

# **Learning Outcome-Based Curriculum Framework (LOCF)**

For

Post Graduate Programme

**Master of Laws (LL.M)**

(To be effective from the Academic session 2024-25)



**Department of Law  
Gurugram University, Gurugram**

## **MASTER OF LAWS (LL.M.) PROGRAMME OVERVIEW**

Gurugram University, Gurugram offers two-year LL.M. Degree Programme for students committed to making a career in law teaching. The program is designed to inculcate research skills and analytical abilities in students. In addition to classroom training imparted through innovative teaching methods, the LL. M. Program is focused on self- learning and research conducted by the students under the guidance of the faculty members.

The University offers LL.M. (two-year) programme with specializations in

(i) Corporate Law

(ii) Criminal Law

## **Programme Educational Objectives (POs):**

The LL.M. Programme is aimed at:

- Enabling students to acquire relevant knowledge and skills appropriate to professional activities and demonstrate highest standards of ethical issues in legal research
- Apprising students of the international legal system including the rule of law and administration of justice.
- Imparting professionally and socially relevant legal education.
- Sensitizing students towards the issues of access to justice for the deprived, marginalized and weaker sections of society.
- Producing internationally competent litigating lawyers, corporate lawyers, judges, judicial officers, legal officers, researchers, law reformers, law teachers, etc.
- Imparting skills in legal reasoning, problem solving, research, legal writing, oral and written communication, persuasion, leadership and teamwork.
- Inculcate critical thinking to carry out research objectively without being biased with pre conceived notion.

## **Program Outcomes (POs)**

1. Disciplinary knowledge: provide an advanced qualification for students wanting to better understand the nature of Legal provisions in the face of global political, economic, social, legal, ethical and environmental challenges;
2. Effective communication: Graduates are able to communicate effectively to various stakeholders and practice their profession with high regard to societal needs, diversity, constraints in the professional workplace and ethical responsibilities.
3. Critical thinking: describe and critique the differing approaches, perspectives, and models of legal practices and research and how they impact the ways in which education is carried out in diverse settings;
4. Research related skills: design, conduct, analyse and present findings using diverse research tools and methods in order to create knowledge and awareness about legal research, identify diverse methodological tools and skills needed to conduct ethical research synthesize contextual understanding, reflective analysis, theoretical frameworks, and methodological training to inform the production of a thesis and field-based research projects;
5. Self-directed learning: analyse the gap between universal rights and grassroot realities in local, regional and global contexts with attention to issues of power, privilege, and marginalization;

6. Ethical and Social Understanding: provide opportunities for the development of practical skills necessary to work in organizations confronted by these challenges;
7. Building Up Teamwork: provide prospects for the development of practical skills necessary to work in team work by doing various activities in groups confronted by these challenges;
8. Employability: Demonstrate core values relating to profession or job requirements and meet new challenges maintaining the dignity of the profession.

### **Programme Specific Outcomes (PSOs):**

At the end of the LL.M. Program, the students will be able to:

- Solve problems by employing legal reasoning, research.
- Choose ethical practices in the profession of law and discharge their social responsibility.

PO1: To develop legal research skills and critical reasoning and apply it during the programme and in legal practice.

PO2: To make awareness about the legislative and societal transformation in society and to develop clinical abilities.

PO3: To acquire and apply inter-disciplinary knowledge to the complex socio-legal problems.

PO4: To successfully analyse a situation and collaborate effectively with others on a variety of legal issues.

PO5: To develop an attitude of self-reflection while learning and recognize the need for and have the preparation and ability to engage in independent and life-long learning in the broadest context of changing global legal contexts.

PO6: To effectively communicate by engaging in a persuasive style, and demonstrate writing skills in a clear and objective manner.

PO7: To provide a platform of self-employability by developing professional skills in the legal industry.

