



**CHRIST**

(DEEMED TO BE UNIVERSITY)

BENGALURU · INDIA

# School of Law

## LLM

(Corporate and Commercial Law)

2018-19

## Syllabus and Regulations

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CHRIST (Deemed to be University), Bangalore

Karnataka, India

[www.christuniversity.in](http://www.christuniversity.in)

Syllabus for Postgraduate Programme in LLM (Corporate and Commercial Law) 2018-2019 prepared by the Department of School of Law and approved by the Academic Council, CHRIST (Deemed to be University), Bangalore, India.

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## LLM PROGRAM (ONE YEAR)

As one of the top law schools in India, the School of Law of Christ University offers LLM program as per the UGC guidelines. This program incorporates a rich array of law courses, seminars, experiential learning opportunities, and special events. These would promote interaction with attorneys, diplomats, business leaders, and policy makers.

Our distinguished faculty and administration have established strong ties with various international, governmental, and non-governmental organizations in India and abroad.

This program has a flexible curriculum offering several options in each specialization. Students have the option of selecting their specialization and their area of interest. In addition, each student is encouraged to write a publishable thesis and to gain practical experience through internships and other training programs.

### Areas of Specialization

- *Corporate and Commercial Law*
- *Constitutional and Administrative Law*
- *Intellectual Property and Trade Law*

### Corporate and Commercial Law

The significance of Corporate and Commercial Law can hardly be over-emphasized. In fact, after the unleashing of the New Economic Policy and the advent of the WTO, this specialization is deemed to be next to none. Economic enterprises and the multinational corporations have been in the forefront of providing the necessary economic stability to the society at large. Law plays a unique role in enabling them to serve the society in a holistic way.

This Specialization is designed to serve the interests of students who intend to practice in the area of Corporate Law. It aims at aligning the objectives of a Corporate Lawyer with the goals of business organizations. The subjects range from foundational papers to the advanced ones such as International Trade Law, Commercial Arbitration, Corporate Governance, etc.

## Assessment Rules

Assessment is based on the performance of the student throughout the semester.

### 1. Credit Structure

- Courses with 45 hours per semester will earn the student 2 credits.
- Courses with 45-50 hours per semester will earn the student 3 credits.
- Courses with 51 hours and above per semester including practical will earn the student 4 credits.
- Dissertations/Practical equivalent to one course will earn the student 4-6 credits.
- Total credits can be earned in each semester are 18-25\*.

**\*Total credits may vary from programme to programme.**

### 2. Assessment of each paper

1. \*Continuous Internal Assessment (CIA) for theory paper : 50% (50 marks out of 100 marks)
2. \*End Semester Examination (ESE) : 50% (50 marks out of 100 marks)

**(\*Weight for CIA and ESE may vary for different programmes)**

### 3. Components of CIA

CIA I : Assignments: 10 marks

CIA II : Mid-Semester Examination (MSE) (Theory): 25 marks

CIA III : Quizzes/Seminars/Case Studies/Project work: 10 marks

**\*Attendance: 5 Marks**

% Attendance	Marks
95% - 100%	05
90% - 94%	04
85% - 89%	03
80% - 84%	02
76% - 79%	01

Students representing the University/Departmental activities are eligible for attendance with the permission of the HOD/Co-ordinator.

Students can check their attendance and academic reports from the University website in Student Login.

#### **4. Mid-Semester Examination (MSE)**

- The examination will be held as per the timetable released by the Controller of Examination (COE) in each semester and will be held simultaneously for I, III, V, VII, IX semester in August and II, IV, VI, VIII, X Semester in Jan/Feb.
- Valued answer scripts will be distributed in the class on a day announced prior to the distribution. Corrections if any are to be done during the same hour. No further changes after this will be entertained.
- Those candidates missing the MSE (for valid reasons only) will be given a second opportunity prior to the ESE, however, permission to repeat MSE is not automatic. The candidate must procure an application from the office of Examinations and must pay the required fee. If the candidate does not appear in the MSE then an entry denoted by “ will be made in the marks card stating that appear in the first MSE if student fails to appear the second chance, an entry denoted by will be made in the marks card stating the student did not write the MSE. During the course of the study, a UG candidate can repeat the MSE at most two times; the PG candidate can attempt it only once. There are restrictions on the number of times a student can repeat MSE.
- The duration of the MSE will be of 2 hours and the same is applicable for the repeat examination also.
- Absentee’s parents will be alerted through SMS within 1 hour after the commencement of the examination.
- Hall ticket with timetable and seating allotment is compulsory for both regular and repeat MSE and can be downloaded from the Student Login.
- Dress code of the University should be followed during the examination days except wearing ties.
- MSE will be conducted out of 50 marks and will be reduced to 25 marks, by the COE office.
- Candidates must preserve all MSE answer sheets and present the same to the COE in case of any discrepancy in the marks.
- The CIA marks will be displayed on the website for the candidate’s reference at the end of the semester before the ESE.
- For courses having practical as part, the assessment patten is as follows:

- A. Continuous Internal Assessment (CIA): 50%

Records	05 marks
Mid-Semester Examination (Conducted during regular practical hours.)	10 marks
Class Work	10 marks

- B. End Semester Practical Examination: 50%

- For courses with independent practical / project the components of the CIA and its weight may vary from programme to programme.
- The Mid-Semester practical examination will be conducted during a regular practical hour with prior intimation to all candidates.
- All End-Semester practical examination will have two examiners, an internal and an external examiner.

### 5. End-Semester Examination (ESE)

The examination for the theory as well as practical papers will be held at the end of the semester. All papers will have a three hour examination except Functional English papers. ESE will be conducted out of 100 marks, which will then be reduced to the required level, by the office of the COE. In order to avoid identification during the valuation, bar codes are pasted on the Answers Sheets by the students themselves instead of the Register Number.

Permission for admission to the ESE will not be granted unless

1. A student has put in at least 85% of attendance in aggregate at the end of the semester.
2. The Vice-Chancellor is satisfied with the character and conduct of the student.

### 6. Results

- Semester results will be announced within a period of 30 days of completion of examination.
- Marks cards will be ready within 45 days of completion of examinations.
- Revaluation/Re-totalling request should be made within 5 days from the date of announcement of results along with a fee notified by the Controller of examinations.
- There is no provision for improvement examination.
- Candidates who have not passed in at least 50% of the papers will not be promoted to the next year.
- Requirement of Marks for Pass in each paper: 40% for ESE separately and 40% for ESE+CIA.

There will be a special supplementary examination in the June/July for final semester students who have failed in the just concluded final semester examination subject to the condition that

they have no back-log in the previous semester. Students who are not debarred from examinations for reasons of malpractice will not be able to avail this facility. Another special supplementary examination is conducted in the month of January for the students who have failed in their IX semester examination.

Students having arrears can attempt the same when the examination is next conducted for the respective semester.

The Office of Examinations will preserve the answer sheets for a period of six months.

All marks cards issued by the COE will indicate the marks, percentage obtained, grade and grade point average.

### 7. Grading Pattern

The Grade Point average will be calculated as follows: for each subject, multiply the Grade Point with the Number of Credits; divide the sum of product by the total number of credits.

The CGPA (Cumulative GPA) is calculated by adding the total number of earned points [ GP x Cr] for all semesters and dividing by the total number of credit hours for all semesters.

#### Grading Scheme for each paper: PG Courses

Percentage	Grade	Grade Point	Interpretation	Class
80 and above	A	4.00	Outstanding	First class with Distinction
73 - 79	A-	3.67	Excellent	First Class
66 - 72	B+	3.33	Very Good	
60-65	B	3.0	Good	
55-59	B-	2.67	Average	Second Class
50-54	C+	2.33	Satisfactory	
45-49	C	2.00	Pass	Pass Class
40-44	D	1.0	Pass	
39 and below	F	0	Fail	Fail



Transcript/ Statement of Marks: can be downloaded from the University website after the examinations for each semester. Consolidated statement of marks and Provisional Degree Certificate will be awarded to all eligible candidates at the end of the course on the Graduation day.

### 8. Regulations for repeating (improvement of) CIA

1. This Regulation shall apply to UG and PG Students of the University as well as continuing students of erstwhile Christ College (Autonomous), other than students of CUIM, CUSE and CUSL
2. The eligibility criteria for Repeat Courses shall be as under
  1. Student must have completed the academic duration of the Course in full-all odd and even semesters.

OR

  2. Student must be pursuing the final semester of the course for obtaining permission under clause 6.
  3. Failure in the subject must be solely due to less than 40% score in CIA in respect of the repeat subject, and has scored minimum pass % for ESE.
  4. The student must have attempted and failed in at least one supplementary examination in the subject after the first failing.
3. Repeat Course is permitted for students opting to repeat one or more subjects or any semester due to their inability to complete and earn pass mark in the course for reason of very low score in CIA.
4. Student may exercise the option to repeat course only after the completion of their final (end of the course) ESE except for students under Clause 2 (b).
5. Repeat of the subject / paper in CIA shall be restricted to any one ongoing Semester at a time (*i.e.*, either odd or even semester subjects) and shall nullify all previous CIA scores (including practical, where applicable) of the student in respect of the subject(s) repeated (except for students under clause 6).
6. In exceptional circumstances as may be approved by the Management Committee, in respect of cases like, 'where a foreign student has non-renewable limited visa' or 'where a student due to late admission misses to complete the CIA', students under clause 2(b) may be permitted to do the Repeat Course during the final Semester, on a failed subject in respect to any semester except of the final semester.
7. The repeat course will follow a tutorial system of 20 hours in duration of not exceeding 30 days during which the entire repeat CIA process is expected to be completed. The student shall follow the curriculum adopted by the applicable semester. If the subject or paper has been revised or replaced by another in the changed syllabus, the student shall be required to complete the revised/changed paper.

8. The tutor-in-charge, will conduct tutorial classes, on pre-determined timings, normally outside the usual class hours, covering at least 60% of the syllabus portion, chosen at the his/her discretion. The tutor will record the attendance, evaluate the assignments (CIA II & III) and also conduct a test in lieu of MSE, in examination conditions.
9. The repeat course is only for the CIA (excluding attendance) and not for the ESE. The student's performance in the ESE and the marks secured for the attendance, as per the relevant completed semester will be carried over.
10. On completion of the course meant for the improvement of CIA components, the results will be announced along with that of regular students of the current semester and a fresh marks card will be issued for the subject/semester the student has appeared for.
11. Eligible candidates other than those under clause 7 shall apply in the prescribed application form (Form A) with details specified therein, and submit the same to the Dean on or before the specified date. Applications duly approved by the Dean shall be processed at IPM for payment of fee and entries in student records and the details thereof will be communicated to the Dean and COE.
12. In respect of candidates under clause 7 eligible candidates shall apply in the prescribed application form (Form B) with details specified therein, and submit the same to the Dean on or before the specified date. Applications duly recommended by the Dean be forwarded to the Registrar for consideration by the Management Committee and on its approval, it shall be processed at IPM and the details thereof be communicated to the Dean and the COE.
13. Fee for the repeat course will be announced by the Examinations Office.

#### 9. Regulations for repeating Mid Semester Examination

1. Supplementary MSE shall be permitted only for students who were absent for the regular MSE for genuine and valid reasons as may be confirmed and certified by the Class Teacher and the HOD and as been approved by the Dean.
2. Number of chances to appear for the Supplementary MSE within the entire duration of a course shall be restricted as under irrespective of the actual duration of the program.
  1. UG Students can attempt at most two times.
  2. PG and B.Ed, students can attempt only once.
  3. Students who were absent for regular MSE due to deputation on University sponsored / permitted programs (like NCC, CSA etc.) shall not be affected by the restriction and may avail the permissible number of chances as may be applicable.
3. Students who exhaust the number of allowed chances shall not be permitted to appear for any more Supplementary MSE and hence shall have to be satisfied with the CIA marks without MSE score, in case they fail to appear for regular MSE.

Other procedures specified for supplementary MSE as per existing Regulation shall remain unchanged.

