

# **SCHEME OF EXAMINATION**

**&**

## **DETAILED SYLLABUS**

**for**

### **MASTER OF LAWS [LL.M.]**

**Programme Code: 70**



**GURU GOBIND SINGH  
INDRAPRASTHA  
UNIVERSITY**

**GURU GOBIND SIGNH  
INDRAPRASTHA UNIVERSITY  
KASHMERE GATE, DELHI – 110403**

**LL.M. PROGRAMME**

**Pattern of Question Paper:** The question paper will be of 60 marks and divided into four Units of two questions each carrying 15 marks. The questions in each Unit will be based on course contents in the respective Unit. The students will be required to attempt four questions selecting one from each unit. The continuous evaluation by the teacher consisting of two minor examinations and such other component will be of 40 marks in conformity with Ordinance 11 Clause 10.

**LL.M. First Semester - Common for All Students**

<b>Theory Papers</b>					
<b>Paper ID</b>	<b>Course Code</b>	<b>Title</b>	<b>L</b>	<b>T/P</b>	<b>C</b>
70107	GEN-107	Law and Social Transformation in India	4	2	6
70109	GEN-109	Constitutionalism	4	2	6
70111	GEN-111	Legal Research and Methodology	4	2	6
70113	GEN-113	Judicial Process	4	1	5
<b>Practical Papers</b>					
70151	GEN-151	Project Work*	-	2	2

(With effect from academic session 2009-2010)

\*NUES

**GROUP – I**  
**HUMAN RIGHTS AND HUMANITARIAN LAW**

**LL.M. Second Semester**

Theory Papers					
Paper ID	Course Code	Title	L	T/P	C
70102	HRL-102	Human Rights Jurisprudence	4	2	6
70104	HRL-104	International Human Rights Law	4	2	6
70106	HRL-106	Protection and Enforcement of Human Rights in India	4	2	6
Practical Papers					
70152	HRL-152	Project Work / Practical Training*	4	1	5
70154	HRL-154	Comprehensive Viva*	-	2	2

\*NUES

**LL.M. Third Semester**

Theory Papers					
Paper ID	Course Code	Title	L	T/P	C
70201	HRL-201	International Humanitarian Law and Refugee Law	4	2	6
70203	HRL-203	Disadvantaged Groups and Human Rights	4	2	6
70205	HRL-205	Human Rights Education	4	2	6
Practical Papers					
70251	HRL-251	Project Work / Practical Training*	4	1	5
70253	HRL-253	Comprehensive Viva*	-	2	2

\*NUES

**LL.M. Fourth Semester**

Practical Paper					
Paper ID	Course Code	Title	L	T/P	C
70252	HRL-252	Dissertation and Viva*	-	-	25

\*NUES

**GROUP – II**  
**ALTERNATIVE DISPUTE RESOLUTION (ADR)**

**LL.M. Second Semester**

<b>Theory Papers</b>					
<b>Paper ID</b>	<b>Course Code</b>	<b>Title</b>	<b>L</b>	<b>T/P</b>	<b>C</b>
70108	ADR-108	Evolution and Concept of ADR	4	2	6
70110	ADR-110	Arbitration Law in India	4	2	6
70112	ADR-112	International Commercial Arbitration	4	2	6
<b>Practical Papers</b>					
70152	ADR-152	Project Work / Practical Training*	4	1	5
70154	ADR-154	Comprehensive Viva*	-	2	2

\*NUES

**LL.M. Third Semester**

<b>Theory Papers</b>					
<b>Paper ID</b>	<b>Course Code</b>	<b>Title</b>	<b>L</b>	<b>T/P</b>	<b>C</b>
70207	ADR-207	Mediation	4	2	6
70209	ADR-209	Conciliation and Negotiation	4	2	6
70211	ADR-211	Practical Training in ADR Skills	4	2	6
<b>Practical Papers</b>					
70251	ADR-251	Project Work / Practical Training*	4	1	5
70253	ADR-253	Comprehensive Viva*	-	2	2

\*NUES

**LL.M. Fourth Semester**

<b>Practical Paper</b>					
<b>Paper ID</b>	<b>Course Code</b>	<b>Title</b>	<b>L</b>	<b>T/P</b>	<b>C</b>
70252	ADR-252	Dissertation and Viva*	-	-	25

\*NUES

**GROUP – III**  
**INTELLECTUAL PROPERTY RIGHTS**

**LL.M. Second Semester**

Theory Papers					
Paper ID	Course Code	Title	L	T/P	C
70114	IPR-114	Nature, Emergence and Development of IPRs	4	2	6
70116	IPR-116	Copyright Law & Neighboring Rights	4	2	6
70118	IPR-118	Patents Law	4	2	6
Practical Papers					
70152	IPR-152	Project Work / Practical Training*	4	1	5
70154	IPR-154	Comprehensive Viva*	-	2	2

\*NUES

**LL.M. Third Semester**

Theory Papers					
Paper ID	Course Code	Title	L	T/P	C
70213	IPR-213	Law Relating to Trademarks	4	2	6
70215	IPR-215	Law Relating to Designs and Geographical Indications	4	2	6
70217	IPR-217	Teaching and Research in IPRs	4	2	6
Practical Papers					
70251	IPR-251	Project Work / Practical Training*	4	1	5
70253	IPR-253	Comprehensive Viva*	-	2	2

\*NUES

**LL.M. Fourth Semester**

Practical Paper					
Paper ID	Course Code	Title	L	T/P	C
70252	IPR-252	Dissertation and Viva*	-	-	25

\* NUES

**GROUP – IV**  
**INTERNATIONAL TRADE LAW**

**LL.M. Second Semester**

<b>Theory Papers</b>					
<b>Paper ID</b>	<b>Course Code</b>	<b>Title</b>	<b>L</b>	<b>T/P</b>	<b>C</b>
70120	ITL-120	WTO and International Trade	4	2	6
70122	ITL-122	Regulation of International Trade in India	4	2	6
70124	ITL-124	Settlement of International Trade Disputes	4	2	6
<b>Practical Papers</b>					
70152	ITL-152	Project Work / Practical Training*	4	1	5
70154	ITL-154	Comprehensive Viva*	-	2	2

\*NUES

**LL.M. Third Semester**

<b>Theory Papers</b>					
<b>Paper ID</b>	<b>Course Code</b>	<b>Title</b>	<b>L</b>	<b>T/P</b>	<b>C</b>
70219	ITL-219	International Sale and Carriage of Goods	4	2	6
70221	ITL-221	International Investment Laws	4	2	6
70223	ITL-223	International Commercial Arbitration	4	2	6
<b>Practical Papers</b>					
70251	ITL-251	Project Work / Practical Training*	4	1	5
70253	ITL-253	Comprehensive Viva*	-	2	2

\*NUES

**LL.M. Fourth Semester**

<b>Practical Paper</b>					
<b>Paper ID</b>	<b>Course Code</b>	<b>Title</b>	<b>L</b>	<b>T/P</b>	<b>C</b>
70252	ITL-252	Dissertation and Viva*	-	-	25

\*NUES

**GROUP – V**  
**CORPORATE LAW**

**LL.M. Second Semester**

<b>Theory Papers</b>					
<b>Paper ID</b>	<b>Course Code</b>	<b>Title</b>	<b>L</b>	<b>T/P</b>	<b>C</b>
70132	CRL-132	Law of Corporate Management and Governance	4	2	6
70134	CRL-134	Competition and Consumer Protection Laws	4	2	6
70130	CRL-130	Regulation of Capital Market and Foreign Investment	4	2	6
<b>Practical Papers</b>					
70152	CRL-152	Project Work / Practical Training*	4	1	5
70154	CRL-154	Comprehensive Viva*	-	2	2

\*NUES

**LL.M. Third Semester**

<b>Theory Papers</b>					
<b>Paper ID</b>	<b>Course Code</b>	<b>Title</b>	<b>L</b>	<b>T/P</b>	<b>C</b>
70231	CRL-231	Corporate Taxation	4	2	6
70233	CRL-233	Banking & Insurance Laws	4	2	6
70235	CRL-235	The Law of Corporate Finance and Securities Regulations	4	2	6
<b>Practical Papers</b>					
70251	CRL-251	Project Work / Practical Training*	4	1	5
70253	CRL-253	Comprehensive Viva*	-	2	2

\*NUES

**LL.M. Fourth Semester**

<b>Practical Paper</b>					
<b>Paper ID</b>	<b>Course Code</b>	<b>Title</b>	<b>L</b>	<b>T/P</b>	<b>C</b>
70252	CRL-252	Dissertation and Viva*	-	-	25

\*NUES

## LL.M. PROGRAMME

**Pattern of Question Paper:** The question paper will be of 60 marks and divided into four Units of two questions each carrying 15 marks. The questions in each Unit will be based on course contents in the respective Unit. The students will be required to attempt four questions selecting one from each unit. The continuous evaluation by the teacher consisting of two minor examinations and such other component will be of 40 marks in conformity with Ordinance 11 Clause 10.

### LL.M. First Semester - Common for All Students

<b>Theory Papers</b>					
<b>Paper ID</b>	<b>Course Code</b>	<b>Title</b>	<b>L</b>	<b>T/P</b>	<b>C</b>
70107	GEN-107	Law and Social Transformation in India	4	2	6
70109	GEN-109	Constitutionalism	4	2	6
70111	GEN-111	Legal Research and Methodology	4	2	6
70113	GEN-113	Judicial Process	4	1	5
<b>Practical Paper</b>					
70151	GEN-151	Project Work*	-	2	2

(With effect from academic session 2009-2010)

\*NUES



**LL.M. 1<sup>st</sup> SEMESTER****Paper: I****Subject: Law and Social Transformation in India****L4 T/P2 C6****Paper Code: GEN-107**

**Objectives of the Course:** this course is designed to study – (a) awareness of Indian approaches to social and economic problems in the context of law as a means of social control and change and (b) to examine how law and legal institutions can be used to combat social oppression and inequalities in Indian Society. Limits of law in bringing out social transformation shall also be explored.

The following syllabus prepared with this perspective will be spread over a period of one semester.

**Unit- I: Law and Social Change**

1. Law as an instrument of social change
2. Law as a product of traditions and culture
3. Introduction of common law system and institutions in India and the impact of received law on the Indian Social and Legal Order.
4. Limits of Law in bringing out social change.

**Unit –II : Religion, Community and the Law**

1. Indian Secularism: Constitutional Provisions and Judicial Responses
2. Constitutional Protections to Religious and Linguistic minorities.
3. Affirmative Action (Reservation)

**Unit-III: Women and the Law**

1. Gender Injustice and its various forms
2. Empowerment of Women: Constitutional and Statutory Provisions; Women's Commission.
3. Crimes Against Women: legislative and judicial initiatives.