## **Scheme of Programme**

LLM COURSE SCHEME 2024-25											
S.N O	COURSE CODE	COURSE TITLE	TEACH ING SCHED ULE			INT MAR KS	EXT. MAR KS THEO RY	EXT. MARK S PRAC TICAL	TOTA L MAR KS	CRE DITS	EXAM DURATI ON
			L	T	P						
<b>1st Semester</b>											
1	LMC101	Comparative System of Governance	3	1	0	30	70		100	4	3h
2	LMC102	Research Methodology and Legal Writing	3	1	0	30	70		100	4	3h
3	LMC103	Professional Communication	1	1	0	15	35		50	2	1.5 h
4	LMC104	Law relating to Information Technology	1	1	0	15	35		50	2	1.5 h
<b>Specialization: Corporate Law</b>											
5	LME105	Law of Corporate Management and Governance	3	1	0	30	70		100	4	3h
6	LME106	International Trade Law	3	1	0	30	70		100	4	3h
<b>Specialization: Criminal Law</b>											
7	LME107	Criminal Justice System in India	3	1	0	30	70		100	4	3h
8	LME108	Criminology, Penology and Victimology	3	1	0	30	70		100	4	3h
<b>2nd Semester</b>											
9	LMC201	Law and Justice in a Globalizing world	4	1	0	30	70		100	4	3h
10	LMC202	Interpretation of Statutes & Principles of Legislation	4	1	0	30	70		100	4	3h
11	LMC203	Presentation skills & Presentation Development	1	1	0	15		35	50	2	
12	LMC204	Research Paper Writing	1	1	0	15		35	50	2	
<b>Specialization: Corporate Law</b>											
13	LME205	Law of Corporate Finance and Securities Regulations	4	1	0	30	70		100	4	3h
14	LME206	Competition Law	4	1	0	30	70		100	4	3h
<b>Specialization: Criminal Law</b>											
15	LME207	Criminal Justice Administration and Human Rights	4	1	0	30	70		100	4	3h
16	LME208	Law related to Criminal Investigation and Forensics	4	1	0	30	70		100	4	3h

		<b>3rd Semester</b>									
		<i>Compulsory</i>									
17	LMC301	Legal Theory	4	1	0	30	70		100	4	3h
		<b>Specialization: Corporate Law</b>									
18	LME302	Law related to Mergers and Acquisitions	4	1	0	30	70		100	4	3h
19	LME303	Insolvency and Bankruptcy Law	4	1	0	30	70		100	4	3h
20	LME304	Banking and Insurance Law									
21	LME305	International Commercial Arbitration	4	1	0	30	70		100	4	3h
		<b>Specialization: Criminal Law</b>									
22	LME306	Sentence and Sentencing	4	1	0	30	70		100	4	3h
23	LME307	Socio Economic Offences	4	1	0	30	70		100	4	3h
24	LME308	Juvenile Justice and Child Protection									
25	LME309	Cyber Crimes & Cyber Security	4	1	0	30	70		100	4	3h
		<b>4th Semester</b>									
		<i>Compulsory</i>									
26	LMC401	Dissertation				100		100	200	20	

**LL.M 2 YEAR COURSE**  
**Semester- 1**

<b>Name of the Course</b>	Comparative System of Governance	<b>Course Code</b>	LMC101
<b>Hours/Week</b>	4	<b>Credits</b>	4
<b>Max. Marks.</b>	70	<b>Time</b>	3 Hours

Note: Section A is compulsory and contains 10 short questions covering the entire syllabus; students need to attempt 7 questions. Each question in section A carries two marks. Attempt four questions from sections B, selecting at least one question from each unit. These questions shall carry 14 marks each.

**Course Objectives:-**

This paper intends to provide a comparative analysis about the structure of government and governance to have a better understanding of the Indian democratic system.

**Course Outcome:-**

- Students will be able to understand the nature of Indian politics.
- Students will be able to understand the Indian Constitution in comparison to other democracies.
- Students get knowledge of political communication, socialization and elites.
- Students will be able to identify the political system and comparative political approach.

**Unit - I: Introduction**

- a. Meaning and Concept of Governance
- b. Types of Governance : Democracy, dictatorship, monarchy, communalism, oligarchy
- c. Constitutional Governance: Democracy, Rule of Law and Separation of Powers

**Unit - II: Federalism as a Pattern of Governance**

- a. Nature and Principles of Federal Governance : Classical and Modern
- b. Comparative Analysis of American, Canadian and Indian Systems
- c. Cooperative Federalism in India: Legislative, Administrative and Financial Relations between Union and States.

**Unit - III: Judicial process and its role in Governance**

- a. Concept and Practice of Judicial Review in India and USA
- b. Judicial Accountability, Administrative and Parliamentary Ethics
- c. Role of Judiciary in Promoting Governance: Human Rights, Criminal Justice System, Environment, Public Health etc.