## Programme Outcome

- Articulate thoughts and communicate effectively
- Practice ethical behavior in all engagements
- Train leaders in the field of law and policy-making
- Contribute effectively in research or academia

## Semester-wise Subjects

### FIRST SEMESTER

Code	Title	No. of Hrs/ Week	Credits
LLM151CCL	Foundation Course		2
LLM131CCL	Research Methods and Legal Writing	5	4
LLM132CCL	Comparative Public Law	5	4
LLM133CCL	International Trade Law	4	3
LLM134CCL	Competition Law	4	3
LLM135CCL	Law of E-Commerce	4	3
LLM136CCL	Commercial Arbitration	4	3
<b>Total</b>		<b>26</b>	<b>22</b>

### SECOND SEMESTER

Code	Title	No. of Hrs/ Week	Credits
LLM231CCL	Globalization, Law and Justice	5	4
LLM232CCL	Investment Laws	5	3
LLM233CCL	Intellectual Property Law	4	3
LLM234CCL	Corporate Governance	4	3
LLM251CCL	Seminar on Contemporary Issues	3	2
LLM252CCL	Practical - (Teaching Practice)	3	2
LLM281CCL	Dissertation	4	4
<b>Total</b>		<b>28</b>	<b>21</b>



**FIRST SEMESTER**  
**LLM151CCL FOUNDATION COURSE**  
**(No. of Hrs. 45)**

**COURSE OBJECTIVES:**

The course aims at understanding the various jurisprudential theories and concepts, the principles of interpretation of statutes, basics of law and economics and also to hone their soft skills in order to enhance their capacities to build a strong foundation for the study of Master of Law course.

**LEARNING OUTCOME:**

**At the end of the course the students will be able to:**

1. Understand the various theories and concepts of Jurisprudence.
2. Explain the rules and aids of interpretation of statutes.
3. Enhance their research skills, reading, writing and speaking skills.

**UNIT I: INTRODUCTION TO JURISPRUDENCE**

**7 Hrs**

- 1.1 Nature of Jurisprudence
- 1.2 Schools of Jurisprudence-Natural law, Positivism, Pure science of law, Historical, Sociological, Realism, teleological school
- 1.3 Evolution and definition of law
- 1.4 Sources of Law
- 1.5 The Technique of the law-Classification, Titles, Acts, Events
- 1.6 Public Law-Law and the State, Criminal law
- 1.7 The concept of Legal Personality
- 1.8 Rights and Duties
- 1.9 The Concept of Property
- 1.10 Possession and Ownership
- 1.11 Law of Procedure

**UNIT 2: THE CONCEPT OF LAW-H.L. A. HART**

**6 Hrs**

- 2.1 Laws, commands and Orders
- 2.2 The variety of Laws
- 2.3 Sovereign and subject
- 2.4 Law as the Union of Primary and Secondary Rules
- 2.5 The foundations of a Legal system
- 2.6 Formalism and Rule Skepticism
- 2.7 Justice and Morality
- 2.8 International Law

**UNIT 3: TAKING RIGHTS SERIOUSLY-RONALD DWORKIN** **6 Hrs**

- 3.1 Introduction
- 3.2 Model Rules I and II
- 3.3 Hard cases, Constitutional Case
- 3.4 Justice and Rights
- 3.5 Taking Rights seriously
- 3.6 Civil Disobedience
- 3.7 Reverse discrimination
- 3.8 Liberty and Moralism; Liberty and Liberalism

**UNIT 4: NATURE OF JUDICIAL PROCESS-BENJAMIN CARDOZA** **6 Hrs**

- 4.1 Introduction-The Method of Philosophy
- 4.2 The Methods of History, Tradition and Sociology
- 4.3 The Method of Sociology, The Judge as a Legislator
- 4.4 Adherence to Precedent- The Subconscious element in the Judicial Process

**UNIT 5: PRECEDENT IN ENGLISH LAW-RUPERT CROSS** **6 Hrs**

- 5.1 The English Doctrine of Precedent
- 5.2 Ratio Decendi and Obiter Dictum
- 5.3 Stare decisis and exceptions to stare decisis
- 5.4 Precedent as a source of law; Precedent and Judicial Reasoning; Precedent and legal theory

**UNIT 6: PRINCIPLES OF STATUTORY INTERPRETATION** **8 Hrs**

- 6.1 Basic Principles and Guiding Rules
- 6.2 Internal Aids to Construction
- 6.3 External Aids to Construction
- 6.4 Subsidiary Rules
- 6.5 Operation of statutes
- 6.6 Expiry and Repeal of statutes
- 6.7 Statutes affecting the Crown or the State
- 6.8 Statutes affecting the Jurisdiction of courts
- 6.9 Construction of taxing statutes and evasion of statutes
- 6.10 Remedial and Penal statutes
- 6.11 Delegated legislation

**UNIT 7: LAW AND ECONOMICS** **2 Hrs**

- 7.1 Basics of Law and economics

**UNIT 8: SOFT SKILLS**

**2 Hrs**

8.1 Public speaking

8.2 Communication skills-Reading and writing

**UNIT 9: INTRODUCTION TO LEGAL RESEARCH**

**2 Hrs**

9.1 Basics of legal research





- 2.1 Research Problem – Definition, Determination, Sources of Data
- 2.2 Hypothesis – Meaning and definitions, Characteristics, Research Questions and Hypothesis
- 2.3 Research Design – Meaning and essentials of Research Design, Forms of Research Design, and major steps
- 2.4 Testing of Hypothesis
- 2.5 Sampling techniques – definition, basic assumptions, classifications

### **UNIT 3 :RESEARCH METHODS AND TOOLS**

**12 Hrs.**

**Learning Outcome:** On completion of this UNIT students will be able to differentiate between Social and legal survey, besides getting a perspective on Case method, Jurimetrics, Questionnaires and Schedule, Observation , interview and Hawthorne effect or observation bias .

- 3.1. Social and legal survey
- 3.2. Case Study method
- 3.3. Jurimetrics
- 3.4. Interview, Questionnaire and Schedule
- 3.5. Observation -Hawthorne effect / observation bias
- 3.6. Doctrinal and Non doctrinal / Empirical Methods of Research

### **UNIT 4: TABULATION, ANALYSIS, INTERPRETATION, AND REPORTING**

**12 Hrs.**

**Learning Outcome:** On completion of this UNIT students will be able to get acquainted with the means of Classification and Tabulation of Data, Analysis and interpretation of Data, Use of Statistical methods and computers in legal research, Reporting and Methods of Citations, Ethics in research and Plagiarism

- 4.1 Classification and Tabulation of Data
- 4.2 Analysis and interpretation of Data
- 4.3 Use of Statistical methods and computers in legal research
- 4.4 Reporting and Methods of Citations
- 4.5 Ethics in research and Plagiarism
- 4.6 Research Reports- Case Comment, Articles, Dissertation, Thesis

### **UNIT 5: LEGAL WRITING**

**12 Hrs.**

**Learning Outcome:** On completion of this UNIT students will be able to Foundations of writing, Transmittal letter, client opinion letter and e-mail correspondence, Pleadings,

## Preparation of a Memorandum and outlines of Legislative Drafting

- 5.1 Foundations of writing
- 5.2 Transmittal letter, client opinion letter and e-mail correspondence
- 5.3 Pleadings
- 5.4 Office memo
- 5.5 Memorandum of Law
- 5.6 Appellate brief
- 5.7 Legislative Research and Legislative Drafting; Preparation of draft Bill

### SCHEME OF VALUATION

• CIA I – Class Test / Assignment / Presentation	- 10%
• CIA II – Mid Semester Examination	- 25%
• CIA III – Research Topic	- 10%
• Attendance	- 05%
• End Semester Examination	- 50%
	<b>TOTAL 100%</b>

### SUGGESTED READINGS:

1. Amy E Sloan, Basic Method Research – Tools and Materials
2. Baxi, Upendra, 'Socio-Legal Research in India-A Program Schriff, ICSSR, Occasional Monograph, 1975.
3. Carol M Bast, Foundations of Legal Research and Writing
4. Cohen, Morris L., 'Legal Research', Minnesota, West Publishing Co. 1985.
5. Dawson, Catherine, 2002, Practical Research Methods, New Delhi, UBS
6. Erwin C. Surrency, B.Fielf and J. Crea, A Guide to Legal Research (1959)
7. Ghosh, B.N., 'Scientific Method and Social Research', New Delhi, Sterling Publishers Pvt. Ltd., 1984.
8. Goode and Hatt, 'Methods in Social Research', Singapore, Mc. Graw Hill Book Co., 1985 (reprint).
9. H.M.Hyman, Interviewing in Social Research (1965)
10. Harvard Law Review Association, Uniform System of Citations.
11. High Brayal, Nigel Dunean and Richard Crimes, Clinical Legal Education: Active Learning in your Law School, (1998) Blackstone Press Limited,London.
12. ILI Publication, Legal Research and Methodology
13. Johari J.C. (ed.), 'Introduction to the Method of Social Sciences', New Delhi, Sterling Publishers Pvt. Ltd. 1988.
14. Kothari C.K., 'Research Methodology: Method and Techniques', New Delhi, Wiley Eastern Ltd., 1980.

15. Kothari, C.R., 1985, Research Methodology- Methods and Techniques, New Delhi, Wiley Eastern Limited.
16. Kumar, Ranjit, 2005, Research Methodology-A Step-by-Step Guide for Beginners, (2nd.ed.), Singapore, Pearson Education. Whitney, F.L, The elements of Research.
17. Legal Research Methodology Indian Case Laws, [www.nyulawglobal.org/globalex/india\\_legal\\_research.htm](http://www.nyulawglobal.org/globalex/india_legal_research.htm)
18. M.O.Price, H.Bitner and Bysiewiez, Effective Legal Research (1978)
19. Morris L. Cohan, Legal Research in Nutshell, (1996), West Publishing Co.
20. N.R. Madhava Menon, (ed.) A Handbook of Clinical Legal Education, (1998) Eastern Book Company, Luck now.
21. Ne, The art of Asking Question (1965)
22. Pauline V. Young, Scientific Social Survey and Research, (1962)
23. Payne, The Art of Asking Questions (1965)
24. S.K. Verma and M. Afzal Wani (Eds.) Legal Research and Methodology, Indian Law Institute (2001) 2<sup>nd</sup> Edition.
25. S.K.Agrawal (Ed.), Legal Education in India (1973), Tripathi, Bombay.
26. Stone, Julius, 'Legal System and Lawyer's Reasoning', Sydney, Maitland Publications, 1968.
27. William J. Grade and Paul K. Hatt, Methods in School Research, Mc Graw-Hill Book Company London.

#### **ADDITIONAL READINGS:**

##### **LINKS:**

1. The Legal Information Institute, [www.law.cornell.edu](http://www.law.cornell.edu)
2. FindLaw, [www.findlaw.com](http://www.findlaw.com)
3. WashLaw: Legal Research on the Web, [www.washlaw.edu](http://www.washlaw.edu)
4. The American Bar Association's Public Resources page, [www.abanet.org/public.html](http://www.abanet.org/public.html)
5. HierosGamos, [www.hg.org](http://www.hg.org)
6. Public Library of Law, [www.plol.org](http://www.plol.org)
7. LexisOne, [www.lexisone.com](http://www.lexisone.com)

##### **ARTICLES:**

1. How to Research a Legal Problem -American Association of Law Libraries, see [www.aallnet.org/sis/lisp](http://www.aallnet.org/sis/lisp)
2. [A Guide to India's Legal Research and Legal System](http://www.nyulawglobal.org/globalex/india_legal_research.htm) - [www.nyulawglobal.org/globalex/india\\_legal\\_research.htm](http://www.nyulawglobal.org/globalex/india_legal_research.htm)
3. Legal Research Methodology- Indian Case Laws- <http://indiancaselaws.files.wordpress.com/2013/01/legal-research-methodology1.pdf>
4. Research Methodology - <http://www.newagepublishers.com/samplechapter/000896.pdf>

5. A Guide to India's Legal Research and Legal System-  
[http://www.nyulawglobal.org/globalex/india\\_legal\\_research.htm](http://www.nyulawglobal.org/globalex/india_legal_research.htm)
6. Sarah E. Valentine- Legal Research as a Fundamental Skill  
[http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1537871](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1537871)
7. How to Research a Legal Problem,  
<http://www.aallnet.org/mm/Publications/products/How-To-Research-A-Legal-Problem>

## LLM132CCL COMPARATIVE PUBLIC LAW

(No. of Hrs. 60-80 Hrs.)

**COURSE OBJECTIVES:** The paper intends to provide a comparative analysis about the structure of government, legislative process and the role of the judiciary to have better understanding of the Indian polity.

**COURSE OUTCOME:**

After successful completion of this Unit students will be able to:

1. Understand the concept of public law and its various branches. Further the students will be provided with information as to how public law differs from private law and how principles of accountability are important in public law.
2. Distinguish between presidential and parliamentary forms of government including federal and unitary government.
3. Learn as to how the fundamental rights have evolved overhead a period of time as socio, economic & political necessity in order that people in a given State will lead a peaceful and prosperous life with others free from discrimination and exploitation.
4. Locate and understand the various legislative powers that are vested with the central and state governments under the Indian constitution including the subjects that are listed under schedule 7 as union, state and concurrent list and how the laws can be enacted within their sphere of competence.
5. To have a comprehensive view of the nature and organisation of the higher judiciary with their roles and limitations under the constitution and also how important the judiciary is in governance perspective

**TEACHING METHODOLOGY:** Lecture, Group discussion, Power Point presentation, documentaries, student presentations, quiz etc., as per the requirement of each UNIT.

