



Central University of Tamil Nadu

Department of Law

School of Legal Studies

Curriculum

**LL.M. (Corporate Law and Industrial
Jurisprudence)**

VISION

Excellence in legal education and research

MISSION

M1	To impart socially relevant legal education on par with global standards with unswerving focus on constitutional values.
M2	To emerge as an eminent department renowned in legal research.
M3	To cater to the requirements of the industry.
M4	To create sensitive and humane lawyers who are aware of the needs of the society.

PROGRAM EDUCATIONAL OBJECTIVES

After five years of successful completion of the program, the student will be able to demonstrate:

PEO1	Refined and solid understanding of the concepts, principles, doctrines and theories governing the legal regime.
PEO2	Enhanced legal research and writing skills with significant contributions to knowledge creation.
PEO3	Sensitised insight on the impact of law on various sections of the society and ability to critically resolve legal issues at a global, national, regional, and local level.
PEO4	Legal acumen enabling students to apply their skills to different domains including legal practice, industry, teaching and research.

E. PEO to Mission Statement Mapping

	PEO1	PEO2	PEO3	PEO4
M1	3	3	3	3
M2	2	3	3	3
M3	3	3	3	3
M4	2	2	3	3

PROGRAMME OUTCOMES (PO)

On the successful completion of the program, the student will be able to

PO1	Evaluate the key concepts, doctrines, principles, and theories governing their specialisation.
PO2	Apply international best practices to real and relevant issues in the discipline specific specialisation and general laws
PO3	Appraise the latest legal developments through a multi-disciplinary lens.
PO4	Develop a sensitised perspective towards the global, national and local requirements in the legal discipline.
PO5	Demonstrate effective research skills in their specialised domain to excel as advisors and consultants to the industry.

F. PO to PEO Mapping

	PO1	PO2	PO3	PO4	PO5
PEO1	3	3	2	3	2
PEO2	3	3	3	2	3
PEO3	2	2	3	3	2
PEO4	3	3	2	3	3

Department of Law – Central University of Tamil Nadu

S. No	Course Code	Course Name	Course Type	L	T	P	Credits	Int	Ext	Total Marks
Semester 1										
1	LLM2101	Research Methodology	CC	4	0	0	4	40	60	100
2	LLM2102	Constitutional Law: Comparative Perspectives and Contemporary Challenges	CC	4	0	0	4	40	60	100
3	LLM2103	Law relating to Industrial Relations and Wages	CC	4	0	0	4	40	60	100
4	LLM2104	Fundamental Principles of Corporate Law	CC	4	0	0	4	40	60	100
5	LLM2105	A) Intellectual Property Law* B) Consumer Protection Laws and E-commerce*	DSE	3	0	0	3	40	60	100
Total							19			
Semester 2										
6	LLM2106	Law and Social Transformation	CC	4	0	0	4	40	60	100
7	LLM2107	Securities Law	CC	4	0	0	4	40	60	100
8	LLM2108	Law relating to Occupational Safety, Health and Working Conditions	CC	4	0	0	4	40	60	100
9	LLM2109	Corporate Governance	CC	4	0	0	4	40	60	100
10	LLM2110	A) Health Law* B) Environment and Industrial-safety laws* C) Advanced IP*	GE	3	0	0	3	40	60	100
Total							19			
Semester 3										
11	LLM2111	Theories of Law and Justice in a Globalising World	CC	4	0	0	4	40	60	100
12	LLM2112	Competition Law	CC	4	0	0	4	40	60	100
13	LLM2113	Labour Laws relating to Women and Children	CC	4	0	0	4	40	60	100
14	LLM2114	International Trade Law	CC	4	0	0	4	40	60	100
15	LLM2115	Internship	CP	0	0	4	4			100
Total							20			
Semester 4										
16	LLM2116	Dissertation**		0	0	8	8			200
17	LLM2117	Law relating to Social Security	CC	4	0	0	4	40	60	100
18	LLM2118	A) Infrastructure Laws* B) Gender Justice*	GE	3	0	0	3	40	60	100
19	LLM2119	A) Legal Aspects of Business* B) Banking Laws and Financial Regulations*	DSE	3	0	0	3	40	60	100
20	LLM2120	MOOC (Swayam)	GE	4	0	0	4			100
Grand Total							80			

* Students must choose at least one elective from LLM2105, LLM2110, LLM2118, and LLM2119. The Department reserves the right to not offer an elective.

**Faculty workload would include one hour per student guided from the third semester onwards.

Semester 1

Credits: 4

Course Code: LLM2101

Research Methodology

Course Description:

Research Methodology course is a core foundation course in the LLM programme. The course intends to create and enhance the legal research skills among students. Students would be able to appreciate nuances of legal research and the relevance of applying scientific methods in legal research.

Course Outcome (CO)

On the successful completion of the course, the student will be able to

	Course Outcome	Level
CO 1	Summarize the fundamental concepts and developments in Research in general and legal in specific	Understand
CO 2	Examine the relevance of scientific methods in Legal Research	Analyze
CO 3	Employ the most suitable research method and tools for Legal Research	Apply
CO 4	Appraise the latest as well as traditional sampling methods and Research Design in Legal Research	Evaluate
CO 5	Demonstrate effective research writing skills	Skill

Pedagogy

- Lecture Method
- Tutorial method with Learning Exercises, Assignments & Presentations
- Discussions & Breakout sessions method
- Socrates Method

UNITS

UNIT I- Introduction to Research

Interface between reality, perception and knowledge, Research- Meaning, Definition, Objectives and Relevance, Characteristics of scientific method and its applicability in research, Relationship between theory and fact, Kinds of Research, Stages of Research Process, Relevance of Research in Legal Discipline

UNIT II- Fundamental concepts in Research

Survey of Literature and Literature Review, Research Problem – Definition, Determination, Sources of Data- Primary and Secondary Data, Hypothesis – Meaning, definition and Characteristics, Variables- Meaning, Types and Identification, Research Questions

UNIT III- Research Design and Sampling

Research Design – Meaning and essentials of Research Design, Forms of Research Design and major steps, Sampling techniques – definition, basic assumptions, classifications

UNIT IV- Research Methods

Doctrinal and Non-doctrinal /Empirical Methods of Research- Observation -Hawthorne effect, Case Study method, Survey Method, Questionnaire and Schedule, Interview, Jurimetrics

UNIT V- Analysis and Research Writing

Content Analysis, Use of computer and Statistics in Legal Research Analysis, Reporting and Methods of Citations, Ethics in research and Plagiarism, Research Report Writing- Case Comment, Article, Dissertation

Suggested Readings

- Amy E Sloan, Basic Method Research – Tools and Materials (2018)
- Baxi, Upendra, 'Socio-Legal Research in India–A Programschrift, ICSSR, Occasional Monograph, (1982)
- Louis Cohen, Lawrence Manion and Keith Morrison, Research Methods in Education (2008)
- Brian Leiter, *Law and Objectivity*, The Oxford Handbook of Jurisprudence and Philosophy of Law, Edited by Jules L. Coleman, Kenneth Einar Himma, and Scott J. Shapiro, Oxford University Press (2007)
- Goode and Hatt, 'Methods in Social Research', Singapore, Mc. Graw Hill Book Co.(1952)
- Cohen, Morris L., 'Legal Research', Minnesota, West Publishing Co.(1985)
- C R Kothari, Research Methodology Tools and Techniques, New Age International Publishers (2004)

(Prerequisite readings and suggested readings will also be provided to the students in accordance with the session plan)

Mapping of Program Outcomes with Course Outcomes

	PO1	PO2	PO3	PO4	PO5
CO1	3	2	3	2	3
CO2	2	3	3	1	2
CO3	3	3	3	2	3
CO4	3	3	3	2	3
CO5	2	3	3	3	3

Constitutional Law: Comparative Perspectives and Contemporary Challenges

Course Description:

Constitution is the foundational document on which domestic legal systems are based. It is a living document that not just defines the structure and functioning of governance, but also elucidates the rights and duties of the citizenry. The making or breaking of a modern State is determined by the strength of its Constitution. Thus, a strong foundational understanding of the constitutional values is indispensable. This course seeks to fortify the students' understanding of the founding principles of the Indian Constitution. It also exposes the students to the various approaches which were available before the drafters of the Constitution and explain the reasons behind the choices made. In the process, students would be able to analytically understand why the various contemporary constitutional challenges arise and design solutions for the same.

Course Outcome (CO)

On the successful completion of the course, the student will be able to

	Course Outcome	Level
CO 1	Understand the transformative nature of the Indian Constitution, constitutional morality, and constitutional values governing India	Understand
CO 2	Apply various constitutional principles to contemporary socio-political problems	Apply
CO 3	Demonstrate mastery over the working of the Constitution	Apply
CO 4	Appraise the Center-state relationship	Evaluate
CO 5	Design viable solutions to prevailing constitutional challenges	Skill

Pedagogy:

- Lecture method
- Discussions
- Case Method
- Collaborative Method

Note: The syllabus and reference materials are tentative and is subject to constant revision by the course faculty to incorporate contemporary issues and events

UNITS

UNIT I: The Foundations of the Constitution

Constitution of India: Its autochthonous emergence, its transformative Nature – Constitutional Supremacy – Written Constitutions around the world - Constitutionalism - Constitutional values - Constitutional morality - Preamble: Scope, Importance and Values

UNIT II: State and its Relationship to the Individual

Judiciary: The Gatekeeper of the Constitution – Judicial Review: Comparative Study - Tribunalisation of Justice - Ninth Schedule - Membership: Citizenship Amendment Act and National Register of Citizens - Aadhar Card and right to privacy - Right to Information

UNIT III: Liberty, Equality, and Fraternity

Personal Laws and Fundamental Rights - Reservation for Economically weaker sections - Sabarimala and Essential Religious Practices - Freedom of expression: Freedom of the Press - Pre-censorship of internet and OTT platforms

UNIT IV: State and Criminal Justice

Emergency Provisions and Democracy - Criminal investigation and constitutionality of modern forensic techniques - Anti-terror laws - Preventive Detention Laws - Death Sentence - Armed Forces Special Powers Act

Unit V: Relationship between Union and State

Federalism: India, USA, Canada, Australia - Abrogation of Art. 370 - Office of the Governor - Anti-defection laws - Governor vs. Speaker

Select References

1. Justice Jasti Chelameswar & Justice Dama Seshadri Naidu, M.P. Jain Indian Constitutional Law (18th ed., 2018), Lexis Nexis Publications, New Delhi.
2. Sujit Choudhry, Madhav Khosla, Pratap Bhanu Mehta (eds.), The Oxford Handbook of the Indian Constitution, Oxford University Press, 2016
3. Gautam Bhatia, The Transformative Constitution: A Radical Biography in Nine Acts (Harper Collins, 2019)

(Prerequisite readings and suggested readings will also be provided to the students in accordance with the session plan)

Mapping of Program Outcomes with Course Outcomes

	PO1	PO2	PO3	PO4	PO5
CO1	3	1	2	3	2
CO2	3	3	3	3	2
CO3	3	3	3	3	3
CO4	3	2	2	2	1
CO5	2	3	3	3	3

Law relating to Industrial Relations and Wages**Course Description**

The Course titled, 'The Law Relating to Industrial Relations and Wages' aims to provide a critical understanding of the various laws, rules and regulations related to industrial relations and wages. The aim of the course is not only to provide the students with adequate knowledge of the various laws relating to industrial relations and wages, but also to make them appreciate and understand the practical application and importance of the various laws dealing with welfare of labour in India. The course covers a detailed and analytical study of the laws of industrial relations and wages for workers, with a view to develop the critical and analytical research skills of the students.

	Course Outcome	Level
CO 1	Develop a sound understanding of the jurisprudence pertaining to industrial relations	Understand
CO 2	Understand the legal framework governing industrial disputes and its resolution	Understand
CO 3	Examine the importance of collective bargaining	Analyse
CO 4	Analyse the jurisprudence of wages	Analyse
CO 5	Evaluate the law relating to wages in India	Evaluate

TEACHING PEDAGOGY

- Blended learning
- Lecture and Discussion Method
- Reliance on research-based teaching
- Case Study approach
- Tutorials through assignments and presentations

UNITS:**UNIT I: Introduction to Industrial Jurisprudence and Industrial Relations**

Concept of Employment – Industrial Relations: Evolution, Functions, Characteristics, and Objectives – Kinds of Industrial Relations – Constitution and Labour Law - Contribution of Labour Relations Committees and National Labour Conferences to the development of industrial jurisprudence in India

UNIT 2: Industrial Disputes and Resolution

Contextual Framework - Dispute Resolution Mechanisms u/IDA,1947 - Strikes, lockouts, layoffs and retrenchments - Management of Discipline and Notice of Change - The Industrial Relations (Standing Orders) Act, 1946

UNIT 3: Collective Bargaining and Trade Union

Collective Bargaining – Evolution of Collective Bargaining – Stages of Collective Bargaining – Elements of Collective Bargaining - Trade Unions Act, 1926 – Privileges and Immunities of Registered Trade Unions

UNIT 4: Jurisprudence of Wages and Compensation

Concept of Wages – Minimum Wage, Fair Wage, Living Wage - Theories of Wages – Equal Wage for Equal Work - ILO Conventions

UNIT 5: Law Relating to Wages

Minimum Wages Act, 1948 - Equal Remuneration Act, 1976 - Payment of Bonus Act, 1965 - Payment of Wages Act, 1936 - The Wages Code, 2019

BOOKS TO BE REFERRED

1. Industrial Jurisprudence-A Critical Commentary by E. M. Rao, Lexisnexis 2015.
2. Domestic Enquiry by Markanday Katju Publisher N. M. Tripathi.
3. O.P. Malhotra's the Law of Industrial Disputes, Volume 1 & 2, LexisNexis Butterworths.
4. Industrial Relations and Labour Laws by S.C. Srivastava 6th Edition, Vikas Publishing House Pvt. Limited.
5. Industrial Relations, Trade Unions, and Labour Legislation: By Sinha, Pearson Education India, 2006.
6. Textbook on Labour & Industrial Law by Dr. H.K. Saharay, Universal Law Publishing, 2011.
7. Social Justice and Labour Jurisprudence: Justice V.R. Krishna Iyer's Contributions by Sharath Babu, Rashmi Shetty, SAGE Publications, 2011.
8. Disciplinary Action Against Industrial Employees and Its Remedies, by K. D. Srivastava, State Mutual Book & Periodical Service, Limited.
9. Commentaries on Trade Unions Act 1926 by V K Kharbanda, Law Publishing House, 2013.
10. Industrial relations and labour laws by Suresh C Srivastava, Vikas Publisher: New Delhi, 2020, 7th Edition
11. Commentaries on Industrial Employment Standing Orders Act, 1946 (Including Model Standing Orders, Recognition of Unions and Unfair Labour Practices) by K. D. Srivastava, State Mutual Book & Periodical Service Limited.
12. Commentaries on Payment of Wages Act, 1936 by K.D Srivastava, Eastern Book Co., 1998, Edition: 5th Edition, 2012.
13. P. L. Malik Handbook of Labour and Industrial Law, by Editorial Staff of SCC, Edition: 18th Edition, 2018.
14. Labour Economics: Principles, Problems and Practices of Trade Unionism, Industrialization, Wages, Social Security and I.L.O, Jiwitesh Kumar Singh, (Deep & Deep Pub. Pvt. Ltd., New Delhi, (1998).
15. Labour and Industrial Laws, S.N. Mishra, Central Law Publications, Allahabad.
16. Impact of I.L.O. Standards on Indian Labour Law by Dr. N. Maheshwara Swamy, Asia Law House (2007).