- d. Judicial Governance in India

#### **Unit-IV: Emerging Trends and Challenges to Governance**

- a. Challenges to Governance: Corruption, Criminalization, Caste, Poverty, Terrorism etc.
- b. Concept of Public- Private Partnership
- c. Principles of compensatory discrimination, Religious and Linguistic Minorities
- d. Role of Media in Governance
- e. E- Governance

#### **Text Books:**

1. Joseph Minattur, *Indian Legal System*, ILI Publication, 2006( 2<sup>nd</sup> Revised Edn)
2. Allot, A.N. "African Law", in J.D. M. Derret, Ed., *An Introduction to Legal Systems* (London: Sweet & Maxwell, 1968), 131.
3. ASEAN Law Association, *ASEAN Legal Systems* (Hong Kong/Malaysia/Singapore: Butterworths, 1995).
4. Basu, D. D., *Comparative Federalism*, New Delhi: Prentice-Hall, 1987.
5. Baxi, U., "The Colonial Heritage", in Legrand, P. and Munday, R., eds., *Comparative Legal Studies: Traditions and Transitions* (Cambridge University Press, 2003), 46.

#### **References:**

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. 11th Ed. 2008, Eastern Book Co.
5. K. C. Wheare. *Federal Government*. Ch. 1 & 2, 4th 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
8. (ed.) *Human rights and Development: Law, Policy and Governance* Ch.24 pp.437-54. Lexis Nexis. Hong Kong. (2006).
9. Parmanand Singh 'Hunger Amidst Plenty: Reflections on Law, Poverty and Governance. 48,
10. *J.I.L.I.* PP 57-77. (2006).
11. Virendra Kumar. *Dynamics of Reservation Policy: Towards a More Inclusive Social Order*, 50, *J.I.L.I.* PP 478-517. (2007).
12. Virendra Kumar, *Minorities' Rights to Run Educational Institutions: T. M. A. Pai Foundation in Perspective*. 45, *J.I.L.I.* PP 200-238. (2003).
13. 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).
14. Parmanand Singh. *Protecting the Rights of the Disadvantaged Groups Through Public*
15. *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).
16. Balakrishnan, K. G. 'Judiciary in India: Problems and Prospects. 50, *J.I.L.I.* PP 461-467 (2008).



## **Research Methodology and Legal Writing**

<b>Name of the Course</b>	Research Methodology and Legal Writing	<b>Course Code</b>	LMC102
<b>Hours/Week</b>	4	<b>Credits</b>	4
<b>Max. Marks.</b>	70	<b>Time</b>	3 Hours

Note: Section A is compulsory and contains 10 short questions covering the entire syllabus; students need to attempt seven questions. Each question in section A carries two marks. Attempt four questions from sections B, selecting at least one question from each unit. These questions shall carry 14 marks each.

### **Course Objective :-**

- Demonstrate the ability to choose methods appropriate to research aims and objectives.
- Understand the limitations of particular research methods.
- Develop skills in qualitative and quantitative data analysis and presentation. Develop advanced critical thinking skills.

### **Course Outcome:-**

- Recognize primary and secondary sources of legal research material.
- Use and apply secondary sources, case law and legislation using both paper based and online resources to a research problem.
- Develop correct research strategies to critically evaluate the relevance, quality, authority and currency of the research materials.
- Demonstrate good legal writing skills, including an understanding of the use and preparation of legal research material in legal writing and the correct methods of legal referencing.

### **Unit – I: Precepts**

- a. Nature, Scope and Objectives of Legal Research and Methodology
- b. Methods of Legal Research
- c. Collaborative Research
- d. Doctrinal and Non-Doctrinal

### **Unit - II: Research Designs**

- a. Identification and Formulation of Research Problem
- b. Hypothesis and Research Design (Characteristics and contents)
- c. Database for Legal Research: Legislations, Judicial Decisions, Juristic Writings and Traditional and Online Databases

### **Unit - III: Research Techniques**

- a. 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 interview.
- b. Census and Survey
- c. Sampling: Types, Merits and Demerits
- d. Observation
- e. Interview, Questionnaire

### **Unit – IV: Data Processing Report Writing**

- a. Data Analysis and Interpretation
- b. Report Writing
- c. Supervision
- d. Guidelines for researchers
- e. Research Ethics

### **Text Books:**

1. S.K. Verma and M. Afzal Wani (Eds.) *Legal Research and Methodology*, Indian Law Institute (2001) 2<sup>nd</sup> Edition.
2. Goode and Hatt, '*Methods in Social Research*', Singapore, Mc. Graw Hill Book Co., 1985 (reprint).