**UNIT 1: PUBLIC LAW AND GOVERNANCE**

**12 Hrs.**

**Learning Outcome:** At the end of this UNIT students will be familiar with the concept, scope, principles and concepts of Public Law.

- 1.1. Nature of Public Law
- 1.2. Distinction between Public and Private law
- 1.3. Scope of Public law – Constitutional law, Administrative law and Criminal law
- 1.4. Basic concepts of Public Law

1.5. Principles of Accountability and Public Law

**UNIT 2: BASIC PRINCIPLES OF ORGANIZATION OF GOVERNMENT AND FORMS OF GOVERNMENT** **12 Hrs.**

**Learning Outcome:** At the end of this UNIT the students will be able to understand the different forms of Government and the basic principles underlying the same.

- 2.1 Presidential and Parliamentary forms of Government
- 2.2 Federal and Unitary Governments
- 2.3 Government under the U.S. Constitution
- 2.4 Basic principles underlying Government in France
- 2.5 Nature of Government in U.K.
- 2.6 Comparative and differentiating features of governance in India, U.K., U.S.A. and France.

**UNIT 3: NATURE AND ROLE OF FUNDAMENTAL RIGHTS IN PUBLIC LAW** **12 Hrs.**

**Learning Outcome:** At the end of this the Students will be familiarized with the nature and scope of fundamental rights.

- 3.1 Evolution of Fundamental Rights in U.K., U.S.A., France and India
- 3.2 Scope of Fundamental Rights in U.S.A.
- 3.3 Role of Fundamental Rights in U.K.
- 3.4 Nature and scope of Rights in France
- 3.5 Limits to Fundamental Rights
- 3.6 Public Interest litigation, significance of human rights commissions

**UNIT 4: ORGANIZATION OF THE LEGISLATURE AND THE EXECUTIVE** **12 Hrs.**

**Learning Outcome:** At the end of this UNIT the students will be able to appreciate the nature and scope of the legislative and executive powers and the relationship between them.

- 4.1 Organization of Legislature and distribution of legislative powers
- 4.2 Nature of Legislative Process
- 4.3 Extent of Executive Powers
- 4.4 Emergency powers

## 4.5 Relation between Legislative and Executive powers

**UNIT5 : JUDICIARY AND JUDICIAL PROCESS****12 Hrs.**

**Learning Outcome:** At the end of this UNIT the students will be able to appreciate the judiciary as a basic structure and also understand the various dimensions such as judicial review and also understand the concept of judicial process.

- 5.1. Organization of the judiciary
- 5.2. Judicial Review and its implementation
- 5.3. Basic principles of Judicial Process, Precedents, Stare decisis
- 5.4. Evolution and functioning of Tribunals; *droit administratif*
- 5.5. Theory of Basic Structure

**SCHEME OF VALUATION**

• CIA I – Class Test / Assignment / Presentation	- 10%
• CIA II – Mid Semester Examination	- 25%
• CIA III – Research Topic	- 10%
• Attendance	- 05%
• End Semester Examination	- 50%
	<b>TOTAL 100%</b>

**SUGGESTED READINGS:**

1. A.V.Dicey, Introduction to the Study of Constitution.
2. Brandt, E.M.; An Introduction to Constitutional Law ; Oxford University Press
3. Bernard Schwartz Commentary on American Constitution
4. Bhagwan Vishnoolal, Bhushan Vidya, World Constitutions
5. Cane, Peter; Administrative Law ; Oxford University Press
6. Dauglus W.O, Studies in Indian and American Constitutional Law.
7. E.S.Venkataramaiah, Federalism Comparative Study
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9. Godfrey and Blondel, The French Constitution and Government.
10. Jain, M.P.; Indian Constitutional Law ; LexisNexis
11. K.C.Wheare, Modern Constitutions.
12. Loughlin, Martin; The Idea of Public Law; Oxford University Press
13. Mason and Beany, American Constitutional law
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17. Tom Ginsburg, Rosalind Dixon, Comparative Constitutional Law

18. [Vicki C. Jackson](#), Mark V. [HYPERLINK](#)  
"http://www.google.co.in/search?tbo=p&tbm=bks&q=inauthor:%22Mark+V.+Tushnet%22" Tushnet, Comparative Constitutional Law

#### **SELECT CASE LAWS**

1. Asif Hameed v. State of J&K [AIR 1989 SC 1899]
2. State of Rajasthan v. Union of India [AIR 1978 SC 1361]
3. KeshavanandBharati v. State of Kerala [(1973) 2 SCR 347]
4. PanditMS.M.Sharma v. Sri Krishna Sinha [AIR 1959 SC 395]

## LLM133CCL INTERNATIONAL TRADE LAW (No. of Hrs. 60-80 Hrs.)

**COURSE OBJECTIVES:** International Trade Law has two aspects: public and private. The public aspect deals with the harmonization and coordination of national commercial policies and private aspect seeks to provide a legal framework for International commercial transactions between individuals belonging to different nationalities. This course covers both public and private aspects.

The World Trade Organization (WTO) is the only global institution seeking to harmonize and coordinate national commercial policies. It stands for the promotion of free trade among nations whereby goods and services can move freely across national frontiers. The course will mainly focus on the WTO with incidental references to other important regional institutions such as European Union, North American Free Trade Area etc. The WTO, as an institution administers many Multilateral Trade Agreements (MTAs) and a few Plurilateral Trade Agreements (PTAS). The presence of a dispute settlement mechanism which de facto has compulsory jurisdiction over all the disputes which may arise between member states has distinguished the WTO from other global institutions; and it is often said that thanks to this unique system, the power-oriented diplomacy has given way to rule-based system. The Appellate Body (AB) which is at the centre of the dispute settlement mechanism has significantly contributed to the development of International Trade Law. International Trade Law, as applied to international commercial transactions is characterized by Prof. Schmitthoff as “transnational commercial law”. This system comprises of general Private International Law principles, international conventions unifying national commercial laws and national legislations there under and also the customary practices developed by international mercantile community represented by bodies such as International Chamber of Commerce. Globalization of national economies, which we have been witnessing, requires a distinct transnational law, recognized and enforced by national courts. The course has one UNIT on transnational commercial law.

India as a member of the WTO is under a legal obligation to promote free trade with other states in accordance with the WTO Agreements. India has panoply of legislations through which this obligation is discharged. The Foreign Trade (Development and Regulation) Act, Customs Act, Foreign Exchange Management Act etc and elaborate delegated legislations under these enactments constitute the legal regime through which international trade policies of the Government of India are implemented.

In the light of the above, the objectives of the course are to familiarize the students about the World Trade Organization and the various agreements entered into under the auspices of the WTO. Students will be given an insight into the transnational

commercial transactions and the related matters thereto. Further an attempt is made to give an overview of the law and policy of India in relation to international trade.

### **COURSE OUTCOMES:**

On the completion of the course the students will be able to-

1. To discuss the structure, functions, sources of WTO.
2. To trace the historical background of WTO.
3. To discuss and analyze the principles of WTO law.
4. To analyze the dispute settlement mechanism of WTO.
5. To discuss various agreements entered into under the auspices of the World Trade Organization.
6. To explain the international sales transactions and allied matters related thereto.
7. The students will also be familiarized with FDI, Customs Act, SEZ's in relation to International trade.

**TEACHING METHODOLOGY:** Lecture, Group discussion, Power Point presentation, documentaries, student presentations, quiz etc., as per the requirement of each UNIT.

### **UNIT 1:THE WORLD TRADE ORGANIZATION- I**

**15 Hrs.**

**Learning Outcome:** This UNIT aims at giving the students an insight into the history, establishment, structure and functions of WTO. It also deals with the dispute settlement mechanism of WTO. Further, it delves into the important principles of non-discrimination namely the most favored Nation Treatment and National treatment. Further the students are also introduced to dumping and antidumping measures.

- 1.1. Introduction to International trade and the law of the WTO, Sources of WTO Law, Basic rules and principles of WTO Law
- 1.2. Economic Theories of free trade-Absolute Advantage theory; Comparative Advantage theory; Heckscher-Ohlin theory; Leontief Paradox and New trade theory
- 1.3. Historical background- of WTO- Evolution of GATT as a trading institution and transition of GATT to WTO; Marrakesh Agreement
- 1.4. WTO as an International institution- Origin of WTO; Mandate of WTO; Membership of WTO; Institutional structure of the WTO; Decision-making in the WTO; Other Issues-status of WTO; budget of WTO.
- 1.5. WTO Dispute Settlement - Dispute Settlement Understanding; Principles of dispute settlement; Institutions of WTO settlement; WTO dispute settlement proceedings; Main challenges to the WTO dispute settlement system

- 1.6. Principles of Non-discrimination-Most favored nation treatment and National treatment obligation.
- 1.7. Dumping-Anti-dumping Measures

## **UNIT 2: WORLD TRADE ORGANIZATION-II**

**15 Hrs.**

**Learning Outcome:** At the end of this UNIT the students will be equipped with an understanding of various agreements entered into under the auspices of the World Trade Organization and their importance in International trade relations.

- 2.1. WTO jurisprudence on TBT and SPS Agreements-Agreement on Sanitary and Phytosanitary Measures; Agreement on Technical barriers to Trade
- 2.2. WTO and environment protection.
- 2.3. General Agreement on Trade in Services (GATS) - Meaning of trade in services. General obligations. Specific obligations. Financial services. Telecommunication services, India and the GATS.
- 2.4. Trade-Related Aspects of Intellectual Property Rights (TRIPs) - IPRs covered by TRIPs. Rights of patentees under the TRIPs. Compulsory licensing. Public health and the TRIPs. Indian response to the TRIPs.
- 2.5. Agreement on Agriculture
- 2.6. Trade Related Investment Measures (TRIMS)

## **UNIT 3: TRANSNATIONAL TRANSACTIONS AND RESOLUTION**

**15 Hrs.**

**Learning Outcome:** This UNIT is aimed at making the students aware of the International Sale of goods transaction and allied matters thereto.

- 3.1 Transnational Commercial Laws: Meaning and scope of Transnational Commercial Law. Evolution of Law Merchant. Sources of Transnational Commercial Law. Movement towards unification of national commercial laws. UNIDROIT and UNCITRAL.
- 3.2 International Carriages- Carriage of goods by sea; Carriage by air; Multimodal transportation.
- 3.3 International Sales of goods- Vienna Convention on Contract for International Sale of Goods; Drafting of International Commercial contracts- an Introduction.
- 3.4 International Payments- The role of International Chamber of Commerce in the development of Transnational Commercial Laws; Uniform Customs and Practices on Documentary Credits.
- 3.5 International Commercial Arbitration. UNCITRAL Model Law on International commercial arbitration. Indian Arbitration and Conciliation Act, 1996; Enforcement of foreign arbitral awards.

## UNIT 4: LAW AND POLICY ON TRADE AND INVESTMENT- INDIAN PERSPECTIVE

**15 Hrs.**

**Learning Outcome:** At the end of this UNIT the students will be equipped with a brief understanding of the Law and Policy related to Export and Import Trade in India, The students will also be familiarized with FDI, Customs Act, SEZ's in relation to International trade.

- 4.1. Introduction to Law and Policy of Export-Import Trade in India
- 4.2. Foreign Trade (Development and Regulation) Act, 1992.
- 4.3. Foreign Exchange Management Act, 1999.
- 4.4. Special Economic Zones and International trade
- 4.5. Law relating to Customs- Customs Act, 1962
- 4.6. Foreign Investment in India-Liberalization in the nineties. Foreign Investment Promotion Board. Current issues relating to foreign direct investment.
- 4.7. The Industries(Development and Regulation) Act and its application.