17. Labour Regulation in Indian Industry in 10 Vols.: Institute for Studies in Industrial Development by T.S. Papola (Editor), Bookwell Publications, (2009).
18. Lecture on Labour Law by V.B. Coutinho, Eastern Book Company, (2019).
19. Kharbanda & Kharbanda's Commentary on Contract Labour (Regulation and Abolition) Act, 1970, Law Publishing House (2018)
20. Labour & Industrial Laws by Dr. V.G. Goswami, Central Law Agency (2015).
21. N.D. Kapoor: Handbook of Industrial Law; Sultan Chand & Sons
22. ICSI Web UNIT for CS: Professional and Executive Programme: Labour Law and Practice (UNIT 3, Elective Paper 9.6)

Mapping of Program Outcomes with Course Outcomes

	PO1	PO2	PO3	PO4	PO5
CO1	3	3	2	2	1
CO2	3	2	2	3	1
CO3	3	2	2	2	2
CO4	3	3	2	2	2
CO5	3	3	3	2	3

Fundamental Principles of Corporate Law**Course Description**

Corporates plays an important role in developing the economy of a country which in turn contributes to the development of nation. As the major part of the specialisation of this course includes corporate management, it is necessary to impart the fundamental aspects of the company in view of Companies Act, 2013. Further, the significance of Corporate Social Responsibility (CSR) and its components has been included to sensitize the students about its importance with a case study mechanism with public and private sectors.

Course Outcome

A On the successful completion of the course, the student will be able to

	Course Outcome	Level
CO 1	Understand the key concepts, principles, structure, administration, management and internal affairs of the company	Understand
CO 2	Familiarize with the procedures to be carried out during pre-incorporation, incorporation and winding up of companies	Familiarize
CO 3	Demonstrate the understood on the components of CSR and its implementation strategies across public and private sectors	Apply
CO 4	Evaluate the features of the Insolvency and Bankruptcy Code, 2016 and its applications	Evaluate
CO 5	Appraise/identification of issues on the implementation and suggest for future research scope	Skill

Teaching Pedagogy

- Lecture Method
- Flipped Classroom Method
- Group Work and Guided Learning
- Use of Technology in Classroom
- Case Study Method

UNIT 1: COMPANY AND ITS INCORPORATION

Definition of the term “Promoter” and their rights and liabilities - Procedural Aspects on Incorporation of a Company – an overview - Memorandum of Association and its importance - Articles of Association and its importance - Prospectus – importance and its kinds - One Person Company – Significance under Companies Act, 2013

UNIT 2: CORPORATE MANAGEMENT

Company Law – Principles and Concepts - Role of Directors – Rights and Liabilities - Meetings – Requisites and Kinds - Corporate Fund Raising - Transparency and Disclosures

UNIT 3: CORPORATE SOCIAL RESPONSIBILITY

Purpose of CSR and relevant provisions under Companies Act, 2013 - Components of CSR and its applicability - CSR Initiatives: Public Vs Private Sector Participation - CSR - Compliance and Non-compliance - Corporate Environment Responsibility – Case Studies

UNIT 4: CORPORATE ABUSE AND REMEDIES

Shareholders Democracy – Principles and Relevance - Principle of Non- Interference - Prevention of Oppression and Mismanagement - Corporate Ethics

UNIT 5: COMPANY SECRETARIES

Company Secretary – Appointment, Role and Responsibilities, Company Secretary as a Key Managerial Personnel; Functions of Company Secretary

Selected References

A. JOURNAL ARTICLES

1. Carol Newman et.al, Corporate Social Responsibility in a Competitive Business Environment, *THE JOURNAL OF DEVELOPMENT STUDIES*, ROUTLEDGE 56:8, 1455-1472 (2020).
2. Mauricio Andres et.al, A Literature Review of the History and Evolution of Corporate Social Responsibility, *INTERNATIONAL JOURNAL OF CORPORATE SOCIAL RESPONSIBILITY*, SPRINGER 4:1 (2019).
3. Amit Ron, Models of Shareholder Democracy: A Transnational Approach, *GLOBAL CONSTITUTIONALISM* 7:3(2018).
4. Vijay, Corporate Social Responsibility in India: An Overview, *JOURNAL OF ASIAN BUSINESS MANAGEMENT* 9 (2017).
5. Ezhilarasi, The Impact of Corporate Governance Attributes on Environmental Disclosures: Evidence from India, *INDIAN JOURNAL OF CORPORATE GOVERNANCE* 10:1 (2017).
7. Santhosh Abraham, Disclosure by Indian Companies following Corporate Governance Reform, *JOURNAL OF APPLIED ACCOUNTING RESEARCH* 16:1 (2015).
8. Lisa Fairfax, The Future of Shareholder Democracy, *INDIANA LAW JOURNAL* 84:4 (2009).
9. Michael Duffy, Shareholder Democracy or Shareholder Plutocracy? Corporate Governance and the Plight of Small Shareholders, *THE UNIVERSITY OF NEW SOUTH WALES LAW JOURNAL*, 25:2 (2002).
10. Donald E.Schwartz, Shareholder Democracy: A Reality or Chimera?, *CALIFORNIA MANAGEMENT REVIEW* (1983).

B. TEXT BOOKS

1. Company Law Manual, 14th Edition, Taxmann (2020).
2. Kapoor & Sanjay, Company Law and Practice, 24th Edition, Taxmann (2019)
3. Company Law, Study Material, The Institute of Company Secretaries Of India (2018).
4. Avtar Singh, Company Law, 17th Edition, Ebc Explorer (2018).
5. Bangia, Company Law, Allahabad Law Agency (2018).
6. Company Law, Study Material, The Institute of Company Secretaries Of India (2018).
7. Corporate Laws (The Companies Act, 2013 With Allied Acts, Rules and Regulations) Including the Insolvency And Bankruptcy Code, 2016, Lexis Nexis (2017).
8. Ravichandran, Corporate Social Responsibility: Emerging Opportunities and Challenges In India, 1st Edition, Lexis Nexis (2016).
9. Esben, Corporate Social Responsibility, Sage Publications Ltd (2015).

Mapping of Program Outcomes with Course Outcomes

	PO1	PO2	PO3	PO4	PO5
CO1	3	3	2	2	2
CO2	3	2	2	2	3
CO3	3	3	3	2	3
CO4	2	2	2	2	3
CO5	2	3	3	2	3

Credits: 3

Course Code: LLM2105A

Laws on Intellectual Property Rights

Course Description

The course covers the broad range of perspectives on Intellectual Property Law, Practice and Policy. It is imperative to learn and acquaint with the advance knowledge and understanding of Intellectual Property Law and Policy within India, and other jurisdictions. Further, the course covers substantive law on all major intellectual property rights, including copyright, trademarks, designs, and patents.

Course Outcome

A On the successful completion of the course, the student will be able to

	Course Outcome	Level
CO 1	Understand the key concepts, classification, principles of Intellectual Property Law and Policy	Understand
CO 2	Understand the international developments and broad range of perspectives on Intellectual Property, Practice and Policy	Familiarize
CO 3	Familiarize with an advanced knowledge and understanding concepts across other jurisdictions	Apply
CO 4	Evaluate and identify the implementation risks of IP and remedies available in Indian Jurisdiction	Evaluate

Teaching Pedagogy

- Lecture Method
- Group Work and Guided Learning
- Flipped Classroom Method
- Use of Technology in Classroom

UNIT 1: Introduction and International Developments

Meaning and Concept of Intellectual Property - Nature, Characteristics and Classification of Intellectual Property - Theories of Intellectual Property - Intellectual Property Protection Vis-à-vis Public Policy Perspective - Contemporary Challenges in IPR: Human Rights, Biotechnology and e-commerce Introduction – Role of United Nations on Intellectual Property – Paris Convention – Berne Convention – World Intellectual Property Organisation (WIPO) and its importance on Intellectual Property - Trade-Related Aspects of intellectual property rights (TRIPs)

UNIT 2: Laws on Copyright

Evolution, Nature and Scope and Pre-requisites of Copyrights - Subject Matter of Copyright - Limitation, Infringement and Enforcement of Copyright - Neighboring Rights, Performers Rights - Remedies available under Legislations

UNIT 3: Laws on Patent

Evolution, Nature and Scope and Pre-requisites of Patents - Subject Matter of Patents - Limitation, Infringement and Enforcement of Patents - Business Methods and Utility Patents Remedies available under Legislations

UNIT 4: Laws on Trademark

Evolution, Kinds and Pre-requisites of Trademark - Registration of Trademarks and Commercial Exploitation - Limitation, Infringement and Passing Off - Trademark issues and Cyber space - Remedies available under Legislations

SELECTED REFERENCES

A. JOURNAL ARTICLES

1. Gabriele Spina Ali, *Intellectual Property and Human Rights: A Taxonomy of Their Interactions*, INTERNATIONAL REVIEW OF INTELLECTUAL PROPERTY AND COMPETITION LAW 51 (2020).
2. Kaushiki Das, *The Global Quest for Green Gold: Implications of Bioprospecting and Patenting for Indigenous Bioresources and Knowledge*, SOCIETY AND CULTURE IN SOUTH ASIA 6:1 (2020).
3. Sunil, *India's Patenting Record since TRIPS Compliance of her patent regime*, ASIAN JOURNAL OF TECHNOLOGY INNOVATION (2020).
4. Alessandra Naia, *Trade Mark Infringement and Passing off can be caused by Resale of Disassembled Branded Products*, JOURNAL OF INTELLECTUAL PROPERTY LAW AND PRACTICE 14:9 (2019).
5. Lalit et al., *An Introduction to Intellectual Property Rights and thier Importance in Indian Context*, JOURNAL OF INTELLECTUAL PROPERTY RIGHTS 22 (2017).
6. Ian James Kidd, *Biopiracy and the Ethics of Medical Heritage: The Case of India's Traditional Knowledge Digital Library*, JOURNAL OF MEDICAL HUMANITIES 33 (2012)
7. Chandra & Sanjib, *Intellectual Property Rights: An Overview and Implications in Pharmaceutical Industry*, JOURNAL OF ADVANCED PHARMACEUTICAL TECHNOLOGY AND RESEARCH 2:2 (2011).
8. Philippe Cullet, *Human Rights and Intellectual Property Protection in the TRIPS Era*, HUMAN RIGHTS QUARTERLY 29:2 (2007).
9. Lien Verbauwhede, *Intellectual Property and E-commerce: How to Take Care of a Company's Website?*, JOURNAL OF INTELLECTUAL PROPERTY RIGHTS 9 (2004).
10. Laurence Helfer, *Human Rights and Intellectual Property: Conflict or Co-existence?*, MINNESOTA INTELLECTUAL PROPERTY REVIEW 5:1 (2003).

B. TEXT BOOKS

1. Sreenivasulu, Law Relating to Intellectual Property, 2nd Edition, Universal Law Publishing (2018).
2. Venkateswaran, Trade Marks and Passing Off, 7th Edition, Lexis Nexis (2018).
3. Prabuddha Ganguli, Intellectual Property Rights: Unleashing The Knowledge Economy, 1st Edition, Mcgraw Hill Education (2017).

4. Iyengar, Commentary on The Copyright Act, 9th Edition, Universal Law Publishing (2016).
5. Iyengar, Commentary On Trade Marks Act: Including Schedules, Rules, Notifications, Treaties, Conventions And Much More.., 5th Edition, Universal Law Publishing (2016).
6. Kshitij Kumar, Biotechnology and Intellectual Property Rights: Legal and Social Implications, Springer (2015).
7. Avtar Singh, Intellectual Property Law, 1st Edition, Eastern Book Company (2013).
8. Neil Wilkof And Shamnad Basheer, Overlapping Intellectual Property Rights, Oxford University Press (2012).
9. Wadhwa, Law Relating to Intellectual Property, 5th Edition, Universal Law Publishing (2015).

Mapping of Program Outcomes with Course Outcomes

	PO1	PO2	PO3	PO4	PO5
CO1	3	2	3	3	3
CO2	2	3	2	2	3
CO3	3	2	2	3	3
CO4	2	2	3	2	2

Consumer Protection Laws & E-Commerce

Course Description:

This elective course on laws relating to consumer protection and e-commerce engages a detailed study on the legal framework concerning consumer protection in the wake of ‘consumerism’, which has gained relevance after the globalization and liberalization era. Similarly, the advent of internet era has taken over the commercial transaction from physical market platform to electronic platform and thereby leading to the emergence of the concept of e-commerce. The interface between consumer protection laws and e-commerce has gradually emerged with the rising legal issues and need for interpretative clarity in the regime. The course set forth an in-depth study of the legislative provisions relating to consumer protection in India and the greater implication of consumer laws in the e-commerce platform.