### **References:**

1. Baxi, Upendra, '*Socio-Legal Research in India – A Program Schriff*', ICSSR, Occasional Monograph, 1975.
2. Cohen, Morris L., '*Legal Research*', Minnesota, West Publishing Co. 1985.
3. Ghosh, B.N., '*Scientific Method and Social Research*', New Delhi, Sterling Publishers Pvt. Ltd., 1984.
4. Johari J.C. (ed), '*Introduction to the Method of Social Sciences*', New Delhi, Sterling Publishers Pvt. Ltd. 1988.
5. Kothari C.K., '*Research Methodology: Method and Techniques*', New Delhi, Wiley Eastern Ltd., 1980.
6. Stone, Julius, '*Legal System and Lawyer's Reasoning*', Sydney, Maitland Publications, 1968.

## **Presentation skills & Presentation Development**

<b>Name of the Course</b>	Presentation skills & Presentation Development	<b>Course Code</b>	LMC103
<b>Hours/Week</b>	2	<b>Credits</b>	2
<b>Max. Marks.</b>	35		
Note: The evaluation of students will be conducted on the basis of the practical assignments and presentations presented by them to the examiners.			

### **Course Objectives :-**

- This subject will help the students to develop good communication skills indispensable for the corporate world.
- The subject will help them to understand and apply argumentation, persuasion, and rhetorical skills in a legal framework.
- The subject will prepare the students to face the world with confidence.
- Students will be prepared to excel in debates, courtroom proceedings, interview skills etc

### **Course Outcome:-**

On successful completion of this course a student will be able to

- Deliver structured and engaging presentations.
- Demonstrate improved body language and voice modulation techniques.
- Exhibit increased self-confidence and communication skills
- Apply leadership and teamwork skills in group discussions.

### **Unit – I: Preparing for presentation**

- a. Basics of Communication and Presentation
- b. Introduction to Presentation Skills
- c. Structuring Effective Presentations
- d. Enhancing Verbal and Non-Verbal Communication, understanding audience and context

### **Unit - II: Delivery**

- a. Voice Modulation: Pitch, tone, and volume control
- b. Body Language: Posture, eye contact, facial expressions, gestures.
- c. Overcoming Stage Fear: Techniques for anxiety and nervousness, Storytelling
- d. Engagement: Making presentations interesting and relatable.

### **Unit - III: Leadership**

- a. Leadership, Teamwork, and Interpersonal Skills

- b. Group discussions, Personal Grooming and Hygiene: Importance of appearance in professional settings
- c. Dress Code and Body Language: Understanding professional attire and cultural sensitivity.

#### **Unit – IV: Personality development, soft skills, Self-Awareness and Self-Improvement**

- a. Understanding strengths and weaknesses
- b. Building Confidence: Positive thinking, self-motivation techniques
- c. Emotional Intelligence: Managing emotions, empathy in communication
- d. Developing a Growth Mindset: Importance of continuous learning and adaptability

## Law Related to Information Technology

<b>Name of the Course</b>	Law Related to Information Technology	<b>Course Code</b>	LMC104
<b>Hours/Week</b>	4	<b>Credits</b>	4
<b>Max. Marks.</b>	70		

Note: Section A is compulsory and contains 10 short questions covering the entire syllabus; students need to attempt seven questions. Each question in section A carries two marks. Attempt four questions from sections B, selecting at least one question from each unit. These questions shall carry 14 marks each.

### Course Objectives :-

- To equip students with a comprehensive understanding of the principles, rules, and legal frameworks that govern information technology.
- To enable students to critically examine the legal frameworks surrounding cybersecurity, including prevention, detection, and response to cybercrimes.
- To provide students with a deep understanding of the legal rules governing online transactions, digital contracts, electronic signatures, and consumer protection in the digital marketplace.
- To develop the ability to engage critically with existing laws and policies, propose legal reforms, and contribute to academic and professional debates in the field of IT law.
- To encourage critical thinking about the role of law in promoting social justice and responsible technology use.

### Course Outcome:-

On successful completion of this course a student will be able to

- Students will develop a comprehensive knowledge of national legal frameworks governing information technology.
- Students will understand legal issues surrounding cybersecurity, including data breaches, hacking, and cybercrime legislation.
- Students will understand consumer protection issues in e-commerce and the laws that regulate online marketplaces.
- Students will develop skills in advanced legal research, particularly in the evolving areas of IT law, through case law analysis, legal theory, and policy critique.

### Unit-I: Introduction to CyberSpace and Cyber Law

- a. Cyber space, regulation, scope, current legal challenges
- b. Cyber law - the Information technology law and its application
- c. Meaning of computer, computer network, computer system, communication device, addressee, originator.

