and Possession
 - d) Theories of Possession
 - e) Modes of acquiring ownership
 - f) Possession in Common Law

UNIT-II

2. The Law of Property
 - a) Theories of Property
 - b) Kinds of Property
 - c) Changing concept of property

UNIT-III

3. Post Modern Jurisprudence and Critical Legal Studies
 - a) Concept of Post Modern Jurisprudence
 - b) Role of State and Law in Postmodernism
 - c) Critical Analysis of Postmodernism

UNIT-IV

4. Feminist Jurisprudence
 - a) Feminism
 - b) History of Feminist Jurisprudence
 - c) Schools of Feminism

Suggested Readings:

- 1 Jurisprudence – R.W.M Dias
- 2 A Text Book of Jurisprudence – G. W. Paton
- 3 Law in the making – C. K .Allen
- 4 Legal Theory – W. Friedmann
- 5 Introduction to Jurisprudence – Denis Lloyd
- 6 The Concept of Law – H. L. A. Hart
- 7 The Morality of Law – Fuller
- 8 Social Dimension of Law and Justice – J. Stone

9 Province of Jurisprudence Determined – Austin

10 Law and Morals – Pound

Paper-III: Judicial process-II

UNIT 1 – Bail Jurisprudence in Indian criminal Justice Process

- a) The Concept and system of Bail
- b) Bail Mechanism – Legal and Functional Aspects
- c) Prescribing the Forms and Modes of Release
- d) Evolution of the Law of Bails
- e) Bail - a Constitutional Right
- f) New Approach to Bail

UNIT 2 - Critical appraisal of Appeal Jurisdiction in civil Justice

- a) Civil justice
- b) Appeal Jurisdiction in CPC a critical study

UNIT 3 – Relation between Law and Justice

- a) Concept of Justice
- b) Law and Justice
- c) Theories of Justice – With special reference to John Rawls

UNIT 4 – Judicial Activism, creativity and accountability

- a) Judicial Activism
- b) Judicial Activism and Human Right Perspective
- c) Judicial Activism and development of law
- d) Judicial Accountability
- e) Judicial Activism through PIL.

Suggested Readings:

1 Legal Theory – Friedmann

2 The Commentaries of Constitution of India – D. D. Basu

3 Administrative Law – S P Sathe

4 Nature of Judicial Process – Casdoys

5 Criminal Procedure Code- Ratanlal & Dhirajlal

6 . The Supreme Court of India – Rajeev Dhavan

Paper-IV- Law and Social Change-II

UNIT 1 – Social Change and Crime

- a) Social Values and change of criminal law in post Independent India with special reference to
 - i) women ii) Children
- b) Social conflicts and Indian Legislation on Socio – economic offences
- c) Economic crimes and Legal Reform
- d) Human Rights and administration of Criminal Justice

UNIT 2 – Tort Insurance and Social Responsibility

- a) Judicial widening of Tort Responsibility
- b) The shift of liability from Tort to Insurance
- c) Some Reform proposals

UNIT 3 – The Changing function of contract

Social Causes of Transformation of contract with special reference to Standardization, Collective Bargaining Consumerism

UNIT 4– The Growth of Administrative Function and Law Reform in india

- a) Administrative Remedies in Democratic countries
- b) Public Power and individual
- c) Ombudsman Remedy

Suggested Readings:

1. Law in Changing Society – W. Friedmann
2. Administrative Law – D. D. Basu
3. Ombudsman – D. R. Saxena
4. Human Rights & Social Justice – Gokulesh Sharma
5. Law, Justice and Social Change –D. R. Saxena
6. Freedom of Information – V.R. Krishna Iyer
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8. Women, Law and Social Change – Shamsuddin Shains
9. Children and Legal Protection – Paras Diwan
10. Crime against Women and Protective Laws – Shobha Saxena

SKILL ENHANCEMENT COURSE-II: Teaching

UNIVERSITY SPECIFIED COURSE II: Foreign Language

SEMESTER III

CORE COURSE: ENVIRONMENTAL LAWS

Part I: International Environmental Law

1. Basic features of International Environmental Law and its evolution.
2. The landmarks in International Environmental Law- a Journey from Stockholm to Johannesburg
3. Important Conventions concerning Protection and Conservation of Environment: Vienna Convention and Protocol on the Depletion of Ozone Layer, Convention and Protocol on Climate Change, Chemical Weapons convention, Basel Convention, and Regulation of Hazardous Waste Convention on Biological Diversity
4. Regulation of Trans boundary pollution with special reference to Industrial Accidents and Air Pollution.
5. Impact of International Environmental Law on Indian Law with special reference to Principles of Environmental Protection. Paper II: Natural Resource and the Law in India 1. Protection of Wild Life- with special reference to authorities, sanction and remedies under Wild.