Course Outcome (CO)

On the successful completion of the course, the student will be able to

	Course Outcome	Level
CO 1	Locate the conceptual and theoretical development of consumer law and its interface with E-commerce in the global and Indian regime	Understand
CO 2	Examine the legislative provisions and legal issues under the Consumer Protection Act and E-commerce rules	Analyze
CO 3	Solve legal issues related to consumer protection in the E-commerce platforms	Apply
CO 4	Appraise the relevance of consumer protection in the E-commerce regime	Evaluate
CO 5	Articulate the problem areas of deficiency and indicate the relevance of research in the area of consumer protection and E-commerce	Skill

Pedagogy:

- Lecture & Discussion Method
- Case study Method
- Research based Teaching
- Harkness method
- Concept centred approach through Seminars and Presentations

UNITS

UNIT I- Introduction to Consumer Laws

Development of market and consumer relations, Globalisation and consumerism, Consumer Movement- Global & Indian Context, Development of Consumer law and policies in India- Historical Perspective- Overview of legislations relating to consumer protection

UNIT II: Legal Framework of Consumer Protection in India

Consumer Protection Act, 2019- Overview, Salient features of the Act -Definitions, Rights of the Consumer, Consumer Protection Councils, Central Consumer Protection Authority, Consumer Dispute Redressal Commission, Mediation, Offences and Penalty- Product and Service Liability- Penal consequences, Misleading Advertisements

UNIT III: E-commerce- Concepts and Practice

Concept and evolution of E-commerce, Overview, Definitions, Advantages and Disadvantages, Business Models of E-commerce- Models based on Transaction Type, Models based on Transaction Party- B2B, B2C, C2B, C2C

UNIT IV: E-commerce and Consumer Protection

Relevance of consumer protection in E-commerce platform, Legal Framework concerning the interface between e-commerce and consumer protection, Consumer Protection (E-Commerce) Rules, 2020, Legal issues associated with E-commerce transactions and consumer grievances

References

- Y P Bhagat Kumar Keshav, Commentary on the Consumer Protection Act, 2019 with updated Rules and Amendments, Whitesman Publication, (2020)
- Evan Selinger et al, The Cambridge Handbook of Consumer Privacy, Cambridge University Press, 2020
- Pablo Cortes, The Law of Consumer Redress in an Evolving Digital Market: Upgrading from Alternative to Online Dispute Resolution, Cambridge University Press, 2018
- Surendra Malik and Sudeep Malik, Supreme Court on Consumer Protection, Eastern Book Company, (2018)

Mapping of Program Outcomes with Course Outcomes

	PO1	PO2	PO3	PO4	PO5
CO1	3	3	2	2	2
CO2	3	2	2	2	3
CO3	3	3	3	2	3
CO4	2	2	2	2	3
CO5	2	3	3	2	3

Semester 2

Credits: 4

Course Code: LLM2106

Law and Social Transformation in India**Course Description:**

Law and society have a symbiotic relationship. Law, through legislation and judicial decisions, propels social transformation. Similarly, the society on several instances has agitated for legal reforms. Thus, laws drafted or modified in vacuum, away from social realities is bound to fail. This course seeks to deepen the students' understanding the interaction between law and social transformation. It provides insight into the ideological underpinnings of the modern India and how those have taken shape as law. The course would impart a perspective on how various social issues have been addressed through legal process and thus enable the students to develop a critical and sensitised perspective on the social operation of law.

Course Outcome (CO)

On the successful completion of the course, the student will be able to

	Course Outcome	Level
CO 1	Identify the purpose behind the conscious solutions chosen by our lawmakers to resolve various social ills plaguing India for centuries	Understand
CO 2	Critically analyse the role of law in facilitating social upliftment of people	Analyse
CO 3	Examine the role of law in facilitating the economic upliftment of people	Analyse
CO 4	Demonstrate through case studies the impact of deliberate legal actions in ushering in social transformation	Skill
CO 5	Develop their conception of social legislation and their working and offer effective solutions	Skill

Pedagogy:

- Lecture method
- Seminar method
- Collaborative Learning
- Case Method
- Flip Classroom

UNITS**UNIT 1: Law and Social Change in post-independent India**

The continuing and transformative nature of the post-independent legal system - The evolution of the Constitution as an instrument of conscience social engineering - Modernisation and law - Alternative approaches: Gandhianism, Sarvodaya, Marxism

UNIT II: The Constitutional Remedy to Social Challenges

Regionalism: Sons of the Soil doctrine, Pluralism and integrity - Language Rights: Linguistic formulation of States, New Education Policy and Language; Caste system: Constitutional

guarantees, Untouchability, Affirmative Action, Protection of Civil Rights Act, National Commissions

UNIT III: Role of Law in Economic Upliftment: Land Reforms as a case study

The constitutional right to property - Agricultural Reforms of 2020 - Land rights of forest dwellers - Land and tribal rights - The Forest Rights Act (FRA), 2006

UNIT IV: Social Transformation through legal empowerment: Children as a case study

Child Labour - The Child and Adolescent Labour (Prohibition and Regulation) Act, 1986 - Sexual Exploitation – Protection of Children from Sexual Offences Act, 2012 - Child Marriage: The Prohibition of Child Marriage Act 2006 – Adoption: Under personal laws, Juvenile Justice Act, 2015 - Children and education – Right to Education Act, 2009

UNIT V: Religion and Personal Laws: The Next Trial

Religion: The understanding of secularism in India, Rights of Religious Minorities, School Uniforms and Religious rights - Personal Laws and the Uniform Civil Code, Drafting a Uniform Civil Code for India – Judiciary and the Essential Religious Practices Doctrine.

References:

1. Marc Galanter (ed.), Law and Society in Modern India. Oxford: Oxford University Press, 1997.
2. Iswara Bhatt, Law and Social Transformation. Lucknow: Eastern Book Company 2022
3. Derret, Duncan. The State, Religion and Law in India. New Delhi: Oxford University Press, 1999.
4. Deshta, Sunil, and Kiran Deshta, Law and Menace of Child Labour. Delhi: Armol Publications, 2000.
5. Gunasekhare, Savitri. Children, Law and Justice. Sage Publications, 1997.
6. Indian Law Institute. Law and Social Change: Indo-American Reflections. Bombay: Tripathi. 1988.
7. MP Jain, Outlines of Indian Legal History. Bombay: Tripathi, 1993.
8. BS Sinha, Law and Social Change in India. Deep and Deep Publications (New Delhi)
9. W Friedmann, Law in a Changing Society. Sweet and Maxwell Ltd (1972)
10. B Kuppuswamy, Social Change in India. Vani Educational Books (1984)
11. Yogendra Singh, Modernisation of Indian Tradition. Rawat Publication (1986)

(Prerequisite readings and suggested readings will also be provided to the students in accordance with the session plan)

Mapping of Program Outcomes with Course Outcomes

	PO1	PO2	PO3	PO4	PO5
CO1	3	2	1	3	2
CO2	2	2	3	3	3
CO3	2	2	3	2	3
CO4	1	3	3	3	3
CO5	2	3	3	3	3

Credits: 4

Course Code: LLM2107

Securities Law**Course Description:**

The Securities market and its interface with legal and regulatory framework is an advance course in the LLM programme. The course set forth the application of conventional legal principles to practical and theoretical concepts in the securities regime. The study is essential, especially in view of the legal and regulatory policies currently being adopted in the corporate sector. The Course aims towards providing working knowledge of the securities laws and related legal compliance procedures to the students. The Course consists of vital information that enables students in understanding and identifying legal issues and challenges in the investment and securities market. The course is designed to present an overview of the legal framework governing basic tenets of Securities Market, powers and functions of SEBI, Capital Market Intermediaries, Issue of capital and disclosure requirements, Listing and delisting of Securities, Depositories system and contemporary legal developments in the securities market and investment options.

Course Outcome (CO)

On the successful completion of the course, the student will be able to

	Course Outcome	Level
CO 1	Restate the underlying and emerging concepts in Securities Law	Understand
CO 2	Examine the relevant legal issues in the domain of Securities Law	Analyze
CO 3	Employ the International best practices in interpretation of Securities Law provision for resolving legal issues	Apply
CO 4	Appraise the relevance of Securities law in the global and national sphere	Evaluate
CO 5	Demonstrate effective skills in advocacy, research and client counselling in matters relates to Securities Law	Skill

Pedagogy:

- Lecture & Discussion Method
- Socrates Method
- Problem Solving
- Concept centred approach through Seminars and Presentations
- Bloom's Twist Method

UNITS

UNIT I- Securities Market- A General Introduction to Legal and Regulatory Framework

Introduction to the concept of Capital Markets & Securities- Indian Financial System-An Overview, Structure of Securities Market – Primary market and secondary market- Evolution of Securities Market Regulation in India and US, Meaning of securities - Securities Contracts (Regulation) Act, 1956- Types of Securities- Derivatives

UNIT II- Legislative Framework of SEBI and Depositories

SEBI Act 1992- Objective, Powers and Functions of the Board, Securities Appellate Tribunal, Depositories Act, 1996- Definition, Rights, Obligation and Powers of Depositories, Depository Participant and Beneficial Owners, Depository Receipts- IDR, ADR, GDR

UNIT III- Capital Market Intermediaries

Capital Market Intermediaries- Meaning, Importance, Powers and Functions-Merchant Bankers, Registrar to an Issue and Share Transfer Agents, Underwriters, Debenture Trustees, Bankers to an Issue, Credit Rating Agencies, Stock Brokers & Sub-brokers, Portfolio Managers

UNIT IV- Issue of Capital and Disclosure Requirements

Issue of Securities – SEBI (ICDR) 2018 and the Companies Act, 2013 - Public Issue of Equity Shares- Book Building- Green Shoe Option, Rights Issue, Bonus Issue, Qualified Institutional Placement-Disclosure Requirements

UNIT V- Listing and Delisting of Securities

SEBI (LODR) Regulation 2015- Listing of Securities- Listing Agreement- Listing Obligations, Disclosure Requirements, SEBI (Delisting of Equity Shares) Regulations, 2009- Voluntary and Compulsory delisting, Procedure and compliance for Delisting

References

- Concerned SEBI Regulations relating to capital issues, listing and capital market intermediaries
- Taxmann's SEBI Manual with SEBI Case Law Digest, A Compendium of Acts/Rules/Circulars/Master Circulars & Case Laws on SEBI & Securities Laws, (Volume I,II&III), 35th Edition, 2020
- J. Kondaiah, Securities Law, Lexis Nexis, 2015
- Saha, Capital market and Securities laws, Taxmann Publication, 2016,

(Prerequisite readings and suggested readings will also be provided to the students in accordance with the session plan)

Mapping of Program Outcomes with Course Outcomes

	PO1	PO2	PO3	PO4	PO5
CO1	3	2	3	2	3
CO2	3	2	3	3	3
CO3	3	3	2	2	2
CO4	3	3	2	3	3
CO5	3	3	3	3	3

Law Relating to Occupational Safety and Working Conditions**Course Description**

The Course titled, 'The Law Relating to Occupational Safety, Health and Working Conditions' aims to provide a critical understanding of the various laws, rules and regulations related to occupational health and ensuring safe working conditions workers. The aim of the course is not only to provide the students with adequate knowledge of the various laws relating to occupational health, safety and working conditions, but also to make them appreciate and understand the practical application and importance of the various laws dealing with occupational safety and working conditions of labour in India. The course covers a detailed and analytical study of the laws of occupational safety and working conditions for workers, with a view to develop the critical and analytical research skills of the students.

Course Outcome (CO)

On the successful completion of the course, the student will be able to

	Course Outcome	Level
CO 1	Understand the importance of occupational safety and health	Understand
CO 2	Examine work-specific legislation for occupational safety	Analyse
CO 3	Critique industry specific legislation with respect to occupational safety and health	Analyse
CO 4	Evaluate the provisions of the Factories Act for its adequacy	Evaluate
CO 5	Analyse the new Code relating to occupational safety, health and working conditions	Analyse

TEACHING PEDAGOGY

- Blended learning
- Lecture and Discussion Method
- Reliance on research-based teaching
- Case Study approach

UNITS:**UNIT 1: Introduction**

Overview of the concept and importance of occupational health and safety - ILO standards and mandate - Socio-economic aspects of occupational health and safety – Global best practices – Occupational hygiene, hazards and diseases

Unit 2: Work specific occupational health and safety laws

The Contract Labour (Regulation and Abolition) Act, 1970 - The Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 - The Working Journalists and other Newspaper Employees (Conditions of Service) and Miscellaneous Provisions Act, 1955

UNIT 3: Industry Specific Occupational Safety Legislation

The Mines Act, 1970 - The Plantation Labour Act, 1951 - The Motor Transport Workers Act, 1961 - The Beedi and Cigar Workers (Conditions of Employment) Act, 1966- The Dock

Workers (Safety, Health and Welfare) Act, 1986 - The Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996

UNIT 4: Factories Act, 1948

Industrial hazards cases and accountability - Duties of the occupier and exemption - Statutory Agencies and enforcement - Provisions relating to Hazardous Processes - Constitution of Site Appraisal Committees – Working Conditions – Facilities - Rights of workers to warning about imminent danger

UNIT 5: The Occupational Safety, Health and Working Conditions Code, 2020

Need for the Code – Drafting History – Analysis – Provisions related to interstate Workers - Merits - Critique

BOOKS TO BE REFERRED

1. K.D. Srivastava's Commentaries on Factories Act, 1948, by Revised by P.L. Malik Edition: 5th Edition, with Supplement, 2012, EBC
2. Kharbanda & Kharbanda's Commentary on Contract Labour (Regulation and Abolition) Act, 1970, Law Publishing House (2018)
3. Labour & Industrial Laws by Dr. V.G. Goswami, Central Law Agency (2015).
4. P.L. Malik: Industrial Law; Eastern Book Company; 34, Lalbagh, Lucknow.
5. N.D. Kapoor: Handbook of Industrial Law; Sultan Chand & Sons, 23, Darya Ganj, New Delhi – 110002.
6. S.S. Gulshan &: Economic, Labour and Industrial Laws; Sultan Chand & Sons, 23, G.K. Kapoor Daryaganj, New Delhi- 2.
7. P. L. Malik: Labour and Industrial Laws (Pocket Edition); Eastern Book Company, 34, Lalbagh, Lucknow-226 001.
8. H.L. Kumar: Labour Laws; Universal Laws Publishing Co. Pvt. Ltd., G.T. Karnal Road, Delhi – 110033.
9. Labour & Industrial: Universal Law Publishing Co. Pvt. Ltd., G.T. Karnal Road, Delhi – 110033. Laws (Legal Manual)
10. N.D. Kapoor & Rajni Abbi: General Laws and Procedures; Sultan Chand & Sons. New Delhi.
11. Taxmann's: Labour Laws.
12. N.D. Kapoor: Handbook of Industrial Law; Sultan Chand & Sons, 23, Darya Ganj, New Delhi – 110002.
13. ICSI Web UNIT for CS: Professional and Executive Programme: Labour Law and Practice (UNIT 3, Elective Paper 9.6)

Mapping of Program Outcomes with Course Outcomes

	PO1	PO2	PO3	PO4	PO5
CO1	3	2	2	3	1
CO2	3	2	3	2	2
CO3	3	2	3	3	2
CO4	3	2	3	2	3
CO5	3	3	3	2	3

Corporate Governance**Course Description**

Corporate Governance deals with the complex set of interactions between the corporation and its board of directors, management, shareholders, and other stakeholders. The course is designed to make the students understand about the fundamental theories and practice of Corporate Governance. It further examines the concepts of Corporate Governance including international models as applied to corporation, with a special focus on the separation and ownership and management issues. It further explores the formal and informal contractual relationship between shareholders, directors, managers, employees, customers, and communities.