### Unit-II: Electronic Contracts

- a. Types of Electronic Contracts-email contracts, clickwrap contracts, shrinkwrap contracts
- b. Issues of Security /Issues of Privacy/ Technical Issues Legal issues in Cyber Contracts
- c. E-commerce, 1996, Electronic signatures, 2001, Convention on Electronic Communications in International Contracts, 2005
- d. Indian Position - Legal issues in cyber contracts - Formation of cyber contract; Standard form contracts -requirement of notice
- e. Legal recognition of electronic record and electronic signatures;
- f. Digital signature -its functions, asymmetric cryptosystem, key pair, public key, private key, Secure electronic record and secure electronic signature, Public key Infrastructure

### **Unit-III: Cyber Crimes**

- a. Introduction to Cyber crimes and cyber forensics
- b. Kinds of cyber crimes – Fraud and identity theft, cyber stalking; cyber pornography; Cyber terrorism; cyber defamation, Phishing, Hacking etc.
- c. Issues relating to Investigation, Jurisdiction, Evidence

### **Unit-IV: Freedom of Speech & Human Rights Issues in Internet**

- a. Freedom of Expression in Internet
- b. Issues of Censorship -Blocking of content- hate speech, national security(blocking of yahoo groups, facebook contents etc.)
- c. Liability of intermediary
- d. Privacy Issues – Information Privacy
- e. Interception, monitoring

Leading Case: *Apple iphone v. IFB (privacy v national security)*

*Ratan Tata v. Union of India, Writ Petition (Civil)No. 98 of 2010*

### **References:**

- Kamath Nandan, Law Relating to Computers Internet & E-commerce - A Guide to Cyberlaws & The Information Technology Act, Rules, Regulations and Notifications along with Latest Case Laws 2016
- Kamlesh K Bajaj, Debjani Nag, E-commerce: the cutting edge of business, 2 nd Ed. 2017 Vakul Sharma, Information Technology Law & Practice, 8 th ed. 2023
- Karnika Seth, Computers Internet and New Technology Laws, 2nd ed. 2016 Apar Gupta Commentary on Information Technology Act,t, 3rd ed. 2015
- Alwyn Didar Singh, E-Commerce In India: Assessments And Strategies For The Developing World 2008
- Chris Reed, Internet Law Text and Materials 2010 Aparna Viswanathan, Cyber Law (Indian & International Perspectives on key topics including Data Security, E-commerce, Cloud Computing and Cyber Crimes) 2012
- Ashwani K. Bansal, Law of Trade Marks in India 2014
- Lawrence Lessig, Code and Other Laws of Cyberspace 1999, Code version 2.0, Basic Books Publication (2006)

- Ferrera et al, Cyber Law Text and Cases, South-Western, Cengage Learning, 3 rd Ed. (2012)
- Prashant Mali, Cyber Law and Cyber Crimes, Snow white Publications 2nd Ed.(2015)
- Debrati Halder & H Jaishanker, Cyber Crimes Against Women, Sage Publications 1st Ed.(2017)
- Internet Law and Practice by International Contributors, West Thomson Reuters, South Asian Edition (2013)
- Derek S. Reversion (ed.), Cyberspace and National Security;Threats, Opportunities, and Power in the Virtual World, Satyam Law International, First Indian Reprint (2013)

## Law of Corporate Management and Governance

<b>Name of the Course</b>	Law of Corporate Management and Governance	<b>Course Code</b>	LME105
<b>Hours/Week</b>	4	<b>Credits</b>	4
<b>Max. Marks.</b>	70	<b>Time</b>	3 Hours
<p>Note: Section A is compulsory and contains 10 short questions covering the entire syllabus; students need to attempt seven questions. Each question in section A carries two marks. Attempt four questions from sections B, selecting at least one question from each unit. These questions shall carry 14 marks each.</p>			

### Course Objectives:

- To enable students to understand the regulatory framework governing the corporate sector.
- To develop an idea about corporate governance and the legal framework that operates in the field.
- To analyse the importance, role and functions of the different kinds of directors
- To enable the students to acquire understanding on the legal foundation on new changes in New company Law.
- To give an opportunity to the students to explore the nuances of the legalities in the area of corporate social responsibility and help them to develop legal knowledge in this field.

### Course Outcomes:

After successful completion of the course, the students will be able to:

- Critically evaluate the existing legal framework relating to company and regulatory framework of companies in accordance with the Companies Act, 2013 including the Companies (Amendment) Act, 2017.
- To exhibit critical and analytical understanding about the current policy trends and developments in Company Law in India, UK and USA and of the likely impact of these trends and developments on the major topics in Company Law.
- Acquire knowledge about the legality of corporate governance issues
- Describe the theoretical assumptions that underlie the way companies are regulated in India and the way changes to those assumptions might result in law reform.
- Identify and articulate complex legal issues that arise in business practice and demonstrate advanced analysis of statutory provisions and case-law; sophisticated legal reasoning; and well developed skills in creative thinking to generate appropriate legal and practical responses to those issues.