### SCHEME OF VALUATION

• CIA I – Class Test / Assignment / Presentation	– 10%
• CIA II – Mid Semester Examination	– 25%
• CIA III – Research Topic	– 10%
• Attendance	– 05%
• End Semester Examination	– 50%
<b>TOTAL 100%</b>	

### SUGGESTED READINGS:

1. A.G. Benjamin's Sale of Goods (6<sup>th</sup>edn, London: Sweet & Maxwell, 1995)
2. B.Griffin, Day & Griffin, The Law of International Trade (3<sup>rd</sup>edn, London: Butterworths Lexis Nexis, 2003)
3. BhagirathLal Das, The WTO: a guide to framework for International Trade.
4. C. Debattista, Sale of Goods carried by Sea (2<sup>nd</sup>edn, London: Butterworth's, 1998)
5. Carole Murray, David Holloway, Schmitthoff's export trade: The Law & Practice of International Trade.
6. Daniel L. Bethlehem, Oxford Handbook of International Trade Law.
7. Dr. NeerajVarshney, Anti-dumping measure- Law, Practice & Procedure, Indian case laws, 2007 edition.
8. From GATT to the WTO: the multilateral trading system in the new millennium by World Trade Organization Secretariat, Graduate Institute of International studies (Geneva, Switzerland.
9. Indira Carr& Richard Kidner, Statutes and Conventions on International Trade Law, 4<sup>th</sup> edition, Routledge Cavendish.
10. Jackson, John H. and Edwin A. Vermulst, Anti-Dumping Law and Practice

11. Jason C.T. Chauh, Law of International Trade, Fourth Edition, Sweet and Maxwell, South Asian Edition, 2011.
12. JayantaBagchi, WTO: An India Perspective, Second edition, Eastern Law house.
13. JF. Wilson, Carriage of Goods by Sea, (5<sup>th</sup>edn, Harlow, Pearson education, 2004).
14. K.R. Gupta, A study of WTO, Second revised edition, Atlantic publishers and Distributors (P) Ltd.
15. M.G. Bridge, International Sale of Goods: Law and Practice, (oxford: Oxford University Press, 1999)
16. Michael J. Trebilcock, Robert Howse, The Regulation of International Trade
17. Michael K. Levine, Inside International Trade Policy formulation
18. Nicholas Kouladin, Principles of Law relating to International Trade, Springer, 2006.
19. P. Sellman, The Law of International Trade, 150 leading Cases (2<sup>nd</sup> 3dition, London: Old Bailey Press, 2004)
20. P.Todd, Cases and Materials on International Trade Law (1<sup>st</sup>edn, London: Sweet & Maxwell, 2003)
21. Palmetor, N. David; Mavroidis, Petros C., Dispute Settlement in the World Trade Organization: Practice and Procedure.
22. Raj Bhalla, International Trade Law: Theory and Practice, Second Edition, Lexis Publishing, 2001.
23. Rao M B, WTO & International Trade, 2<sup>nd</sup> edition, Vikas Publishing House Pvt.Ltd
24. Rene David, Arbitration in International Trade, Kluwer Law and Taxation Publishers, Netherlands, 1985.
25. Schnitzer, Simone, Understanding International Trade law, Universal Publishing House, 2007
26. VibhaMathur, WTO and India.
27. WTO AnalytiCCL Index: Guide to WTO Law and Practice, WTO Geneva 2003
28. Andrew T. Guzman and JoustPauwelyn. *International Trade Law: Cases and Materials*, Aspen Publishers. Aspen Publishing, 2009.
29. Parthapratim Pal, International Trade and India, Oxford publications.
30. Clive M. Schmitthoff's Select Essays on International Trade Law, Kluwer academic publishers.
31. John J. Parker, Drafting of an International Sales Contract: Problems and Remedies. University of North Carolina, chapel Hill.,
32. Gabriel Moens, Peter Gillies, International Trade and Business: Law, Policy and Ethics, Cavendish Publishing house, 2005

#### ARTICLES:

1. Andrew T. Guzman. "*Dispute Resolution in SPS Cases*"*Ten Years of WTO Dispute Settlement*. Ed. Horowitz, Moulis, and Steger. London: International bar Association, 2007. 215-233.  
Available at: [http://works.bepress.com/andrew\\_guzman/4](http://works.bepress.com/andrew_guzman/4)

2. B.S.Chimni, *WTO and Environment-Shrimp Turtle and EC-Hormone Cases*, *Economic & PolitiCCL weekly*, Vo. 35, No. 20, PP.1752-1761.
3. David Palmeter&Petros C. Maurois, *The WTO Legal System, Sources of Law*,*The American Journal of International Law*, Vol.92, No.3 (July 1998) PP. 398-418
4. Debra P. Steger & Peter van den bossche, *WTO dispute settlement, emerging practice and procedure*, [www.jstor.org/stable/25659196](http://www.jstor.org/stable/25659196)
5. Harold J. Berman, *Law of International Trade: Contract, Custom and Codification*, *Harvard International Review*, Vol.6, No.3 (December 1983), pp.44-46, <http://www.Jstor.org/stable/42759682>
6. INGEBORG SCHWENZER and PASCCL HACHEM *The CISG, Successes and pitfall*, *The American Journal of Comparative Law*, Vol. 57, No. 2 (SPRING 2009), pp. 457-478
7. John. H. Jackson, Robert E. Huedec, Donald Davis, *The Role and effectiveness of the WTO dispute settlement mechanism*, *Brooking Trade Forum* (2000) pp. 179-236.
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12. [Michael M. Weinstein](#), [Steve Charnovitz](#), *The Greening of the WTO*,*Foreign Affairs*, Vol. 80, No. 6 (Nov. - Dec., 2001), pp. 147-156
13. P. M. Roth, *Passing of Risk*, *The American Journal of Comparative Law*, Vol. 27, No. 2/3, *Unification of International Trade Law: UNCITRAL's First Decade* (Spring - Summer, 1979), pp. 291-310
14. P.Ranjan, *Applicable law in the dispute settlement body of the WTO*, Vol. 44, No. 15, Apr. 11 - 17, 2009 [Economic and PolitiCCL Weekly](#).
15. [Steve Charnovitz](#), *Environment and Health under WTO Dispute settlement*, *The International Lawyer*, Vol. 32, No. 3, *Symposium on the First Three Years of the WTO Dispute Settlement System* (FALL 1998), pp. 901-92
16. Thomas J. Shoenbaum, *International Trade and protection of the Environment*, *The American Journal of International Law*, Vol. 91, No. 2 (Apr., 1997), pp. 268-313

## LLM134CCL COMPETITION LAW

(No. of Hrs. 60- 80 Hrs.)

**COURSE OBJECTIVES:** The processes of globalization and liberalization have brought a considerable awareness towards improving 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. The course will provide an analysis of the legal developments, from MRTP to the Competition Act. The course will analyze the progress of the Competition Law in various legal systems and also determine the role of WTO in its policies.

### **COURSE OUTCOME:**

Upon the successful completion of this course, the students will be able

- To appreciate the economic theory, practice and analytic tools that underpin and inform Competition law and policy
- To analyze how Competition Law facilitates the promotion of free Competition and acts as an instrument in regulating the markets.
- To apply the law to solve practical problems concerning the control of anti-competitive practices
- To critically appreciate the strategies and mechanisms of Competition law enforcement agencies in India and abroad.
- To research Independently and evaluate solutions to more complex Competition law, Economic, Legal and enforcement issues, through interdisciplinary learning

**TEACHING METHODOLOGY:** Lecture, Group Discussion, PowerPoint Presentation, Simulation Exercise, etc. as per the requirement of each module.

### **UNIT 1: INTRODUCTION TO COMPETITION LAW**

**6 Hrs.**

**Learning outcome:** On the completion of this module students will have clarity about evolution, object and functions of Competition law.

- 1.1. Concept of market, Open market- Regulated market, Market functions of role of competition law



- 1.2. Nature & Scope of competition law and policy
- 1.3. Evolution & Growth of competition law
- 1.4. Theoretical foundations of competition law
- 1.5. Competition Act, 2002- overview, definitions and ideas of agreement, dominant position, combination and effects of anti- competitive activities

**UNIT 2: ANTI- COMPETITIVE AGREEMENTS 08 Hrs.**

**Learning outcome:** On the completion of this module students will have clarity about the types of anti-competitive agreements and testing its validity.

- 2.1. Anti-competitive agreements: Concept, forms and treatment in India
- 2.2. Parallel import
- 2.3. Treatment of anti- competitive agreements under USA, EU, UK, Australia

**UNIT 3: ABUSE OF DOMINANT POSITION 08 Hrs.**

**Learning outcome:** On the completion of this module students will have a clear understanding about the practices covered by abuse of dominant position.

- 3.1. Abuse of dominant position: Concept, forms and treatment in India
- 3.2. Essential facilities doctrine
- 3.3. Refusal and abuse of dominant position.
- 3.4. Pricing strategies and abuse of dominant position
- 3.5. Treatment of abuse of dominant position under USA, EU, UK, Australia

**UNIT 4: COMBINATIONS 10 Hrs.**

**Learning outcome:** On the completion of this module students will have a clear understanding about the practices in connection with combinations.

- 4.1. Combinations: Concept, forms, reasons and regulatory framework in India
- 4.2. Different tests for studying the impacts of combinations in the market
- 4.3. Unilateral and co- ordinate effects of combinations
- 4.4. Foreclosure
- 4.5. Failing firm
- 4.6. Creeping acquisitions
- 4.7. Regulation of Cross- border combinations
- 4.8. Treatment of combinations under USA, EU, UK, Australia

**UNIT 5: COMPETITION COMMISSION OF INDIA 4 Hrs.**

**Learning outcome:** On the completion of this module students will have a clear understanding about the role of the CCI.

- 5.1. Composition, powers and function of CCI
- 5.2. Role of the DG
- 5.3. Appellate Tribunal
- 5.4. Penalties and remedies

#### **UNIT 6: IPR AND COMPETITION LAW**

**08 Hrs.**

**Learning outcome:** On the completion of this module students will have a clear understanding about the conflicting issues regarding the IPR and competition laws.

- 6.1. Theoretical basis of IPR and Competition law
- 6.2. TRIPs and its impact on competition law regime
- 6.3. Abuse of IPR and competition law (agreements, abuse of dominant position, combination)
- 6.4. Doctrine of exhaustion and its treatment
- 6.5. Modern trend to the conflict in IPR and Competition law

#### **UNIT 7: INVESTMENT AND COMPETITION LAW**

**08 Hrs.**

**Learning outcome:** On the completion of this module students will have a clear understanding about the investment issues under the competition laws.

- 7.1. WTO norms for investment
- 7.2. OECD guidelines in investment
- 7.3. FDI policies and its impacts on Competition in domestic market
- 7.4. Regulation of FDI in India, USA, EU, UK, Australia

#### **UNIT 8: MODERN DIMENSIONS OF COMPETITION LAW**

**08 Hrs.**

**Learning outcome:** On the completion of this module students will have a clear understanding about the different modern dimensions of competition law.

- 8.1. WTO and its impacts on Competition Laws with reference to UNCTAD
- 8.2. International enforcement and judicial assistance
- 8.3. Applicability of competition law into agricultural sector
- 8.4. Dumping
- 8.5. State aid

## 8.6. Recession

### SCHEME OF VALUATION

• CIA I – Class Test / Assignment / Presentation	- 10%
• CIA II – Mid Semester Examination	- 25%
• CIA III – Research Topic	- 10%
• Attendance	- 05%
• End Semester Examination	- 50%
	<b>TOTAL 100%</b>

**SUGGESTED READINGS**

1. Alexandra Karmeling, Restrictive Covenants Under Common And Competition Law: London Sweet And Maxwell 2007.
2. Alphen aan den Rijn, The reform of EC competition law : new challenges
3. Avtar Singh; Competition Law; Eastern Law House, 2012-11-27
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5. Competition Law in India; Srinivasan Parthsarthy; Wolter Kluwer, 2012
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29. Yang-Ching Chao , International And Comparative Competition Law And Policies India Kluwer Law International 2008

## LLM135CCL LAW OF E- COMMERCE

(No. of Hrs. 60-80 Hrs.)

**COURSE OBJECTIVES:** This subject aims at an understanding of the basic principles of E-Commerce and gives an insight into the application of this important area. It also analyses the impact of other areas such as IP and attempts a holistic view. It would make the students aspiring for corporate jobs more up-to-date.

### COURSE OUTCOMES:

At the end of the course students will be able to -

- a) Student will be to apply law to the technology applicable to e-commerce and legal regime of e-commerce.
- b) Students will be able to differentiate electronic commerce from other kinds of commercial transaction
- c) Students will be able to draft electronic contracts as well as identifying the laws applicable to electronic contracts
- d) Students will be able to identify the legal challenges faced by consumer protection laws in online transactions
- e) Students will be able to analyse the legal framework existing for the protection of consumer rights
- f) Students will be able to critically analyse the legal framework regulating IPR in electronic transactions.
- g) Students will be able to apply the relevant laws in a given cases of IPR Violations in electronic transactions
- h) Students will be able to critically analyse the existing legal framework regulating taxation as well as drafting policies for effective taxation of e-commerce transactions
- i) Students will be able to identify the jurisdictional issues in deciding e-commerce disputes

**TEACHING METHODOLOGY:** Lecture, Group Discussion, PowerPoint Presentation, Simulation Exercise, etc. as per the requirement of each UNIT.