Part-II: Natural Resource and the Law in India

1. Protection of Wild Life- with special reference to authorities, sanction and remedies under Wild Life (Protection) Act, 1972.
2. Protection and conservation of Forest- with special reference to Authorities, sanctions and remedies under Forest Act, 1927 and Forest Conservation Act, 1980.
3. Conservation of Fresh water and Ground water. Coastal Zone Management under the Environment (Protection) Act, 1986 and other relevant Statutes.
4. Protection and Conservation of Biodiversity with special reference to Biodiversity Act 2002.
5. The scope and Limit of PIL to protect the natural resources- (Special emphasis shall be placed on directions issued by the Supreme Court of India from time to time).

Part III: Emerging Issues in Environmental Law:

1. Environment Impact Assessment – Definition and Meaning, Types: Mandatory and Discretionary

2. Global Warming and Climate Change – Nature and Causes, Legal Framework: International and National Responses
3. Climate Change Governance -financing in climate sector, technological innovations, alternate energy regimes, urban green living.
4. Climate Adaptation and Mitigation- Introduction, current Global and National legal initiatives towards adapting and mitigating climate change

Suggested Readings:

1. P. Leelakrishnan, Environmental law in India , Lexis Nexis
2. Shyam Diwan and Armin Rosencranz, Environmental Law and policy in India, Oxford University Press.
3. S.C. Shastri , Environmental Law, Eastern Book Company
4. Gurdip Singh, Environmental Law In India , Macmillian Publisher.
5. Benny Joseph, Environment Studies, Tata Mcgraw Hill, Delhi.
6. Environmental and Pollution Laws In India [Set of 2 volumes] by Justice T.S.Doabia, Lexis Nexis.

SKILL ENHANCEMENT COURSE-III: Experimental learning

This Course aims at making the students proficient in identifying, analysing and using the legal materials obtained both through primary and secondary research towards constructive research writing. The students will be taught on the use of various computer software tools in legal research such as SPSS and also comprehend the need for maintaining ethics in legal research. They will be subjected to submission of assignments as part of their research activity and will have to publish at least two articles in peer reviewed journals on any topic pertaining to any legal area of their choice as part of their Course. The evaluation of the Course will be undertaken through assessment of the assignments submitted, the quality of their publications along with viva voce on the said submissions to understand the depth of the legal knowledge acquired by them.

UNIVERSITY SPECIFIED COURSE-III: Foreign language

SEMESTER IV

DISSERTATION/PROJECT WORK

UNIVERSITY SPECTIFIED COURSE IV: Foreign Language.

DISCIPLINE SPECIFIC ELECTIVE

SPECIALIZATION: BUSINESS AND CORPORATE LAWS

	LAW RELATING TO CONTRACTS	4 C.U.
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- a) UNIT 1: General Principles & their applications.
History – Formation of Contract – Agreement and Contract – Definitions – Classification - Offer and Acceptance – Communication – Revocation – Essential elements – Invitation to Offer – Tenders. Consideration – Nudum Pactum - Essential elements – Privity of Contract and of Consideration –Exceptions – Unlawful Consideration and its effect. Contractual Ability – Electronic Documents as Web Pages – Digital Certificates as Entry Passes – Time and Place of Contract – Secured Custody of Electronic Records.
- b) UNIT – 2 Capacity to Contract – Minor’s Agreements and its effects – Persons of unsound mind– Persons disqualified by Law. Free Consent – Coercion - Undue influence – Misrepresentation – Fraud –Mistake – Legality of Object – Void Agreements – Agreements against Public Policy – Wagering Agreements – Its exceptions – Contingent Contracts
- c) UNIT – 3 Discharge of Contracts and its various Modes – by performance – Time and place of performance – Performance of reciprocal promises -Appropriation of Payments – Discharge by Agreement – By operation of Law – By frustration (Impossibility of Performance) – By Breach (Anticipatory and Actual). UNIT – IV Remedies for Breach of Contracts – Damages – Remoteness of damages – Ascertainment of damages -Injunction – When granted and when refused– Restitution – Specific performance when granted – Quasi Contracts.
- d) UNIT – 4 The Specific Relief Act Nature of Specific Relief – Recovery of Possession of movable and immovable Property – Specific performance when granted and not granted – Who may obtain and against whom – Discretionary remedy – Power of Court to grant relief – Rectification of instruments – Cancellation – Declaratory decrees – Preventive relief – Temporary injunctions – Perpetual and Mandatory Injunctions. Government as a contracting party: Constitutional provisions – Government powers to contract – Procedural requirements – Kinds of Government Contracts, their usual clauses, performance of such contract, settlement of disputes and remedies.
- e) UNIT-5 Specific Contract: Contract of Indemnity, Bailment, Pledge, Agency & Guarantee
- f) UNIT-6 Formation of International Commercial Contracts- Types of International Contracts, Formation of Contracts, Contractual Obligation, Remedies, Contract termination & settlement of disputes.