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

- a. Certificate of Incorporation, Memorandum and Articles of Association, Doctrine of Ultra Vires, Doctrine of Indoor Management
- b. Directors: Appointment, Removal, Position, Powers and Duties of Directors.
- c. Audit Committee: Its Role, Company Secretary: Qualification, Appointment and Duties, Officer who is in default: Definition of Officer who is in default, Liability of independent directors.
- d. Types of Meetings, Procedure of calling meeting, Company's resolutions and its kinds

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

- a. Rule in Foss v. Harbottle
- b. Prevention of Oppression, Mismanagement
- c. Role & Powers of the Company Law Board, Central Government
- d. Company Investigation

### **Unit – III: Corporate Liquidation**

- a. Winding up of Companies
- b. Mode of winding up of the companies
- c. Compulsory Winding up under the Order of the Tribunal
- d. Voluntary winding up
- e. Contributories
- f. Payment of liabilities

### **Unit - IV: Corporate Governance and Social Responsibility**

- a. Importance of Corporate Governance, Different system of Corporate Governance, Impact of Legal Traditions and the Rule of Law on Corporate Governance, Legal Reforms of Corporate Governance in India
- b. Reports of the various Committees on Corporate Governance
- c. Emerging Trend based on the recommendation of the Committees in the Companies Act 1956 and the Listing Agreement with Special reference to Clause 49
- d. Corporate Social and Environmental Responsibility

#### **Text Books:**

- Saleem Sheikh & William Rees, *Corporate Governance & Corporate Control*, Cavendish Publishing Ltd., 1995
- Taxmann, *Companies Act 2013*
- Taxmann, *A Comparative Study of Companies Act 2013 and Companies Act 1956*

#### **References:**

- Charles Wild & Stuart Weinstein Smith and Keenan, *Company Law*, Pearson Longman, 2009
- Institute of Company Secretaries of India, *Companies Act 2013*, CCH Wolter Kluwer Business, 2013
- Lexis Nexis, *Corporate Laws 2013* (Palmtop Edition)
- C.A. Kamal Garg, *Bharat's Corporate and Allied Laws*, 2013.

## International Trade Law

<b>Name of the Course</b>	International Trade Law	<b>Course Code</b>	LME106
<b>Hours/Week</b>	4	<b>Credits</b>	4
<b>Max. Marks.</b>	70	<b>Time</b>	3 Hours
<p>Note: Section A is compulsory and contains 10 short questions covering the entire syllabus; students need to attempt seven questions. Each question in section A carries two marks. Attempt four questions from sections B, selecting at least one question from each unit. These questions shall carry 14 marks each.</p>			

### Course Objectives:

- To explain and analyse the role of the World Trade Organisation and the principal international trade agreements it administers;
- To describe and analyse how the rules, principles, and institutions of international trade impact on domestic legal, political, and social arrangements;
- To select and apply a range of approaches to written communication, and apply the critical thinking required to bring about solutions to complex legal problems in the area of international trade law
- To gain insights into the mechanisms for resolving trade disputes between countries.

### Course Outcomes:

After successful completion of the course, the students will be able to:

- Deep knowledge of the nature and function of the treaties and international institutions governing international trade
- Assess the effects of international trade law on countries' development and their diplomatic relations.
- Evaluate international and national measures taken to address current international crises and challenges
- The complex legal landscape of international trade and contribute to the effective facilitation of global commerce while adhering to international trade laws and regulations.

### Unit - I: Introduction

- a. Meaning and evolution of International Trade Law
- b. Incoterms 2020
- c. Formation and enforcement of international contracts under the United Nations conventions on contracts for the international sales of goods 1980.
- d. Rights and liabilities of parties to International sales contracts

- e. UNCITRAL model for E-Commerce 1996
- f. GATT and WTO: origin and evolution
- g. Principles of non-discrimination in GATT & WTO

#### **Unit -II : Payments in international trade and carriage of goods**

- a. General Agreement on Trade and Services
- b. Other Trade Agreements
- c. Documentation in International Trade - law relating to bill of exchange letter of credit, bank guarantee in International trade transactions, bill of lading and charter parties
- d. Carriage of goods by land, Sea and Air
- e.

