



Campus: Deesa -Highway, Opp. Hngu, Matarvadi Part, Gujrat-384265  
Established by the Gujarat Govt. Recognized by UGC under Section 2(f) of UGC Act, 1956

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## **SCHOOL OF LAW**

### **CURRICULUM AND SYLLABUS**

**(Applicable for Students admitted from Academic Year 2021-22)**

### **TWO YEAR LL. M DEGREE PROGRAMME**

**(Choice Based Credit System)**

### **IN BUSINESS AND CORPORATE LAW**

| <b>LL.M., (Corporate Law)</b>     |                |                |  |           |          |          |           |            |            |                |
|-----------------------------------|----------------|----------------|--|-----------|----------|----------|-----------|------------|------------|----------------|
| <b>FIRST YEAR - SEMESTER – I</b>  |                |                |  |           |          |          |           |            |            |                |
| SL.<br>NO                         | COURSE<br>TYPE | COURSE<br>CODE | COURSE NAME                                    | L         | T        | P        | C         | Max Marks  |            | Total<br>Marks |
|                                   |                |                |  |           |          |          |           | I          | E          |                |
| 1                                 | MAJOR          | LLMB21011      | Jurisprudence                                  | 4         | 2        | 0        | 6         | 30         | 70         | 100            |
| 2                                 | MAJOR          | LLMB2102       | Indian Constitutional Law : The New Challenges | 4         | 2        | 0        | 6         | 30         | 70         | 100            |
| 3                                 | MAJOR          | LLMB2103       | Principles of Corporate Law                    | 4         | 2        | 0        | 6         | 30         | 70         | 100            |
| 4                                 | MAJOR          | LLMB2104       | Banking Law                                    | 4         | 2        | 0        | 6         | 30         | 70         | 100            |
| <b>Total</b>                      |                |                |  | <b>16</b> | <b>8</b> | <b>0</b> | <b>24</b> | <b>120</b> | <b>280</b> | <b>400</b>     |
| <b>FIRST YEAR - SEMESTER – II</b> |                |                |  |           |          |          |           |            |            |                |
| SL.<br>NO                         | COURSE<br>TYPE | COURSE<br>CODE | COURSE NAME                                    | L         | T        | P        | C         | Max Marks  |            | Total<br>Marks |
|                                   |                |                |  |           |          |          |           | I          | E          |                |
| 1                                 | MAJOR          | LLMB2201       | Law and Social Transformation in India         | 4         | 2        | 0        | 6         | 30         | 70         | 100            |
| 2                                 | MAJOR          | LLMB2202       | Research Methodology I                         | 4         | 2        | 0        | 6         | 30         | 70         | 100            |
| 3                                 | MAJOR          | LLMB2203       | Consumer Law                                   | 4         | 2        | 0        | 6         | 30         | 70         | 100            |
| 4                                 | MAJOR          | LLMB2204       | Competition Law                                | 4         | 2        | 0        | 6         | 30         | 70         | 100            |
| <b>Total</b>                      |                |                |  | <b>16</b> | <b>8</b> | <b>0</b> | <b>24</b> | <b>120</b> | <b>280</b> | <b>400</b>     |

| <b>LL.M., (Corporate Law)</b>       |                                      |                                  |  |           |          |          |           |                  |                             |            |
|-------------------------------------|--------------------------------------|----------------------------------|--|-----------|----------|----------|-----------|------------------|-----------------------------|------------|
| <b>SECOND YEAR - SEMESTER – III</b> |                                      |                                  |  |           |          |          |           |                  |                             |            |
| <b>S<br/>L.<br/>N<br/>O</b>         | <b>COUR<br/>SE TYPE</b>              | <b>COU<br/>RSE<br/>CO<br/>DE</b> | <b>COURSE NAME</b>                     | <b>L</b>  | <b>T</b> | <b>P</b> | <b>C</b>  | <b>Max Marks</b> | <b>Total<br/>Mark<br/>s</b> |            |
|                                     |                                      |                                  |  |           |          |          |           | <b>I</b>         | <b>E</b>                    |            |
| <b>Theory</b>                       |                                      |                                  |  |           |          |          |           |                  |                             |            |
| 1                                   | MAJOR                                | LLMB23<br>01                     | Judicial Process                       | 4         | 2        | 0        | 6         | 30               | 70                          | 100        |
| 2                                   | MAJOR                                | LLMB23<br>02                     | Insurance Law                          | 4         | 2        | 0        | 6         | 30               | 70                          | 100        |
| 3                                   | MAJOR                                | LLMB23<br>03                     | Corporate Governance                   | 4         | 2        | 0        | 6         | 30               | 70                          | 100        |
| 4                                   | MAJOR                                | LLMB23<br>04                     | Research Methodology II<br>(PRACTICAL) | 0         | 0        | 6        | 6         | 30               | 70                          | 100        |
| <b>Total</b>                        |                                      |                                  |  | <b>16</b> | <b>6</b> | <b>6</b> | <b>24</b> | <b>120</b>       | <b>280</b>                  | <b>400</b> |
| <b>SECOND YEAR - SEMESTER – IV</b>  |                                      |                                  |  |           |          |          |           |                  |                             |            |
| <b>S<br/>L.<br/>N<br/>O</b>         | <b>COUR<br/>SE<br/>CATEG<br/>ORY</b> | <b>COU<br/>RSE<br/>CO<br/>DE</b> | <b>NAME OF THE<br/>COURSE</b>          | <b>L</b>  | <b>T</b> | <b>P</b> | <b>C</b>  | <b>Max Marks</b> | <b>Total<br/>Mark<br/>s</b> |            |
|                                     |                                      |                                  |  |           |          |          |           |                  |                             |            |
| 1                                   | MAJOR                                | LLMB2<br>401                     | Dissertation                           | 0         | 0        | 8        | 8         | 50               | 150                         | 200        |
| <b>Total</b>                        |                                      |                                  |  | <b>0</b>  | <b>0</b> | <b>8</b> | <b>8</b>  | <b>50</b>        | <b>150</b>                  | <b>200</b> |