### UNIT 1: INTRODUCTION TO E- COMMERCE

6 Hrs.

**Learning Outcome:** On completion of this UNIT students will be able to discuss the technology and legal regime of e-commerce.

- 1.1. Concept of e- commerce and differences with e- business
- 1.2. Advantages and disadvantages of e- commerce
- 1.3. Types of e- commerce
- 1.4. Medium and Transactions in e- commerce
- 1.5. UNCITRAL Model Law on e-commerce,
- 1.6. Information Technology Act,2000

## **UNIT 2: CONTRACTS IN ELECTRONIC ENVIRONMENT**

**6 Hrs.**

**Learning Outcome:** On completion of this UNIT students will be able to discuss the contractual issues related to e-commerce and distinguish them from ordinary contracts.

- 2.1. E-contracts – concept, offer and acceptance,
- 2.2. Acceptance of contract: applicability of postal rule
- 2.3. E-commerce directives and Regulations
- 2.4. Incorporation of terms
- 2.5. Identity of contracting parties
- 2.6. E-contracts: extent of details
- 2.7. Breach of contract

**UNIT 3: ELECTRONIC SIGNATURE**

**6 Hrs.**

**Learning Outcome:** On completion of this UNIT students will be able to discuss the differences between secured and unsecured electronic documents, encryption of documents and the provisions of law related thereto.

- 3.1. Provisions under IT Act
- 3.2. Certifying authorities
- 3.3. Issuing authorities
- 3.4. PKI
- 3.5. Electronic Signature Certificate
- 3.6. Grant, Revocation and withdrawal of ESC

**UNIT 4: PAYMENT ISSUES**

**8 Hrs.**

**Learning Outcome:** On completion of this UNIT students will be able to identify risks involved in online payments and the legal provisions related to the same.

- 4.1. Modes and mechanism of payment in electronic environment
- 4.2. Fraud Risk and Protection
- 4.3. Breach of contract
- 4.4. Charge back agreements
- 4.5. EDI
- 4.6. Electronic fund transfer

**UNIT 5: CONSUMER PROTECTION**

**6 Hrs.**

**Learning Outcome:** On completion of this UNIT students will be able to discuss the consumer related issues of e-commerce.

- 5.1. Concept of the rights of consumer
- 5.2. Problems of protection of consumers in virtual world
- 5.3. Consumer Protection Act, 1986
- 5.4. EC Directive on distance selling
- 5.5. E-commerce Directives and consumer protection

**UNIT 6: IPR ISSUES IN E- COMMERCE**

**10Hrs.**

**Learning Outcome:** On completion of this UNIT students will be able to explain the intellectual property in digital media.



- 6.1. Digital copyright, linking, caching
- 6.2. Digital rights management, DMCA, Patents, Trademarks and domain names
- 6.3. Brand identities, search engines and secondary market
- 6.4. ICANN,
- 6.5. Database Right – Digital Copyrights
- 6.6. Open Source
- 6.7. Software Patents
- 6.8. Right to forgetting

#### **UNIT 7: TAXATION IN E COMMERCE**

**7 Hrs.**

**Learning Outcome:** On completion of this UNIT students will be able to discuss the taxation related issues of e-commerce.

- 7.1. Problem of taxation in virtual world
- 7.2. OECD guidelines on taxation
- 7.3 Tax structure on e- commerce in India (Direct, Indirect, and VAT)
- 7.4. EU, US practice on taxation on electronic commerce

#### **UNIT 8: JURISDICTION ISSUES IN E- COMMERCE**

**6 Hrs.**

**Learning Outcome:** On completion of this UNIT students will be able to discuss the problems of jurisdiction in respect of e-commerce and the related case law.

- 8.1. Theoretical framework to address multiple jurisdictions
- 8.2. Application of the principles of Private International law
- 8.3. Hague Convention, EC Regulations (Brussels & Rome)
- 8.4. Minimum contact test, Effect test, Zippo Test
- 8.5. Current trends

#### **UNIT 9: E- COMMERCE AND COMPETITION ISSUES**

**6 Hrs.**

**Learning Outcome:** On completion of this UNIT students will be able to discuss the problems in the market in respect of e-commerce and the related case law.

- 9.1. Impacts of e- commerce in traditional market

**UNIT 10: CLOUD COMPUTING AND E- COMMERCE****6 Hrs.**

**Learning Outcome:** On completion of this UNIT students will be able to discuss the problems in cloud computing in respect to e-commerce and the related laws in this respect.

- 10.1. Concept of cloud computing
- 10.2. Impacts of cloud computing in e- commerce

**SCHEME OF VALUATION**

• CIA I – Class Test / Assignment / Presentation	– 10%
• CIA II – Mid Semester Examination	– 25%
• CIA III – Research Topic	– 10%
• Attendance	– 05%
• End Semester Examination	– 50%
	<b>TOTAL 100%</b>

**SUGGESTED READINGS**

1. Paul Todd. *Law of E-commerce*. London: Cavendish, 2008.
2. Sharma, Vakul. *Information Technology: Law and Practice*. 2<sup>nd</sup>ed. New Delhi: Universal Law Publishing Co., 2007.
3. Ramappa, T. *Legal Issues in Electronic Commerce*. Delhi: Macmillan, 2003.
4. Schellekens, M. H. M. *Electronic Signatures: Authentication Technology from a Legal Perspective*. The Hague: T. M. C. Asser Press, 2004.
5. Ahmad, Tabrez. *Cyberlaws, e-commerce & m-commerces*. New Delhi: A. P. H. Publishing Corporation, 2009.
6. Phillips, Jeremy. *Butterworths E-commerce and IT Law Handbook*. 4<sup>th</sup> ed. London: LexisNexis Butterworths, 2007.
7. Seth, Karnika. *Cyber Laws in the Information Technology Age*. New Delhi: LexisNexis ButterworthsWadhwa, 2009.
8. Ryder, Rodney. *Guide to Cyber Laws*. 3<sup>rd</sup>ed. New Delhi: Wadhwa& Co., 2007.

## LLM136CCL COMMERCIAL ARBITRATION

(No. of Hrs. 60-80 Hrs.)

Commercial arbitration is the preferred method of resolving commercial disputes both globally as well as within India. Disputes relating to international trade, foreign investments, insurance and reinsurance, and construction are generally being resolved by arbitration. In India the Arbitration & Conciliation Act 1996 has been enacted in pursuance of the UNCITRAL model law incorporating provisions enacted as per the Geneva Convention and the New York Convention.

**COURSE OBJECTIVES:** The course intends to describe and explain the principles and specific legal requirements in a commercially arbitration, including the limitations of matters that may be legally arbitrated. The course also includes the legal framework for, and major legal issues relating to, international commercial arbitration under the New York Convention of 1958 and the Geneva Convention. It identifies the rights and responsibilities of parties to the arbitration and powers and functions of arbitrator.

The object of the course is to impart, theoretical as well as practical, knowledge and understanding, to the students of international arbitration. After the end of the course, the students shall have gained a thorough knowledge of the new Swedish Arbitration Act, UNCITRAL's model law, its arbitral rules, the New York Convention of 1958, and of the legal issues that might arise in this context. Additionally, the students shall gain an overall knowledge of the world's leading arbitration institutions, and their rules of procedure. The course also focuses on international commercial arbitration outlining the legal issues in the choice of law and forum for arbitration.

### **COURSE OUTCOME:**

1. On completion of this unit, students will be able to- demonstrate a sound understanding of alternative dispute resolution methods in international commercial relations - especially that of arbitration
2. The students would be able to get an understanding of the significance of arbitration agreement, forms of arbitration agreement, and foreign arbitration agreement
3. The students gain knowledge base of the currently existing main international legal provisions and sources of norms viz., UNCITRAL model law on arbitration regulating international commercial arbitration and have demonstrated the application of the law in the recent and leading Supreme Court decisions
4. At the end of this UNIT the students will be familiarised with the concept of arbitral awards and its enforceability.

**TEACHING METHODOLOGY:** Lecture, Group Discussion, Video /PowerPoint Presentation, Simulation Exercise, etc. as per the requirement of each UNIT.

**UNIT 1. INTRODUCTION**

**15 Hrs.**

**Learning Outcome:** On completion of this unit, students will be able to- demonstrate a sound understanding of alternative dispute resolution methods in international commercial relations - especially that of arbitration

- 1.1. Importance of ADR, concept and nature of arbitration, dispute resolution in international trade
- 1.2. Important terms used in commercial arbitration
- 1.3 Types of arbitration,
- 1.4 Overview of Arbitration & Conciliation Act 1996

**UNIT 2: ARBITRATION AGREEMENT**

**15 Hrs.**

**Learning Outcome:** The students would be able to get an understanding of the significance of arbitration agreement, forms of arbitration agreement, and foreign arbitration agreement

- 2.1. Significance of arbitration agreement
- 2.2. Forms of arbitration agreement & definitions and validity
- 2.3. Foreign arbitration agreement
- 2.4. Jurisdiction of arbitral tribunal
- 2.5. Theory of competence-competence

**UNIT 3: INTERNATIONAL COMMERCIAL ARBITRATION**

**15 Hrs.**

**Learning Outcome:** The students gain knowledge base of the currently existing main international legal provisions and sources of norms viz., UNCITRAL model law on arbitration regulating international commercial arbitration and have demonstrated the application of the law in the recent and leading Supreme Court decisions;

- 3.1. UNCITRAL model law on arbitration
- 3.2 Governing law of arbitration, applicable law and choice of law and principles and judicial intervention
- 3.3. Conflict rules

**UNIT 4: ENFORCEMENT OF ARBITRAL AWARDS**

**15 Hrs.**

**Learning Outcome:** At the end of this UNIT the students will be familiarised with the concept of arbitral awards and its enforceability.

- 4.1. Appointment of arbitrators -Choice of law (Seat Theory)
- 4.2. Jurisdiction of arbitral tribunal -Independence and impartiality of the tribunal
- 4.3. Arbitral process -Party autonomy and arbitral award
- 4.4. Grounds for setting aside arbitral award
- 4.5. Recognition and enforcement of foreign arbitral awards

#### SCHEME OF VALUATION

• CIA I – Class Test / Assignment / Presentation	- 10%
• CIA II – Mid Semester Examination	- 25%
• CIA III – Research Topic	- 10%
• Attendance	- 05%
• End Semester Examination	- 50%
	<b>TOTAL 100%</b>

#### SUGGESTED READINGS:

1. **Bansal A K** 'Law of International Commercial Arbitration' 2<sup>nd</sup>Edn. Universal Law Publishers
2. **Bansal Ashwinie Kumar**, Arbitration Awards - Law on Setting Aside and Execution of Arbitration Awards, Agreements and Appointment of Arbitration, 3<sup>rd</sup> Edn.
3. Saraf, B.P. and M. Jhunjhunwala; Law of Arbitration and Conciliation; Snow White Publication
4. **S.K. Chawla**, Law of Arbitration & Conciliation -Including other ADRs, 3<sup>rd</sup> Edn 2012 Eastern Law House, New Delhi
5. **Dr. Markanda P.C.**, Law Relating to Arbitration and Conciliation 8<sup>th</sup>Edn., 2013 Lexis Nexis
6. **Mohta VA.**, Arbitration Conciliation and Mediation, Manupatra
7. **Justice SB Malik**, Commentary on The Arbitration and Conciliation Act, 2013, Universal Law Publishing Co.,
8. A K Ganguli, Arbitration Law, Annual Survey of Indian Law - 2012,pp27-47 Indian Law Institute, New Delhi
9. Nigel Blackabyet. al., **Redlam& Hunter** on International Arbitration 23<sup>rd</sup>Edn. Thomson Reuters
10. **Avtar Singh**, 'Arbitration and Conciliation Act'10th Edition, 2013, EBC, Lucknow
11. Reports on International Commercial Arbitration including Bachawat on Law of Arbitration
12. **Gary B Born.**, International Commercial Arbitration 1 ( WolterKluer) 2009
13. **Bijoylshmi Das and Harsimran Singh** -Commercial Arbitration In India - An Update 2013  
[www.mondaq.com/india/.../Arbitration.../Commercial+Arbitration+In+In](http://www.mondaq.com/india/.../Arbitration.../Commercial+Arbitration+In+In).