#### **Unit – III: GATT and WTO**

- a. Introduction and evolution to the general agreements on tariffs and trade
- b. The WTO objective functions and structures of WTO decision making process
- c. The principles on non discrimination in get national treatment principle article 3 get regional trade agreements and WTO
- d. WTO agreements on technical barriers to trade dispute settlement procedure under GATT & WTO

#### **Unit - IV: Trade remedies under WTO and disputes settlement procedure**

- a. Anti dumping agreement and WTO agreement on subsidies and countervailing measures 1994
- b. Dispute settlement under GATT Article XXII and Article XXIII
- c. Disputes settlement procedure under the WTO and enforcement of WTO
- d. Ruling difference between get and WTO dispute settlement procedures
- e. Developing countries in GATT/ WTO and India and WTO

#### **References:**

- Raj Bhalla, International Trade Law: Theory and Practice, LexisNexis, 2001 (2nd Edn).
- A.K.Kaul, Guide to the WTO and GATT: Economics
- Law and Politics, Kluwer Law International, 2006
- Craig VanGrasstek, The History and the Future of the WTO, WTO Publications, 2013
- WTO, Doha Development Agenda, WTO, 2013.
- Peter Van den Bossche, The Law and Policy of theWTO, Cambridge Publications, 2013
- Gabriel Moens and Peter Gillies, International Trade and Business: Law, Policy and Ethic

## Criminal Justice System in India

<b>Name of the Course</b>	Criminal Justice System in India	<b>Course Code</b>	LME107
<b>Hours/Week</b>	4	<b>Credits</b>	4
<b>Max. Marks.</b>	70	<b>Time</b>	3 Hours

Note: Section A is compulsory and contains 10 short questions covering the entire syllabus; students need to attempt seven questions. Each question in section A carries two marks. Attempt four questions from sections B, selecting at least one question from each unit. These questions shall carry 14 marks each.

### Course Objectives:

- To evaluate the jurisprudential basis of crime, criminal justice system and administration in India.
- To acquire an understanding of the correctional system and alternatives to imprisonment within the realm of criminal justice administration.
- To understand the role played by different functionaries in the criminal justice administration to meet the challenges of modern India.
- To analyse the need for reforms and new challenges in the wake of growing importance and necessity to involve all the stakeholders for ensuring justice to all.

### Course Outcomes:

- To Identify the roles of various functionaries in the Criminal Justice System.
- To critically evaluate the procedural ramifications involved in investigation and other preliminary processes.
- To have a fair idea about the correctional system within the realm of the criminal justice system.

### Unit - I: Philosophy of Criminal Justice System

- a. Historical Background, meaning and objectives of Criminal Justice System in India, Types of Criminal justice System
- b. Challenges and Issues in Criminal Justice System
- c. Ethics in Criminal Justice System
- d. Stages of criminal justice process and Judicial Approach in Criminal Justice System
- e. Reform Strategy

### Unit -II : Criminal Justice system – Its components and functions

- a. Police Investigation: FIR, arrest, bail, confessions of the accused and statements of the witnesses, witness protection, search, seizures.

- b. Development of police force – Hierarchical structure of police force – Principles and functions of policing – Rural policing in India – Problems in police service
- c. Custodial torture – Police Public cooperation – Judicial opinions on police force – Modernization of police force – Role of police in International Issues

### **Unit – III: Police and Prosecutors in Criminal Justice System**

- a. Role of police in administration of criminal justice – Directions of the Supreme Court relating to police reforms.
- b. Prosecutors- Role in the criminal proceedings, meaning purpose and need of an independent prosecution system.
- c. Attitude of the law towards the police : police dilemma
- d. Criminal justice reform- Malimath Committee Recommendations

### **Unit - IV: Constitution of Criminal Courts**

- a. Organization of Criminal Courts and Criminal Justice System – Control over Criminal Courts
- b. Role of criminal courts in administration of justice
- c. Rights of accused persons
- d. Law and procedure relating to Criminal Appeals, Revisions, Writ Petition and Special Leave petitions

### **Text Books:**

- Feinman, Clarice. Women in the criminal justice system. ABC – CLIO, 1994.
- Fundamentals of Research in Criminology and Criminal Justice, Ronet D. Bachman, Russell K. Schutt, SAGE Publications, Inc; Fourth edition (2 January 2017)
- Rao, S. Venugopala. Criminal Justice: Problems and Perspectives in India. Konark Publishers, 1991.
- Devi, B. Uma. Arrest, Detention, and Criminal Justice System: A Study in the Context of the Constitution of India. Oxford University Press, 2012.
- Shapland, Joanna, Jon Willmore, and Peter Duff. Victims in the criminal justice system. Aldershot: Gower, 1985.
- Bharti, Dalbir. The constitution and criminal justice administration. APH Publishing, 2002.
- French, Laurence, ed. Indians and criminal justice. Totowa, NJ: Allanheld, Osmun, 1982.
- Das, Bharat Bhudan. Victims in the Criminal Justice System. APH Publishing, 1997.
- Zehr, Howard. The little book of restorative justice: Revised and updated. Simon and Schuster, 2015.
- Mawby, Rob, and Sandra Walklate. Critical victimology: International perspectives. Sage, 1994.