Course Outcome

A On the successful completion of the course, the student will be able to

	Course Outcome	Level
CO 1	Understand the key concepts, classification, principles of Corporate Governance	Understand
CO 2	Understand the international developments and broad range of perspectives on Corporate Governance mechanism	Familiarize
CO 3	Analyse the corporate governance principles developed at international level and to that of other jurisdictions	Analyse
CO 4	Evaluate the governance practices and identify the risks in implementation of good practices in India	Evaluate
CO 5	Demonstrate the best practices on corporate management and draw out the clear contractual distinctions with that of various stakeholders	Skill

Teaching Pedagogy

- Lecture Method
- Flipped Classroom Method
- Group Work and Guided Learning
- Use of Technology in Classroom

UNIT 1: Introduction and Overview

Introduction, Definition and Theoretical and Key Concepts - Corporate Governance - Definition and Importance - Corporate Governance and Corporate Responsibility - Globalisation and Corporate Governance – Models and Mechanism – Corporate - Ethics – Concerns of Base Erosion and Profit Sharing (BEPS), Transfer Pricing, Aggressive - Tax Planning

UNIT 2: International Corporate Governance

ICG: Principles and Policies - Cross Country Comparison and its Scope - different legal framework and its impacts - Corporate Governance and Implementation - Case studies and overseas perspective

UNIT 3: Corporate Regulations

Board of Directors - Management and Best Practices - Meeting and Voting - Accounts and Audit - Mergers and Acquisition - Winding up of Companies – Modes and Procedures - Corporate Social Responsibility – Concepts and Relevance

UNIT 4: Insolvency and Bankruptcy Code

Definitions – Objectives & Purpose - Salient Features - Difference between Bankruptcy - and Insolvency – Process of Insolvency – Adjudicating authorities – amendments etc.

UNIT 5: Shareholder vs Stakeholder

Rights of Shareholders - Role of Stakeholders - Shareholder Activism and its effects - Disclosure - Transparency

SELECTED REFERENCES

A. JOURNAL ARTICLES

1. Carol Newman et.al, *Corporate Social Responsibility in a Competitive Business Environment*, THE JOURNAL OF DEVELOPMENT STUDIES, ROUTLEDGE 56:8, 1455-1472 (2020).
2. Mauricio Andres et.al, *A Literature Review of the History and Evolution of Corporate Social Responsibility*, INTERNATIONAL JOURNAL OF CORPORATE SOCIAL RESPONSIBILITY, SPRINGER 4:1 (2019).
3. Amit Ron, *Models of Shareholder Democracy: A Transnational Approach*, GLOBAL CONSTITUTIONALISM 7:3(2018).
4. Ezhilarasi, *The Impact of Corporate Governance Attributes on Environmental Disclosures: Evidence from India*, INDIAN JOURNAL OF CORPORATE GOVERNANCE 10:1 (2017).
5. Vijay, *Corporate Social Responsibility in India: An Overview*, JOURNAL OF ASIAN BUSINESS MANAGEMENT 9 (2017).
6. Santhosh Abraham, *Disclosure by Indian Companies following Corporate Governance Reform*, JOURNAL OF APPLIED ACCOUNTING RESEARCH 16:1 (2015).
7. Ann & Brown, *Shareholder Democracy as a Misbegotten Metaphor*, SHAREHOLDER EMPOWERMENT, SPRINGER (2015).
8. Lisa Fairfax, *The Future of Shareholder Democracy*, INDIANA LAW JOURNAL 84:4 (2009).
9. Pierre-Yves Gomez, *Democracy and the Evolution of Corporate Governance*, CORPORATE GOVERNANCE 13:6 (2005).
10. Michael Duffy, *Shareholder Democracy or Shareholder Plutocracy? Corporate Governance and the Plight of Small Shareholders*, THE UNIVERSITY OF NEW SOUTH WALES LAW JOURNAL, 25:2 (2002).
11. Donald E.Schwartz, *Shareholder Democracy: A Reality or Chimera?*, CALIFORNIA MANAGEMENT REVIEW (1983).

B. Text Books

1. Company Law Manual, 14th Edition, Taxmann (2020).
2. Kapoor & Sanjay, Company Law and Practice, 24th Edition, Taxmann (2019)
3. Arindam Das, Corporate Governance in India, 1st Edition, Routledge (2019).
4. Company Law, Study Material, The Institute of Company Secretaries Of India (2018).
5. Avtar Singh, Company Law, 17th Edition, EBC Explorer (2018).
6. Bangia, Company Law, Allahabad Law Agency (2018).
7. Company Law, Study Material, The Institute Of Company Secretaries Of India (2018).
8. Corporate Laws (The Companies Act, 2013 With Allied Acts, Rules and Regulations) Including The Insolvency And Bankruptcy Code, 2016, Lexis Nexis (2017).
9. Thomas Clarke, International Corporate Governance: A Comparative Approach, 2nd Edition, Routledge (2017).
10. Ravichandran, Corporate Social Responsibility: Emerging Opportunities and Challenges In India, 1st Edition, Lexis Nexis (2016).
11. Esben, Corporate Social Responsibility, Sage Publications Ltd (2015).
12. Marc Goergen, International Corporate Governance, 1st Edition, Pearson (2012).
13. Robert Tricker, International Corporate Governance: Text, Reading and Cases, Prentice Hall Asia (1993).

Mapping of Program Outcomes with Course Outcomes

	PO1	PO2	PO3	PO4	PO5
CO1	3	3	3	3	2
CO2	2	3	2	3	3
CO3	3	2	3	2	2
CO4	2	3	3	3	3
CO5	3	3	2	3	3

Health Law

Course Description:

This course provides an introduction to the legal foundations of health as a right and healthcare in India. It also throws light on key issues concerning the doctor-patient relationship, and on the basics of biomedical ethics. Contemporary topics such as medical negligence, abortion, euthanasia, mental health, genome technology, confidentiality, reproductive rights, etc.

Course Outcome (CO)

On the successful completion of the course, the student will be able to

	Course Outcome	Level
CO 1	Identify the right to health under the national and international regimes	Understand
CO 2	Understand the legal relationship between doctors and patients	Understand
CO 3	Understand the scope, importance and application of the principles of biomedical ethics	Apply
CO 4	Analyse the laws pertaining to healthcare and bioethics principles to contemporary issues	Analyze

Pedagogy:

- Lecture method
- Discussions
- Case Method
- Tutorials through assignments and presentations
- Collaborative Method

UNITS

UNIT I: Right to Health and its Facets

Health as a human right - Helsinki Declaration – Declaration of Alma-Ata – Ottawa Charter – Health 21 - Rights under the Indian Constitution – Rights of Vulnerable Groups - Mental Health laws in India, Rights of Persons with Disabilities

UNIT II: Doctor-Patient relationship

Patients Right of Self Determination - Rights & Duties of Medical Practitioner, medical care in case of emergencies - Doctors & Patients Contractual Relationship - Confidentiality – Mandatory reporting u/POCSO - Medical negligence - Laws regulating quackery

UNIT III: Principles of Bioethics

Principles of Bioethics: Scope and importance - Beneficence, non-maleficence, respect for persons, justice – Autonomy and autonomous capacity – Resolving conflict between principles of bioethics - Approaches to Biomedical Ethics

UNIT IV: Contemporary Issues

When does life begin and when does it end?: Euthanasia, Living will, Abortion - Genome Testing and Amniocentesis - Reproductive Issues: Assisted Reproductive Technologies, Surrogacy - HIV/AIDS: Confidentiality and privacy - Transplantation of human organs and tissues, Clinical Trial and human experimentation: Clinical trial on vulnerable groups

Select References:

1. Modi, Justice K Kannan, A Textbook of Medical Jurisprudence and Toxicology, 26th edition, LexisNexis, 2018
2. Brig M A George, Hospitals & The Law, LexisNexis, 2016
3. Dr Abdul Majid Siraj, Laws and The Doctors, 2nd edition, LexisNexis, 2016
4. Robert M. Veatch and Laura K. Guidry- Grimes, The Basics of Bioethics, 4th Edition, Routledge, 2020
5. Bonnie Steinbock, The Oxford Handbook of Bioethics, 1st Edition, Oxford University Press, 2007

(Prerequisite readings and suggested readings will also be provided to the students in accordance with the session plan)

Mapping of Program Outcomes with Course Outcomes

	PO1	PO2	PO3	PO4	PO5
CO1	3	2	2	2	1
CO2	3	3	3	3	1
CO3	3	3	3	2	2
CO4	1	2	3	3	2

Environment and Industrial-Safety laws**Course Description**

The course is designed to make the students understand the development of Environmental laws and Industrial-safety Laws at the International and national sense. The course further familiarizes the students with international and domestic adjudicatory mechanisms on environment with an assessment of the functioning of National Green Tribunals. Further, the course enables the students to explore into the biosafety issues and the laws that govern the agricultural safety and food safety.

Course Outcome

On the successful completion of the course, the student will be able to

	Course Outcome	Level
CO 1	Understand the key concepts, principles, structure and best practices of Environmental and Industrial safety laws	Understand
CO 2	Analyse the technological impacts on Environment especially on agriculture sectors and food manufacturing units at the international context	Analyse
CO 3	Evaluate the industrial safety laws in the context of biosafety and identify the best stewardship practices followed in India	Evaluate
CO 4	Demonstrate the important skills on identification of liability issues and mechanisms adopted across various jurisdictions and India	Skill

Teaching Pedagogy

- Lecture Method
- Flipped Classroom Method
- Group Work and Guided Learning
- Use of Technology in Classroom
- Case Study Method

UNITS**UNIT 1: Introduction and Overview**

Conservation of Environment – importance and relevance - Conservation of Biosafety – Technological advances and scope - Promotion of Business/Trade vis-à-vis Biosafety - Role of NGOs and Importance of Safety aspects

UNIT 2: International Framework on Environment and Industrial safety

Origin, Development and its Principles - International Laws: Conventions, Agreements and Organizations - Convention of Biological Diversity: Principles and Implementation - Protection of Plant Varieties and Farmer Varieties

UNIT 3: Environmental Laws in India

Environmental Laws and Policies in India - Emerging Technologies - Environmental Safety - Liability framework under existing legislation - Role of Non-Governmental Organization in Environment Conservation - National Green Tribunals and its mechanism

UNIT 4: Industrial Safety Laws in India

Industrial Safety Laws and Policies in India – Important Legislations on Industrial Safety - Emerging Technologies - Industrial Safety and Biosafety - Liability framework under existing legislation – Adjudicatory Mechanism with case discussions

SELECTED REFERENCES

A. JOURNAL ARTICLES

1. Aaron Schwabach, *Transboundary Environmental Harm and State Responsibility: Customary International Law*, INTERNATIONAL LAW AND INSTITUTIONS(2011).
2. Balashanmugam.S.K. et. al., *South Asian Perspective on Institutional Mechanism for Introduction and Import of GM Crops*, BIOTECHNOLOGY LAW REPORT 35 (2), 73-79 (2016)
3. Balashanmugam.S.K.et. al., *Liability Aspects Related to Genetically Modified Food under the Food Safety Legislation in India*, INTERNATIONAL JOURNAL OF SOCIAL, BEHAVIORAL, EDUCATIONAL, ECONOMIC, BUSINESS AND INDUSTRIAL ENGINEERING 9:12, 4060-65 (2015)
4. Becky Price & Janet Cotter, *The GM Contamination Register: A Review of Recorded Contamination Incidents Associated with Genetically Modified Organisms (GMOs) 1997–2013*, INTERNATIONAL JOURNAL OF FOOD CONTAMINATION (2014)
5. Bernadene Magnuson et.al., *Review of the Regulation and Safety Assessment of Food Substances in Various Countries and Jurisdictions*, FOOD ADDITIVES & CONTAMINANTS (PART A) CHEMISTRY, ANALYSIS, CONTROL, EXPOSURE & RISK ASSESSMENT30 (7), 1147-1220(2013)
6. Ching-Fu Lin, *Global Food Safety: Exploring Key Elements for an International Regulatory Strategy*, VIRGINIA JOURNAL OF INTERNATIONAL LAW51, 637 (2011)
7. Erika Miranda, *China Vows Strict Monitoring of Cultivation of Genetically Modified Crops Amid Safety Worries*, YIBADA (2016)
8. Gurdial Singh Nijar, *The Nagoya–Kuala Lumpur Supplementary Protocol on Liability and Redress to the Cartagena Protocol on Biosafety: An analysis and implementation challenges*, INTERNATIONAL ENVIRONMENTAL AGREEMENTS 13, 271 (2013)