14. **Lavin Hirani**-The Legal Regimes Affecting International Commercial Arbitration In India & Singapore- A Comparative Study [https://www.academia.edu/200741/THE\\_LEGAL\\_REGIMES\\_AFFECTING\\_INTERNATIONAL\\_COMMERCIAL\\_ARBITRATION\\_IN\\_INDIA\\_and\\_SINGAPORE-\\_A\\_COMPARITIVE\\_STUDY](https://www.academia.edu/200741/THE_LEGAL_REGIMES_AFFECTING_INTERNATIONAL_COMMERCIAL_ARBITRATION_IN_INDIA_and_SINGAPORE-_A_COMPARITIVE_STUDY)
15. **William W. Park** -Arbitrators and Accuracy -Journal of International Dispute Settlement, Vol. 1, No. 1 (2010), pp. 25-53, available at [http://www.arbitration-icca.org/media/0/12771033387160/ww\\_park\\_accuracy\\_and\\_arbitration.pdf](http://www.arbitration-icca.org/media/0/12771033387160/ww_park_accuracy_and_arbitration.pdf)
16. **Prof. A.V.V. Giorgio Bernini**-International Arbitration: A Contemporary Perspective [http://www.arbitrationicca.org/media/0/12641363465510/bernini\\_loyola\\_law\\_school.pdf](http://www.arbitrationicca.org/media/0/12641363465510/bernini_loyola_law_school.pdf)
17. **Ajay Kr. Sharma** -Judicial Intervention In International Commercial Arbitration: Critiquing the Indian Supreme Court's Interpretation of The Arbitration And Conciliation Act, 1996 <http://www.ijal.in/sites/default/files/Volume%20III%20Issue%20I.pdf>
18. Law Commission of India Report No. 246 Amendments to the Arbitration and Conciliation Act, 1996 August , 2014
19. Amendments to the Arbitration & Conciliation Act,1996 - A Consultation Paper <http://lawmin.nic.in/la/consultationpaper.pdf>

### Case Law inter alia latest decisions

1. Arbitration clause court's committee SC., *State of Tamil Nadu vs State of Kerala & Anr* decided on 7 May, 2014 [indiankanoon.org/doc/41744252/](http://indiankanoon.org/doc/41744252/)
2. *M/s. Navodaya Mass Entertainment Ltd. Vs. M/s. J.M. Combines* decided on August 26, 2014
3. Supreme Court of India *Sakuma Exports Ltd vs Louis Dreyfus Commodities Suisse ...* on 28 March, 2014 <http://indiankanoon.org/doc/57009022/>
4. *dSwan Gold Mining Ltd vs Hindustan Copper Ltd* decided on 22 September, 2014
5. *Orissa Manganese & Minerals Ltd vs Synergy IspatPot Ltd* decided on 12 September, 2014
6. *S.Balachandran vs M/S Ramaniyam Real Estates Ltd* decided on 10 September, 2014
7. *M/S. Harsha Constructions vs Union Of India & Ors* decided on 5 September, 2014
8. *Oil & Natural Gas Corpn.Ltd vs Western Geco International Ltd* decided on 4 September, 2014
9. *M/S Anand Brothers P.Ltd.Tr.M.D vs Union Of India & Ors* decided on 4 September, 2014
10. *Bharat Heavy ElectricCLs Ltd vs Tata Projects Ltd* decided on 1 September, 2014
11. *Stock Exchange, Bombay vs V.S. Kandalgaoonkar&Ors* decided on 25 September, 2014

12. Co op arbitration award SC., *Akalakunnam Village Service Co-op. Bank Ltd vs Binu N.& Ors* decided on 20 August, 2014
13. arbitration proceedings SC., *North Eastern Railway &Ors vs Tripple Engineering Work* decided on 13 August, 2014
14. Section 37 (1) (b)SC., *Y.SleebachenEtc vs Superintending Engineer Wro/Pwd ...* decided on 4 August, 2014 2014 STPL(Web) 503 SC
15. [Section 11](#) and negative arbitration clause SC., *M/S. Kaikara Construction Co vs State of Kerala And Ors* on 1 July, 2014
16. S 2,11,16 CAA 96 SC., *Swiss Timing Ltd vs Organizing Committee ...* decided on 28 May, 2014
17. InComrl arbitration UNCITRAL SC., *Reliance Industries Limited &Anr vs Union of India* decided on 23 May, 2014
18. S 8 SC., *VikramBakshi&Ors vs Sonia Khosla[Dead] By Lrs* decided on 8 May, 2014
19. Supreme Court of India Arasmeta Captive Power Co. Pvt. ... vs Lafarge India P. Ltd on 12 December, 2013 <http://indiankanoon.org/doc/150814946/>
20. INL Com Arb. Supreme Court of India Chatterjee Petrochem Co. &Anr vs Haldia Petrochemicals Ltd on 10 December, 2013<http://indiankanoon.org/doc/137199527/>
21. Supreme Court of India Gail (India) Ltd vs Gujarat State Petroleum Corpn. ... on 17 September, 2013 <http://indiankanoon.org/doc/191369911/>
22. Supreme Court of India Punjab State Power ... vs Atma Singh Grewal on 17 September, 2013 <http://indiankanoon.org/doc/149385545/>
23. Seat Supreme Court of India Sakuma Exports Ltd vs Louis Dreyfus Commodities Suisse ... on 28 March, 2014
24. TDM Infrastructure Pvt. Ltd vs. UE Development Pvt. Ltd. [2008 (2) ARBLR439 [SC]
25. R.M. Investment Trading V. Boeing Co AIR 1994 SC11
26. Mitsubishi Motors Corp. v. Soler Chrysler-Plymouth, Inc., 473 U.S. 614 (1985)
27. Eco Swiss China Time Ltd. v. Benetton Int N.V. (1999) 2 All ER 44(Comm.),(1999)
28. Wellington Associates v. Kirit Mehetha [(2004) 4 SCC 272]
29. Smita Construction v. Euro Alloys Ltd. (2001)7 SCC 728]
30. M.V. Baltic v. State Trading Corp. (2001) 7 SCC 474
31. Gas Authority of India Ltd. vs. Spie Capag, S.A. and others, AIR1994Delhi75
32. Prima Paint Corp. v. Flood and Conklin Mfg. Co. 388 U.S. 395 (1967)
33. National Agricultural Coop. Marketing Federation Ltd. v. Gains trading Ltd. (2007)5 SCC 692
34. State of Orissa v. Klockner and Co. 1996 (1) Arb. LR 591
35. Star Shipping vs. China National Foreign Trade (1993) 2 Lloyd's Rep 445
36. N T P C v. The Singer Company, AIR 1993 SC 998
37. Union of India vs. McDonnell Douglas Corp. (1993) 2 Llyod's Rep 48 CvD [2007]EWHC1541(Comm)

38. Citation Infowares Ltd. vs. Equinox Corp.(2009) 7 SCC 220
39. Tradex Internacional S.A. v. Cerrahogullari T.A.S., (1981) 3 All ER 344
40. Naviera Amazonica Peruana Sa v. Compania Internacional De Seguros Del Peru, [1988] 1 Lloyd's Rep 116
41. Bhatia International V. Bulk Trading S.A.(2002) 4 SCC 105
42. N T P C v. The Singer Company, AIR 1993 SC 998
43. Dalmia Dairy Industries Ltd. v. National Bank of Pakistan, [1978] 2 Lloyd's Rep.223
44. Shin-Etsu Chemical Co. Ltd. v. AkshOptifibre Ltd., (2005) 7 SCC 234
45. Channel Tunnel Group Ltd. vs. Balfour Beatty Construction Ltd.(1993) AC 334
46. Renu Sagar Power Co v General Electric Co. [1984 (4) SCC 679 ]
47. Harbour vs. Kansa (1993) 3 All ER 897
48. SBP & Co v. Patel Engineering Ltd. (2005) 8 SCC 618
49. Citation Infowares Ltd. vs. Equinox Corp.(2009) 7 SCC 220
50. MARC Rich & Co vs. SocietaItalianaImpainti Pa (The "Atlantic Emperor") (1992)1Lloyd's Rep. 342
51. Channel Tunnel Group vs. Balfour Beatty Ltd. (1993) AC 334
52. Dalmia Dairy Industries Ltd. v. National Bank of Pakistan, (1978) 2 Lloyd's Rep. 223
53. ONGC Ltd. v. Saw Pipes Ltd. (2003) 5 SCC 705
54. OAO Northern Shipping Co v. Remolcadores De Marin SL 'Remar' (2007) EWHC 1821
55. Thyssen Canada Ltd. v. Mariana Maritime SA and another (2005) EWHC 219
56. Indian Organic Chemical Ltd. v. Subsidiary 1(US) Subsidiary 2 (US) and Chemtex Fibres Inc. (1979) IVYB Commr. Arb. 271.
57. Foreign Award Centrotrade Minerals and Metal Inc. vs. Hindustan Copper Ltd. (2006) 11 SCC 245
58. Foreign Award Venture Global Engineering v. Satyam Computer Services Ltd. (2008) 4 SCC 190
59. Bharat Aluminium Co Vs Kaiser Aluminium Technical Services Inc ( 2012 ) 9 SCC 552-BALCO case

## Videos

1. Fundamentals of International Arbitration\_(360p)
2. An introduction to international arbitration\_(360p)
3. Issues in International Commercial Arbitration\_(360p)
4. Justice AM Ahmadi \_ Seminar on International Arbitration\_(360p)
5. Litigation, Arbitration and Mediation by VivekKathpalia\_(360p)
6. Mediation and Arbitration\_(360p)
7. PwC India\_ Ad-hoc vs institutional arbitration\_(360p)
8. The Courtroom - Arbitration in India\_(360p)



9. The Courtroom\_ The Prospective Arbitration Law\_(360p)
10. The Impact of International Arbitration on the Rule of Law\_(360p)
11. Interview with Gary B. Born on International Commercial Arbitration - 2nd edition\_(360p)
12. BITS, BATs and Buts - Reflections on International Arbitration\_(360p)
13. Delays in Arbitration Proceedings in India\_(360p)
14. Arbitration is jurisprudentially close to my heart\_(360p)
15. Arbitration and Financial Markets Disputes\_(360p)
16. Gary Borne International Commercial Arbitration
17. Arbitration and Conciliation Act 1996\_(360p)

## SECOND SEMESTER

### LLM231CCL GLOBALIZATION, LAW AND JUSTICE

(No. of Hrs. 60-80 Hrs.)

**COURSE OBJECTIVES:** It is said that we are now living in a global neighborhood, which is not yet global village. This is the result of the so called “globalization” which refers to those processes that tend to create and consolidate a unified economy, a single ecological system, and a complex network of communications that covers the whole globe, even if it does not penetrate into every part of it. We find in every discipline studies under the titles global, globalism and globalization but not much in the discipline of law and now it is entering it also. The process of globalization has its own impact on every discipline and this paper or course intends to study its influence on the discipline of law. The purpose is to sensitize students of law about implications of the process of globalization on basic principles, concepts and ideas underlying the discipline of law. To name a few the concept of law itself, justice, human rights and legal process. The thrust is to analyze and evaluate them from a global perspective.

#### **COURSE OUTCOMES:**

At the end of the course the students will be able to:

- Identify and explain the nature of globalisation and its impact on the developments of law and legal theory;
- Analyse the various issues like human rights, sovereignty of nation-state, legitimacy of international law in the wake of globalisation; and
- Develop a critical understanding about globalisation vis-a-vis various global issues as well as various theories of justice.

**TEACHING METHODOLOGY:** Lecture, Group discussion, Power Point presentation, documentaries, student presentations, quiz etc., as per the requirement of each UNIT.

#### **UNIT 1: GLOBALIZATION: PROCESS AND ITS EFFECTS**

**12 Hrs.**

**Learning Outcome:** At the end of this UNIT the students will be able to understand the concept of globalization and its impact on society in the 21<sup>st</sup> century

- 1.1. Concept of Liberalization, Privatization, Globalization, Meaning and definition of globalization, nature, scope and limits of globalization, Different kinds.
- 1.2. History and evolution of globalization.

- 1.3. Causes and consequence of globalization, effect of globalization on economic, social, cultural and political aspects of life in twenty-first century.
- 1.4. Effect of globalization on law and justice-an introduction

## **UNIT 2: GLOBALIZATION AND LEGAL THEORY**

**12 Hrs.**

**Learning outcome:** At the end of this UNIT the students will be equipped to appreciate jurisprudence in the context of globalization and inter relation between legal theory and globalization

- 2.2 Globalization and legal theory, the need for the study of concept of law from a global perspective.
- 2.3 Basic concepts of law in western legal thought. A brief analysis of positivist, normative and realist theories of law in western tradition.
- 2.4. The concept of justice and its relation to law in Western and Indian Legal thought and concept of Dharma as a legal tradition. The relation between law and justice.
- 2.5. Normative Jurisprudence, the western heritage, classical utilitarianism, Benthamite and modified Benthamite utilitarianism.
- 2.6. Theories of Justice Rawls and Pogge.