**SEMESTER – I**

| <b>COURSE TITLE</b>  |   | <b>JURISPRUDENCE</b>        |              | <b>CREDITS</b>   | <b>6</b>       |  |  |  |
|--|---|-----------------------------|--------------|------------------|----------------|--|--|--|
| <b>Course Code</b>   | <b>LLMB2101</b>   | <b>Course Category (CF)</b> | <b>MAJOR</b> | <b>L-T-P-TCH</b> | <b>4-2-0-6</b> |  |  |  |
| <b>CIA</b>   | <b>30%</b>  |                             |              | <b>ESE</b>       | <b>70%</b>     |  |  |  |
| <b>Prerequisites :Nil</b>  |   |                             |              |                  |                |  |  |  |
| <b>MODULE 1 NATURE OF JURISPRUDENCE</b>  |   |                             |              |                  |                |  |  |  |
| Meaning of Jurisprudence, Relevance of Jurisprudence Concept of 'Legal Theory' and 'Jurisprudence'. Concept and Philosophy of Law: The Definition of Law - The Evolution of Law : Primitive Law, Middle Law, Classical Law, Post-Classical Law   |   |                             |              |                  |                |  |  |  |
| <b>MODULE 2 NATURAL LAW AND ITS RE-EMERGENCE</b>   |   |                             |              |                  |                |  |  |  |
| Philosophical Idealism of Ancient Era : Meaning and Origin-Greeks and Romans Philosophy - Medieval Era : Renaissance, And Reformation, Grotius and International Law, Philosophy of Social Contract. - Natural Law in Nineteenth and Twentieth Centuries - Modern Value Philosophies and Revival of Natural Law Theories - Indian Perspective of Natural Law School  |   |                             |              |                  |                |  |  |  |
| <b>MODULE 3 ANALYTICAL POSITIVISM</b>  |   |                             |              |                  |                |  |  |  |
| Analytical Positivism: Bentham's English Positivism: Utilitarian Approach of Law, Pleasure and Pain Principle in Legislation, Bentham on Codification and Law Reforms - Austin's Theory of Law - The Pure Theory of Law - Modern Trends in Analytical Jurisprudence: Hart's Concept of Law - Indian Perspective of Analytical School   |   |                             |              |                  |                |  |  |  |
| <b>MODULE 4 HISTORICAL SCHOOL OF THOUGHT</b>   |   |                             |              |                  |                |  |  |  |
| Historical School of Thought: The Romantic Reaction: Herder and Hegel - Savigny and Historical School in Germany - Law and Anthropology - Historical School in England, United States and India  |   |                             |              |                  |                |  |  |  |
| <b>MODULE 5 SOCIOLOGY OF LAW</b>   |   |                             |              |                  |                |  |  |  |
| Sociological Jurisprudence and Sociology of Law: Comte and Sociology, Laissez Faire and Herbert Spencer, Jhering, Max Weber, Emile Durkheim, Eugen Ehrlich, Roscoe Pound - Sociological Jurisprudence since Pound and Towards Sociology of Law Indian Constitution and Sociological Jurisprudence - American and Scandinavian Jurisprudence - Concept of Morality and its Relationship with Law: Hart Fuller Controversy |   |                             |              |                  |                |  |  |  |
| <b>TEXT BOOKS</b>  |   |                             |              |                  |                |  |  |  |
| 1  | Lloyd's Introduction to Jurisprudence   |                             |              |                  |                |  |  |  |
| 2  | R.W.N. Dass : Jurisprudence 5th ed. Aditya Books Private Ltd. New Delhi, 1994 |                             |              |                  |                |  |  |  |
| 3  | G.W. Paton : A Text Book of Jurisprudence                                     |                             |              |                  |                |  |  |  |
| <b>REFERENCE BOOKS</b>   |   |                             |              |                  |                |  |  |  |
| 1  | Karl N Llewellyn : Jurisprudence Realism in Theory and Practice               |                             |              |                  |                |  |  |  |
| 2  | W. Friedman : Legal Theory 5th ed. London Stevens & Sons 1967                 |                             |              |                  |                |  |  |  |