**Unit-IV: Children and the Law**

1. Child Labour
2. Sexual Exploitation of Children
3. Adoption and Related Problems
4. Children and Education.

**Selected Bibliography:**

1. Marc Galanter (ed). *Law and Society in Modern India*. (1997). Oxford, New Delhi.
2. Baxi, Upendra,. *The Crisis of Indian Legal System*. (1982). Vikas Publication.
3. Baxi, Upendra (ed). *Law and Poverty: Critical Essays*. (1988). Tripathi, Bombay.
4. Manushi, A Journal About Women and Society.
5. Duncan Derret. *The State, Religion and Law in India*. (1999). Oxford. New Delhi.
6. M.P.Singh, *Constitution of India* (2008). 11<sup>th</sup> Ed. Eastern Book Co., Lucknow.
7. Sunil Deshta and Kiran Deshta. *Law and Menace of Child Labour*. (2000). Anmol Publications, New Delhi.

8. Savitri Gunasekhare. *Children, Law and Justice* (1997) Sage Publications.
9. Indian Law Institute, *Law and Social Change: Indo-American Reflections*. Tripathi, (1988).
10. M. P.Jain. *Outlines of Indian Legal History*. (1993). Tripathi, Bombay.
11. Agnes Flavia, *Law and Gender Inequality: The Politics of Women's Rights in India* (1999) Oxford, New Delhi.
12. Ved Kumari, *Offences Against Women in Kamala Sankaran and Ujjwal Kumar Singh* (ed) *Towards Legal Literacy An Introduction to Law in India* PP.78-94 (2008) Oxford, New Delhi.
13. Virendra Kumar: *Dynamics of Reservation Policy: Towards a More Inclusive Social Order* 50, *Journal of the Indian Law Institute* PP 478-517 (2007).
14. Virendra Kumar, *'Minorities' Right to Run Educational Institutions: T.M.A Pai Foundation in Perspective* 45, *Journal of the Indian Law Institute* PP 200-238 (2003)

**LL.M. 1<sup>st</sup> SEMESTER****Paper II****Subject: Constitutionalism****L4 T/P2 C6****Paper Code: GEN- 109**

**Objectives of the Course:** Constitutionalism implies government in accordance with constitutional procedures and norms. A constitutional regime ensures observance of Rule of Law and promotion of Human rights. Constitutionalism seeks accountability of government to the popular will through a system of independent courts, judicial review and transparency in governance. In this paper the students are required to examine how far a goal of Constitutionalism are being achieved in the Indian Legal System and what are the challenges to Constitutionalism in the Contemporary Indian Society.

This syllabus has been prepared to study the issues indicated above.

**Unit - I : The Concept of Constitutionalism**

1. Essential Principles of Constitutionalism
2. Constitutionalism and Rule of Law
3. Functions of Rule of Law and Constitutionalism
4. Constitutionalism in the Indian Legal Order

**Unit - II : Federalism as an aspect of Constitutionalism**

1. The Federal principle : Classical and Modern
2. An overview of the Canadian and American Position
3. Main features of Indian federalism
4. Federalism and Constitutionalism

**Unit - III: New challenges to Constitutionalism: some social issues**

1. Equality and Affirmative actions (Dalits, and Backward Classes)
2. Human Rights of the Marginalized Groups.
3. An Evaluation of Role of Courts.

**Unit - IV: Justice Delivery System In India**

1. PIL movement : Promises and Perils
2. Independence of Judiciary.
3. Judicial Reforms.

**Selected Bibliography:**

1. C. H. Mell Wain, *Constitutionalism: Ancient and Modern*. (1947).
2. A. V. Dicey, *Introduction to the Study of Law of the Constitution*. (1982) Edition.
3. Lary Alexander (ed). *Constitutionalism: Philosophical Foundations*. Cambridge. (1998)
4. M. P. Singh 'Constitution of India'. 11<sup>th</sup> Ed. 2008, Eastern Book Co.
5. K. C. Wheare. *Federal Government*. Ch. 1 & 2, 4<sup>th</sup> Edition 1963.
6. M. P. Singh. *Federalism, Democracy and Human Rights*. 47 J.I.L.I. 47 (2005).

7. Parmanand Singh '*Social Rights and Good Governance* In C. Raj Kumar and D. K. Srivastava (ed.) *Human rights and Development: Law, Policy and Governance* Ch.24 pp.437-54. Lexis Nexis. Hong Kong. (2006).
8. Parmanand Singh '*Hunger Amidst Plenty: Reflections on Law, Poverty and Governance*. 48, J.I.L.I. PP 57-77. (2006).
9. Virendra Kumar. *Dynamics of Reservation Policy: Towards a More Inclusive Social Order*, 50, J.I.L.I. PP 478-517. (2007).
10. Virendra Kumar, *Minorities' Rights to Run Educational Institutions: T. M. A. Pai Foundation in Perspective*. 45, J.I.L.I. PP 200-238. (2003).
11. Parmanand Singh '*Equality and Compensatory Discrimination: The Indian Experience*, In Choklingam and C. Raj Kumar (ed) *Human rights, Criminal Justice and Constitutional Empowerment*, Chapter 7, Oxford, Delhi. (2006).
12. Parmanand Singh. *Protecting the Rights of the Disadvantaged Groups Through Public Interest Litigation*, in M. P. Singh et al (ed), *Human Rights and Basic Needs: Theory and Practice*, Universal Law Publishing Company, New Delhi, PP 305-329. (2008).
13. Balakrishnan, K. G. '*Judiciary in India: Problems and Prospects*. 50, J.I.L.I. PP 461-467 (2008).

**LL.M. 1<sup>st</sup> SEMESTER****Paper - III****Subject: Legal Research and Methodology****L4 T/P2 C6****Paper Code: GEN-111****Unit – I: Precepts**

1. Nature
2. Objectives
3. Types: Doctrinal and Non-Doctrinal

**Unit - II: Necessary Steps**

1. Identification and Formulation of Research Problem
2. Hypothesis and Research Design (Characteristics and contents)
3. Processing the Plan of Research: Data Collection, Analysis and use of Internet, Legislative material, Indian & foreign court decision and juristic writings.

**Unit - III: Techniques**

1. **Methodology:** Tool and Techniques for collection of data, collection of case materials and juristic literature, use of historical and comparative research material and use of questionnaire and inter view.
2. Census and Survey
3. Sampling: Types, Merits and Demerits
4. Report Writing

**Unit – IV: Conduct of Research**

1. Supervision
2. Guidelines for researchers

**Selected Bibliography:**

1. S.K. Verma and M. Afzal Wani (Eds.) *Legal Research and Methodology*, Indian Law Institute (2001) 2<sup>nd</sup> Edition.
2. Baxi, Upendra, '*Socio-Legal Research in India – A Program Schriff*', ICSSR, Occasional Monograph, 1975.
3. Cohen, Morris L., '*Legal Research*', Minnesota, West Publishing Co. 1985.
4. Ghosh, B.N., '*Scientific Method and Social Research*', New Delhi, Sterling Publishers Pvt. Ltd., 1984.
5. Goode and Hatt, '*Methods in Social Research*', Singapore, Mc. Graw Hill Book Co., 1985 (reprint).
6. Johari J.C. (ed), '*Introduction to the Method of Social Sciences*', New Delhi, Sterling Publishers Pvt. Ltd. 1988.
7. Kothari C.K., '*Research Methodology: Method and Techniques*', New Delhi, Wiley Eastern Ltd., 1980.
8. Stone, Julius, '*Legal System and Lawyer's Reasoning*', Sydney, Maitland Publications, 1968.

**LL.M. 1<sup>st</sup> SEMESTER**

**Paper- IV**  
**Subject: Judicial Process**

**L4 T/P1 C5**  
**Paper Code GEN-113**

**Objectives of the Course:** The objective of this course is to study the nature of judicial process and the role of the judges as policy makers and as the participants in evolving political principles of governance. Another objective of this paper is to study the intricacies of judicial creativity and judicial law making and techniques employed in the judicial process.

The following syllabus prepared with the above perspective will spread over a period of one semester.

**Unit - I: Nature of Judicial process and its role in constitutional adjudication**

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

**Unit - II: Special Dimensions of Judicial Process in Constitutional adjudication.**

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

**Unit - III: Judicial Process in India**

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

**Unit - IV: Judicial Process and Constitutional Amendments**

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

**Selected Bibliography:**

1. Cordozo ‘*The Nature of Judicial Process* (1995). Universal Law Publishing Co., New Delhi
2. Julius Stone. *The Province and Function of Law* Ch.1, PP 8-16, (2000) Universal Law Publishing Co., New Delhi
3. J. Stone, *Precedent and the Law: Dynamics of Common Law Growth* (1985), Butterworths.

(With effect from the Academic Session 2009- 2010)

4. J. Stone. *Legal System and Lawyer's Reasoning* (1999), Universal Law Publishing Co., New Delhi
5. Upendra Baxi, *The Indian Supreme Court and Politics*. (1980), Eastern Book Co., Lucknow.
6. Rajeev Dhavan. *The Supreme Court of India – A Socio-Legal Critique of its Juristic Techniques* (1977), Tripathi – Bombay.
7. Virendra Kumar, *Basic Structure of the Indian Constitution: Doctrine of Constitutionally controlled Governance*, 49 *Journal of the Indian Law Institute*, PP 365-395, (2007).
8. A. S. Anand, *Judicial Review – Judicial Activism–Need for Caution*, 42 *Journal of Indian Law Institute* P. 149 (2000).
9. Upendra Baxi, “*On how not to Judge the Judges*” 25 *Journal of the Indian Law Institute*, P. 211 (1983).
10. Henry J. Abraham, *The Judicial Process* (1998), Oxford.
11. S.P.Sathe, *Judicial Activism in India: Transgressing borders and Enforcing Limits*, Oxford New Delhi. (2002).

**LL.M. 1<sup>ST</sup> SEMESTER**

**Paper - V**  
**Subject: Project Work**

**L- T/P2 C2**  
**Paper Code: GEN-151**

Project Work will be on some current topic of legal importance or inclusive of other disciplines. Practical training will be in the form of internship, organizing programmes etc.

Evaluation will be made by a Board of Examiners comprising of Dean, Supervisor and senior most faculty member and an External Examiner with the approval of the Hon'ble Vice Chancellor.