Recommended books:

1. Contract I & II by Dr. R.K. Bangia
2. Contract & Specific Relief by Avtar Singh
3. Bare Act
4. The Indian Contract Act by Mulla

	GENERAL PRINCIPLES OF COMPANY LAW	4 C.U.
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- a) Concept, Nature and Incorporation of a Company
Meaning of company and understanding its features under Companies Act 2013 -distinguishing a company from other business entities – nature of company - lifting the corporate veil principle - kinds of companies -establishing the separate legal existence of company through case studies -steps for incorporation of a company -role of promoter in the formation of companies - illegal association and unregistered company -advantages and disadvantages of incorporation
- b) Major documentation associated with companies
Memorandum of Association and Articles of Association – contents, alteration and hierarchy-relevance to a company-doctrines associated with memorandum and articles of association of a company
- c) Prospectus
Relevance of prospectus- meaning and contents- analyzing prospectus to understand about various companies- kinds of prospectus- mis-statements in prospectus and legal consequences- case studies
- d) Share Capital of company
Meaning of share, stock and share capital- understanding terms associated with share capital- kinds of shares- understanding the legal effect of transfer, transmission, buy-back, lien, surrender of shares- ways of raising capital by a company- issue of shares at par, discount and at premium-understanding book building process
- e) Debentures
Meaning of debenture- kinds of debentures- issue of debentures- role of debenture trustee- term of debentures
- f) Dividend
Meaning, issue of dividend, procedure for issue of dividend, analysis on dividend- case study analysis on registered companies in India relating to dividends

Recommended books:

1. Company law by Avtar Singh
2. Company law by N.D.Kapoor
3. Taxman's Company law
4. Company law Procedures & Compliances by Dr. Sanjeev Gupta

	COMPANY MANAGEMENT AND ADMINISTRATION	4 C.U.
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UNIT1: Managing a company:

First Directors and others Directors: Appointment, Removal, Position, Powers and Duties of Directors - Audit Committee: Its Role. - Company Secretary: Qualification,

Appointment and Duties - Officer who is in default: Definition of Officer who is in default - Liability of independent directors.

UNIT 2: Oppression & Mismanagement and Investigation

Rule in Foss v. Harbottle - Prevention of Oppression - Prevention of Mismanagement - Role & Powers of the NCLT - Role & Powers of Central Government - Company Investigation

UNIT 3: Winding up of a Company

Understanding the statutory position concerning winding up of companies - Mode of winding up of the companies - Compulsory winding up - Winding up under the Order of the Tribunal - Voluntary winding up - Contributories and their role - Payment of liabilities.

UNIT 4: Corporate Governance & Social Responsibility, Corporate Crimes

Importance of Corporate Governance - Different system of Corporate Governance - Impact of Legal Traditions and the Rule of Law on Corporate Governance - Legal Reforms of Corporate Governance in India - Reports of the various Committees on Corporate Governance - Emerging Trend based on the recommendation of the Committees in the Companies Act 1956 and the Listing Agreement with Special reference to Clause 49- Evolution of Corporate Crimes - Provisions in the Companies Act 2013 to prevent corporate frauds

Recommended books:

1. Company law by Avtar Singh
2. Company law by N.D.Kapoor
3. Taxman's Company law
4. Company law Procedures & Compliances by Dr. Sanjeev Gupta
5. Ramaiya: Company Law

	BANKING LAW REFORMS IN INDIA	4 C.U.
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Unit I: INTRODUCTION TO BANKING

Introduction to the concept of Banking, Evolution of Banking in India, Different kinds of Banks and their functions

Unit 2: CONTROL OVER BANKING

Understanding on Nationalization of Banks, Impact of Liberalization, Understanding on Banking Regulation Act

Unit 3: RESERVE BANK OF INDIA

History of the development of RBI, Major features of RBI Act, Credit control mechanism, Banking rate policy formulation, Control of RBI over non-banking companies

Unit 4: RELATIONSHIP BETWEEN BANKER AND CUSTOMER

Fiduciary relation between banker and customer, Banker's Lien, Letter of Credit, Role of banker, Different types of Accounts maintained by banks, Safeguards available to banker, Banking as service under Consumer Protection Law

Unit 5: NEGOTIABLE INSTRUMENTS

Definition and characteristics of Negotiable Instruments, Presumption as to Negotiable Instruments, Types of negotiable instruments, Distinction between holder and holder in due course, Crossing Over and its Types, Dishonour of negotiable instrument