|   |  |                             |              |                  |                |  |  |  |
|---|--|-----------------------------|--------------|------------------|----------------|--|--|--|
| <b>COURSE TITLE</b>   | <b>INDIAN CONSTITUTIONAL LAW : THE NEW CHALLENGES</b>  |                             |              | <b>CREDITS</b>   | <b>6</b>       |  |  |  |
| <b>Course Code</b>  | <b>LLMB2102</b>  | <b>Course Category (CF)</b> | <b>MAJOR</b> | <b>L-T-P-TCH</b> | <b>4-2-0-6</b> |  |  |  |
| <b>CIA</b>  | <b>30%</b>   |                             |              | <b>ESE</b>       | <b>70%</b>     |  |  |  |
| <b>Prerequisites :</b>  |  |                             |              |                  |                |  |  |  |
| <b>MODULE 1 FEDERALISM</b>  |  |                             |              |                  |                |  |  |  |
| Creation of new states, The inter-state disputes on resources, Center's responsibility and internal disturbance within States, Federal comity: Relationship of trust and faith between Centre and State - Special status of certain States - Areas, Scheduled Areas:  |  |                             |              |                  |                |  |  |  |
| <b>MODULE 2 STATE : RIGHT TO EQUALITY</b>   |  |                             |              |                  |                |  |  |  |
| Definition of state - Need for Widening the definition in the wake of Liberalization - privatization and its impact on affirmative Action Relating to quality.  |  |                             |              |                  |                |  |  |  |
| <b>MODULE 3 EMERGING REGIME OF NEW RIGHTS AND REMEDIES</b>  |  |                             |              |                  |                |  |  |  |
| Reading Directive Principles and Fundamental Duties into Fundamental Rights - Compensation jurisprudence - Right to education - Commercialization of Education and its impact - Brain drain by foreign education market - Right of minorities to establish and administer educational institutions and state control. |  |                             |              |                  |                |  |  |  |
| <b>MODULE 4 SEPARATION OF POWERS</b>  |  |                             |              |                  |                |  |  |  |
| stresses and strain- Judicial activism and judicial restraint - PIL - Judicial Independence – Appointment - transfer and removal of judges - accountability : executive and judiciary - Tribunals   |  |                             |              |                  |                |  |  |  |
| <b>MODULE 5 DEMOCRATIC PROCESS</b>  |  |                             |              |                  |                |  |  |  |
| Nexus of politics with criminals and the business, Election process - Election commission: Status, Electoral reforms - Coalition government - <u>stability, durability, corrupt practice, Grass root democracy,</u>   |  |                             |              |                  |                |  |  |  |
| <b>SUGGESTED READINGS</b>   |  |                             |              |                  |                |  |  |  |
| 1   | <b>Suggested Readings :</b><br><br>No specific bibliography is suggested for this course since the materials obviously depends upon the latest developments. These developments in the areas specified in the course can be gathered from the recent materials such as all standing Constitutional law Text books, case law, changes and amendments of laws, critical comments, studies and reports, articles and research papers and lastly contemporary emerging ethos impacting on constitutional values. |                             |              |                  |                |  |  |  |

| COURSE TITLE  |  | PRINCIPLES OF CORPORATE LAW |       | CREDITS   | 6       |  |  |  |  |
|---|--|-----------------------------|-------|-----------|---------|--|--|--|--|
| Course Code   | LLMB2103   | Course Category (CF)        | MAJOR | L-T-P-TCH | 4-2-0-6 |  |  |  |  |
| CIA   | 30%  |                             | ESE   | 70%       |         |  |  |  |  |
| <b>Prerequisites :</b>  |  |                             |       |           |         |  |  |  |  |
| <b>MODULE 1 INTRODUCTION</b>  |  |                             |       |           |         |  |  |  |  |
| Origin and Development of Corporate Law - Essential ingredients in establishment of Corporation - Shares and share capital- Concept of shares, share capital - Kinds of shares - Debentures - Issue , Allotment , transfer and forfeiture of shares |  |                             |       |           |         |  |  |  |  |
| <b>MODULE 2 LEGAL ASPECTS</b>   |  |                             |       |           |         |  |  |  |  |
| Legal Aspects governing corporate management- Meetings, Majority Rule and minority protection - Prevention of oppression, mismanagement - Role of central government, Company Registrar, Company Law Board/ Tribunal                                |  |                             |       |           |         |  |  |  |  |
| <b>MODULE 3LEGAL PROVISIONS</b>   |  |                             |       |           |         |  |  |  |  |
| Amalgamation, Reconstruction, Mergers, take-over of Companies- Meaning of the terms - Statutory provisions - Powers of court/ tribunal - Reconstruction/ amalgamation by sale of shares/sale of undertakings Procedures of Winding up a Company     |  |                             |       |           |         |  |  |  |  |
| <b>MODULE 4CORPORATE GOVERNANCE</b>   |  |                             |       |           |         |  |  |  |  |
| Corporate Governance- Concept – Significance – Dimensions - Legal framework - Impact of globalization   |  |                             |       |           |         |  |  |  |  |
| <b>MODULE 5HISTORY AND EVOLUTION</b>  |  |                             |       |           |         |  |  |  |  |
| Corporate Social Responsibility- Evolution of the concept - Dimensions of CSR - Legislations and CSR  |  |                             |       |           |         |  |  |  |  |
| <b>TEXT BOOKS</b>   |  |                             |       |           |         |  |  |  |  |
| 1   | J.M. Thomson-Palmer _s Company Law                     |                             |       |           |         |  |  |  |  |
| 2   | Gower-Principles of Modern Company Law                 |                             |       |           |         |  |  |  |  |
| 3   | Ramaiya -Guide to Companies Act                        |                             |       |           |         |  |  |  |  |
| <b>REFERENCE BOOKS</b>  |  |                             |       |           |         |  |  |  |  |
| 1   | Indian Law Institute-Current problems of Corporate Law |                             |       |           |         |  |  |  |  |
| 2   | Datta -Company Directors                               |                             |       |           |         |  |  |  |  |

| COURSE TITLE |          | BANKING LAW          |       | CREDITS   | 6       |
|--------------|----------|----------------------|-------|-----------|---------|
| Course Code  | LLMB2104 | Course Category (CF) | MAJOR | L-T-P-TCH | 4-2-0-6 |
| CIA          | 30%      |                      |       | ESE       | 70%     |

**Prerequisites :** Nil

#### **MODULE 1 INTRODUCTION**

Nature and development of banking - History of banking in India and elsewhere –indigenous banking –evolution of banking in India –different kinds of banks and their functions. c. Multi-functional banks –growth and legal issues - Law Relating to Banking Companies in India - Controls by government and its agencies - On management - On accounts and audit – Lending - Credit policy - Reconstruction and reorganization - Suspension and winding up - Contract between banker and customer : their rights and duties.-.