9. James C, Global Status of Commercialized Biotech/GM Crops: 2015, ISAAA BRIEF NO. 51 (ISAAA: Ithaca, 2015)
10. Jingjing Zhao, *Towards State Avoidance of Conflicts Between the SPS Agreement and the Cartagena Protocol on Biosafety: A Fresh Perspective*, JOURNAL OF WORLD TRADE 53:4 (2019).
11. Lorraine Chow, *Epic Drought and Food Crisis Prompts South Africa to Ease Restrictions on GMOs. Climate Change, Food, Agriculture, Genetically Engineered Foods*, ECO WATCH (2016)
12. Meghna Nanda Dasgupta, *Technical Workshop on Risk Based Approaches for Food Safety Management*, TOXICOLOGY INTERNATIONAL 21 (1), 115-117 (2014)
13. Moonsook Park, *A Comparative Study of GMO Labeling and Liability Systems in the US, EU, and South Korea: The Circumstances and a Future Potential for Harmonization*, MAURER LAW (2014)
14. Paul Street, *Trading in Risk: The Biosafety Protocol, Genetically Modified Organisms and the World Trade Organisation*, ENVIRONMENTAL LAW REVIEW 3:4 (2001).
15. Richard Posner, *Instrumental and Noninstrumental Theories of Tort Law*, INDIANA LAW JOURNAL 88, 469-525 (2013)
16. Sabrina Safrin, *Treaties in Collision? The Biosafety Protocol and the World Trade Organization Agreements*, AMERICAN JOURNAL OF INTERNATIONAL LAW 96:3 (2017).
17. Thomas Cors, *Biosafety and International Trade: Conflict or Convergence?* INTERNATIONAL JOURNAL OF BIOTECHNOLOGY 2:3 (2000).
18. Wenxuan Yu & Canfa Wang, *AGRO-GMO Biosafety Legislation in China: Current Situation, Challenges, and Solutions*, VERMONT JOURNAL OF ENVIRONMENT LAW 13, 865 (2012)
19. William Engdahl, *Russia Bans US GMO Imports*, GLOBAL RESEARCH (2016)
20. Yvonne Scherrer, *Environmental Conservation NGOs and the Concept of Sustainable Development*, JOURNAL OF BUSINESS ETHICS 85 (2009).

B. TEXT BOOKS

1. Shanthakumar, *Introduction to Environmental Law*, 2nd Edition Rp, Lexis Nexis (2019).
2. Leelakrishnan, *Environmental Law In India*, 5th Edition, Lexis Nexis (2019).
3. Philippe Sands And Peel, *Principles Of International Environmental Law*, 4th Edition, Cambridge University Press (2018).
4. Malcolm Shaw, *International Law*, 8th Edition, Cambridge University Press (2018).
5. XueDayuan, *Biosafety and Regulation for Genetically Modified Organisms*, Alpha Science International (2015)
6. Timo Koivurova, *Introduction to International Environmental Law*, 1st Edition, Routledge (2014).
7. Victoria, *Biosecurity Law and Policy: Biosecurity, Biosafety and Biodefense Law* (2014).
8. Leelakrishnan, *Environmental Law Case Book*, 2nd Edition, Lexis Nexis (2010).
9. Divan Shyam & Armin, *Environmental Law and Policy In India: Cases, Material & Statutes*, Oxford India (2002).

Mapping of Program Outcomes with Course Outcomes

	PO1	PO2	PO3	PO4	PO5
CO1	3	3	2	3	2
CO2	2	2	3	3	1
CO3	3	1	2	2	2
CO4	1	2	3	3	3

Advanced Course on Intellectual Property Laws**Course description**

This course will focus on a critical and in-depth examination of the contemporary topics of current importance and concern related to different types of intellectual property laws. For taking this seminar/elective course, it is expected that the students have pre-requisite knowledge of the fundamentals of intellectual property rights law. This course examines in depth a series of topics that, in recent years, have proven especially controversial or troublesome. This course also includes study of certain other types of IP rights that go beyond the traditional contours of IPR rights, including copyrights, trademarks and patents. This course also includes practical exercises to train students on negotiation and drafting of IP licensing and transfer agreements.

Course Outcome

On the successful completion of the course, the student will be able to

	Course Outcome	Level
CO 1	Understand the ideas at a level of abstraction, arguing from competing perspectives and identify the possibility of new concepts within existing knowledge frameworks and approaches	Understand
CO 2	Analyse complex and/or controversial topics in IP Law	Analyse
CO 3	Develop skills and abilities of the students to practically apply complex and controversial topics dealing with IP law to real-life situations, and provide recommendations for further legislative and policy development within these topics.	Apply
CO 4	Be able to apply knowledge to complex situations, recognise potential alternative conclusions for particular situations and provide supporting reasons for them. Learn to address these questions by synthesising materials from different academic disciplines and applying their analysis to ongoing policy debates	Skill

TEACHING PEDAGOGY

- Seminar Method
- Blended learning
- Lecture and Discussion Method through use of peer-reviewed articles
- Reliance on research-based teaching
- Case Study approach

UNIT 1: Introduction and Overview

Definitions – Patents, Copyrights, Patents – Trade Secrets - Law on Geographical Indications - Law on Industrial Designs and Semi-conductors - International developments and cross border jurisdictions.

UNIT 2: Emerging areas in IP Law

Allied Intellectual Property Rights Law - Trade secrets and IP Law-Utility models law and patents Law-Protecting Confidential Information under IP Law-Data Exclusivity - International IP Law - Comparative study of evolution of international IP agreements and treaties-comparative study of IP law of India with other countries - IP and Industry Specific Applications - IP and Alternative Dispute Resolution - Arbitrability of IP Disputes-Arbitrability issues arising in IP Disputes-Country-wise assessment of settlement of disputes through Arbitration-Arbitration Agreement

UNIT3: Advanced Topics under Copyright, Trademark and Patent Law

Contemporary Challenges under copyright law - Copyright and the internet Age-Open-Access sources and Creative Commons Licensing-protection to software-copyrightability of new types of creative works, such as tattoos - Contemporary Challenges under Trademarks Law - Contemporary Challenges under Patent law

Unit 4: Overlapping Intellectual Property Rights

Interface between utility patents and copyrights-patent and design protection-patents and utility models-overlap of copyright and trademarks-design and copyright overlap-protection to databases-interface of moral and economic rights-designs, trademarks and trade dress-GI and trademark overlap-domain names and trademarks

Reading material

1. Zhao, Y. (2017). Intellectual property protection in outer space: reconciling territoriality of intellectual property with non-territoriality in outer space. *Queen Mary Journal of Intellectual Property*, 7(2), 137-155.
2. Chen, Z. (2020). Theoretical Territoriality Paradox for the Intellectual Property Protection in Outer Space and Its Regulatory Approach for Reconciliation. *Journal of East Asia & International Law*, 13(1).
3. Leepuengtham, T. (2017). Patents in outer space. In *The Protection of Intellectual Property Rights in Outer Space Activities*. Edward Elgar Publishing.
4. Leepuengtham, T. (2017). The application of copyright law to outer space activities. In *The Protection of Intellectual Property Rights in Outer Space Activities*. Edward Elgar Publishing.
5. Avveduto, R. (2019). Past, Present, and Future of Intellectual Property in Space: Old Answers to New Questions. *Wash. Int'l LJ*, 29, 203.
6. Wilbanks, K. B. (2012). The challenges of 3D printing to the repair-reconstruction doctrine in patent law. *Geo. Mason L. Rev.*, 20, 1147.
7. Robinson, W. K. (2014). Patent law challenges for the internet of things. *Wake Forest J. Bus. &Intell. Prop. L.*, 15, 655.
8. Plager, S. J. (2001). Challenges for Intellectual Property Law in the Twenty-First Century: Indeterminacy and Other Problems. *U. Ill. L. Rev.*, 69.

9. McManis, C. R. (2000). Introduction: Re-Engineering Patent Law and the Challenge of New Technologies. *Washington University Journal of Law & Policy*, 2(1), 1-22.
10. Hu, S., & Jiang, T. (2019, January). Artificial intelligence technology challenges patent laws. In *2019 International Conference on Intelligent Transportation, Big Data & Smart City (ICITBS)* (pp. 241-244). IEEE.
11. Zech, H. (2009). Nanotechnology-New Challenges for Patent Law. *SCRIPTed*, 6, 147.
12. Nielsen, J., & Nicol, D. (2019). The reform challenge: Australian patent law and the emergence of 3D printing. In *3D Printing and Beyond*. Edward Elgar Publishing.
13. Barpujari, I. (2010). The patent regime and nanotechnology: issues and challenges.

Mapping of Program Outcomes with Course Outcomes

	PO1	PO2	PO3	PO4	PO5
CO1	3	1	2	2	3
CO2	3	3	3	2	2
CO3	3	3	2	3	1
CO4	2	2	3	1	3

Semester 3

Credits: 4

Course Code: LLM2111

Theories of Law and Justice in a Globalising World**Course Description:**

If there is one phenomenon that has defined and re-defined the world in the last few decades it is globalisation. Globalisation is a complex process which has made the world more interdependent. However, globalisation has also caused divisiveness in several areas, and made the existing differences starker in other areas. The purpose of law is to not just maintain order but also to ensure that justice is done to the last entity. Globalisation posed severe challenge to social, political and economic perspectives on law and justice. Thus, there is a need to reevaluate our understanding of laws in light of the paradigm shifts caused by this phenomenon. This course will also consider the diffusion of law in a global perspective and how justice can be achieved despite the new found challenges.

Course Outcome (CO)

On the successful completion of the course, the student will be able to

	Course Outcome	Level
CO 1	Recognise and classify the approaches of global justice proposed by various experts	Understand
CO 2	Appreciate the various theories of law and justice put forth in the West as well as in India	Understand
CO 3	Demonstrate the merits and demerits of varying approaches of global justice	Apply
CO 4	Investigate into the impact of globalisation on pressing global issues	Analyze
CO 5	Assess the best global justice approaches to the political and economic facets of these global issues	Skill

Pedagogy:

- Lecture method
- Group Discussion
- Seminar Method
- Problem Method
- Collaborative Method

UNIT I: The conception of justice and law

Conception of law in western legal thought: natural school, legal positivism, moralism, Marxist, and realist theories of law; Contributions of Dworkin, Roscoe Pound; Theories of Justice; Dharma and Ancient Indian Thought, Kant, Rawls, and Pogge; Contributions of Amartya Sen and Upendra Baxi

UNIT II: Sovereignty and Globalisation

Globalisation and its facets; Need for the study of concept of justice from a global perspective; Changing conception of State and sovereignty in an increasingly integrated world; Rule of Law; Security threats in the 21st Century; Globalisation and Democracy

UNIT III: Conceiving Justice in a globalising world

Concept of Global Justice; Approaches to Global Justice: Egalitarianism and Minimalism: David Miller, Charles Beitz, Simon Caney, Thomas Nagel - Cosmopolitanism and Statism - Global Distributive Justice; Race to the Bottom - Poverty Justice

UNIT IV: Global Justice and Issues

Global justice and human rights - Global justice and natural resources - Global justice and unemployment - Global justice and climate change - Global justice, displacement and migration

UNIT V: Global Justice and International Law

International Law: A Tool for Global Justice? – Accountability for War and Unlawful Use of Force - WTO and Trade Equity – Response of International Law to the Climate Refugee Crisis – Mitigating COVID19 pandemics in the future

Select References:

1. Amartya Sen, The idea of Justice, (Harvard University Press, 2009)
2. B.S. Santos and Cesar A. Rodriguez- Gravito (ed.) Law and Globalization from below: Towards a Cosmopolitan Legality, (Cambridge University Press, 2005)
3. Chris Armstrong, Global Distributive Justice: An Introduction, (Cambridge University Press, 2012)
4. David Miller, National Responsibility and Global Justice (Oxford Political Theory), (Oxford University Press, 2007)
5. Gillian Brock, Global Justice, A Cosmopolitan Account (Oxford: Oxford University Press, 2009)
6. John Rawls, A Theory of Justice, Revised Edition, (Cambridge University Press, 1999)
7. Laura Valentini, Justice in a Globalizing World: A Normative Framework (Oxford University Press, 2011)
8. Peter Singer, Famine, Affluence, and Morality, Philosophy and Public Affairs, 1(3), 229-243
9. Ralf Michaels, Globalization and Law: Law Beyond the State, in Law and Society Theory (Banakar and Travers eds., 2013)
10. Simon Caney, Justice Beyond Borders: A Global Political Theory (Oxford University Press, 2005)
11. Thom Brooks, The Oxford Handbook of Global Justice, (Oxford University Press, 2020)
12. Thomas Pogge, Global Justice, (Oxford: Blackwell, 2001)
13. Thomas Pogge, Realising Rawls, (Cornell University Press, 1989)
14. Thomas Pogge, World Poverty and Human Rights (Polity Press, 2002)
15. Upendra Baxi, Human Rights in a Post Human World Critical Essays (Oxford University Press, 2007)
16. Upendra Baxi, The Future of Human Rights, New Delhi: Oxford University Press, 2006

17. William Twining, Human Rights, Southern Voices Francis Deng, Abdullahi An-Naim, Yash Ghai and Upendra Baxi, Law in Context, (Cambridge University Press, 2009)

Mapping of Program Outcomes with Course Outcomes

	PO1	PO2	PO3	PO4	PO5
CO1	3	1	2	3	2
CO2	3	2	2	2	2
CO3	3	3	2	3	3
CO4	2	3	3	3	3
CO5	2	3	3	3	3

Competition Law

Course Description:

The process of globalization and liberalization has shifted a considerable focus towards improving the competitive process in developing economies and has been the central concern of countries striving for significant presence in the global market like India. Until recently most of the developing countries operated without a structured competition policy, and have justified the intervention by the state over economic activities. India owing to its WTO obligations enacted Competition Act, 2002 for effectuating a competitive market regime without any adverse competitive practises. This course seeks to provide fundamental understanding of competition law in India and extensively engages a comparative study of the theoretical expositions in the US and EU competition law regime.