Unit 6: MODERN BANKING TRENDS AND REFORMS

Default and Recovery, Banking Ombudsman System, Impact of science and technology on Banking, Changes brought by Automation, IT and its impact on Banking

Suggestive Readings:

1. Basu A.- Review of Current Banking Theory and Practice
2. L.C. Goyle- The Law of Banking and Bankers
3. M.L.Tannan- Tannan's Banking Law and Practice in India
4. K.C. Shekhar- Banking Theory and Practice
5. K. Subrahmanyam- Banking Reforms in India
6. Ross Cranston- Principles of Banking law
7. OP.Faizi and Ashish Aggarwal- Khergamwala on =The Negotiable Instruments Act
8. Datta on Negotiable Instruments Act
9. Bhashyam and Adiga- Negotiable Instruments Act
10. Sharma, B.R. and Nainta, R.P., Principles of Banking Law and Negotiable Instruments Act

	INTELLECTUAL PROPERTY LAWS	4 C.U.
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Unit 1: INTRODUCTION TO IPR

Meaning of IPR and its Relevance in the Modern Era, Theories justifying IPR, Types of IPR, Scope of IPR Law, Evolution of IPR Law in India, UNCITRAL and India, Conventions -Berne, Paris, Rome, WIPO and TRIPS

Unit 2: UNDERSTANDING PATENT LAW IN INDIA

Meaning of Patent, What can and cannot be patented, Characteristics of Patent, Procedure for the grant of Patent, Rights of Patent holder, Distinction between Provisional and Final Specification, Duration of Patent, Infringement of Patents and Remedies, Major judicial trends

Unit 3: UNDERSTANDING COPYRIGHT LAW IN INDIA

Meaning and attributes of Copyright, What can be copyrighted, Subject -matter of Copyright, Dichotomy between Expression and Idea, Rights of Copyright Holder, Duration of Copyright, Infringement and Remedies, Distinction between copyright and plagiarism, Major judicial trends

Unit 4: UNDERSTANDING TRADEMARK LAW

Meaning of trademark, Trademark and Passing off, Registration of Trademark, Duration of Trademark, Rights conferred, Infringement and Remedies, Recent judicial trends

Unit 5: OTHER IPR LAWS

Overview on the laws related to Designs, GI and Plant Varieties

Unit 6: RECENT JUDICIAL TRENDS

Tracing the foray of IPR into diverse aspects of development through recent case laws

Suggested Readings:

1. Ahuja, V.K.; Law relating to Intellectual Property Rights; LexisNexis
2. Bhandari, M. K.; An Introduction to Intellectual Property Rights; Central Law Publication
3. Narayanan, P.; Intellectual Property Law; Eastern Law House
4. Cornish, William R.; Intellectual Property; Oxford University Press
5. Wadhera, B. L.; Law Relating to Intellectual Property; Universal Publication
6. Paul, Meenu; Intellectual Property Laws; Allahabad Law Agency

	INTERNATIONAL TRADE LAW REGULATORY FRAMEWORK	4 C.U.
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Unit 1: INTRODUCTION TO INTERNATIONAL TRADE AND ITS LEGAL RAMIFICATIONS

Meaning and attributes of International Trade, Trade Theories, Major issues in International Trade

UNIT 2: EVOLUTION OF INTERNATIONAL TRADE LAW

History and development of International Trade law, Introduction to International Institutions associated with International Trade -UNCTAD, IMF, IBRD, IDA and other organizations

UNIT 3: WTO AND INTERNATIONAL TRADE LAW

Evolution of WTO, Uruguay Round, Doha Round, TRIPS, Recent development trends in International Trade Law

UNIT 4: REGULATION OF INTERNATIONAL TRADE IN INDIA

Foreign trade (Development and Regulation) Act, 1992, Foreign Trade Policy, Foreign Trade Procedures

UNIT 5: INTERNATIONAL CARRIAGE OF GOODS AND INTERNATIONAL INVESTMENT LAWS

United Nations Convention on Contracts for the International Sale of Goods, 1980 - Features, objectives and legal relevance; Bills of Lading and other Shipping Documents, Documentary Credit and other Payment Arrangements, Agreement on Trade Related Investment Measures, Multilateral and Bilateral Investment Treaties

UNIT 6: SETTLEMENT OF INTERNATIONAL TRADE DISPUTES

WTO Dispute Settlement Mechanisms, Conciliation, Mediation, Arbitration, Good Offices, Compliance and Enforcement

Suggested Readings:

1. Schnitzer, Simone; Understanding International Trade Law
2. Kaul, A. K.; Guide to the WTO and GATT: Economics, Law and Politics
3. Goyal, Arun; WTO in the new Millennium: Commentary, Case Law, Legal Texts
4. Carr, Indira; International Trade Law
5. Rao, M. B; and Guru, Manjula; WTO and International Trade