#### **MODULE 2 SOCIAL CONTROL OVER BANKING**

Nationalization - Evaluation : private ownership,nationalization and disinvestment. - Protection of depositors - Priority lending - Promotion of underprivileged classes - Deposit Insurance - The Deposit Insurance Corporation Act 1961 : objects and reasons - Establishment of Capital of DIC - Registration of banking companies insured banks, liability of DIC to depositors - Relations between insured banks, DIC and Reserve Bank of India.

#### **MODULE 3 CENTRAL BANK**

Evolution of Central Bank - Characteristics and functions - Economic and social objectives - The Central Bank and the State –as bankers“ bank - The Reserve Bank of India : Organisational Structure, Functions - Relationship of Banker and Customer - Legal character - Contract between banker and customer - Bankersls lien.- Protection of bankers - Customers.

#### **MODULE 4 NEGOTIABLE INSTRUMENTS**

Meaning and kinds - Transfer and negotiations - Holder and holder in due course - Presentment and payment - Liabilities of parties - Lending by Banks - Good lending principles - Lending to poor masses - Securities for advances - Kinds and their merits and demerits - Repayment of loans : rate of interest, protection against penalty. Default and recovery - Debt recovery tribunal

#### **MODULE 5 BANKING SYSTEM**

Recent trends of Banking System in India- New technology - Information technology - Automation and legal aspects - Automatic teller machine and use of internet - Use of expert system - Smart Card - Credit cards - Reforms in Indian Banking Law - Recommendations of committees a review

#### **TEXT BOOKS**

|   |   |
|---|---|
| 1 | M.L. Tannan, Tannan“s Banking Law and Practice in India., India Law House, New Delhi, Latest Edition. |
| 2 | L.C. Goyal , The Law of Banking and Bankers, Latest Edition, Eastern                                  |

**SEMESTER – II**

|                     |   |                             |              |                  |                |
|---------------------|---|-----------------------------|--------------|------------------|----------------|
| <b>COURSE TITLE</b> | <b>LAW AND SOCIAL TRANSFORMATION IN INDIA</b> |                             |              | <b>CREDITS</b>   | <b>6</b>       |
| <b>Course Code</b>  | <b>LLMB2201</b>                               | <b>Course Category (CF)</b> | <b>MAJOR</b> | <b>L-T-P-TCH</b> | <b>4-2-0-6</b> |
| <b>CIA</b>          | <b>30%</b>                                    |                             |              | <b>ESE</b>       | <b>70%</b>     |

**Prerequisites :**

**MODULE 1 LAW AND SOCIAL CHANGE**

Law as an instrument of social change- Law as the product of traditions and Culture- Criticism and evaluation in the light of colonization and the introduction of common law system and institutions in India and its impact on further development of law and legal institutions in India

**MODULE 2 COMMUNITY , RELIGION AND THE LAW**

Community, Religion and the law - Caste as a divisive factor - Non-discrimination on the ground of caste - Acceptance of Caste as a factor to undo past injustices - Protective discrimination : Scheduled castes, tribes and backward classes - Reservation; statutory Commission, Statutory provisions - Freedom of religion and non-discrimination on the basis of religion - Religious minorities and the law.

**MODULE 3 WOMEN , CHILDREN AND THE LAW**

Women, Children and the law- Crimes against women, Gender injustice and its various forms Women's commission - Empowerment of women: Constitutional and other legal provisions - child labour - Adoption and related problems - Children and education

**MODULE 4 MODERNIZATION AND THE LAW**

Modernization and the law- Modernization as a value: Constitutional perspectives reflected in the fundamental duties - Democratic decentralization and local self-government - Modernization of social institutions through law

**MODULE 5 ALTERNATIVE APPROCHES TO LAW**

Alternative approaches to law- The jurisprudence of Sarvodaya – Gandhiji, Vinoba Bhave ; Jayaprakash Narayan, Grama nyayalayas

**TEXT BOOKS**

|   |  |
|---|--|
| 1 | Marc Galanter (ed), Law and Society in Modern India (1997) Oxford        |
| 2 | Robert Lingat, The Classical Law of India (1998), Oxford                 |
| 3 | U. Baxi, The Crisis of the Indian Legal System (1982), Vikas , New Delhi |

**REFERENCE BOOKS**

|   |  |
|---|--|
| 1 | U.Bixi (ed), Law and Poverty Critical Essays (1988), Tripathi , Bombay |
| 2 | Manushi , A journal About of Women and Society                         |