## **UNIT 3: POLICY ISSUES**

**12 Hrs.**

**Learning outcome:** this UNIT will help the students understand the policy issues governing globalization

- 3.1. Globalization and Democracy
- 3.2. Rule of Law-economic development-political development
- 3.3. Globalization and Justice
- 3.4. Globalization and Security

## **UNIT 4: HUMAN RIGHTS IN THE CONTEXT OF GLOBALIZATION**

**12 Hrs.**

**Learning outcome:** At the end of this UNIT the students will be in a position to understand the human rights in the context of globalization.

- 4.1. Human rights theory: Five Perspectives
- 4.2. Human Rights law as universal-criticism and rhetoric or Rights
- 4.3. Human Rights and the challenges-pluralist theories and Sen's challenge
- 4.4. Human Rights and Southern voice-Upendra Baxi.

## **UNIT 5: HARMONIZATION OF LAW**

**12 Hrs.**

**Learning Outcome:** At the end of this UNIT students will be able to understand the need for integrating law with globalization

- 5.1. Public and Private International Law governance
- 5.2. Regulation of International banks and money laundering
- 5.3. Harmonization of private commercial law-*lex mercatoria*
- 5.4. Harmonization of Intellectual Property law
- 5.5. Jurisdictional Issues in the era of globalization.

#### SCHEME OF VALUATION

- CIA I – Class Test / Assignment / Presentation - 10%
  - CIA II – Mid Semester Examination - 25%
  - CIA III – Research Topic - 10%
  - Attendance - 05%
  - End Semester Examination - 50%
- TOTAL 100%**

#### SUGGESTED READINGS:

1. Jan Aart Scholte, Globalization – A critical introduction
2. Jarrod Wiener – Globalization and the harmonization of law
3. Michael Goodhart – Democracy as Human Rights – Freedom and Equality in the age of Globalization
4. James H Mitelman, The Globalization Syndrome
5. Manfred B. Steger, Globalization –A very Short introduction-Oxford introductory series.
6. Thomas Fleiner & Lidija R. Basta Fleiner, Constitutional democracy in a multicultural and globalised world, Springer.
7. William Twining, General Jurisprudence; Understanding Law from a Legal perspective, Cambridge, Cambridge University, 2009
8. William Twining, Globalization and Legal Theory, New York: Butterworths, 2006.
9. Boaventura d Sousa Santos, Towards a New Legal Common Sense: Law, Globalization and Emancipation, London: Butterworths, 2002.
10. Otto A Bird, The Idea of Justice, New York: Frederick A Praeger, 1968
11. M.D.A. Freeman, Lloyd’s Introduction to Jurisprudence, London: Sweet and Maxwell, 2010
12. Amartya Sen, The idea of Justice, New Delhi: Allen Lane, 2009.
13. Upendra Baxi, The Future of Human Rights, New Delhi: Oxford University Press, 2006.
14. Thomas Pogge, Global Justice, Oxford: Blackwell, 2001
15. B.S. Santos and Cesar A. Rodriquez-Gravito (ed.,) Law and Globalization from below: Towards a Cosmopolitan Legality, New York Cambridge University Press, 2005.

## **LLM232CCL INVESTMENT LAWS (No. of Hrs. 60-80)**

**COURSE OBJECTIVES:** This course seeks to provide the investment mechanism in India and the regulatory framework for the protection of investor and other stake holders of the market.

### **COURSE OUTCOME:**

At the end of the course the students will be able to:

1. Explain and analyze the legal and regulatory framework governing investments in India.
2. List out the importance, characteristic features and functions of the various markets.
3. To define, explain and analyze the basic concepts, financial system and financial instruments relating to investments.
4. To explain the concept of mutual funds, venture capital and collective investment schemes.
5. Explain the constitution, powers, functions and working of SEBI and the Securities Appellate Tribunal
6. Discuss the depository system and analyze the provisions of the Depositories Act, 1996
7. To evaluate the principles relating to International Investments.
8. Analyze the legal concepts, principles, cases and provisions applicable thereto.
9. Devise a correct way of handling legal problems.
10. To develop good analytical skills that is a pre-requisite for good advocacy.

**TEACHING METHODOLOGY:** Lecture, Group discussion, Power Point presentation, documentaries, student presentations, quiz etc., as per the requirement of each UNIT.

### **UNIT 1: INTRODUCTION**

**10 Hrs.**

**Learning outcome:** On completion of this UNIT, students will be familiar with the legal framework of various investment laws applicable in India.

- 1.1 Meaning of investment and market
- 1.2 Nature and risk associated with investment
- 1.3 Evolution of Investment and bargaining norms

**UNIT 2: SHARES****10 Hrs.**

**Learning outcome:** To understand the basic concepts of raising corporate finance and the laws related to the same

- 2.1. Definition and nature
- 2.2. Shares and Shareholders
- 2.3. Stock and Shares
- 2.4. Certificate of shares
- 2.5. Call on shares
- 2.6. Lien on shares
- 2.7. Minimum subscription
- 2.8. Share capital
- 2.9. Issue and allotment of shares
- 2.10. Transfer and Transmission of shares
- 2.11. Debentures, Charges and Deposits
- 2.12. Inter-Corporate loans and investments

**UNIT 3: SECURITIES CONTRACTS****10 Hrs.**

**Learning outcome:** To provide working knowledge of the operation of the legal framework of stock exchange and the legal sanctions behind various market regulatory authorities

- 3.1. Basic Features of the Securities Contracts
- 3.2. Recognition of Stock Exchange
- 3.3. Derivatives
- 3.4. Options and futures
- 3.5. Debt & Money Market Instruments
- 3.6. Mutual Funds, Venture Capital, Collective Investment Schemes
- 3.7. Methods of Resource Mobilization in International Capital Market
- 3.8. Listing of securities
- 3.9. Penalties and procedure for adjudication

**UNIT 4: SECURITIES AND EXCHANGE BOARD****10 Hrs.**

**Learning outcome:** To expose the students specifically to the establishment of SEBI, its constitution, roles, powers, functions etc.

- 4.1. SEBI constitution
- 4.2. Powers and Functions of SEBI
- 4.3. Securities Appellate Tribunal
- 4.4. SEBI (Disclosure & Investor Protection) Guidelines

**UNIT 5: DEPOSITORIES ACT****10 Hrs.**

## 5.1. Salient features

**Learning Outcome:** To give an account of the depositories system in India, its operation and legal framework.

- 5.2. Agreement between depository and participant
- 5.3. Registration of transfer of securities with depository
- 5.4. Stamp duty on transfer
- 5.5. Non-Banking Financial Institutions

**UNIT 6: PRINCIPLES OF INTERNATIONAL INVESTMENT LAW 10 Hrs.**

**Learning outcome:** To enable the students to understand the basic principles of international investment and investment related treaties

- 6.1. International treaties
- 6.2. Types of Investment contracts
- 6.3. Applicable law
- 6.4. Stabilization clauses
- 6.5. Renegotiation and adaptation

**SCHEME OF VALUATION**

- CIA I – Class Test / Assignment / Presentation – 10%
  - CIA II – Mid Semester Examination – 25%
  - CIA III – Research Topic – 10%
  - Attendance – 05%
  - End Semester Examination – 50%
- TOTAL 100%**

**SUGGESTED READINGS**

1. Chandratre, K.R., et.al. *Bharat's SEBI Compendium*. 2Vol, 4th Ed. New Delhi: Bharat Law House, 2010.
2. Ferran, Eilis. *Principles of Corporate Finance Law*. Oxford: Oxford University Press, 2008.
3. Khilnani, D.T. *FEMA Ready Reckoner*. 2Vol, 12th Ed. New Delhi: Snow White Publications Pvt., 2007.
4. Myneni, S.R. *Law of Investment and Securities*. Hyderabad: Asia Law House, 2006.

5. Puliani,Ravi, et,al,eds. *Bharat's Manual of SEBI Act,Rules,Regulations,Guidelines,Circulars,ETC.* 2Vol, New Delhi : Bharat Law House Pvt,2007.
6. Saxena, Ashok. *Bharat's Foreign Exchange Management Manual.* 3Vol, 5th Ed. New Delhi: Bharat Law House, 2008.
7. Singh,Avtar. *Company Law.* 14th ed. Lucknow: Eastern Book Company, 2004.
8. Taxman. *Taxman's Foreign Exchange Management Manual: With Foreign Exchange Laws Ready Reckoner.* 2Vol, 18th Ed. New Delhi: Taxman Publications, 2011.
9. Taxman. *Taxman's SEBI Manual.* 2Vol, 15th Ed. New Delhi: Taxman Publications, 2010.



**LLM233CCL INTELLECTUAL PROPERTY LAW****(No. of Hrs. 60-80 Hrs.)**

**COURSE OBJECTIVES:** Trade in goods protected by various forms of intellectual property rights is a common feature of today's market economy. IPR plays a prominent role in regulating the availability and accessibility of information based goods. It often depicts the conflicting interest of the owners and users of intellectual property and the policy options various countries adopt to achieve a level playing field for different stakeholders. This paper aims to give an account of the four major classes of IPR that are commercially significant and hotly debated. The objective of this paper is to expose the students to the commercial law of intellectual property with respect to their acquisition, maintenance and enforcement.

**COURSE OUTCOME:** At the end of the course students will be able to -

1. Identify the different forms of intellectual property and describe the importance of protection of IP.
2. List out the criteria/essential requirements of IP protection, duration, rights conferred and remedies provided.
3. Apply the principles of IP protection to legal problems correctly.
4. Analyse the issues related to infringement of IP.
5. Evaluate as against other the international legal framework related to IP protection and articulate the problem areas for the deficiency.
6. Propose a solution to the existing IP problems in India.

**TEACHING METHODOLOGY:** Student presentations and class room discussion. Lecture and power point presentations wherever necessary.

**UNIT 1: LAW RELATING TO PATENTS****15 Hrs.**

**Learning outcome:** This UNIT will enable the students to understand the commercial law of patents in India with respect to its eligibility, ownership, acquisition, transfer, enforcement and remedies

- 1.1. Philosophy and justification for the patent system in a market economy
- 1.2. Paris Convention
- 1.3. Eligibility and subject matter: TRIPS and Indian law
- 1.4. Acquisition of patents and the rights granted
- 1.5. Compulsory Licensing, Government use, Infringement and parallel imports
- 1.6. Remedies for infringement

**UNIT 2: LAW RELATING TO COPYRIGHT****15 Hrs.**

**Learning outcome:** This UNIT will enable the students to understand the commercial significance of copyrighted works and the law governing the same.

- 2.1. Historical Development of Copyright Law, Berne Convention
- 2.2. Originality, Idea-expression dichotomy
- 2.3. Meaning and subject matter of copyright - commercial significance of computer software, cinematograph films and sound recordings, neighboring rights
- 2.4. Ownership and transfer of copyright and related rights, collecting societies
- 2.5. Infringement, fair dealing/fair use - comparison with US and UK
- 2.6. Remedies for infringement

**UNIT 3: LAW RELATING TO TRADEMARKS****15 Hrs.**

**Learning Outcome:** This UNIT will enable the students to learn the importance of trademark and the law governing the same in a market economy.

- 3.1. Purpose of Protecting Trademarks, Historical Development of trademark law, definition of trademark, Function of trademark
- 3.2. International Conventions - Lisbon, Madrid; Role of WIPO - different forms and types of trademarks; purpose of registration of trademarks
- 3.3. Criteria for protection - The concept of distinctiveness and consumer deception; deceptively similar trademarks; Procedure for registration; grounds for refusal to register
- 3.4. Infringement and passing off; well known marks; the concept of dilution; character merchandizing, ambush marketing,
- 3.5. Cyber-squatting - Registration of Domain names; Role of ICANN; Uniform Dispute Resolution Policy

**UNIT 4: LAW RELATING TO GEOGRAPHICAL INDICATIONS****15 Hrs.**

**Learning outcome:** This UNIT will enable the students to learn the commercial importance of geographical indications nationally and internationally and the law governing the same.