**GROUP SPECIALIZATIONS****GROUP – I****HUMAN RIGHTS AND HUMANITARIAN LAW****LL.M. Second Semester**

<b>Theory Papers</b>					
<b>Paper ID</b>	<b>Course Code</b>	<b>Title</b>	<b>L</b>	<b>T/P</b>	<b>C</b>
70102	HRL-102	Human Rights Jurisprudence	4	2	6
70104	HRL-104	International Human Rights Law	4	2	6
70106	HRL-106	Protection and Enforcement of Human Rights in India	4	2	6
<b>Practical Papers</b>					
70152	HRL-152	Project Work / Practical Training*	4	1	5
70154	HRL-154	Comprehensive Viva*	-	2	2

\*NUES

**GROUP – I (HR&HL)**  
**LL.M. 2<sup>nd</sup> SEMESTER**

**Paper: I**  
**Subject: Human Rights Jurisprudence**

**L4 T/P2 C6**  
**Paper Code: HRL-102**

**Unit I:** Human Rights Jurisprudence

- (i) Meaning and Concepts
- (ii) Evolution: Pre-Magna Carta Position, Magna Carta and Post Magna Carta Position (French Declaration, American Bill of Rights).

**Unit II:** Nature and Dimensions of HRs Movement after Second World War

**Unit III:** (i) Rights and Duties : Relationship

- (ii) Classification of Rights:
  - (a). Individual Rights
  - (b). Natural Rights
  - (c). Group Rights
  - (d). Derogable and Non-Derogable Rights

**Unit IV:** Universalism and Cultural Relativism

**GROUP – I (HR&HL)**  
**LL.M. 2<sup>nd</sup> SEMESTER**

**Paper: II**  
**Subject: International Human Rights Law**

**L4 T/P2 C6**  
**Paper Code: HRL-104**

**Unit I:** (1) Human Rights under UN Charter  
(2) Universal Declaration of Human Rights

**Unit II:** International Covenants  
(1) International Covenant on Civil and Political Rights, 1966  
(2) International Covenant on Economic, Social & Cultural Rights, 1966

**Unit III:** Regional Conventions  
(1) European Convention for the Protection of Human Rights and Fundamental Freedoms, 1950  
(2) American Convention on Human Rights, 1969  
(3) African Charter on Human and Peoples' Rights, 1981

**Unit IV:** International Human Rights Institutions  
(4) UN Centre for Human Rights  
(5) Economic and Social Council  
(6) Various Commissions and Sub-Commissions on Human Rights

**GROUP – I (HR&HL)**  
**LL.M. 2<sup>nd</sup> SEMESTER**

**Paper: III**

**L4 T/P2 C6**

**Subject: Protection and Enforcement of Human Rights in India**

**Paper Code: HRL-106**

**Unit I:** Development of Human Rights Movement and Law in Indian Tradition

**Unit II:** Constitutional Guarantees and Legislative Measures

**Unit III:** Contribution of Judiciary to Human Rights Law.

**Unit IV:** Role of Human Rights Commissions and NGOs

**GROUP – I (HR&HL)**  
**LL.M. 2<sup>nd</sup> SEMESTER**

**Paper: IV**  
**Subject: Project Work / Practical Training**

**L4 T/P1 C5**  
**Paper Code: HRL-152**

Project Work will be on some current topic of legal importance or inclusive of other disciplines. Practical training will be in the form of internship, organizing programmes etc.

Evaluation will be made by a Board of Examiners comprising of Dean, Supervisor and senior most faculty member and an External Examiner with the approval of the Hon'ble Vice Chancellor.

**GROUP – I (HR&HL)**  
**LL.M. 2<sup>nd</sup> SEMESTER**

**Paper: V**  
**Subject: Comprehensive Viva**

**L- T/P2 C2**  
**Paper Code: HRL-154**

Viva voce will be conducted by a Board of Examiner comprising of Dean, Supervisor, senior most faculty member and an External Examiner with the approval of the Hon'ble Vice-Chancellor.

**GROUP – I****HUMAN RIGHTS AND HUMANITARIAN LAW****LL.M. Third Semester**

<b>Theory Papers</b>					
<b>Paper ID</b>	<b>Course Code</b>	<b>Title</b>	<b>L</b>	<b>T/P</b>	<b>C</b>
70201	HRL-201	International Humanitarian Law and Refugee Law	4	2	6
70203	HRL-203	Disadvantaged Groups and Human Rights	4	2	6
70205	HRL-205	Human Rights Education	4	2	6
<b>Practical Papers</b>					
70251	HRL-251	Project Work / Practical Training*	4	1	5
70253	HRL-253	Comprehensive Viva*	-	2	2

\*NUES

**GROUP – I (HR&HL)**  
**LL.M. 3<sup>rd</sup> Semester**

**Paper: I**

**Subject: International Humanitarian Law and Refugee Law**

**L4 T/P2 C6**

**Paper Code: HRL-201**

**Unit I:** Origin and Development of Humanitarian Law and Refugee Law

**Unit II:** The Geneva Conventions and Protocols

**Unit III:** 1951 Refugee Convention

**Unit IV:** Role of ICRC and UNHCR



**GROUP – I (HR&HL)**  
**LL.M. 3<sup>rd</sup> Semester**

**Paper: II**  
**Subject: Disadvantaged Groups and Human Rights**

**L4 T/P2 C6**  
**Paper Code: HRL-203**

**Unit I:** Women and Children

**Unit II:** Persons with Disabilities

**Unit III:** Rights of Indigenous group

**Unit IV:** Rights of Prisoners

**GROUP – I (HR&HL)**  
**LL.M. 3<sup>rd</sup> Semester**

**Paper: III**  
**Subject: Human Rights Education**

**L4 T/P2 C6**  
**Paper Code: HRL-205**

This will include Case studies and Practice in Human Rights Advocacy.

Unit – I: Human Rights Education: Global Perspective

Unit – II: Human Rights Education: Indian Perspective

Unit – III: Clinical Human Rights Education

Unit – IV: Case Studies: Identification and Techniques

**GROUP – I (HR&HL)**  
**LL.M. 3<sup>rd</sup> Semester**

**Paper: IV**

**Subject: Project Work / Practical Training**

**L4 T/P1 C5**

**Paper Code: HRL-251**

Project Work will be on some current topic of legal importance or inclusive of other disciplines. Practical training will be in the form of internship, organizing programmes etc.

Evaluation will be made by a Board of Examiners comprising of Dean, Supervisor and senior most faculty member and an External Examiner with the approval of the Hon'ble Vice Chancellor.

**GROUP – I (HR&HL)**  
**LL.M. 3<sup>rd</sup> Semester**

**Paper: V**  
**Subject: Comprehensive Viva**

**L- T/P2 C2**  
**Paper Code: HRL-253**

Viva voce will be conducted by a Board of Examiner comprising of Dean, Supervisor, senior most faculty member and an External Examiner with the approval of the Hon'ble Vice-Chancellor.

**GROUP – I**

**HUMAN RIGHTS AND HUMANITARIAN LAW**

**LL.M. Fourth Semester**

<b>Practical Paper</b>					
<b>Paper ID</b>	<b>Course Code</b>	<b>Title</b>	<b>L</b>	<b>T/P</b>	<b>C</b>
70252	HRL-252	Dissertation and Viva*	-	-	25

\*NUES

**GROUP – I (HR&HL)**  
**LL.M. 4<sup>th</sup> Semester**

**Paper: I**  
**Subject: Dissertation and Viva**

**L- T/P- C25**  
**Paper Code: HRL-252**

The evaluation of the Dissertation and Viva Voce will be conducted by a Board of Examiners comprising of Dean, Supervisor and senior most faculty member and an External Examiner with the approval of the Hon'ble Vice Chancellor.

**GROUP – II****ALTERNATIVE DISPUTE RESOLUTION (ADR)****LL.M. Second Semester**

<b>Theory Papers</b>					
<b>Paper ID</b>	<b>Course Code</b>	<b>Title</b>	<b>L</b>	<b>T/P</b>	<b>C</b>
70108	ADR-108	Evolution and Concept of ADR	4	2	6
70110	ADR-110	Arbitration Law in India	4	2	6
70112	ADR-112	International Commercial Arbitration	4	2	6
<b>Practical Papers</b>					
70152	ADR-152	Project Work / Practical Training*	4	1	5
70154	ADR-154	Comprehensive Viva*	-	2	2

\*NUES

**Group – II (ADR)**  
**LL.M. 2<sup>nd</sup> Semester**

**Paper: I**  
**Subject: Evolution and Concept of ADR**

**L4 T/P2 C6**  
**Paper Code: ADR – 108**

**Unit – I:**

1. What is a dispute?
2. Steps in the Emergence of disputes

**Unit – II:**

1. Party Responses to Disputes: Concede or Confront
2. Need for Alternative Dispute Resolution (ADR)

**Unit – III:**

2. Indian Perspective of ADR
3. International Perspective of ADR

**Unit – IV:**

1. Current Trends
2. Acceptability
3. Increasing Costs
4. Delay in Proceedings



**Group – II (ADR)**  
**LL.M. 2<sup>nd</sup> Semester**

**Paper: II**  
**Subject: Arbitration Law in India**

**L4 T/P2 C6**  
**Paper Code: ADR – 110**

**Unit – I:** Arbitration Law before 1996

**Unit – II:** Arbitration Law after 1996

**Unit III:** Enforcement of Foreign Awards; New York Convention; Geneva Convention

**Unit – IV:** Concept and Law Relating to *Lok Adalat*

**Group – II (ADR)**  
**LL.M. 2<sup>nd</sup> Semester**

**Paper: III**  
**Subject: International Commercial Arbitration**

**L4 T/P2 C6**  
**Paper Code: ADR – 112**

**Unit – I**

1. Meaning
2. International Commercial Agreements
3. Application of Indian Law

**Unit – II: UNICITRAL MODEL LAW**

**Unit III: Institutional Arbitration**

1. International Court of Arbitration
2. International Centre for ADR
3. The London Court of International Arbitration

**Unit – IV: Recognition and Enforcement of International Arbitration Awards**

**Group – II (ADR)**  
**LL.M. 2<sup>nd</sup> Semester**

**Paper: IV**  
**Subject: Project Work / Practical Training**

**L4 T/P1 C5**  
**Paper Code: ADR – 152**

Project Work will be on some current topic of legal importance or inclusive of other disciplines. Practical training will be in the form of internship, organizing programmes etc.

Evaluation will be made by a Board of Examiners comprising of Dean, Supervisor and senior most faculty member and an External Examiner with the approval of the Hon'ble Vice Chancellor.

**Group – II (ADR)**  
**LL.M. 2<sup>nd</sup> Semester**

**Paper: V**  
**Subject: Comprehensive Viva**

**L- T/P2 C2**  
**Paper Code: ADR – 154**

Viva voce will be conducted by a Board of Examiner comprising of Dean, Supervisor, senior most faculty member and an External Examiner with the approval of the Hon'ble Vice-Chancellor.