| COURSE TITLE   |  | RESEARCH METHODOLOGY I |       | CREDITS   | 6       |  |  |  |  |
|--|--|------------------------|-------|-----------|---------|--|--|--|--|
| Course Code  | LLMB2202   | Course Category        | MAJOR | L-T-P-TCH | 4-2-0-6 |  |  |  |  |
| CIA  | 30%  |                        | ESE   | 70%       |         |  |  |  |  |
| <b>Prerequisites :</b>   |  |                        |       |           |         |  |  |  |  |
| <b>MODULE 1 INTRODUCTION</b>   |  |                        |       |           |         |  |  |  |  |
| Significance of Research - Meaning and concept of research - Scientific Methods & Legal Research - The science of research and scientific methodology (Theory, facts, definition and concepts, variables etc. i.e. characteristics of scientific methodology) Socio-legal research and legal research models - Doctrinal and non-doctrinal research - What is research problem? Formulation of research problem.   |  |                        |       |           |         |  |  |  |  |
| <b>MODULE 2 RESEARCH DESIGN</b>  |  |                        |       |           |         |  |  |  |  |
| Research Design and its components - Hypothesis: Its role, definition, criteria of a workable hypothesis and its sources. Major steps of preparation of research design - Research tools - Observation, Interview, Questionnaire (Utility and limitations and methods of using these tools)  |  |                        |       |           |         |  |  |  |  |
| <b>MODULE 3: RESEARCH TECHNIQUES</b>   |  |                        |       |           |         |  |  |  |  |
| Research Techniques - Use of case studies and surveys - Sampling techniques: i.Design of sample - ii. Its uses and advantages in research - iii. Random sampling, simple random, stratified random, systematic random - iv. Non-random sampling, haphazard, availability and purposive etc - Scaling Techniques – Types, utility, modus operandi - Elementary Statistics, design & stages in statistical investigation and interpretation and Preparing Diagrams & graphs. Content analysis. |  |                        |       |           |         |  |  |  |  |
| <b>MODULE 4 COMPUTERIZED RESEARCH</b>  |  |                        |       |           |         |  |  |  |  |
| Data Processing - Data Collection, Data processing and analysis and interpretation of data. Socio-metrics and Jurimetrics - Inductions and deductions - Computerized research - A study of legal research programmes such as Lexis and west law coding Online& offline sources and techniques of e- legal research.  |  |                        |       |           |         |  |  |  |  |
| <b>MODULE 5 REPORT WRITING</b>   |  |                        |       |           |         |  |  |  |  |
| Report writing- Research report & techniques of writing research work - Citation rules and modes of legal writing.   |  |                        |       |           |         |  |  |  |  |
| <b>TEXT BOOKS</b>  |  |                        |       |           |         |  |  |  |  |
| 1  | Wilkinson – Bhandarkar –Research Methodology               |                        |       |           |         |  |  |  |  |
| 2  | Young, Pauline V. –Scientific Social Survey and Research   |                        |       |           |         |  |  |  |  |
| 3  | Berelson B : Content Analysis in Communication Research    |                        |       |           |         |  |  |  |  |
| <b>REFERENCE BOOKS</b>   |  |                        |       |           |         |  |  |  |  |
| 1  | Jain S. N. : Legal Research and Methodology.               |                        |       |           |         |  |  |  |  |
| 2  | Earl Babi – Research Methodology                           |                        |       |           |         |  |  |  |  |
| 3  | Good & Halt : Research Methodology (And relevant Websites) |                        |       |           |         |  |  |  |  |

| <b>COURSE TITLE</b>   |  | <b>CONSUMER LAW</b>    |              | <b>CREDITS</b> | <b>6</b> |  |  |  |  |
|---|--|------------------------|--------------|----------------|----------|--|--|--|--|
| <b>Course Code</b>  | LLMB2203   | <b>Course Category</b> | <b>MAJOR</b> | L-T-P-TCH      | 4-2-0-6  |  |  |  |  |
| <b>CIA</b>  | <b>30%</b>   |                        | <b>ESE</b>   | <b>70%</b>     |          |  |  |  |  |
| <b>Prerequisites :Nil</b>   |  |                        |              |                |          |  |  |  |  |
| <b>MODULE 1 INTRODUCTION</b>  |  |                        |              |                |          |  |  |  |  |
| Historical perspective of consumer protection in India - United Nations & consumer Protection - Laws dealing with consumer complaints - Caveat Emptor                     |  |                        |              |                |          |  |  |  |  |
| <b>MODULE 2 CONSUMER PROTECTION ACT</b>   |  |                        |              |                |          |  |  |  |  |
| Consumer Protection Act - Aims & Objects of the Act - Consumers - Consumer Dispute - Defect in Goods and Services - Unfair Trade Practices                                |  |                        |              |                |          |  |  |  |  |
| <b>MODULE 3 DEFICIENCY IN SERVICES</b>  |  |                        |              |                |          |  |  |  |  |
| Deficiency in Services -Meaning & Instances -Negligence -Deficiency in service in various professions: Insurance services, Banking and Financial services, Housing etc. . |  |                        |              |                |          |  |  |  |  |
| <b>MODULE 4 PROCEDURAL PROVISIONS</b>   |  |                        |              |                |          |  |  |  |  |
| Procedural Provisions - District Forum - National Commission - State Commission   |  |                        |              |                |          |  |  |  |  |
| <b>MODULE 5 CONSUMER PROTECTION</b>   |  |                        |              |                |          |  |  |  |  |
| Consumer Protection Act & conflict with other enactments - Consumer Protection Councils .   |  |                        |              |                |          |  |  |  |  |
| <b>TEXT BOOKS</b>   |  |                        |              |                |          |  |  |  |  |
| 1   | Saraf, D.N., Law of Consumer Protection in India.                    |                        |              |                |          |  |  |  |  |
| 2   | Avtar Singh, The Law of Consumer Protection: Principles and Practice |                        |              |                |          |  |  |  |  |
| 3   | J.N.Barowalia, Commentary on Consumer Protection Act 1986.           |                        |              |                |          |  |  |  |  |
| <b>REFERENCE BOOKS</b>  |  |                        |              |                |          |  |  |  |  |
| 1   | P.K.Majundar, The Law of Consumer Protection In India                |                        |              |                |          |  |  |  |  |
| 2   | D.P.Wadhwa & W.L.Rajah, The Law of Consumer Protection               |                        |              |                |          |  |  |  |  |

| COURSE TITLE |          | COMPETITION LAW      |       | CREDITS   | 6       |
|--------------|----------|----------------------|-------|-----------|---------|
| Course Code  | LLMB2204 | Course Category (CF) | MAJOR | L-T-P-TCH | 4-2-0-6 |
| CIA          | 30%      |                      | ESE   | 70%       |         |