- 4.1. Historical evolution of GI protection - Lisbon Agreement, Madrid Agreement and TRIPS
- 4.2. Meaning scope, features of geographical indication, goods protected
- 4.3. Conditions for registration - contents of application - rights granted - beneficiaries - nature of protection

- 4.4. Infringement - remedies - conflict between Geographical Indications and trademark
- 4.5. Areas of Conflict with IPR - Bio-diversity, Traditional knowledge, Farmers Rights

#### SCHEME OF VALUATION

• CIA I - Class Test / Assignment / Presentation	- 10%
• CIA II - Mid Semester Examination	- 25%
• CIA III - Research Topic	- 10%
• Attendance	- 05%
• End Semester Examination	- 50%
	<b>TOTAL 100%</b>

#### SUGGESTED READINGS

1. A.S. Srivastava (ed.) Lai's Commentary on Law of Copyright, 3<sup>rd</sup>edn. 1999. Delhi Law House.
2. Akhil Prasad and Aditi Agarwala, Copyright Law Desk Book: Knowledge, Access and Development, Universal Law Publishing Co. 2009
3. Alan S. Guttmann & Bentley J. Anderson - Intellectual Property
4. Bibek Debroy (ed). - Intellectual Property Rights.
5. Carlos M. Correa (Ed.). Intellectual Property and International Trade Patent Cooperation Treaty Hand Book (1995) Sweet and Maxwell.
6. Catharine Colstone -Principles of Intellectual Property Law. Cavendish. London. 1999.
7. Christopher Wadlow. The Law of Passing-Off (1998), Sweet and Maxwell
8. Cohen, Loren et.al, Copyright in the Global Information Economy, Aspen, 2<sup>nd</sup> ed., 2006
9. Copinger & Skone James- Copyright, 13<sup>th</sup>edn. Sweet & Maxwell, Lo
10. David Bainbridge, Software Copyright Law (1999), ButterworthsSookman, Computer Law (1998), Carswell
11. Gomulkiewicz, Nguyen, Conway-Jones, Licensing Intellectual property: Law and Application, Aspen 2008
12. Gopalakrishnan, N. S. &Agitha T. G, Principles of Intellectual Property, Eastern Book Company, 2009
13. J.S. Sarkar - Trade Marks; Law and Practice. Kamal Law House. Calcutta. 2000.
14. K.R.U. Nair & Ashok Kumar - Intellectual Property Rights
15. K.V.Swaminathan - Guiding Principles in the Decisions on Patent Law. Bahari Brothers, Delhi, 2000.
16. Lee B. Burgunder, Legal Aspects of Managing Technology, West Legal Series in Business, 2<sup>nd</sup> ed.,2001

17. Martin Howe, Russel-Clarke & Howe on Industrial Designs, Sweet& Maxwell 8<sup>th</sup> ed. 2006
18. N.R.Subbaram - Patent Law.
19. NunoPires de Carvalho, The TRIPS Regime of Trademarks and Designs, Kluwer Law International 2006
20. P. Narayanan - Trade Marks Trade Name and Passing of Cases. Easter Law House, CCLcutta. 1977.
21. P.Narayanan - Intellectual Property Law, Eastern Law House. Calcutta.
22. P.Narayanan - Law of Trade Marks (Trade Marks Act 1999) and Passing off. Eastern Law House. House. Calcutta. 2000.
23. P.Narayanan - Patent Law, 3<sup>d</sup>edn. Eastern Law House.
24. Paul Torremans and Jan Holyoak - Intellectual Property Law. 2nJ edn. Butterworths. 1998.
25. Peter K. Yu, Intellectual property and Information Wealth: Issues and Practices in the Digital Age, Pentagon Press 2009 Vol. I-IV
26. RG. Chaturvedi (ed.) Iyengar's The Copyright Act 1957, 6<sup>th</sup>edn. Butterworths. India 2000.
27. Robert F. Braunies, Intellectual Property Protection of Fact-based Works: Copyright and Its Alternatives, Edward Elgar 2009
28. S. Venkateshwaran - The Law of Trade Marks and Passing - off. Reprint 1999.
29. Special attention should be given to literature of the U.N.System, WIPO and the UNESCO.
30. StavroulaKarapapa, Private Copying, Routledge 2012
31. Terenee P. Stewart (Ed.). The GATT Uruguay Round : A Negotiating History (1986-1994) the end game (Part-1) (1999), Kluwer
32. Terrell on the Law of Patents, Sweet& Maxwell, 2011
33. V. J. Taraporewala, The Law of Intellectual Property, Thomson Reuters 2<sup>nd</sup>ed, 2013
34. W.R.Cornish - Intellectual property Rights. 4<sup>m</sup>edn. Sweet & Maxwell. 1999.
35. Watal, Jayashree, Intellectual Property Rights in the WTO and Developing Countries, Oxford University Press 2001

**LLM234CCL CORPORATE GOVERNANCE**  
**(NO. OF HRS. 60-80 Hrs.)**

**COURSE OBJECTIVES:** Corporate governance is the set of processes, customs, policies, laws and institutions affecting the way a corporation is directed or controlled. Emergence of corporate social responsibility affecting all the stakeholders seeks to make the corporations socially responsible. The course aims at providing basic idea about corporate governance and its implications on society and legal system.

**COURSE OUTCOME:**

1. At the end the students will be familiarized with the concept of corporate governance and the role and importance of its stake holders. The student will also be able to appreciate the principles, theories and models of corporate governance.
2. At the end the students will be familiarized with the legislative framework of corporate governance in India.
3. This enables a student to get a detailed picture about the role of Board of Directors in Corporate governance.
4. At the end the students will be familiarized with the concept of corporate governance and the role and importance of it in protecting the rights of shareholders. Students will also be familiarized with investor protection in India.

**TEACHING METHODOLOGY:** Lecture, Group Discussion, Power Point presentation, documentaries, student presentations, quiz etc., as per the requirement of each UNIT.

**UNIT 1: INTRODUCTION TO CORPORATE GOVERNANCE**

**8 Hrs**

**Learning Outcome:** At the end of this UNIT the students will be familiarized with the concept of corporate governance and the role and importance of its stake holders. The student will also be able to appreciate the principles, theories and models of corporate governance.

- 1.1. Corporate governance – Introduction, need, scope.
- 1.2. Corporate governance v Public Governance
- 1.3. Evolution of corporate governance-Developments in India, US, UK.
- 1.4. Principles of corporate governance – OECD principles

- 1.5. Theories and philosophies of corporate governance
- 1.6. Models of corporate governance
- 1.7. Concept of corporate governance and stake-holders

## **UNIT2: LEGISLATIVE FRAMEWORK OF CORPORATE GOVERNANCE IN INDIA** **8 Hrs**

**Learning Outcome:** At the end of this UNIT the students will be familiarized with the legislative framework of corporate governance in India.

- 2.1. Companies Act, 2013
- 2.2. SEBI
- 2.3. Listing agreement

## **UNIT 3: BOARD OF DIRECTORS** **8 Hrs**

**Learning Outcome:** This UNIT enables a student to get a detailed picture about the role of Board of Directors in Corporate governance.

- 3.1. Directors-Introduction, types of directors, duties and responsibilities, independence
- 3.2. Board composition, diversity in board, board's role and responsibility
- 3.3. Board Charter, Meetings and Processes, Performance evaluation of Board and Directors.
- 3.4. Board committees-composition, role and responsibilities, contribution to board governance, Auditors, Audit committee, Shareholders Grievance committee, Remuneration committee, Corporate Governance committee, Nomination committee, Corporate Compliance committees.

## **UNIT 4: CORPORATE GOVERNANCE AND SHAREHOLDER RIGHTS** **8hrs**

**Learning Outcome:** At the end of this UNIT the students will be familiarized with the concept of corporate governance and the role and importance of it in protecting the rights of shareholders. Students will also be familiarized with investor protection in India.

- 4.1. Rights of shareholders
- 4.2. Challenges in exercising shareholder's rights
- 4.3. Corporate governance and related party transactions
- 4.4. Investor protection in India; Role of institutional investors



- 8.1. CSR and investment climate
- 8.2. Corruption
- 8.3. Code of Ethics
- 8.4. Environment

#### **SCHEME OF VALUATION**

• CIA I – Class Test / Assignment / Presentation	- 10%
• CIA II – Mid Semester Examination	- 25%
• CIA III – Research Topic	- 10%
• Attendance	- 05%
• End Semester Examination	- 50%
	<b>TOTAL 100%</b>

#### **SUGGESTED READINGS:**

1. Sami Pathasarathy, Corporate Governance, Principles, Mechanisms and Practice
2. Dimple Grover, Amulya Khurana, Ravi Shankar, The Regulatory Norms of Corporate Governance in India.
3. Sadhalaxmi Vivek 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
6. Kevin Keasey, Steve Thompson, Michael Wright, Corporate Governance, Accountability, Enterprise and International Comparisons
7. The Institute of Directors, Handbook of International Corporate Governance
8. Christine Mallin, International Corporate Governance- A case Study approach
9. Frederick Lipman & Keith Lipman, Corporate Governance Best Practices, Strategies for Public, Private and NGOs
10. A.C. *Fernando*, Policies and Practices



## LLM251CCL SEMINAR ON CONTEMPORARY ISSUES

(No. of Hrs.30-45 Hrs.)

**COURSE OBJECTIVES:** To implement and evaluate an innovative approach to a law seminar course intended to develop students' presentation skills and encourage them to think critically about contemporary legal issues. Further, the objectives of this course are to enhance verbal and written presentation skills of students and to develop analytical skills as students learn about sides of a contemporary issue in legal practice. The students also enhance their skills in providing peer evaluations Specific School curricular competencies addressed by the course are: (1) maintain professional competence by identifying and analyzing emerging issues; and (2) participate in self-learning and professional development

### **COURSE OUTCOMES:**

On completion of the course students will be able to:

1. Develop and apply better skills in writing and presentation
2. Improve their presentation skills
3. Learn to collect data to keep up with the latest developments in the area of the topic chosen by them
4. Select contemporary legal issues, prepare and present topics – thereby enhancing their research and presentation skills
5. Appreciate and analyse case laws and develop a critical approach towards assessment of case laws thereby enhancing their academic and professional capabilities.
6. Will have an impression about the varied state of legal awareness in India and play an active role in spreading legal awareness

**TEACHING METHODOLOGY:** Lecture, Group discussion, Power Point presentation, documentaries, student presentations, quiz etc., as per the requirements of each UNIT.

**Learning Outcome:** At the end of this UNIT the students will be equipped with good writing, analytical and presentation skills

### **UNIT 1: TIPS ON WRITING AND PRESENTATION SKILLS**

**6 Hrs.**

- 1.1. Abstract writing
- 1.2. Learning Objectives
- 1.3. Use of Visual aids

**UNIT 2: PRESENTATIONS ON CONTEMPORARY LEGAL ISSUES** **20 Hrs.**

**UNIT 3: PRESENTATIONS ON CASE LAWS** **15 Hrs.**

**UNIT 4: LEGAL AWARENESS CAMP**

**ASSESSMENT -**

Fifty percent of the evaluation will be done on the basis of student ability to select the contemporary issue and preparing a report. The remaining fifty percent is allotted to presentation of the legal issue.

## LLM252CCL PRACTICAL- (TEACHING PRACTICE)

**COURSE OBJECTIVES:** To equip the students to teach UG law students and make them understand art of preparing for the classes. This course is in continuation of the Practical -II

### **COURSE OUTCOMES:**

On completion of the course students will be able to:

- Develop and apply better skills in presentation and teaching
- Improve their preparation skills
- Learn to collect data to keep up with the latest developments in the area of the topic chosen by them
- The student will be able to prepare a report and comment on the areas of the subject taught by them during teaching. It develops their critical approach to the subject and enhances their capabilities while teaching and in research

**DESIGN:** Students will be assigned a topic from UG courses and they have to prepare and teach the UG students in classroom. Students are required to research and prepare teaching report and notes for the class. Students have to make their presentations before the panel constituted for the purpose before engaging a UG class. Students are required to prepare for the UG class under the guidance of a Teacher. Students have to engage 10 sessions to satisfy the requirement of this course.

**ASSESSMENT:** Fifty percent of the evaluation will be done on the basis of student ability prepare the teaching notes and preparing a report. The remaining fifty percent is allotted to his performance in the classroom as a teacher.

**LLM281CCL DISSERTATION**  
**(No. of Hrs. 60-80 Hrs.)**

**COURSE OBJECTIVES:** This course is designed to test the research prowess of the students and their analytical skills. It is aimed at enabling the students to hone their skills as a researcher that would be of immense help to them in their career.

Students are required to select their dissertation topic at the beginning of the academic year (1<sup>st</sup>Semester) and register with a faculty member for Guidance.

Dissertation work carries 200 marks in total and research report has to be submitted before the commencement of the examination of 2<sup>nd</sup> Semester.

**COURSE OUTCOME:** Students will be able to-

1. Formulate legal research problem.
2. Identify proper research methodology to deal with the legal issue.
3. Apply objective, logical legal reasoning to make arguments and arrive at conclusions
4. Draft a research report.

**Learning Outcome:** This subject will help the students to enhance their research, analytical and writing skills.

**TEACHING METHODOLOGY:** Lectures, Discussion, Library visit, etc., according to the requirements of the students.

**EVALUATION**

- |                                    |      |
|------------------------------------|------|
| 1. Research Proposal -             | 15%  |
| 2. Submission of Progress Report - | 15 % |
| 3. Research Report -               | 60 % |
| 4. Viva -                          | 10 % |

**TOTAL 100%**