**GROUP – II****ALTERNATIVE DISPUTE RESOLUTION (ADR)****LL.M. Third Semester**

<b>Theory Papers</b>					
<b>Paper ID</b>	<b>Course Code</b>	<b>Title</b>	<b>L</b>	<b>T/P</b>	<b>C</b>
70207	ADR-207	Mediation	4	2	6
70209	ADR-209	Conciliation and Negotiation	4	2	6
70211	ADR-211	Practical Training in ADR Skills	4	2	6
<b>Practical Papers</b>					
70251	ADR-251	Project Work / Practical Training*	4	1	5
70253	ADR-253	Comprehensive Viva*	-	2	2

\*NUES

**GROUP – II (ADR)**  
**LL.M. 3<sup>rd</sup> Semester**

**Paper: I**  
**Subject: Mediation**

**L4 T/P2 C6**  
**Paper Code: ADR – 207**

**Unit – I:** Mediation: Meaning and Scope

**Unit – II:** Techniques of Mediation

**Unit III:** Obligations of Mediators

**Unit – IV:** Mediation System in India

**Group – II (ADR)**  
**LL.M. 3<sup>rd</sup> Semester**

**Paper: II**  
**Subject: Conciliation and Negotiation**

**L4 T/P2 C6**  
**Paper Code: ADR – 209**

**Unit – I:** Conciliation: Nature and Modes of Conciliation

**Unit – II:** Law Relating to Conciliation

**Unit III:** Negotiation: Meaning, Significance and Art of Negotiation

**Unit – IV:** Practice of Conciliation and Negotiation in India

**Group – II (ADR)**  
**LL.M. 3<sup>rd</sup> Semester**

**Paper: III**  
**Subject: Practical Training in ADR Skills**

**L4 T/P2 C6**  
**Paper Code: ADR – 211**

**Unit – I:** Choosing the Mode of Dispute Resolution

**Unit – II:** Identification of Ground Realities likely to affect the process

**Unit – III:** Developing Designers to Process a Case

**Unit – IV:** Case Studies



**Group – II (ADR)**  
**LL.M. 3<sup>rd</sup> Semester**

**Paper: IV**  
**Subject: Project Work/Practical Training**

**L4 T/P1 C5**  
**Paper Code: ADR – 251**

Project Work will be on some current topic of legal importance or inclusive of other disciplines. Practical training will be in the form of internship, organizing programmes etc.

Evaluation will be made by a Board of Examiners comprising of Dean, Supervisor and senior most faculty member and an External Examiner with the approval of the Hon'ble Vice Chancellor.

**Group – II (ADR)**  
**LL.M. 3<sup>rd</sup> Semester**

**Paper: V**  
**Subject: Comprehensive Viva**

**L- T/P2 C2**  
**Paper Code: ADR – 253**

Viva voce will be conducted by a Board of Examiner comprising of Dean, Supervisor, senior most faculty member and an External Examiner with the approval of the Hon'ble Vice-Chancellor.

**GROUP – II**

**ALTERNATIVE DISPUTE RESOLUTION (ADR)**

**LL.M. Fourth Semester**

<b>Practical Paper</b>					
<b>Paper ID</b>	<b>Course Code</b>	<b>Title</b>	<b>L</b>	<b>T/P</b>	<b>C</b>
70252	ADR-252	Dissertation and Viva*	-	-	25

\*NUES

**Group – II (ADR)**  
**LL.M. 4<sup>th</sup> Semester**

**Paper: I**  
**Subject: Dissertation and Viva**

**L- T/P- C25**  
**Paper Code: ADR – 252**

The evaluation of the Dissertation and Viva Voce will be conducted by a Board of Examiners comprising of Dean, Supervisor and senior most faculty member and an External Examiner with the approval of the Hon'ble Vice Chancellor.

**GROUP – III****INTELLECTUAL PROPERTY RIGHTS****LL.M. Second Semester**

<b>Theory Papers</b>					
<b>Paper ID</b>	<b>Course Code</b>	<b>Title</b>	<b>L</b>	<b>T/P</b>	<b>C</b>
70114	IPR-114	Nature, Emergence and Development of IPRs	4	2	6
70116	IPR-116	Copyright Law & Neighboring Rights	4	2	6
70118	IPR-118	Patents Law	4	2	6
<b>Practical Papers</b>					
70152	IPR-152	Project Work / Practical Training*	4	1	5
70154	IPR-154	Comprehensive Viva*	-	2	2

\*NUES

**Group – III (IPR)**  
**LL.M.2<sup>nd</sup> Semester**

**Paper: I**  
**Subject: Nature, Emergence and Development of IPRs**

**L4 T/P2 C6**  
**Paper Code: IPR-114**

**Unit I**            **(a) Nature & Concept**  
                         i. Meaning  
                         ii. Types of Intellectual Property Rights

**(b) Nature of Intellectual Property Rights**

- i. Monopolistic Perspective
- ii. Economic Perspective
- iii. Public welfare perspective

**(c) Theories**

- i. Natural theory
- ii. Lockes' Theory of property
- iii. Hegelian Philosophy
- iv. Utilitarian guidelines
- v. Incentive theory
- vi. Prospect theory
- vii. Schumpeterian theory

**Unit II-**            **Origin & Development**

- a) Historical Background
- b) Technological Development of IPRs
- c) Intellectual Property Rights: From National to International Character
- d) Sustainable Development
- e) Challenges for IPR system:
  - i. Digital Economy
  - ii. E-commerce
  - iii. Domain names
  - iv. Biotechnology including Human genomes
  - v. Nanotechnology
- f) Role of Government in fostering the IPR

**Unit III- International regime of Intellectual Property Rights**

- a) Background
- b) Pre WTO régime
  - Paris Convention
  - Berne convention
  - Rome convention
  - Patent Cooperation treaty
  - World Intellectual Property Organization (WIPO), etc..
- c) Post WTO regime
  - a) TRIPS

**Unit IV- National regime**

- a) Background
- b) Pre WTO
- c) Post WTO

**Compulsory Suggested Readings:**

- Shiv Sahai Singh, *The Law of Intellectual Property Rights*, Deep & Deep publication Pvt. Ltd. 2004.
- Phillippe Culet, *Intellectual Property Protection and Sustainable Development*, Lexis Nexis Butterworth, 2004.
- W R Cornish, *Intellectual Property: Patents, copyright, Trademarks and allied rights*, London : Sweet & Maxwell, 1996
- Jayanti Bagachi, *World Trade organization; an Indian Perspective*(2000).
- Narayanan, P., *Intellectual Property Rights*

**Further readings**

- UNCTAD-ICTSD, *Resource book on TRIPs and Development*, Cambridge University Press, 2005
- Surendra Bhandari, *World Trade organisation and Developing Countries*, 1998
- Bleir, F.K., Crespi, R.S. and Straus, J., *Niotechnology and Patent Protection- an international review*, OECD
- Jayashreee Watal, *Intellectual Property right s in the WTO and Developing Countries*, the Hague kluwer law Interantional, 2001

**Group – III (IPR)**  
**LL.M.2<sup>nd</sup> Semester**

**Paper: II**  
**Subject: Copyright Law & Neighboring Rights**

**L4 T/P2 C6**  
**Paper Code: IPR-116**

**Unit – I**

**1. Introduction to Copyright**

- (a) Historical development of the law of copyright
- (b) Nature and Scope of Copyright Law and Neighbouring Rights

**2. International Conventions/Treaties on Copyright**

- (a) Berne Convention
- (b) Universal Copyright Convention
- (c) Rome Convention, 1961
- (d) Phenogram Convention, 1971
- (e) TRIPs Agreement
- (f) WIPO Copyright Treaty, 1996
- (g) WIPO performance and Phenogram Treaty, 1996

**Unit – II**

**1. Subject matter of copyright works**

- (a) Literacy, Computer, Dramatic, Musical, Cinematograph film etc.
- (b) Provisions under Indian Law and International Convention

**2. Ownership, duration and assignment of copyright**

- (a) Ownership of literacy, dramatic, artistic and computer generated works etc.
- (b) Economic and moral rights of copyright owners
- (c) Terms of copyright
- (d) Assignment of copyright and licenses

**Unit – III**

**1. Performers rights under the Indian Copyright Law and under International Conventions**

- (a) Historical development of performers rights: Nature and Scope
- (b) Economic and moral rights of performers and Exception of performers rights

**2. Broadcast Reproduction Rights and Public Interest**

- (a) Satellite broadcasting and by cable television
- (b) Exception under Indian law and under international convention



## Unit – IV

### 1. Infringement of copyright

- (a) Mode of infringement of various copyright works
- (b) Infringement of neighbouring rights
- (c) Statutory exception under Indian law and international convention

### 2. Remedies of infringement of copyright under national and international perspective

- (a) Preventive and compensatory civil remedies
- (b) Criminal remedies
- (c) Administrative remedies

### Compulsory Readings:

1. Copyright Act, 1957
2. Berne Convention for protection of literary and artistic works
3. Universal Copyright Convention
4. Rome Convention
5. Convention for the protection of producers of phonograms
6. TRIPs Agreement
7. WIPO Copyright Treaty
8. WIPO Performance and Phonograms Treaty

### Suggested Readings:

1. International Copyright and Neighbouring Rights; Stephen M. Steward (London, 1983)
2. Copinger and Skare James on Copyright; E.P. Skare James (London, 1991)
3. How Copyright Works in Practice; Kala Thairani (Bombay, 1996)
4. Law of Copyright: From Gutenberg's Invention to Internet; (Delhi, 2001)

**Group – III (IPR)**  
**LL.M.2<sup>nd</sup> Semester**

**Paper: III**  
**Subject: Patents Law**

**L4 T/P2 C6**  
**Paper Code: IPR-118**

**Unit I: (A) Evolution and Growth**

- (i) History of the patent law in U.K.
  - Beginning of concept
  - Coming of Industrialization
- (ii) The International Patent System
- (iii) Foreign Impact upon National system
- (iv) History of Patent law in India

**Unit I (B) - Grant and Content**

- (i) Variety of Patent
- (ii) National Grant of Patents
  - Patent specification
  - General procedure for obtaining a patent
- (iii) International Grant of Patent

**Unit II (A)- Validity of claims**

- (i) National Scenario
  - Novelty
  - Inventive step
  - Industrial application
  - Patentable subject matter
  - Clear and complete disclosure
  - Requirement for claims
- (ii) International Scenario
  - Patent Cooperation Treaty
  - TRIPs

**(B) Scope of Exclusivity**

- (i) Infringement
  - Introduction
  - Infringement during manufacture
  - Infringement after manufacture
  - Right of patentee