**Prerequisites :**
**MODULE 1 MRTP ACT**

MRTP Act metamorphises into the Competition Act- Introduction to Competition and concept of Perfect competition - Theories on IP and Competition and the Concept of Open-Market System - Competition Policy & Regulation of Competition - MRTP Act: Formation & Features - Anti-Competitive Practices and its Regulation under MRTP Act

**MODULE 2 COMPETITION ACT**

Competition Act, 2002- Drawbacks under the MRTP Regime and Need for Competition Act - Regulatory Authorities under the Competition Act - Competition Law & Policy: Conceptual Study of Relevant Supreme Court Decisions - Regulation of Unfair Competition - Competition Policy and Consumer Protection

**MODULE 3 COMPETITION POLICY**

Competition Policy and IPR - Intellectual Property Rights: Introduction to various IP Assets Patent Policy and its Regulation under the Indian Laws - Abuse of IPR and Regulation of Combinations - Conflict of Competition Policy and Patent Policy - TRIPS and its impact on Competition and Patent-Monopoly

**MODULE 4 INTERNATIONAL COMPETITION**

Competition Policy under the EU and USA- Regulation of Unfair Competition in UK - Anti-trust Policy and Unfair Competition in USA - Doctrine of Exhaustion: under the legal regime of EU, USA and India - Competition Policy: Conceptual Study on the Decisions under US Anti-Trust Laws and the U.K

**MODULE 5 WTO**

WTO and its impact on Competition Laws with reference to UNCTAD- International Dimensions of Competition Law Globalization and competition law - Competition rules of WTO - International enforcement and Judicial assistance - Emerging principles of international competition law

**TEXT BOOKS**

1 Avtar Singh; Competition Law; Eastern Law House, 2012

2 Competition Law in India ; Srinivasan Parthsarthy ; Wolter Kluwer, 2012

3 Gurbax Singh, Law of Consumer Protection

**REFERENCE BOOKS**

1 Indian Competition Law: An International Perspective; Suzanne Rab ; CCH -A Wolters Kluwer Business, 2012

2 Law of Monopolistic, Restrictive and Unfair Trade Practices, Wadhwa & Co.

3 Taxmann's Guide to Competition Act.

**SEMESTER – III**

| <b>COURSE TITLE</b> |                 | <b>JUDICIAL PROCESS</b> |              | <b>CREDITS</b>   | <b>6</b>       |
|---------------------|-----------------|-------------------------|--------------|------------------|----------------|
| <b>Course Code</b>  | <b>LLMB2301</b> | <b>Course Category</b>  | <b>MAJOR</b> | <b>L-T-P-TCH</b> | <b>4-2-0-6</b> |
| <b>CIA</b>          | <b>30%</b>      |                         |              | <b>ESE</b>       | <b>70%</b>     |

**Prerequisites :**

**MODULE 1 NATURE OF JUDICIAL PROCESS**

Nature of Judicial process and its role in constitutional adjudication- Judicial process as an instrument of social ordering - Judicial process and creativity in law–common law model–legal reasoning and the growth of law–change and stability - The tools and techniques of judicial review and judicial creativity - Analysis of the doctrine of *Stare Decisis* in India

**MODULE 2 JUDICIAL REVIEW**

Special Dimensions of Judicial Process in Constitutional adjudication - Notions of Judicial Review - Is Judicial Review the same as Judicial Activism? - Judicial Activism and Judicial Self Restraint - Problem of Accountability in judicial law–making

**MODULE 3 JUDICIAL PROCESS IN INDIA**

Judicial Process in India - The Indian Debate on the role of the Judges and on the notion of Judicial review - The —Independence of Judiciary and “Political” nature of Judicial Process - Judicial Activism and Creativity of the Indian Supreme Court ; the new dimensions - Institutional liability of Courts and Judicial activism–Scope and Limits

**MODULE 4 BASIC STRUCTURE**

Judicial Process and Constitutional Amendments- Evolution of the Concept of Basic Structure - Philosophy of the doctrine of Basic Structure - The Recent Developments: The —essence of rights test and —rights test to determine Basic structure - Basic Structure and Constitutionalism

**MODULE 5 CONCEPTS OF JUSTICE**

The Concepts of Justice - The concept of justice or Dharma in Indian thought - Dharma as the foundation of legal ordering in Indian thought - The concept and various theories of justice in the western thought - Various theoretical bases of justice: the liberal contractual tradition, the liberal utilitarian tradition and the liberal moral tradition

**TEXT BOOKS**

- 1 Cordozo The Nature of Judicial Process (1995). Universal Law Publishing Co., New Delhi
- 2 Julius Stone. The Province and Function of Law Ch.1, PP 8-16, (2000) Universal Law Publishing Co., New Delhi
- 3 J. Stone , Precedent and the Law: Dynamics of Common Law Growth(1985), Butterworths. (With effect from the Academic Session 2009-2010)

**REFERENCE BOOKS**

- 1 J. Stone. Legal System and Lawyer’s Reasoning (1999), Universal Law Publishing Co., New Delhi
- 2 Upendra Baxi, The Indian Supreme Court and Politics. (1980) , Eastern Book Co., Lucknow
- 3 Rajeev Dhavan. The Supreme Court of India – A Socio-Legal Critique of its Juristic Techniques (1977), Tripathi – Bombay.