### **JOURNALS / ARTICLES**

- Srinivasan, Murugesan, and Mathew Jane Eyre. "Victims and the criminal justice system in India: Need for a paradigm shift in the justice system." *Temida* 10, no. 2 (2007): 51 – 62.
- Thilagaraj, R. "Criminal justice system in India." In *Handbook of Asian criminology*, pp. 199 – 211. Springer, New York, NY, 2013.
- Dhillon, Kirpal. "The police and the criminal justice system in India" *The Police, State, and Society: Perspectives from India and France* 27 (2011). 4.

## Criminology, Penology and Victimology

<b>Name of the Course</b>	Criminology, Penology and Victimology	<b>Course Code</b>	LME108
<b>Hours/Week</b>	4	<b>Credits</b>	4
<b>Max. Marks.</b>	70	<b>Time</b>	3 Hours
<p>Note: Section A is compulsory and contains 10 short questions covering the entire syllabus; students need to attempt seven questions. Each question in section A carries two marks. Attempt four questions from sections B, selecting at least one question from each unit. These questions shall carry 14 marks each.</p>			

### Course Objectives:

- To explain the concept of criminology and victimology and their historical development.
- To understand and evaluate research into various victim related issues.
- To discuss the development of victim rights in India
- To understand the impact of the increased societal concern over victims on social policy and practice.

### Course Outcomes:

- Students will be able to understand the concept of victim and victimology along with its historical development.
- Students will be able to conduct various research on issues related to victims.
- Students will get an insight of rights of crimes and its victims in India and impact of societal concern on policies related to victims.

### Unit - I: Introduction to Criminology and Penology

- a. Criminology: Its Nature and Scope , Inter- relation between criminology and penology and victimology.
- b. Concept of Crime, Criminology and its importance
- c. Penology and its future .

### Unit -II : Penology

- a. Norms under CrPC: Adversary trial system, Presumption of innocence , Presumption of innocence , Independent, impartial and competent judges , Public hearing in an open court , Knowledge of the accusation
- b. Theories of punishments, Different forms of punishment, Deterrent effect of capital punishment, Justification of capital punishment, Should euthanasia be legalized?

- c. Prohibition on double jeopardy (ne bis in idem)

### **Unit – III: Victimology**

- a. Nature, Historical Origins and Development
- b. Meaning and concept of victim, victimology and victimization
- c. Relationship of Victimology with other sciences, Nature and Scope of Victimology
- d. Theories of Victimology- Deterrent, Preventive, Retributive, Reformative and Just Desert
- e. Role of victims in the criminal Phenomenon-Victim Precipitation, Victim's Responsibility
- f. Status of Victim in the Criminal Justice System

### **Unit - IV: Status of Victim in the Criminal Justice Administration**

- a. Rights of Victims: International and national Approach
- b. Role of Victims during Trial, Appeal etc.
- c. Victim and their role in compounding of Offences/Plea Bargaining
- d. Victim's Right to Access to Justice
- e. Rehabilitation and Victim Assistance Programmes

### **Text Books:**

- Feinman, Clarice. Women in the criminal justice system. ABC – CLIO, 1994.
- Fundamentals of Research in Criminology and Criminal Justice, Ronet D. Bachman, Russell K. Schutt, SAGE Publications, Inc; Fourth edition (2 January 2017)
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- Devi, B. Uma. Arrest, Detention, and Criminal Justice System: A Study in the Context of the Constitution of India. Oxford University Press, 2012.
- Shapland, Joanna, Jon Willmore, and Peter Duff. Victims in the criminal justice system. Aldershot: Gower, 1985.
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- Das, Bharat Bhudan. Victims in the Criminal Justice System. APH Publishing, 1997.
- Zehr, Howard. The little book of restorative justice: Revised and updated. Simon and Schuster, 2015.
- Mawby, Rob, and Sandra Walklate. Critical victimology: International perspectives. Sage, 1994.