Course Outcome (CO)

On the successful completion of the course, the student will be able to

	Course Outcome	Level
CO 1	Interpret the various underlying and emerging concepts in Competition Law	Understand
CO 2	Examine the global developments and emerging issues in the Competition Law regime	Analyze
CO 3	Illustrate best practices for resolving legal issues in the Competition Law domain	Apply
CO 4	Appraise the relevance of competition Law in global and national sphere	Evaluate
CO 5	Demonstrate effective skills in advocacy, research and client counselling in matters related to Competition law	Skill

Pedagogy:

- Lecture Method
- Concept centred approach through Seminars and Presentations
- Socrates Seminar
- Spider web method
- Collaborative Learning

UNITS

UNIT I- Introduction to Competition Law

Concept of market, Open market- Regulated market, Functioning of market and role of competition law-Nature & Scope of competition law and policy- Evolution & Growth of competition law-Theoretical foundations of competition law

UNIT II- Legislative Framework of the Competition Act, 2002

Competition Act, 2002- overview, definitions and conceptual understanding of agreement, dominant position, combination and effects of anti- competitive activities, CCI- Powers and Functions

UNIT III- Anti Competitive Agreements

Anti-competitive agreements: Concept, forms and treatment in India, Parallel import, Treatment of anti- competitive agreements under USA & EU

UNIT IV- Abuse of Dominant Position

Abuse of dominant position: Concept, forms and treatment in India, Essential facilities doctrine, pricing strategies and abuse of dominant position, Treatment of abuse of dominant position under USA & EU

UNIT V- Combinations

Different tests for studying the impacts of combinations in the market, Unilateral and co-ordinate effects of combinations, Foreclosure, Regulation of Cross- border combinations, Treatment of combinations under USA & EU

References

- Whish, Richard. Competition Law. London: Oxford University Press, 2009.
- Furse, Mark. Competition Law of the EC and UK. London: Oxford University Press, 2008.
- Chao, Yang-Ching. International and Comparative Competition Law and Policies. Kluwer Law International, 2008.
- Rodriguez, A. E. The Limits of Competition Policy: The Shortcomings of Antitrust in Developing and Reforming Economies. Aspen Pub, 2010.
- Dugar, S. M. Guide to Competition Law: Containing Commentary on Competition Act, MRTP Act and Consumer Protection Act. LexisNexis-Butterworths Wadhwa Nagpur, 2010.

(Prerequisite readings and suggested readings will also be provided to the students in accordance with the session plan)

Mapping of Program Outcomes with Course Outcomes

	PO1	PO2	PO3	PO4	PO5
CO1	3	2	3	2	3
CO2	3	2	3	3	3
CO3	3	3	2	2	3
CO4	3	3	2	3	3
CO5	3	3	3	3	3

Credits: 4

Course Code: LLM2113

Labour Laws relating Welfare of Women and Children

Course Description

The Course titled, 'Labour Law Relating to Welfare of Women and Children' aims to provide a critical understanding of the various laws, rules and regulations related to labour conditions for women and children. The aim of the course is not only to provide the students with adequate knowledge of the various laws relating women and children, but also to make them appreciate and understand the practical application and importance of the various laws dealing with working conditions for women and children. The course covers a detailed and analytical study of the labour laws of women and children, with a view to develop the critical and analytical research skills of the students.

Course Outcomes

On the successful completion of the course, the student will be able to:

	Course Outcome	Level
CO 1	Understand the theoretical evolution of specialized concerns for women and child workers.	Understand
CO 2	Critique the various labour laws relating to women	Analyse
CO 3	Examine the jurisprudential evolution of child labour	Analyse
CO 4	Critique the various labour laws relating to children	Analyse
CO 5	Formulate gender neutral sexual harassment laws in line with contemporary global trends	Skill

TEACHING PEDAGOGY

- Blended learning
- Lecture and Discussion Method
- Reliance on research-based teaching
- Case Study approach

UNITS

UNIT 1: Background

Feminisation of Labour - ILO and its impact on welfare of women and children at work – ILO Conventions on Minimum Age and Equal Remuneration – Impact of Globalisation – The caste-gender dynamics in India – Constitutional Perspectives - NCEUS Report - *Shram Shakthi Report*- National Commission on Labour Reports of 1969 and 2001 - Issue and challenges in the employment of female labour force in organised and unorganised sector

UNIT 2: Labour laws Governing Women in India:

Equal Remuneration Act, 1976, The Maternity Benefit Act 1961 – Social Security Code 2020 & OSH Code 2020 - The Unorganized Workers' Social Security Act, 2008 – Regulation of Sex Work

UNIT 3: Child Labour Jurisprudence

The debates and discourses on abolition and regulation of child labour – Prohibition v. Abolition - Best Practices from Other Jurisdictions – Indian Jurisprudence - *Kula Kalvi Thittam* – Realities of Child Labour in India

UNIT 4: Labour Laws Governing Children in India

Bonded labour of children - Migrant Child Worker - The Child and Adolescent Labour (Prohibition and Regulation) Act, 1986 - The Employment of Children Act 1986 with amendments – Children under the new Labour Codes

UNIT 5: Protection Against Sexual Harassment in India

The Menace of Sexual Harassment – *Vishaka* – Post-Vishaka Guidelines – The Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal), Act 2013: Mechanisms thereunder – Need for gender neutrality

BOOKS TO BE REFERRED:

1. Kumar Gourav: Sexual Harassment at Workplace: A commentary and Digest on Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and rules, Universal Law Publishing
2. Industrial Jurisprudence-A Critical Commentary by E. M.Rao, Lexisnexis 2015.
3. Domestic Enquiry by Markanday Katju Publisher N. M. Tripathi.
4. O.P. Malhotra's the Law of Industrial Disputes, Volume 1 & 2, LexisNexis Butterworths.
5. Industrial Relations and Labour Laws by S.C. Srivastava 6th Edition, Vikas Publishing House Pvt. Limited.
6. Textbook on Labour & Industrial Law by Dr. H.K. Saharay, Universal Law Publishing, 2011.
7. P. L. Malik Handbook of Labour and Industrial Law, by Editorial Staff of SCC, Edition: 18th Edition, 2018.
8. Labour Regulation in Indian Industry in 10 Vols.: Institute for Studies in Industrial Development by T.S. Papola (Editor), Bookwell Publications, (2009).
9. Lecture on Labour Law by V.B. Coutinho, Eastern Book Company, (2019).
10. Kharbanda & Kharbanda's Commentary on Contract Labour (Regulation and Abolition) Act, 1970, Law Publishing House (2018)
11. Labour & Industrial Laws by Dr. V.G. Goswami, Central Law Agency (2015).
12. N.D. Kapoor: Handbook of Industrial Law; Sultan Chand & Sons, 23, Darya Ganj, New Delhi – 110002.
13. ICSI Web UNIT for CS: Professional and Executive Programme: Labour Law and Practice (UNIT 3, Elective Paper 9.6)

Mapping of Program Outcomes with Course Outcomes

	PO1	PO2	PO3	PO4	PO5
CO1	3	2	2	3	1
CO2	2	2	3	3	3
CO3	3	3	2	3	2
CO4	3	2	3	3	3
CO5	2	3	2	3	3

INTERNATIONAL TRADE LAW**Course Description**

The subject of International Trade Law has gained more significance with the wake of country's favour towards international economic relations. The course would offer students a wide understanding on the aspects pertaining to international trade and commerce. Further the course is expected to expose students to the international laws and regulations on trade. The course further ensures the students to understand the nuances of trade advancements and the contemporary issues and challenges in relation to trade.

Course Outcome

On the successful completion of the course, the student will be able to

	Course Outcome	Level
CO 1	Understand the key concepts, principles, nuances of globalisation and trade	Understand
CO 2	Familiarize with the international trade laws and structure and the developments under World Trade Organization	Familiarize
CO 3	Analyse the commercial activities on trade and identification of issues at cross border	Analyse
CO 4	Evaluate the issues of international investments and the existing development of international institutions to solve the issues pertaining to international context	Evaluate
CO 5	Demonstrate the important rules on liability; and the principles, methods of settlement of disputes	Skill

Teaching Pedagogy

- Lecture Method
- Flipped Classroom Method
- Group Work and Guided Learning
- Use of Technology in Classroom
- Case Study Method

UNITS**UNIT 1: Introduction and Overview**

International Trade – importance, theories and policies - Globalization and Trade - Foreign Exchange and International Trade - Trade and Environment: Revisiting Past Experience

UNIT 2: Trade and Business

Trade and Business – importance and relevance at international context - International business – Forms, Ethics – Globalization debate

UNIT 3: International Institutions

Origin & Development of International Trade Institutions - World Trade Organization – History, Structure, and Principles - Structure, Covered Agreements Under the WTO - Dispute Settlement Mechanism

UNIT 4: International Business Laws

Commercial Credit in International Trade – kinds and laws - International Contracts of Sale of Goods – Essentials, performance, formation, instruments and laws - International Trade Investments – FDI, etc. - International Monetary Institutions – IMF, etc.

UNIT 5: Liability Regime in Commercial Transactions

General Rules of Liability - Insurance for Land, Air and Marine Cargo - Methods of settlement of disputes – principles, settlement, online dispute resolution - Reception of Trade and IPR Regime

SELECTED REFERENCES

A. JOURNAL ARTICLES

1. Sung Eun Kim Et Al., *Environmental Effects of GATT/WTO Membership: An Empirical Evaluation*, International Interactions 45:5 (2019).
2. Jingjing Zhao, *Towards State Avoidance Of Conflicts Between The SPS Agreement And The Cartagena Protocol On Biosafety: A Fresh Perspective*, Journal Of World Trade 53:4 (2019).
3. Thomas, *International Trade and Protection of The Environment: The Continuing Search for Reconciliation*, Cambridge University Press 91:2 (2017).
4. Sabrina Safrin, *Treaties in Collision? The Biosafety Protocol and The World Trade Organization Agreements*, American Journal of International Law 96:3 (2017).
5. Richard Baldwin, *The World Trade Organization and The Future of Multilateralism*, Journal of Economic Perspectives 30:1 (2016).
6. Marion Jansen, *Developing Countries, Standards and the WTO*, The Journal Of International Trade And Economic Development 19:1 (2010).
7. Steve, *The WTO's Environmental Progress*, Journal of International Economic Law 10:3 (2007).
8. Ken Et Al., *The WTO And Environmental Sustainability: Is There a Conflict?* International Journal of Environment and Sustainable Development 2:1 (2003).
9. Eric Neumayer, *Trade and The Environment: A Critical Assessment and Some Suggestions for Reconciliation*, The Journal of Environment And Development 9:2 (2000).

10. Peter Stonehouse, *A Review of WTO and Environmental Issues*, Journal of Agricultural and Environmental Ethics 13 (2000).
11. Valerie Reppelin Hill, *Trade and Environment: An Empirical Analysis of the Technology Effect in the Steel Industry*, Journal of Environmental Economics and Management 38:3 (1999).

B. TEXT BOOKS

1. Raj Bhala, *International Trade Law: A Comprehensive Textbook*, 5th Edition, Carolina Academic Press 3 (2019).
2. Malcolm Shaw, *International Law*, 8th Edition, Cambridge University Press (2018).
3. Carole Murray, David Holloway, *The Law and Practice of International Trade*, (12th edn.) Sweet & Maxwell (2015)
4. Dr. S.R. Myneni, *International Trade Law (International Business Law)* (3rd edn.) Allahabad Law Agency (2014)
5. Rajat Acharyya, *Trade and Environment*, Oxford India Short Introductions (2013).
6. ShawkatAlam, et al. *Routledge Handbook of International Environmental Law*, Routledge Handbooks Online (2012)
7. Andrew Guzman and Joost Pauwelyn, *International Trade Law*, Second Edition, Aspen Casebook Series, 2012
8. Schnitzer Simone, *Understanding International Trade Law* (2nd ed.) Universal (2010)
9. Kevin Gallagher, *Handbook on Trade and The Environment*, Edward Elgar (2008).
10. Adil Najam, *Trade and Environment-A Resource Book*, IISD, ICTSD And the Ring, 2007
11. Autar Krishen Kaul, *A Guide to the W.T.O. and GATT: Economics, Law, and Politics*, Kluwer Law International (2006)
12. Brian & Scott, *Trade and Environment: Theory and Evidence*, Princeton University Press (2003).

C. INDICATIVE CASE LAWS

Australia-Salmon, Brazil-Tyres, Canada-Aircraft, Canada-Dairy, Canada-Autos, Canada Lumber, Canada-Periodicals, Dram Chips Case, EC-Asbestos, EC-Bananas, EC-Bed Linen, EC-Hormones, EC-Sardines, EC-Tariff Preferences, Guatemala-Cement, Japan-Alcohol, Korea-Beef, India-Quantitative Restrictions, Thailand-Cigarettes, Thailand-H Beans, Tuna Dolphin (1991), Tuna-Dolphin (1994), Turkey-Textiles, US-FSC, US-Gambling Services, US-Gasoline, US-Hot Rolled Steel from Japan, US-Section 337, US-Shrimp, US-Soft Lumber, US-Subsidies on Up Land Cotton.