| <b>COURSE TITLE</b>  |  | <b>INSURANCE LAW</b>   |              | <b>CREDITS</b>   | <b>6</b>       |  |  |  |  |
|--|--|------------------------|--------------|------------------|----------------|--|--|--|--|
| <b>Course Code</b>   | <b>LLMB2302</b>  | <b>Course Category</b> | <b>MAJOR</b> | <b>L-T-P-TCH</b> | <b>4-2-0-6</b> |  |  |  |  |
| <b>CIA</b>   | <b>30%</b>   |                        | <b>ESE</b>   | <b>70%</b>       |                |  |  |  |  |
| <b>Prerequisites :</b>   |  |                        |              |                  |                |  |  |  |  |
| <b>MODULE 1 INTRODUCTION</b>   |  |                        |              |                  |                |  |  |  |  |
| Origin and Development of the Concept of Insurance - Theoretical Perspectives of Insurance - Types of Insurance—<br>Parties to Insurance - Rights and liabilities of Insurer and Insured - Insurance policy-law of contract and law of torts<br>Need and importance of insurance |  |                        |              |                  |                |  |  |  |  |
| <b>MODULE 2 GENERAL PRINCIPLES OF LAW OF INSURANCE</b>   |  |                        |              |                  |                |  |  |  |  |
| General Principles of Law of Insurance- Contract of insurance-definition, nature of contract - The Insurable interest - Premium - The risk-commencement, attachment, duration - Assignment and alteration - Warranties and disclosures - Insurance intermediaries                |  |                        |              |                  |                |  |  |  |  |
| <b>MODULE 3 LIFE INSURANCE</b>   |  |                        |              |                  |                |  |  |  |  |
| Life Insurance- Nature and scope - Event insured against in Life Insurance - Circumstances affecting the risk<br>Amount recoverable under life policy - Persons entitled to payment - Settlement of claim and payment of money   |  |                        |              |                  |                |  |  |  |  |
| <b>MODULE 4 MARINE INSURANCE</b>   |  |                        |              |                  |                |  |  |  |  |
| Marine Insurance- Nature and scope - Classification of marine policies - Insurable interest, insurable value -<br>Voyage-deviation - Perils at sea - Warranties in marine insurance - Loss   |  |                        |              |                  |                |  |  |  |  |
| <b>MODULE 5 INSURANCE AGAINST THIRD PARTY RISK</b>   |  |                        |              |                  |                |  |  |  |  |
| Insurance against Third Party Risk - Motor Vehicle Act 1988 - Nature and scope - Effect of insolvency or<br>death on claims - Claims Tribunal-constitution, functions, application for compensation, procedure, powers and<br>award  |  |                        |              |                  |                |  |  |  |  |
| <b>TEXT BOOKS</b>  |  |                        |              |                  |                |  |  |  |  |
| 1  | M. N. Sreenivasan - Law and the Life Insurance Contract  |                        |              |                  |                |  |  |  |  |
| 2  | JCB Gilmar and Mustill, Arnold - Law of Marine Insurance |                        |              |                  |                |  |  |  |  |
| 3  | Birds-Modern Insurance Law                               |                        |              |                  |                |  |  |  |  |
| <b>REFERENCE BOOKS</b>   |  |                        |              |                  |                |  |  |  |  |
| 1  | Colinvaux_s Law of Insurance                             |                        |              |                  |                |  |  |  |  |
| 2  | KSN Murthy and Dr. KVS Sarma - Modern Law of Insurance   |                        |              |                  |                |  |  |  |  |
| 3  | Avtar Singh - Law of Insurance                           |                        |              |                  |                |  |  |  |  |

| COURSE TITLE  |   | CORPORATE GOVERNANCE |       | CREDITS   | 6       |  |  |  |  |
|---|---|----------------------|-------|-----------|---------|--|--|--|--|
| Course Code   | LLMB2303  | Course Category      | MAJOR | L-T-P-TCH | 4-2-0-6 |  |  |  |  |
| CIA   | 30%   |                      | ESE   | 70%       |         |  |  |  |  |
| <b>Prerequisites :</b>  |   |                      |       |           |         |  |  |  |  |
| <b>MODULE 1 INTRODUCTION</b>  |   |                      |       |           |         |  |  |  |  |
| Introduction to Corporate Governance - Corporate governance - meaning and structure - Corporate governance Public Governance - History of corporate governance - Concept of corporate governance and stakeholders - Principles of corporate Governance –OECD principles |   |                      |       |           |         |  |  |  |  |
| <b>MODULE 2 CORPORATE GOVERNANCE MECHANISM</b>  |   |                      |       |           |         |  |  |  |  |
| Corporate Governance mechanism - Issues related to corporate governance - Decision system - Corporate capital and property rights - Ownership, Capital, and Creditor structure - Performance and remuneration system  |   |                      |       |           |         |  |  |  |  |
| <b>MODULE 3 COMPANY LAW</b>   |   |                      |       |           |         |  |  |  |  |
| Board of Directors- Directors under Companies Act - SEBI regulation - Corporate Fraud and crimes - Succession and Risk management - Whistle blower - Clause 49 of Listing Agreement - International Corporate Governance  |   |                      |       |           |         |  |  |  |  |
| <b>MODULE 4 CORPORATE SOCIAL RESPONSIBILITY</b>   |   |                      |       |           |         |  |  |  |  |
| Corporate Social Responsibility- CSR and investment climate - Corruption - Code of Ethics - Human Rights Wages - Environment  |   |                      |       |           |         |  |  |  |  |
| <b>MODULE 5 CASE STUDIES</b>  |   |                      |       |           |         |  |  |  |  |
| <b>TEXT BOOKS</b>   |   |                      |       |           |         |  |  |  |  |
| 1   | Sami Pathasarathy, Corporate Governance, Principles, Mechanisms and Practice                            |                      |       |           |         |  |  |  |  |
| 2   | Dimple Grover, Amulya Khurana, Ravi Shankar, The Regulatory Norms of Corporate Governance in India.     |                      |       |           |         |  |  |  |  |
| 3   | Sadhalaxmi Vivek Rao, Legal Framework and corporate Governance: An Analysis of Indian Governance System |                      |       |           |         |  |  |  |  |
| <b>REFERENCE BOOKS</b>  |   |                      |       |           |         |  |  |  |  |
| 1   | 1. Ministry of Corporate Affairs, Voluntary Guidelines on Corporate Governance, 2009                    |                      |       |           |         |  |  |  |  |
| 2   | KSN Murthy and Dr. KVS Sarma - Modern Law of Insurance  |                      |       |           |         |  |  |  |  |
| 3   | Avtar Singh - Law of Insurance  |                      |       |           |         |  |  |  |  |