### Unit III: (A) Property Rights and Exploitation

1. Under national Forum
  - Initial entitlement and property dealing
  - Licensee of patent and allied rights
  - Compulsory license
  - EMR / Mail box System

### (B) Infringement of Patent

1. Modes of Infringement
2. National / International Infringement

### Unit IV: (A) Remedies and Enforcement

- Injunction and other equitable remedies
- Interlocutory injunction
- Discretion to grant injunction

### (B) Emerging Problems Damage and other monetary benefits

- Cross border patent violation
- Emerging technologies

### Compulsory suggested reading:

- Elizabeth Verkey, *Law of Patents*, Eastern Book Company, 2005
- T. Ramappa, *Intellectual Property Rights under WTO: Tasks before India*, Wheeler Publishing, 2000
- W R Cornish, *Intellectual Property: Patents, copyright, Trademarks and allied rights*, London : Sweet & Maxwell, 1996
- Mitta, D.P., *Indian Patents Law & Procedure*, 1<sup>st</sup> edition (2002)
- Robert A. Choate & William H. Francis, *Patent Law*, (1981)
- Stedman, *Patents*, 1929

### Articles to be read:

- R. Dhavan, Lindsay Haris and Gopal Jain, “whose interest ? Independent India’s Patent law and policy”, 32 Journal of Indian law Institute, 1990 at p. 429.
- E. Wyndham Hulme, “The history of the Patent system under the prerogative and at common law,” 12 LQR, 1986 at p. 141.
- Rajeev Dhavan and Maya Prabhu, “ Patent Monopolies and Free trade Basic Contradiction in Dunkel Draft”, 37(2) the Journal of Indian Law Institute, 1995 at pp. 195-208

- Bartelt, Sandra, “ Compulsory licenses Pursuant to TRIPs Art. 31 in the light of Doha deceleration on the TRIPs agreement and Public health”, vol.5, the Journal f World Intellectual Property, 283.
- Haag Thomas A, “ TRIPs since Doha: How far will the WTO go towards modifying the terms for compulsory licensing?” vol. 84, no 12, journal of the Patent and Trademark Office Society, 2002.
- Kabiraj Tarun, “ Intellectual Prperty right, TRIPs and Technology Transfer”, Economic and Political Weekly, Nov. 19 (1997)
- Kumar Nagesh, “Intellectual Prperty Right: Asian Experience”, Vol XXXVIII, No.3, Economic and Political Weekly, January 18-24, 2003, p. 209
- Christopher May, “The Venetian Moment : New technologies, Legal Innovation and the Institutional origins of Intellectual Property, Prometheus,20(2)(2002):159-79
- Nagest kumar, Intellectual Property rights, Technology and Economic development, experience of Asian countries”, Economic Politically Weekly, January 16, 2003.
- B.S.Chimni, The Philsophy of Patents: strong regime unjustified, Journal for Scientific and Industrial Research, vol. 52, 1993, p 234-39.
- Patrica A. Rac, “ Patentibility of living subject matter”, 10 CIPR 41 (1993)
- V. Manoj, EPW, Jan. 24, 1998, *Patents on life* etc., p. 152

#### Further readings:

- Prof.A.K.Koul& V. K. Ahuja, *The Law of Intellectual Property Rights: In Prospect & Retrospect*, Faculty of law, University of Delhi, 2001
- Hiarin wardha, *WTO and Third World Trade Challenges*, Commenwelth, 2002 edition
- Graham Dullfield *Intellectual Property Rights and Life Science Industries : A twentieth century history*, Ashgate London, 2003
- N.S.Gopalakrishanan, “ Impact of patent system on traditional knowledge”, CULR at pp 219-25.
- Watal Jayashreee, “ The TRIPs Agreement and developing countries- Strong, Weak or Balanced Protection?” Vol.1, March, The Journal of World Intellectual Property, 1998
- Mashelkar, R.A., “ Intellectual Property Rights and the Third World”, vol. 7, Journal of Intellectual Property rights, 308, July 2002.

**Group – III (IPR)**  
**LL.M.2<sup>nd</sup> Semester**

**Paper: IV**  
**Subject: Project Work / Practical Training**

**L4 T/P1 C5**  
**Paper Code: IPR-152**

Project Work will be on some current topic of legal importance or inclusive of other disciplines. Practical training will be in the form of internship, organizing programmes etc.

Evaluation will be made by a Board of Examiners comprising of Dean, Supervisor and senior most faculty member and an External Examiner with the approval of the Hon'ble Vice Chancellor.

**Group – III (IPR)**  
**LL.M.2<sup>nd</sup> Semester**

**Paper: V**  
**Subject: Comprehensive Viva**

**L- T/P2 C2**  
**Paper Code: IPR-154**

Viva voce will be conducted by a Board of Examiner comprising of Dean, Supervisor, senior most faculty member and an External Examiner with the approval of the Hon'ble Vice-Chancellor.

**GROUP – III****INTELLECTUAL PROPERTY RIGHTS****LL.M. Third Semester**

<b>Theory Papers</b>					
<b>Paper ID</b>	<b>Course Code</b>	<b>Title</b>	<b>L</b>	<b>T/P</b>	<b>C</b>
70213	IPR-213	Law Relating to Trademarks	4	2	6
70215	IPR-215	Law Relating to Designs and Geographical Indications	4	2	6
70217	IPR-217	Teaching and Research in IPRs	4	2	6
<b>Practical Papers</b>					
70251	IPR-251	Project Work / Practical Training*	4	1	5
70253	IPR-253	Comprehensive Viva*	-	2	2

\*NUES

**Group – III (IPR)**  
**LL.M.3<sup>rd</sup> Semester**

**Paper: I**  
**Subject: Law Relating to Trademarks**

**L4 T/P2 C6**  
**Paper Code: IPR-213**

**Course Purpose and Scope:** This course is designed to give an overview / survey of trademarks and trademark law and practice in countries around the world. There will also be some attention given to various international treaties, conventions and agreements. The focus will vary from historical, philosophical, legal and even practical topic.

**Unit -1**

**1. History and Evolution**

- (a) Paris Convention (history and continuing influence over national trademark laws)
- (b) Madrid Agreement
- (c) Madrid Protocol
- (d) TRIPs Agreement
- (e) Trademark Law Treaty

**2. Purpose of Trademarks**

- (a) What is Trademarks: Definition, Function, Kind and use
- (b) Economic and Social Justification for Trademarks.
- (c) Overview of general types of laws applicable to trademarks/ service marks globally.

**3. Passing Off**

- (a) Laws relating to Passing off.
- (b) Passing off action.

**Unit-II**

**1. Registration of Trademarks.**

- (a) Principle for Registration of Trademarks.
- (b) Rights Conferred by Registration of Trademarks.
- (c) Procedure for Registration.
- (d) Deceptive Similarity.

**2. Licensing of trademarks**

- (a) Assignment and Transmission of Trademarks
- (b) Limitations on Licensing.

**3. Invalidity**

- (a) What marks are not registerable.
- (b) Cancellation of Registration.

**Unit-III**

**1. Infringement**

- (c) Infringement of Trademarks
- (d) Action for Infringements.



- (e) Offences & Penalties.
- (f) Unfair Competition Law.

## 2. Remedies And Enforcement

- (a) Types of Relief- Civil, Criminal & Administrative.
- (b) Procedure for Litigation.

## Unit-IV

### 1. New Challenges

- (a) Trademarks in cyberspace- Domain names, Cyber squatting, Meta tagging.
- (b) Review alternative dispute resolution procedure such as the Uniform Domain Resolution Policy (UDRP) and other similar procedures
- (c) Trademarks vs. Patent, Copyrights, Trade secrets & Geographical indication.
- (d) Concept of Well-known Trademarks.

### 2. Comparative Analysis of European and Indian Trademarks Law

#### Compulsory Suggested Readings

- Narayanan P., *Trademarks & Passing off*, Eastern Law House, 6<sup>th</sup> edition, 2006.
- Shiv Sahai Singh, *The Law of Intellectual Property Rights*, Deep & Deep Publication Pvt. Ltd. 2004.
- W. R. Cornish, *Intellectual Property: Patents. Copyrights, Trademarks and allied rights*, London: Sweet & Maxwell, 1996.
- J. S. Sarkar, *Trademarks- Law and Practice*, 1997.
- P.S. Sangal & K. Ponnuswamy, *Intellectual Property Law*, 1994.
- Hilary E. Pearson and Clifford G. Miller, *Commercial Exploitation of Intellectual Property*, Indian Reprint, 1994.
- *Trademarks in the Marketplace: selection and adoption of trademarks, proper use and protection*, by United State Trademarks Association, 1964, University of Michigan.
- Dorr. C. Robert, *Protecting Trade Secrets, Patents, Copyrights and Trademarks*, 1990, University of Michigan.

#### Articles:

- Davis, Benjamin G. *The New New Thing, Uniform Domain-Name Dispute-Resolution Policy of the Internet Corporation for Assigned Names and Numbers* The Journal of World Intellectual Property, Vol. 3, No. 4, July 2000
- Curley, Duncan, *Reverse Domain Name Hijacking*, Trademark World, April 2001
- Dinwoodie, Graeme B. *(National) Trademark Laws and the (Non-National) Domain Name System*, Journal of International Economic Law, Vol. 21, Fall 2000, p. 495
- Donahey, M. Scott, *Mandatory Resolution of Domain Name Disputes*, Journal of Internet Law, Vol. 3, No. 7, January 2000
- Zhao, Yun, *A Dispute Resolution Mechanism for Cyber squatting* The Journal of World Intellectual Property, Vol. 3, No. 6, November 2000, pp.849-865
- Bernstein, David H. / Rabiner, Sheri L., *Litigating by E-Mail with UDRP-Lessons from New Dispute Resolution Procedure for Domain Name Disputes*, New York Law Journal, August 21, 2001

**Group – III (IPR)**  
**LL.M. 3<sup>rd</sup> Semester**

**Paper: II**  
**Subject: Law Relating to Designs and Geographical Indications**

**L4 T/P2 C6**  
**Paper Code: IPR-215**

**Part-A**  
**(Industrial Designs)**

**Unit-I**

- 1. Historical Background.**
  - (a) Introduction
  - (b) Industrial Designs before TRIPs
  - (c) Industrial Designs after TRIPs
- 2. Emerging Issues.**
  - (a) Protection of Security of India
  - (b) International Reciprocal Arrangement.

**Unit-II**

- 1. Registration**
  - (a) Registration of Designs.
  - (b) Copyright in Registered Designs.
  - (c) Refusal to Register a Designs.
- 2. Infringement & Remedies**
  - (a) Piracy of Registered Designs.
  - (b) Remedies.
  - (c) Power & Duties of Controller.