Mapping of Program Outcomes with Course Outcomes

	PO1	PO2	PO3	PO4	PO5
CO1	3	2	3	2	3

Department of Law – Central University of Tamil Nadu

CO2	2	3	2	2	2
CO3	3	3	2	3	3
CO4	3	2	3	3	3
CO5	2	3	3	3	3

Credits: 4

Course Code: LLM2115

Internship

Course Outcome:

1. Understand the practical the theoretical concepts in learnt during the programme
2. Explore the opportunities offered by the industry and be able to make informed career decisions in the future
3. Familiarise with the organisational structure, work culture, and ethics

Upon the completion of the first two semesters, students must undertake an internship in a legal division of a reputed company/industry, or law firm dealing with corporate and/or labour law related matters, or a law and policy research organisation, or a law university/college, or institute with law department. The student is mandated to carry out research activities and learn the practical aspects relating to the subject matter. The minimum period of internship is six weeks. The students must submit a report of minimum 20 pages highlighting:

- a) The background of the industry/organisation
- b) Why the student chose the said industry/organisation
- c) Individual responsibilities and daily intern duties.
- d) Professional and practical skills acquired
- e) Overall gains from the internship.

Producing the original internship certificate specifying the date of beginning and completion of the internship is mandatory.

Semester 4

Credits: 8

Course Code: LLM2116

Dissertation

A dissertation is a formal document that provides the students an opportunity to present the skills and knowledge they have gained through the research project they organised and conducted. It further allows students to demonstrate their skills in identifying the area of research, setting out objectives, identifying the necessary research questions, performing a proper literature review, devising appropriate methodology of research, analysis and interpretation of data, drawing conclusions and suggestions for future researchers.

The overriding criteria namely, institute-wide standardization, readability, conformance to ethical norms and durability forms the core of the acceptable form of the dissertation. This document provides a set of guidelines for the LL.M. students to prepare the dissertation to satisfy the above-mentioned criteria.

1. General Guidelines:-

- a. Every student pursuing their LL.M. Programme in the Department of Law is expected to undertake a research project and submit an original written dissertation in strict adherence to the timeline that would be announced annually.
- b. Students must choose a research area of their choice and submit a brief proposal of about one page, along with their choice of guide, to the Head of the Department, on or before the specified date.
- c. Guides will be allotted to the students, taking into due consideration the choice of the candidate, after obtaining the consent of the guide, and subject to the number of candidates under the supervision of the individual guide.
- d. No guide can supervise more than FIVE students at any given time.
- e. The students are advised to meet the guide for their guidance in the dissertation work on a regular basis. It is the responsibility of the students to keep their guide informed about their progress of work. The difficulties, if any, while performing research must be reported to the guide without any delay.
- f. The dissertation work of the students will be monitored by the Department of Law. The students will have to present his/her progress before the members of the Department in two terms.

2. Broad Areas of research

Students must conduct their research on a carefully chosen area from the following broad areas:

- a. Bioethics
- b. Biotechnology Laws
- c. Constitutional Law
- d. Competition Law
- e. Contract Laws
- f. Corporate governance
- g. Corporate Law

- h. Economic Analysis of Law
- i. Environmental Laws - International and Indian Perspective
- j. Gender and Sexual Minorities
- k. Gender Justice
- l. Health and Law
- m. Human Rights Law
- n. Infrastructure Laws
- o. Intellectual Property Rights
- p. International Criminal Law
- q. International Humanitarian Laws
- r. International Investment
- s. Labour Laws
- t. Law and Development
- u. Public International Law
- v. Refugee Law
- w. Securities Laws
- x. Trade Laws - International and Indian perspective
- y. United Nations

3. Format of Dissertation:-

- a. A dissertation should normally be between 30,000 to 35,000 words (excluding preface and annexures)
- b. The students are advised to attach one-page abstract of dissertation work in the preface to the dissertation.
- c. Formatting rules:
 - Body including Bibliography, References, Index of Authorities, Appendixes, tables - Font Style- Times New Roman, Size– 12, Alignment– Justified.
 - Footnotes – Font Style –Times New Roman, Size– 10, Line Spacing– 1, Alignment– Justified.

Margin: Left margin: 3.75 cm (1 1/2 inch)

Other margins: 2.5 cm (1 inch).

- d. Line Space: The line spacing in the text of the dissertation must be one and half line spacing. Double line spacing shall be used while connecting two consecutive paragraphs. Single line spacing shall be observed for abstract, quotations, declaration, foot notes and references.
- e. Citations and References: ILI, OSCOLA, or Bluebook must be followed. The mode of citation must be uniform across the entire dissertation.
- f. Quotations must be kept to a minimum and should not exceed 100 words for each quotation.

- g. Page Numbering: The page numbers of the text of the dissertation should be in Indian numerals (1,2,3,4,5...) and should be centred at the bottom of the pages. The preface, appendixes, and bibliography to the dissertation shall be in Roman numerals.
- h. Plagiarism: In light of the University Grants Commission (Promotion of Academic Integrity and Prevention of Plagiarism in Higher Educational Institutions) Regulations, 2018, the permissible limit of similarity shall be 10%. The plagiarism check should start from the first page of Chapter 1 and continue throughout the text till end.
- i. The new chapter in your dissertation should always start on an odd-numbered page. If a chapter ends on an odd-numbered page, its back side has to be kept blank.
- j. The copy of the dissertation to be submitted to the University should be durable. It is advised to use paper of 85 GSM or more.
- k. The students are to submit four copies of dissertation (in soft-bound) to the Department of Law.
- l. The final evaluation will be based on the written dissertation and an open viva.
- m. The Viva Panel will consist of the faculty members of the Department and one external member, from within or outside of the University.

4. **Mark distribution**

Mid-semester presentation: 10 marks

Attendance: Regular consultation with the guide, discussions on the progress, carrying out the suggestions: 20 marks

Completion of the dissertation: 30 marks

External evaluation: 40 marks

Law relating to Social Security**Course Description:**

The Course titled, 'Law relating to social security' aims to provide a critical understanding of the various laws, rules and regulations related to ensuring social security for workers. The aim of the course is not only to provide the students with adequate knowledge of the various laws relating to social security, but also to make them appreciate and understand the practical application and importance of the various laws dealing with social security in India. The course covers a detailed and analytical study of the laws of social security for workers, with a view to develop the critical and analytical research skills of the students.

	Course Outcome	Level
CO 1	Develop a sound understanding of the concept of social security	Understand
CO 2	Examine the international and constitutional perspectives and practices pertaining to social security	Analyze
CO 3	Draft laws and policies for the effective social protection of works in the unorganized sector	Skill
CO 4	Evaluate the laws pertaining to social security of employees in the organised sector	Evaluate
CO 5	Appraise the latest developments in labour laws globally and their implications on India	Evaluate

TEACHING PEDAGOGY

- Blended learning
- Lecture and Discussion Method
- Reliance on research-based teaching
- Case Study approach
- Tutorials through assignments and presentations

UNITS:**UNIT 1: Concept of Social Security**

Social Security – Meaning, origin and development – Characteristics and Constituents of Social Security – Three Components of Social Security: Old Age, Unemployment Assistance, Public Assistance

UNIT 2: International and Constitutional Perspectives on Social Security

International norms on social security for labour - ILO Conventions and Recommendations on Social Security - Constitutional Perspectives – Five-year plans – 2nd National Labour Commission recommendations - Practices.

UNIT 3: Social Security of Unorganised Sector

Unorganised sectors in India - The Unorganised Workers' Social Security Act, 2008 - Apprentices Act, 1961

UNIT 4: Social Security of Employees

Employees' Compensation Act, 1923 - The Employees' State Insurance Act, 1948 - Employees' Provident Funds and Miscellaneous Provisions Act, 1952 - Employee Pension Scheme 1995, Payment of Gratuity Act, Code on Social Security, 2020

UNIT 5: Contemporary Developments to Industrial Laws

ILO and Fundamental Core Conventions - Human Rights Treaties, Declaration of Principles and Rights at Work 1999, Decent Work Agenda, Green Jobs, Relaxation of Labour laws during the Pandemic and Workers Rights - Prescriptions from ILO during the pandemic COVID 19 - Way forward to SDG 2030

BOOKS TO BE REFERRED

1. Social Security and Labour Laws [Old Edition] by S.C. Srivastava, Eastern Book Company, (1985).
2. Commentaries on Payment of Gratuity Act 1972 by Kharbanda & Kharbanda Law Publishing House (2017)
3. Labour & Industrial Laws by Dr.V.G.Goswami, Central Law Agency (2015).
4. K.D. Srivastava's Commentaries on Workmen's Compensation Act, 1923: Revised by P.L. Malik, Eastern Book Company (2012).
6. Commentaries on Employees State Insurance Act, 1948 by K.D. Srivastava, Eastern Book Company (2001)
7. K.D. Srivastava's Employees' Provident Funds and Miscellaneous Provisions Act, 1952 Revised by Eastern Book Company S.C.Srivastava (2003).
9. Commentaries On Employees' Provident Funds and Miscellaneous Provisions Act, 1952 by Kharbanda & Kharbanda, Law Publishing House (2017).

Mapping of Program Outcomes with Course Outcomes

On the successful completion of the course, the student will be able to

	PO1	PO2	PO3	PO4	PO5
CO1	3	3	2	3	1
CO2	3	3	3	3	2
CO3	2	3	3	3	3
CO4	3	2	2	3	3
CO5	2	3	3	3	2

Credits: 3

Course Code: LLM2118A

Infrastructure Laws**Course Description:**

This course is designed as an Elective Course in the LLM programme concerning the laws and regulations governing the infrastructure sector. Countries across the globe are devising methods for channelizing investments for infrastructure development. Development of infrastructure facilities like railways, civil aviation, telecommunication, housing, roads and waterways, maritime facilities including ports and harbors are fundamental to the industrial development of any country. The World Bank has pointed out that Indian infrastructure development ranks poorest in comparison to many developed and developing countries. Indian policy makers hence have accorded major priority to infrastructure development in recent years, particularly in the context of the liberalization and privatization of the Indian economy which has emerged since the nineties. Infrastructure sector therefore is a fast-growing domain having multiple concerns to several stakeholders. Lack of sound legal regime is affecting the rights and responsibilities of the agencies and stakeholders concerned. Thus, this course indulges into the study of a contemporary regime in the legal discipline and equips the students to understand the niche area of infrastructural laws.

Course Outcome (CO):

On the successful completion of the course, the student will be able to

	Course Outcome	Level
CO 1	Classify the underlying and emerging concepts in Infrastructure Laws	Understand
CO 2	Compare the global developments and Indian Developments in the regime of Infrastructure Law	Analyze
CO 3	Employ the best practice adopted globally and regionally for resolving infrastructure disputes	Apply
CO 4	Appraise the relevance of Infrastructure Law in the global and regional sphere	Evaluate
CO 5	Demonstrate effective skills in advocacy, research and client counselling in matters related to Infrastructure Laws	Skill

Pedagogy:

- Lecture & Discussion Method
- Concept centered approach through Seminars and Presentations
- Collaborative Learning
- Spider web method
- Case study Method

UNITS

UNIT I- Introduction to Infrastructure Laws

Role and importance of infrastructure in global and Indian context, Relevance of infrastructure to economic development- Major areas of infrastructure development – Telecommunications- Civil Aviation- Ports- Highways- Power sector- Metro rails and allied legal and regulatory framework

UNIT II- General Legal and Regulatory Framework of Infrastructure projects

Constitutional law aspects- Jurisdiction over different infrastructure sectors between the Centre and State - law making powers- Allocation of natural resources: Judicial review- issues of legal and regulatory concern

UNIT III: Governance of Infrastructure projects

Transparency and Accountability- Regulation through contract -Governance issues- Role of governments, courts and regulatory bodies in Infrastructure projects- Land acquisition- concepts of eminent domain and public purpose -The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013- Social Impact Assessment- Requirement of consent in the case of certain acquisitions, compensation, rehabilitation and resettlement, Environmental Clearance- Centre-State Cooperation

UNIT IV: Private Sector Participation in Infrastructure- Legal & Regulatory Framework

Nature of private sector participation in infrastructure development– Origin and Development of public private partnership (PPP) – Importance of PPP, Types of PPP Projects, Contractual Framework- Licensing; Concession Agreement (CA)- Long-term contracting and issues- Concept of bidding, basic rules applicable to bidding, its merits and demerits- State controls on project development: monitoring; quality controls; rules of operation; asset transfers

References

- Akintoye, A., Beck, M., and Hardcastle, C. (Eds.). (2003). *Public-Private Partnerships - Managing risks and opportunities*. Oxford: Blackwell Science Limited.
- Merna, T., and Njiru, C. (2002). *Financing infrastructure projects (First ed.)*. London: Thomas Telford.
- Nevitt, P. K., and Fabozzi, F. J. (2000). *Project financing (7 ed.)*. London, UK: Euromoney Books.
- Raghuram, G., Jain, R., Sinha, S., Pangotra, P., and Morris, S. (2000). *Infrastructure Development and Financing: Towards a Public-Private Partnership*: MacMillan.
- Tinsley, R. (2002). *Project Finance in Asia Pacific: Practical Case Studies*. London, UK: Euromoney Books.
- Walker, C., and Smith, A. J. (1995). *Privatized infrastructure: the Build Operate Transfer approach*. London: Thomas Telford.
- Yescombe, E. R. (2002). *Principles of Project Finance*. California: Academic Press.
- Kurowski, L., and Sussman, D. (2011). *Investment project design - A guide to financial and economic analysis with constraints*. New Jersey: John Wiley and Sons.

- Pretorius, F., Lejot, P., McInnis, A., Arner, D., and Hsu, B. F.-C. (2008). Project finance for construction and infrastructure: Principles and case studies. Oxford: Blackwell Publishing.
- Weber, B., and Alfen, H. W. (2010). Infrastructure as an asset class – Investment strategies, project finance and PPP. West Sussex: John Wiley and Sons.

(Prerequisite readings and suggested readings will also be provided to the students in accordance with the session plan)

Mapping of Program Outcomes with Course Outcomes

	PO1	PO2	PO3	PO4	PO5
CO1	3	2	3	2	2
CO2	3	3	2	3	3
CO3	2	3	2	2	3
CO4	3	3	3	3	2
CO5	3	3	2	3	3

Credits: 3

Course Code: LLM2118B

Gender Justice

Course Description:

Gender justice is an oft-debated issue at the international and national level. But social, political, and cultural gender barriers to the achievement of a person’s full potential begin at the smallest unit of the society i.e., the family, and percolates through every facet of life. Law is expected to act as a level playing field and protect women and gender minorities from such impediments. To this end, various national and international legal measures have been undertaken and have largely been successful in dismantling patriarchal structures that impede the rights of women and gender minorities. However, it is also true that there are several laws even today, that owing to their discriminatory nature, prove to be an added obstacle to progress. More importantly, the effectiveness of any legal measure is in the people being aware of these laws.