|                     |  |                        |              |                |            |
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| <b>COURSE TITLE</b> | <b>RESEARCH METHODOLOGY II (PRACTICAL)</b> |                        |              | <b>CREDITS</b> | <b>6</b>   |
| <b>Course Code</b>  | LLMB2304                                   | <b>Course Category</b> | <b>MAJOR</b> | L-T-P-TCH      | 0-0-6-6    |
| <b>CIA</b>          | <b>30%</b>                                 |                        |              | <b>ESE</b>     | <b>70%</b> |

**Prerequisites :**
**MODULE 1 DOCTRINAL RESEARCH**

Each student is assigned in advance a separate topic and asked to collect materials. A period of 5-7 days can be set apart for carrying out this assignment in the library. The assignment shall be evaluated internally by a designated faculty member who are engaging LL.M. Classes regularly

**MODULE 2 NON-DOCTRINAL RESEARCH**

Here the students are asked to go out of the class room and library and make an empirical study of a problem which has social, economic, moral or political dimension. Field data can be collected through any model of data collection. The results are to be assessed internally by a designated faculty member who are engaging LL.M. Classes regularly

**MODULE 3 CLINICAL WORK**

The method is that the Legal Aid Clinic of the Department of Law can involve itself with other legal aid programmes in the area. Students are encouraged not only to work with the clinic but also to acquaint themselves with court proceedings, working of a business organization, tackling of labour disputes, drafting of business or other deeds and with public interest litigation. The initiative and potential of the student and the actual submission of report turned out by him/her shall be assessed by the team of senior faculty who are engaging LL.M. Classes regularly. Focus, priority and weightage shall be for the research being done by the students in the above areas

**MODULE 4 LAW TEACHING**

A topic is assigned to the student in advance. He is required to handle a class for 25 to 30 minutes. The students may be asked to teach the LL.M Semester I students. They can select any of the methods of teaching. In law teaching practical, the LL.M students are to be evaluated internally. The average marks shall be reckoned. Internal evaluation shall be by a group of senior faculty who are regularly engaged in handling LL.M. classes.

**SEMESTER IV**

| <b>COURSE TITLE</b> | <b>DISSERTATION</b> |                             |           | <b>CREDITS</b>   | <b>8</b>       |
|---------------------|---------------------|-----------------------------|-----------|------------------|----------------|
| <b>Course Code</b>  | <b>LLMB2401</b>     | <b>Course Category (CF)</b> | <b>PC</b> | <b>L-T-P-TCH</b> | <b>0-0-8-8</b> |
| <b>CIA</b>          | <b>25%</b>          |                             |           | <b>ESE</b>       | <b>75%</b>     |

**UNIT I : Dissertation ( Submission of Research Paper ) : 150 Marks**

Dissertation of each student should be on topics from the area of specialization chosen, and approved by the Departmental Committee. The dissertation is expected to be an indepth and critical analysis of a legal problem of contemporary significance in the field chosen by the candidate and must incorporate copious reference to judicial decisions, articles and books relevant to the topic in the form of footnotes and bibliographical references. Typed and bound dissertations shall be of uniform pattern. Font size 12, New Times Roman, single space, margin 1", A4 paper, minimum 80 and maximum 100 pages. 2 copies of the Dissertation shall be submitted to the University prior to submitting the form of Semester IV Examination of LL.M Course.

LL.M students are required to follow the steps given below for preparation of Dissertation : i.Title of the study ii. Problem of the study iii. Objectives of the study iv. Hypothesis v. Review of Literature vi. Operational concepts and variables of the study vii. Research Design : a) Nature/ Type of the study b) Method of data collection c) Sources of data collection viii. Limitations of the study ix. Possible contribution of the study x. Chapterisation

LL.M students are required to follow the following structure:

Cover

Page

Certificate

Acknowledgement

List of Case Laws

List of Tables

Abbreviations

Contents

Chapter I : Introduction ( Theoretical Background and Research Methodology ) Chapter II to Chapter V

Chapter VI : Conclusions ( Major Findings and Suggestion )

Bibliography ( Books, Journals, Newspapers, Websites, Research Reports, Magazines etc. )

Annexures (Interview Schedules, Questionnaires, Master Charts, Acts, Bills, Maps etc. )

Unit II Presentation and Viva : 50 Marks



**Campus: Deesa -Highway, Opp. Hngu, Matarvadi Part, Gujrat-384265**

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