**Part-B**  
**(Geographical Indication)**

**Unit III**

- 1. Historical Background**
  - (a) Introduction
  - (b) International Evolution of Geographical Indication.
    - i. Indication of Source
    - ii. Appellations of Origin.
  - (c) Paris Convention.
  - (d) Madrid Agreement
  - (e) Lisbon Agreement
  - (f) NAFTA
  - (g) TRIPs
- 2. Emerging Issues**
  - (a) Genericide of Geographical Indication.
  - (b) TRIPs Article 23 Controversy

**Unit-IV**

- 1. Registration**
  - (a) Registration of Geographical Indication
  - (b) Effect of Registration

## **2. Infringement & Remedies**

- (a) Infringement and Passing off of Geographical Indication.
- (b) Remedies & Procedure.

## **3. Comparative Analysis**

- (a) Comparative Analysis of Geographical Indication Law in India & France

### **Suggested Reading:**

- Narayanan P., Trademarks & Passing off, Eastern Law House, 6<sup>th</sup> edition, 2006.
- Gravis Daniel, The TRIPS Agreement: Drafting History and Analysis, 2<sup>nd</sup> edition, Sweet & Maxwell.
- Nair. R. Latha, Geographical Indications: A Search for Identity, Lexis Nexis, Butterworth, 2005
- Guide to the International Registration of Industrial Designs under the Hague Agreement, WIPO.
- R. Basant (1998), "Intellectual Property Rights: A Note", IIMA, Mimeo.
- R A Mashelkar "Intellectual Property Rights and the Third World".CSIR, New Delhi
- S. Khoury (1998), "Valuing Intellectual Properties", in P.H. Sullivan (1998), Profiting from Intellectual Capital: Extracting value from Innovation, John Wiley & Sons.
- Review of Debate in the inter-governmental Panel on Access to Genetic Resources, Traditional Knowledge, Benefit sharing and Folk lore protection, WIPO, Anil K. Gupta, 2002
- Baker, Cecil. Roger, Flow Measurement Handbook: Industrial Designs, Operating Principles, Performance, and Applications, 2000.

**Group – III (IPR)**  
**LL.M. 3<sup>rd</sup> Semester**

**Paper: III**  
**Subject: Teaching and Research in IPRs**

**L4 T/P2 C6**  
**Paper Code: IPR-217**

**Unit - 1: Emerging Trends in Intellectual Property Right**

- (1) Intellectual Property Protection of Computer Software**
  - (a) Copyright Protection
  - (b) Limitation of Copyright Protection of Software
  - (c) Patentability of Software
  
- (2) Intellectual Property Protection in Cyberspace**
  - (a) Trademark and the Internet : Domain Names, Hyper links, Metatags
  - (b) Copyright and the Internet: Computer program, Computer program language, Electronic Signatures, Online works, Online music etc.
  - (c) Emerging Patent Trends: Patent protection for Computer programs, Business Methods, biotechnology Patents.

**Unit – II:**

1. Protection of Plant Varieties: Objective, Protection in India, International Treaties
2. Protection of Traditional Knowledge- Objective, Protection in India, International Treaties
3. The Convention on Biological Diversity- What is biodiversity and its importance, International protocols

**Unit - III: Globalisation of IPRs**

1. TRIPS Agreement- Its Origin, Negotiation, Content, and its impact on Developing Countries.
2. Copyright and the Dissemination of Information in Higher Education.

**Unit - IV: Copyright and Distance Education**

1. The United States TEACH ACT and DMCA (The Digital Millennium Copyright Act and the Higher Education.
2. The Copyright Education Programs- Purpose of teaching Copyright, Development of effective copyright program

**Selected Bibliography:**

1. Cyber Law and E-Commerce- Baumer David and Poindester J.C. MC Graw- Hill (2002)
2. Protecting your Company's Intellectual Property- A Practical Guide to Trademarks, Copyrights, Patents and Trade Secrets- Bouchouol, Deberah. E AMACOM,

- American Management Association New York (2001)
3. Cyber Ethics – Morality and Law in Cyberspace- Richard A. Spinillo, Jones and Bartlett Publishers, Sandbury, Massachusetts
  4. Biodiversity Conservation – State, Local and Private Protection of Biological Diversity- eds. Robert B. MCKinstry, CoreenRipp and Emily Lisy Environmental Law Institute, Washington, DC (2006)
  5. Globalising Intellectual Property rights – The TRIPS Agreement – Duncan Matthews, Routledge London and New York (2002)
  6. The Digital Dilemma – Intellectual Property in the Information Age-  
National Academy Press, Constitution Avenue, New Washington D.C. 20418 (2000)
  7. The Center for Intellectual Property Handbook, ed. By Kimberly M. Bonner, Neal – Schumen Publishers, Inc, New York 10038 (2006)
  8. Technology and Copyright Law- A guide book for the library, Research and Teaching Professionals- Arlene Biele Field and Lawrence Cheeseman Neal- Schuman Publishers, Inc, New York 10038 (2007)
  9. Colleges, Code and Copyright- The Impact of Digital Networks and Technological Controls on Copyright and the dissemination of information in Higher Education – Centre for Intellectual Property and Copyright, University of Maryland and University College (2005)

**Group – III (IPR)**  
**LL.M. 3<sup>rd</sup> Semester**

**Paper: IV**  
**Subject: Project Work / Practical Training**

**L4 T/P1 C5**  
**Paper Code: IPR-251**

Project Work will be on some current topic of legal importance or inclusive of other disciplines. Practical training will be in the form of internship, organizing programmes etc.

Evaluation will be made by a Board of Examiners comprising of Dean, Supervisor and senior most faculty member and an External Examiner with the approval of the Hon'ble Vice Chancellor.

**Group – III (IPR)**  
**LL.M. 3<sup>rd</sup> Semester**

**Paper: V**  
**Subject: Comprehensive Viva**

**L- T/P2 C2**  
**Paper Code: IPR-253**

Viva voce will be conducted by a Board of Examiner comprising of Dean, Supervisor, senior most faculty member and an External Examiner with the approval of the Hon'ble Vice-Chancellor.

**GROUP – III**

**INTELLECTUAL PROPERTY RIGHTS**

**LL.M. Fourth Semester**

<b>Practical Paper</b>					
<b>Paper ID</b>	<b>Course Code</b>	<b>Title</b>	<b>L</b>	<b>T/P</b>	<b>C</b>
70252	IPR-252	Dissertation and Viva*	-	-	25

\* NUES



**Group – III (IPR)**  
**LL.M. 4<sup>th</sup> Semester**

**Paper: I**  
**Subject: Dissertation and Viva**

**L- T/P- C25**  
**Paper Code: IPR 252**

The evaluation of the Dissertation and Viva Voce will be conducted by a Board of Examiners comprising of Dean, Supervisor and senior most faculty member and an External Examiner with the approval of the Hon'ble Vice Chancellor.

**GROUP – IV****INTERNATIONAL TRADE LAW****LL.M. Second Semester**

<b>Theory Papers</b>					
<b>Paper ID</b>	<b>Course Code</b>	<b>Title</b>	<b>L</b>	<b>T/P</b>	<b>C</b>
70120	ITL-120	WTO and International Trade	4	2	6
70122	ITL-122	Regulation of International Trade in India	4	2	6
70124	ITL-124	Settlement of International Trade Disputes	4	2	6
<b>Practical Papers</b>					
70152	ITL-152	Project Work / Practical Training*	4	1	5
70154	ITL-154	Comprehensive Viva*	-	2	2

\*NUES

**Group – IV (ITL)**  
**LL.M. 2<sup>nd</sup> Semester**

**Paper: I**  
**Subject: WTO and International Trade Law**

**L4 T/P2 C6**  
**Paper Code: ITL 120**

**Unit I:** Multilateral Agreements on Trade in Goods

**Unit II:** GATS

**Unit III:** TRIPS Agreement

**Unit IV:** Doha Round and aftermath

**Group – IV (ITL)**  
**LL.M. 2<sup>nd</sup> Semester**

**Paper: II**  
**Subject: Regulation of International Trade in India**

**L4 T/P2 C6**  
**Paper Code: ITL 122**

**Unit I:** Institutional Structure

**Unit II:** Foreign trade (Development and Regulation) Act, 1992

**Unit III:** Foreign Trade Policy

**Unit IV:** Foreign Trade Procedures

**Group – IV (ITL)**  
**LL.M. 2<sup>nd</sup> Semester**

**Paper: III**  
**Subject: Settlement of International Trade Disputes**

**L4 T/P2 C6**  
**Paper Code: ITL 124**

- Unit I:** Consultations
- Unit II:** Panel and appellate reviews
- Unit III:** Good offices, conciliation and mediation; arbitration
- Unit IV:** Compliance and enforcement

**Group – IV (ITL)**  
**LL.M. 2<sup>nd</sup> Semester**

**Paper: IV**  
**Subject: Project Work / Practical Training**

**L4 T/P1 C5**  
**Paper Code: ITL 152**

Project Work will be on some current topic of legal importance or inclusive of other disciplines. Practical training will be in the form of internship, organizing programmes etc.

Evaluation will be made by a Board of Examiners comprising of Dean, Supervisor and senior most faculty member and an External Examiner with the approval of the Hon'ble Vice Chancellor.

**Group – IV (ITL)**  
**LL.M. 2<sup>nd</sup> Semester**

**Paper: V**  
**Subject: Comprehensive Viva**

**L- T/P2 C2**  
**Paper Code: ITL 154**

Viva voce will be conducted by a Board of Examiner comprising of Dean, Supervisor, senior most faculty member and an External Examiner with the approval of the Hon'ble Vice-Chancellor.