This course aims to highlight the evolution of gender justice in India as well as internationally, shed light on gender-based laws, the legal rights of women in particular, along with pointing out those laws and practices that are not in line with the constitutional values of liberty and equality of all.

Course Outcome (CO)

On the successful completion of the course, the student will be able to

	Course Outcome	Level
CO 1	Gain a solid understanding of the terms and ideas related to gender justice and women’s rights	Understand
CO 2	Comprehend the various rights enshrined in national and international legal instruments	Understand
CO 3	Critique practices and laws that are discriminatory in nature	Evaluate
CO 4	Design laws that further gender justice	Skill

Pedagogy:

- Lecture method
- Discussions
- Case Method
- Tutorials through assignments and presentations
- Collaborative Method

UNIT

UNIT I: Gender and Law

Gender, sex, and sexuality: Why study gender and law? - What is gender? – Indic perception – The traditional binary conception – Scientific approach - Understanding the LGBTQ+ community - International Perspectives: United Nation Charter, 1945, Universal Declaration on Human Rights, 1948, Declaration on Elimination of Discrimination against Women, 1967, Convention on the Elimination of All Forms of Discrimination against Women, 1979, Optional Protocol to the Convention on the Elimination of Discrimination against Women, 1999, Vienna

Conference, Beijing Conference, 1995, Declaration on the Elimination of Violence against Women, 1993, MDGs and SDGs

UNIT II: Legal Protection of Rights of Women in India

Safeguards under Indian Constitution - Dowry Prohibition Act, 1961 - Immoral Traffic (Prevention) Act, 1956 - Domestic Violence Act, 2005 - Pre-conception and Pre-Natal Diagnostic Techniques (Prohibition of Selection) Act, 1994 - Reform through Judicial Interventions - Role of National Commission for Women

UNIT III: Women and Criminal Law

IPC - Bigamy, Adultery; Protection in cases of arrest and detention of women; Acid attack; Domestic violence and its forms – Portrayal of women in mass media – Protection of victim identity and witness protection - Sexual violence – Mathura Case, Nirbhaya Law, marital rape, Sexual Harassments at Workplace

UNIT IV: Gender, Sexuality and Personal Laws

Convention on the Nationality of Married Women, 1957 - Provisions for Marriage and Divorce: Hindu laws - Muslim laws – Triple Talaq - Christian law - Maintenance provisions under Special Marriage Act and S.125 of CrPC - Rights of women in live-in relationship - Law on Guardianship - Right of women to adopt a child - Gender inequality in Inheritance Rights: Hindu Law - Muslim Law - Movement towards Uniform Civil Code

Gender and Sexual minorities and Law – Yogyakarta Principles, Yogyakarta Plus – Recognition of the Third Gender - Decriminalisation of Sec. 377 - The Transgender Persons (Protection of Rights) Act, 2019 – Recognition of civil rights of the LGBTQ+ community

Suggested Reading

1. Anne Hellum, Women's Human Rights: CEDAW in International, Regional and National Law, 2013, Cambridge University Press
2. Dr. Preeti Mishra, Domestic Violence against Women: Legal Control and Judicial Response
3. Flavia Agnes, Women and Law in India (2006), Oxford Uni. Press
4. G.B.Reddy, Women and the Law (2004), Gogia Law Agency
5. Gour's Empowerment of Women In India With Allied Law's And Useful Appendices, 2nd ed.- Allahabad: Law Publishers, 2003
6. India Centre for Human Rights, Women and the law/ed. by Christine Chorine, Mihir Desai and Colin Gonsalves - Bombay: The Centre, 1999, 2 vols.
7. Indra Jaising, Men's Law Women's Lives
8. Kamla Bhasin, Understanding Gender, Kali for Women, 1999
9. Kelly D. Askin, Women and International Human Rights Law (3 vols), 1999, Brill
10. Leena Gonsalves, Women and Human Rights
11. Madhu Kishwar, Off the Beaten Track: Rethinking Gender Justice for Indian Women, Oxford University Press, 1999
12. Mamta Rao, Law Relating to Women and Children (2005), Eastern Book Co.

13. Paras Diwan, Law relating to Dowry, Dowry deaths, Bride burning, Rape and related offences
14. R.K.Raizada , Women and The Law: Problems and Prospects (1996)
15. Sangeetha Sriraam, Time to “Act”: Guaranteeing Full Citizenship of Transgender Persons in India, Transgender India, 2022, 117-137
16. Sourabh Kirpal, Sex and Supreme Court: How the Law is Upholding the Dignity of the Indian Citizen (2020)
17. Vinay Sharma, Dowry Deaths Legal Provisions and Judicial Interpretation (2007)
18. Women and law: contemporary problems/ed. by Lotika Sarkar and B. Sivaramayya
(Prerequisite readings and suggested readings will also be provided to the students in accordance with the session plan)

Mapping of Program Outcomes with Course Outcomes

	PO1	PO2	PO3	PO4	PO5
CO1	3	2	2	3	1
CO2	3	3	3	3	2
CO3	2	3	3	3	2
CO4	1	3	3	3	3

Legal Aspects of Business**Course Description**

Laws regulate activities and behaviour of human beings when they engage in commercial or business activities. Both inter-state as well as transnational commerce is governed by certain laws, rules and regulations. Consequently, no business or commerce today can function without having proper knowledge of the laws that regulate businesses. Any business or a corporation is part of the society, and no business today can function, without being aware of the rights given by the countries in which they are operating in, and also, their responsibilities and obligations towards the society. Law ensures that businesses and society to co-exist in a harmonious relationship with each other. Law also facilitates the longevity and sustainability of businesses by making it beneficial for every stakeholder, who may be affected by businesses.

With the crucial importance that law has for businesses, this course is designed to acquaint the participants with the basics of the legal framework of India, and the laws that govern businesses and commercial activities in India. In this course, an attempt is made to acquaint the participants with conceptual clarity on some important and relevant legislations of India, which would help them in discharging their duties responsibly and efficiently, when they are in real world work environment.

With this course, the aim is to not only impart knowledge on the basics of business and commercial laws of India, but also to facilitate the participants to develop an understanding and appreciation for the laws of India, and its importance for the various organizations they are working for. This course also attempts to acquaint the participants with the rights that the participants have as important members of their organizations, and, in turn, what are their duties and responsibilities towards their employers.

	Course Outcome	Level
CO 1	Recognise the role played by law and legal institutions for businesses and corporations in India	Understand
CO 2	Appreciate the legal framework concerning labour in India.	Understand
CO 3	Examine the application of consumer law and intellectual property law	Apply
CO 4	Analyse the legal risks associated with carrying out different types of business activities.	Analyze

TEACHING PEDAGOGY

- Blended learning
- Lecture and Discussion Method
- Reliance on research-based teaching
- Case Study approach

UNITS

UNIT 1: Law of Contracts and Commercial Laws

Importance of law for Business - Law of Contracts - Special Contracts - Sale of Goods Act, 1930 - Partnership and Limited Liability of Partnership - Companies Act, 2013

UNIT 2: Labour Laws

Employee and Labour relations for Business - Labour Codes, 2020: Code of Wages, 2019 - Code on Industrial Relations, 2020 - Code on Social Security, 2020 - Code on Occupational Safety, Health and Working Conditions, 2020

UNIT 3: Consumer and Intellectual Property

Consumer Protection Law in India, its implications; Basics of Intellectual Property, Patents, Trademarks, Copyright, Semi-conductors, Industrial Designs – Emerging IPs

Unit 4: Other Important Laws

Negotiable Instruments Act - Insurance Law - Law relating to Insolvency, Competition Law Direct and Indirect Taxation

Mapping of Program Outcomes with Course Outcomes

	PO1	PO2	PO3	PO4	PO5
CO1	3	2	3	3	1
CO2	3	2	3	3	1
CO3	3	2	3	3	2
CO4	3	2	3	3	1

Banking Laws and Financial Regulations

Course Description

The course was designed to sensitize the students across discipline with a broad perspective on the introductory, evolution and social controls over banking system in India. Further, the course arms make the students to understand the legal aspects of banking operations with an International, comparative and Indian perspective. The course further attempts to address the advancement of technologies on the banking sectors and the development of liability regulation on a precautionary perspective.

Course Outcome

On the successful completion of the course, the student will be able to

	Course Outcome	Level
CO 1	Understand the key concepts, principles, banking operations and other activities with the legal parlance	Understand
CO 2	Familiarize with the international banking laws and structure and also a comparative perspective	Familiarize
CO 3	Analyse the existing legislations that regulate banking sectors and the other relevant legislations covering banking aspects in India.	Analyse
CO 4	Demonstrate the important advancements of technology and its impacts on banking sector	Skill

Teaching Pedagogy

- Lecture Method
- Flipped Classroom Method
- Group Work and Guided Learning
- Use of Technology in Classroom
- Case Study Method

UNITS

UNIT 1: Introduction and Overview

Definition of the term “Bank” – General and Legal perspective - Evolution & History of Banks
 - Classification of Banks - Social Control over Banks – Nationalization & Privatization policies
 - Growth and its significance for developing economy - Recent Developments in Banking Sector and its Business

UNIT 2: International Banking Laws and Regulation

International Banking Activities – An Overview - International Licensing of Banks and its Significance - Regulatory and Supervisory Rules of Banks - International Banking Standards and its Regulation - Risk Management Strategies – Transnational & Domestic Perspective

UNIT 3: Legal and Regulatory Framework of Banking Operations in India

Laws on Banking Business – An overview - Reserve Bank of India Act, 1934 – Characteristics, Functions and important features - Banking Regulation Act, 1949 – Salient features - Prevention of Money Laundering Act, 2002 – important features - Negotiable Instruments Act, 1881 with latest amendments - Commercial Laws and Banking Activities - Banking Ombudsman Scheme

UNIT 4: Technological Advances and Its Significance on Banking Sector

E-Banking and Payment Systems – Recent trends - Block Chain Technology and its financial management - Artificial Intelligence and its significance - Liability Aspects under Information and Technology Act, 2000 and relevant Legislations - Ethics and Corporate Governance in Banks

SELECTED REFERENCES

A. JOURNAL ARTICLES

1. Ashok et.al, *Incorporation of Information Technology Act in Banking Transactions*, INDIAN JOURNAL OF APPLIED RESEARCH 3:9 (2013).
2. Emily Jones, *The Limits of Globalizing Basel Banking Standards*, JOURNAL OF FINANCIAL REGULATION 3:1 (2017).
3. Florian & Stefan, *Applications of Artificial Intelligence in Commercial Banks - A Research Agenda for Behavioral Finance*, JOURNAL OF BEHAVIORAL AND EXPERIMENTAL FINANCE 27 (2020).
4. Fotios et al., *The Impact of Bank Regulations, Supervision, Market Structure, and Bank Characteristics on Individual Bank Ratings: A Cross-Country Analysis*, REVIEW OF QUANTITATIVE FINANCE AND ACCOUNTING 27 (2006).
5. Lastra, *The International Monetary Fund in Historical Perspective*, JOURNAL OF INTERNATIONAL ECONOMIC LAW 3:3 (2000).
6. Matrin & Randall, *The International Monetary Fund: A Review of the Recent Evidence*, THE REVIEW OF INTERNATIONAL ORGANIZATIONS 3(2008).
7. Mohamed Osmani, et. al, *Blockchain for Next Generation Services in Banking and Finance: Cost, Benefit, Risk and Opportunity Analysis*, JOURNAL OF ENTERPRISE INFORMATION MANAGEMENT (2020).
8. Pierluigi Martino, *Blockchain Technology: Challenges and Opportunities for Banks*, INTERNATIONAL JOURNAL OF FINANCIAL INNOVATION IN BANKING 2:4 (2019).
9. Pritika, *Intermediary Liability in India*, ECONOMIC AND POLITICAL WEEKLY 48:50 (2013).
10. Sindhu & Renee, *Impact of Artificial Intelligence in Chosen Indian Commercial Bank - A Cost Benefit Analysis*, ASIAN JOURNAL OF MANAGEMENT 10:4 (2019).

B. TEXT BOOKS

1. Andrew & Dirk, Business Ethics: Managing Corporate Citizenship and Sustainability In The Age Of Globalization, 4th Edition, Oxford University Press (2016).
2. Avtar Singh, Banking and Negotiable Instruments, 4th Edition, EBC (2018).
3. Gerard Comizio, International Banking Law, American Casebook Series, West Academic Publishing (2016).
4. Gupta, The Banking Law In Theory And Practice, 6th Edition, Lexis Nexis (2017).
5. Hasnan, Business Ethics and Corporate Governance: A Textbook with Cases, 1st Edition, Global Vision Publishing House (2015).
6. Institute of Directors, A Handbook On Corporate Governance, 2nd Edition, Institute Of Directors (2019).
7. International Banking Legal and Regulatory Aspects, 2nd Edition, Indian Institute Of Banking And Finance, Macmillan
8. Richard Scott Carnell, The Law of Financial Institutions, 5th Edition, Aspen (2013)
9. Vasantha Kumar, Banking and Negotiable Instruments - Law And Practice, 1st Edition, EBC (2020).

Mapping of Program Outcomes with Course Outcomes

	PO1	PO2	PO3	PO4	PO5
CO1	3	3	2	3	3
CO2	2	1	3	2	2
CO3	3	2	1	3	3
CO4	3	3	3	3	3

Credits: 4

Course Code: LLM2120

MOOC

Students are expected to enrol themselves in either one course of four credits or two courses of two or three credits each, from the SWAYAM platform. Upon successful completion of the course, the credits earned from the course can be transferred. The course(s) must be of the post-graduate level. The MOOCs can be pursued any time during the tenure of the LL.M. Programme, but must be completed before the completion of the fourth semester examinations.