**GROUP – IV****INTERNATIONAL TRADE LAW****LL.M. Third Semester**

<b>Theory Papers</b>					
<b>Paper ID</b>	<b>Course Code</b>	<b>Title</b>	<b>L</b>	<b>T/P</b>	<b>C</b>
70219	ITL-219	International Sale and Carriage of Goods	4	2	6
70221	ITL-221	International Investment Laws	4	2	6
70223	ITL-223	International Commercial Arbitration	4	2	6
<b>Practical Papers</b>					
70251	ITL-251	Project Work / Practical Training*	4	1	5
70253	ITL-253	Comprehensive Viva*	-	2	2

\*NUES



**Group – IV (ITL)**  
**LL.M. 3<sup>rd</sup> Semester**

**Paper: I**  
**Subject: International Sale and Carriage of Goods**

**L4 T/P2 C6**  
**Paper Code: ITL 219**

**Unit I:** United Nations Convention on Contracts for the International Sale of Goods, 1980

**Unit II:** Bills of Lading and other Shipping Documents

**Unit III:** Documentary Credit and other Payment Arrangements

**Unit IV:** International Contracts Claims before National Courts

**Group – IV (ITL)**  
**LL.M. 3<sup>rd</sup> Semester**

**Paper: II**  
**Subject: International Investment Laws**

**L4 T/P2 C6**  
**Paper Code: ITL 221**

**Unit I:** Bilateral Investment Treaties

**Unit II:** Multilateral Investment Guarantee Agency

**Unit III:** Agreement on Trade-Related Investment Measures

**Unit IV:** Multilateral Agreement on Investment

**Group – IV (ITL)**  
**LL.M. 3<sup>rd</sup> Semester**

**Paper: III**  
**Subject: International Commercial Arbitration**

**L4 T/P2 C6**  
**Paper Code: ITL 223**

**Unit I:** UNCITRAL Arbitration Rules

**Unit II:** ICC Arbitration Rules

**Unit III:** ICSID Arbitration Rules

**Unit IV:** Recognition and Enforcement of Agreements and Awards

**Group – IV (ITL)**  
**LL.M. 3<sup>rd</sup> Semester**

**Paper: IV**  
**Subject: Project Work / Practical Training**

**L4 T/P1 C5**  
**Paper Code: ITL 251**

Project Work will be on some current topic of legal importance or inclusive of other disciplines. Practical training will be in the form of internship, organizing programmes etc.

Evaluation will be made by a Board of Examiners comprising of Dean, Supervisor and senior most faculty member and an External Examiner with the approval of the Hon'ble Vice Chancellor.

**Group – IV (ITL)**  
**LL.M. 3<sup>rd</sup> Semester**

**Paper: V**  
**Subject: Comprehensive Viva**

**L- T/P2 C2**  
**Paper Code: ITL 253**

Viva voce will be conducted by a Board of Examiner comprising of Dean, Supervisor, senior most faculty member and an External Examiner with the approval of the Hon'ble Vice-Chancellor.

**GROUP – IV**

**INTERNATIONAL TRADE LAW**

**LL.M. Fourth Semester**

<b>Practical Paper</b>					
<b>Paper ID</b>	<b>Course Code</b>	<b>Title</b>	<b>L</b>	<b>T/P</b>	<b>C</b>
70252	ITL-252	Dissertation and Viva*	-	-	25

\*NUES

**Group –IV (ITL)**  
**LL.M. 4<sup>th</sup> Semester**

**Paper: I**  
**Subject: Dissertation and Viva Voce**

**L- T/P- C25**  
**Paper Code: ITL 252**

The evaluation of the Dissertation and Viva Voce will be conducted by a Board of Examiners comprising of Dean, Supervisor and senior most faculty member and an External Examiner with the approval of the Hon'ble Vice Chancellor.

**GROUP – V****CORPORATE LAW****LL.M. Second Semester**

<b>Theory Papers</b>					
<b>Paper ID</b>	<b>Course Code</b>	<b>Title</b>	<b>L</b>	<b>T/P</b>	<b>C</b>
70132	CRL-132	Law of Corporate Management and Governance	4	2	6
70134	CRL-134	Competition and Consumer Protection Laws	4	2	6
70130	CRL-130	Regulation of Capital Market and Foreign Investment	4	2	6
<b>Practical Papers</b>					
70152	CRL-152	Project Work / Practical Training*	4	1	5
70154	CRL-154	Comprehensive Viva*	-	2	2

\*NUES

(With effect from the Academic Session 2009- 2010)
--



**Group – V (CL)**  
**LL.M. 2<sup>nd</sup> SEMESTER**

**Paper: I**  
**Subject: Law of Corporate Management and Governance**

**L4 T/P2 C6**  
**Paper Code: CRL-132**

**Unit - I: Corporate Incorporation and Management**

- 1.**
  - (i) Certificate of Incorporation
  - (ii) Memorandum and Articles of Association
  - (iii) Doctrine of Ultra Vires
  - (iv) Doctrine of Indoor Management
  
- 2.**
  - (i) Directors: Appointment, Removal, Position, Powers and Duties of Directors.
  - (ii) Audit Committee: Its Role.
  - (iii) Company Secretary: Qualification, Appointment and Duties
  - (iv) Officer who is in default: Definition of Officer who is in default
  - (v) Liability of independent directors.
  
- 3.**
  - (i) Types of Meetings
  - (ii) Procedure of calling meeting
  - (iii) Company's resolutions and its kinds

**Unit -2 : Oppression & Mismanagement and Investigation**  
**(Sections 397 to 408; Sections 235 to 251)**

- 1.**
  - (i) Rule in Foss v. Harbottle
  - (ii) Prevention of Oppression
  - (iii) Prevention of Mismanagement
  - (iv) Role & Powers of the Company Law Board
  - (v) Role & Powers of Central Government
  
- 2.**
  - (i) Company Investigation

**Unit – 3: Corporate Liquidation**

- 1.**
  - (i). Winding up of Companies
  - (ii). Mode of winding up of the companies
  - (iii). Compulsory Winding up under the Order of the Tribunal
  - (iv). Voluntary winding up
  - (v). Contributories
  - (vi). Payment of liabilities

## Unit -4 : Corporate Governance and Social Responsibility

### 1.

- (i) Importance of Corporate Governance
- (ii) Different system of Corporate Governance
- (iii) Impact of Legal Traditions and the Rule of Law on Corporate Governance
- (iv) Legal Reforms of Corporate Governance in India
- (v) Reports of the various Committees on Corporate Governance
- (vi) Emerging Trend based on the recommendation of the Committees in the Companies Act 1956 and the Listing Agreement with Special reference to Clause 49.

### 2.

- (i) Corporate Social and Environmental Responsibility

## Selected Bibliography:

1. Smith and Keenan's, *Company Law* (2002)
2. Andrew Lidbetter, *Company Investigations ad Public Law* (1999)
3. Saleem Sheikh & William Rees, *Corporate Governance & Corporate Control* (2002).
4. Avtar Singh, *Company Law*, 2007 Eastern Book Company, Lucknow.
5. Gower's *Principles of Company Law* 8<sup>th</sup> Edition 2008, R. Cambay & Co. Pvt. Ltd.
6. Smith and Keenon's *Company Law*.
7. S. K. Verma & Suman Gupta, *Corporate Governance and Corporate Law Reform in India*. (2005).
8. Companies Act, 1956
9. Suman Gupta: *Shareholder's Democracy: Fact or Fiction*. (1992)

**Group – V (CL)**  
**LL.M. 2<sup>nd</sup> SEMESTER**

**Paper: II**  
**Subject: Competition and Consumer Protection Laws**

**L4 T/P2 C6**  
**Paper Code: CRL-134**

**UNIT – I**

- 1. Competition: An Introduction**
  - Definition of Competition
  - Definition of Competition Law
  - Objectives of Competition Law
  
- 2. History of Competition Law**

(USA, UK, Europe) Relevant provisions of Sherman's Act

  - Indian scenario with an overview of MRTP Act, 1969
  - *Raghavan* Committee Report
  
- 3. International co-operation for competition**
  - WTO agreements and the Act

**UNIT – II**

- 1. Anti-competitive Agreement**
  - Appreciable adverse effect
  - Horizontal and Vertical agreements
  - Effects doctrine
  
- 2. Prohibition of anti-competitive agreements**
  - Concerted practices and parallel behaviour
  - Cartel and Cartelisation
  - Bid rigging and collusive bidding
  - Tie-in-arrangements
  - Exclusive supply agreement
  - Resale price maintenance agreement
  
- 3. Abuse of Dominant Position**
  - Relevant market
  - Predatory behaviour
  - Predatory pricing
  - Discriminatory practices
  - Relevant market

**UNIT – III**

- 1. Combination**
  - Value of Assets
  - Turnover
  - Acquisition
  - Conglomeration
  - Joint Venture
  - Merger and Amalgamation
  - Notification

**2. Competition Commission of India**

- Establishment and composition
- Duties
- Procedure for inquiry
- Powers
- Competition fund

**3. Competition Advocacy**

- Competition Policy

**UNIT – IV**

**Consumer Protection Act, 1986 and its applicability to Competition Law**

- Definition of Consumer
- Definition of Service
- Deficiency in Service
- Unfair Trade Practices
- Overlapping areas

**Selected Bibliography:**

1. Mittal D.P., Taxmann's *Competition Law* ( 2007)
2. *Universal Guide to Competition Law in India-2003*, Universal Law Publishing Company, New Delhi.
3. Ramappa. T., *Competition Law in India- Policy, Issues and Development* (2006) Oxford University Press.
4. Nahar. S. Mahala, *Law, Practice and Procedure* (2006), Commercial Law Publishers.
5. Dhall .Vinod, *Competition Law Today*, ( ed.) 2007, Oxford University Press
6. Bangia R.K., *A Handbook of Consumer Protection Laws and Procedure*, 2004, Allahabad Law Agency.
7. Singh Avtar, *Law of Consumer Protection; Principles and Practice*, 2005, Eastern Book Company.
8. Verma S.K. & M.Afzal Wani, *A Treatise on Consumer Protection Laws*, (ed.) 2004, Indian Law Institute.
9. Anoop K. Kaushal, *Universal's Practical Guide to Consumer Protection Law*, 2006, Universal law Publishing Company, New Delhi.
10. Pavleen, *Consumer Decision- Making*, 2006, Deep & Deep Publication.
11. Aggarwal, Prof. V. K., *Consumer and Protection Law and Practice*, 6<sup>th</sup> Ed. (2008).

**Group – V (CL)**  
**LL.M. 2<sup>nd</sup> SEMESTER**

**Paper: III**

**Subject: Regulation of Capital Market and Foreign Investment**

**L4 T/P2 C6**

**Paper Code: CRL-130**

Unit – I: Trends in regulation of capital markets

Unit – II: (1) Corporatization of stock exchanges  
(2) Role of SEBI and RBI

Unit – III: Policy framework for regulation of FDI

Unit – IV: Bilateral and multilateral investment agreements

**Group – V (CL)**  
**LL.M. 2<sup>nd</sup> SEMESTER**

**Paper: IV**  
**Subject: Project Work / Practical Training**

**L4 T/P1 C5**  
**Paper Code: CRL-152**

Project Work will be on some current topic of legal importance or inclusive of other disciplines. Practical training will be in the form of internship, organizing programmes etc.

Evaluation will be made by a Board of Examiners comprising of Dean, Supervisor and senior most faculty member and an External Examiner with the approval of the Hon'ble Vice Chancellor.

**Group – V (CL)**  
**LL.M. 2<sup>nd</sup> SEMESTER**

**Paper: V**  
**Subject: Comprehensive Viva**

**L- T/P2 C2**  
**Paper Code: CRL-154**

Viva voce will be conducted by a Board of Examiner comprising of Dean, Supervisor, senior most faculty member and an External Examiner with the approval of the Hon'ble Vice-Chancellor.

**GROUP – V**  
**CORPORATE LAW**

**LL.M. Third Semester**

<b>Theory Papers</b>					
<b>Paper ID</b>	<b>Course Code</b>	<b>Title</b>	<b>L</b>	<b>T/P</b>	<b>C</b>
70231	CRL-231	Corporate Taxation	4	2	6
70233	CRL-233	Banking & Insurance Laws	4	2	6
70235	CRL-235	The Law of Corporate Finance and Securities Regulations	4	2	6
<b>Practical Papers</b>					
70251	CRL-251	Project Work / Practical Training*	4	1	5
70253	CRL-253	Comprehensive Viva*	-	2	2

\*NUES

With effect from August 2009 for the batch of 2008-2009 students
--



**GROUP – V**  
**LL.M. 3<sup>rd</sup> SEMESTER**

**Paper: I**  
**Subject: Corporate Taxation**

**L4 T/P2 C6**  
**Paper Code: CRL-231**

**Unit-I: Income Tax**

1. Type of Companies – (a) Indian Company (b) Domestic Company (c) Foreign Company (d) Public Sector Company (e) Companies in which public are substantially interested S 2(18) (f) Infrastructure Capital Company.
2. Special Provision in respect of newly established undertaking in free trade zone SEZ, 100% export oriented unit 10A, 10AA, 10B, 10BA.
3. Profit and Gains of business or profession
4. Capital Gains
5. Set off or carry forward of losses
6. Incentive and deductions to Companies under Section 80.
7. Depreciation under Companies Act- Schedule 14 S. 205 & S. 350 and depreciation under Income Tax Act.
8. Minimum Alternate Tax 115 JB, Tonnage Taxation Ch. 12 G.
9. Tax on Distributed Profits under Section 115 (O), Special Provisions relating to tax on income received from Venture Capital Companies and Venture Capital Fund 115-U.
10. Dividend Tax ; International Transaction
11. Penalties and prosecution

**Unit - II : Wealth Tax**

1. Introduction & Chargeability
2. Valuation date and computation
3. Assets and deemed assets
4. Assets exempt from tax
5. Debt owed
6. Valuation of assets
7. Return of wealth and assessment

**Unit - III: Sales Tax & VAT Laws**

1. Preliminary
2. Imposition of Tax
3. Registration and Security
4. Returns
5. Assessment, Payment of Tax and Interest
6. Accounts and Records
7. Objections, Appeals and Disputes
8. Penalties and Offences
9. Way to GST (Tax on goods & services)- going to implement w.e.f. 1-4-2010

**Unit - IV: Excise, Customs and Service Tax**

- (1) **Excise**
- (a) Introduction
  - (b) Levy and Collection
  - (c) Valuation
  - (d) Cenvat Credit
  - (e) Search, Seizure and Confiscation
  - (f) Appeals and Revision
- (2) **Custom**
- (a) Introduction
  - (b) Charge of Custom Duty
  - (c) Bill of Entry
  - (d) Prohibition of Import and Export
  - (e) Goods liable for confiscation
  - (f) Baggage exempt from duty
  - (g) Offences
- (3) **Service Tax**
- (a) Introduction
  - (b) Exemption from service tax
  - (c) Abatement
  - (d) Penalties
  - (e) Service Tax on Government Department and Public Authorities

**Selected Bibliography:**

1. Singhanian V.K. & Singhanian Kapil, *Direct Taxes, 2006, Law and Practice*, Taxmann.
2. Ahuja Girish & Gupta Ravi, *Concise Commentary on Income Tax 2008*, Bharat Law House.
3. Garg Rakesh, *Delhi Vat Ready Reckoner, 2007*, Versatile Publishers.
4. Garg Mohan Lal, *Law of Central Sales Tax, 2008*, Jain Book Agency.
5. Kohli D.N., *Central Excise Procedures 2008*, Taxman Publication
6. Jain R.K., *Service Tax Law Guide, 2007-2008*, Centax Publishers
7. Jain R.K., *Customs Law Manuals, 2008* Centax Publishers
8. Gupta Ravi & Ahuja Girish, *Bharat's Systematic Approach to Income Tax & Central Sales Tax, 2006*, Bharat Law House.
9. Chaturvedi K., *Guide to Mastering Vat, 2005*, Wadhwa & Company.
10. Chaturvedi K., *Central Sales Tax Laws, 2002*, Wadhwa & Company.
11. Arvind P. Datar, *Guide to Central Excise Law and Practice, 2002*, Wadhwa & Company.
12. Gururaj B.N., *Guide to the Customs Act, 2005*, Wadhwa & Company.
13. Batra Ashok, *A Guide to Service Tax, 2005*, S. Wadhwa & Company.
14. Gupta S.S., *Service Tax, 2005*, Taxmann.
15. Aggarwal Rohini, *Service Tax Law and Practice, 2005*, Eastern Book Company.

**GROUP – V**  
**LL.M. 3<sup>rd</sup> SEMESTER**

**Paper : II**  
**Subject: Banking and Insurance Laws**

**L4 T/P2 C6**  
**Paper Code: CRL-233**

This course is designed to acquaint the students with the conceptual and operational parameters of banking law and insurance law, the judicial interpretation and the new and emerging dimensions of both the insurance as well as banking.

**UNIT - I      The Evaluation of Banking Services and its History in India**

1. History of Banking in India.
2. Bank nationalization and social control over banking.
3. Various types of Banks and their functions.
4. Contract between banker and customer: their rights and duties.
5. Role and functions of Banking Institutions

**UNIT – II      Lending by Banks and Recent Trends of Banking System in India**

1. Advances, Loans and Securities.
2. Direct, collateral and miscellaneous Securities.
3. Default and recovery.
4. Bank Debt Recovery Tribunals.
5. The Securitization and Reconstruction of Financial Assets and Enforcements of Security Interest Act, 2002 (Definitions, Section 13 – Enforcement of security interest, Section 17 - Right to appeal.)

**UNIT – III      General Principles of Law of Insurance**

1. Definition, nature and history.
2. Contract of insurance and principles.
3. The Risk – commencement, attachment, assignment.
4. Types of insurances.
5. Policy and its Legal Status.

**UNIT – IV      Recent Trends in Insurance**

1. Insurance against third party risks (relevant provisions from Motor Vehicles Act, 1988.)
2. Liability Insurance.
3. Consumer Protection and Banking and Insurance Services.
4. The Insurance Act, 1938 and the Insurance Regulatory & Development Authority Act, (IRDA), 2000.
5. Miscellaneous Insurance Schemes: New Dimensions (Group Life Insurance, Mediclaim, Sickness).

**Selected Bibliography:**

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

**GROUP – V**  
**LL.M. 3<sup>rd</sup> SEMESTER**

**Paper: III**  
**Subject: The Law of Corporate Finance**  
**and Securities Regulations**

**L4 T/P2 C6**  
**Paper Code: CRL-235**

**UNIT – I:**

- (1). Public Issue of Shares**
  - (i) Prospectus
  - (ii) Remedies for misrepresentation
  - (iii) SEBI and Stock Exchange guidelines
  
- (2). Share Capital**
  - (i) Nature and Kind of Shares
  - (ii) Transfer, Transmission, Surrender and forfeiture of Shares
  - (iii) Purchase by Company of its own shares
  - (iv) Issue of shares at premium and discount
  - (v) SEBI Guidelines

**UNIT – II:**

- (1). Shareholders' Rights (Various rights of shareholders and variation of shareholders rights).
- (2). Debentures; Difference between Share and Debentures; Kinds of Debenture; Remedies of Debenture Holder; Company Charges.

**UNIT – III:**

- (1). Insider Trading; SEBI's Guidelines on Insider Trading
- (2). Securities and Exchange Board of India (SEBI): Constitution, Powers and Functions

**UNIT – IV:**

- (1). Reconstruction, Amalgamation and Take Over: Provisions in Company Law and SEBI Guidelines
  
- (2). Auditors:
  - (i) Appointment, powers, duties and removal of auditors
  - (ii) Special Audit
  - (iii) Director Responsibility statement in Board Report
  - (iv) National Advisory Committee on Accounting Standards

**Selected Bibliography:**

1. Gower's *Principles of Company Law*, Sweet & Maxwell Thomson, 2006
2. Smith and Keenon's *Company Law*, Pearson Education Ltd., 2009
3. Suman Gupta: *Shareholder's Democracy: Fact or Fiction*, Publication Division, University of Delhi, 1992
4. Companies Act, 1956
5. Verma J.C., *Corporate Mergers, Amalgamations & Takeovers*, Bharat Law House, 2008

**GROUP – V**  
**LL.M. 3<sup>rd</sup> SEMESTER**

**Paper: IV**  
**Subject: Project Work / Practical Training**

**L4 T/P1 C5**  
**Paper Code: CRL-251**

Project Work will be on some current topic of legal importance or inclusive of other disciplines. Practical training will be in the form of internship, organizing programmes etc.

Evaluation will be made by a Board of Examiners comprising of Dean, Supervisor and senior most faculty member and an External Examiner with the approval of the Hon'ble Vice Chancellor.

**GROUP – V**  
**LL.M. 3<sup>rd</sup> SEMESTER**

**Paper: V**  
**Subject: Comprehensive Viva**

**L- T/P2 C2**  
**Paper Code: CRL-253**

Viva voce will be conducted by a Board of Examiner comprising of Dean, Supervisor, senior most faculty member and an External Examiner with the approval of the Hon'ble Vice-Chancellor.

**GROUP – V**  
**CORPORATE LAW**

**LL.M. Fourth Semester**

<b>Practical Paper</b>					
<b>Paper ID</b>	<b>Course Code</b>	<b>Title</b>	<b>L</b>	<b>T/P</b>	<b>C</b>
70252	CRL-252	Dissertation and Viva*	-	-	25

\*NUES



**Group – V (Corporate Law)**  
**LL.M. 4<sup>th</sup> Semester**

**Paper: I**  
**Subject: Dissertation and Viva Voce**

**L- T/P- C25**  
**Paper Code: CRL-252**

The evaluation of the Dissertation and Viva Voce will be conducted by a Board of Examiners comprising of Dean, Supervisor and senior most faculty member and an External Examiner with the approval of the Hon'ble Vice Chancellor.

**NOTE:**

1. The total number of Credits of the LL.M. programme is 100 (One hundred).
2. Each student shall be required to appear for examination in all the papers of the course and there will be no credit relaxation.