

Scheme of Teaching
&
Detailed Syllabus
For
Master of Laws
LL.M. (Legal Studies)
(Two Year Program)
(w.e.f. Academic Session 2021–22)



School of Law and Constitutional Studies
Shobhit Institute of Engineering & Technology
(Deemed to-be University)
NH-58, Modipuram, Meerut (U.P.) – 250110

Website: www.shobhituniversity.ac.in

Registrar
Shobhit Institute of Engg. & Tech.
(Deemed to-Be University)
NH-58, Modipuram, Meerut-250110

Program Objectives:

1. Conduct independent research on diverse legal topics and questions using knowledge of primary as well as secondary data. (Legal Knowledge)
2. Develop and demonstrate analytical skills to interpret various judgments of domestic and international courts of law and different provisions of law; and re-interpret the opinions and submissions of learned jurists and academicians. (Analytical Skills)
3. Demonstrate an understanding of substantive and/or procedural aspects of their chosen area of specialisation, and offer solutions based on such understanding. (Problem Solving)
4. Independently write research articles and undertake research studies on different topics. (Research Skills)
5. Develop a sense of social responsibility and commitment, and work on various socio-legal issues. (Social Responsibility)
6. Establish as a competent professional in a highly competitive world with cutting-edge legal education tools. (Competitive Skills)
7. Apply the diverse knowledge to prepare for higher research degree with clarity of purpose (Higher Education).
8. Ability to translate ideas into words, and words into practical solutions, which is reflective of their critical thinking (Critical Thinking).
9. Apply ethical principles and commit to professional ethics and responsibilities and norms of legal practice (Ethics).
10. Communicate effectively on complex legal activities with the legal community and with the society at large; thus, giving and imparting clear instructions (Communication).

Program Specific Outcomes (PSOs):

1. Will be able to demonstrate critical thinking in their chosen area of specialisation leading to a successful career.
2. Will be able to develop their researching skills and progress towards pursuing Doctoral studies.
3. Will be active members ready to serve the society through their teaching skills.
4. Will be equipped with enhanced legal insights that will lend them a cutting edge over ordinary law graduates in the judicial profession.
5. Will have leadership skills with high level of integrity and also have the ability to function professionally with ethical responsibility as an individual as well as in multidisciplinary team with positive attitude.

FIRST YEAR

First Semester

Sl. No.	Subject	Subject code	Credit	L	T	P	Total Credit	
Compulsory Paper								
1	Law and Social Transformation	MLC – 101	4	4	0	0	16	
2	Indian Constitutional law: The New Challenges	MLC – 103	4	4	0	0		
Optional Group – A (Criminal Law)								
3	Comparative Criminal Procedure	MLE – 105	4	4	0	0		
4	Treatment of Offenders and Victimology	MLE – 107	4	4	0	0		
Optional Group – B (Corporate Law)								
5	Law of Corporate Management and Governance	MLE – 109	4	4	0	0		
6	Competition and Consumer Protection Laws	MLE – 111	4	4	0	0		
Optional Group – C (Constitutional Law)								
7	Constitutionalism	MLE-113	4	0	4	0		
8	Comparative Constitutional Law	MLE-115	4	0	4	0		
Optional Group – D (IPR)								
9	Nature, Emergence and Development of IPRs	MLE-117	4	0	4	0		
10	Copyright Law & Neighbouring Rights	MLE119	4	0	4	0		

Second Semester

Sl. No.	Subject	Subject code	Credit	L	T	P	Total Credit	
Compulsory Paper								
1	Judicial Process	MLC 202	4	4	0	0	16	
2	Legal Education & Research Methodology	MLC 204	4	4	0	0		
Optional Group – A (Criminal Law)								
3	Drug Addiction, Criminal Justice and Human Rights	MLE 206	4	4	0	0		
4	Privileged Class Deviance	MLE 208	4	4	0	0		
Optional Group – B (Corporate Law)								
5	Intellectual Property Rights	MLE 210	4	4	0	0		
6	Corporate Taxation	MLE 212	4	4	0	0		
Optional Group – C (Constitutional Law)								
7	Constitutionalism: Power of Judicial Review	MLE-214	4	4	0	0		
8	Federalism: Union –State Relations	MLE-216	4	4	0	0		
Optional Group – D (IPR)								
9	Patents Law	MLE-218	4	4	0	0		
10	Law Relating to Trademarks	MLE-220	4	4	0	0		

Second Year

Third Semester

Sl. No.	Subject	Subject code	Credit	L	T	P	Total Credit	
Compulsory Paper								
1	Seminar in Contemporary Issue	MLC 301	8	0	0	0	16	
Optional Group – A (Criminal Law)								
3	Juvenile Delinquency	MLE 303	4	4	0	0		
4	Collective Violence and Criminal Justice System	MLE 305	4	4	0	0		
Optional Group – B (Corporate Law)								
5	Banking and Insurance Law	MLE 307	4	4	0	0		
6	The Law of Corporate Finance and Securities Regulations	MLE 309						
Optional Group – C (Constitutional Law)								
7	Human Rights: Constitution of India	MLE-311	4	4	0	0		
8	Constitutional Pluralism: Protection of Special National Interest	MLE-313	4	4	0	0		
Optional Group – D (IPR)								
9	Law Relating to Designs & Geographical Indication	MLE-315	4	4	0	0		
10	Teaching and Research in IPRs	MLE-317	4	4	0	0		

Fourth Semester

Sl. No.	Subject	Subject code	Credit	L	T	P	Total Credit
Compulsory Paper							
1	Dissertation	MLC-402	16	0	0	0	16
2	Teaching Assignment						

LAW AND SOCIAL TRANSFORMATION

Sub. Code: MLC – 101

C 4, L 4.

Course Objectives:

- Law and Society is a complex subject that speaks of, and deals with fundamental changes in society, its structure, method and manner of functioning.
- India, as a developing multicultural society, has enormous population, pluralism in religion, language, caste onerous, structure, ethnic groups and regions.
- In the process of making students appreciate the interplay between law and society, this course also educates them about the background of various issues of vital social significance and sensitizes them towards the same.

Course Outcome

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

1. Relate clearly the different concepts of legal issues related to societal aspects.
2. Formulate and develop arguments in support or against the different social issues in the society.
3. Critically analyse and examine theoretical concepts of language as divisive factor.
4. Apply a range of legal principles and analyze the concepts and issues logically & understand the regionalism as a divisive factor and its cause.

UNIT-I

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.

UNIT-II

Religion and the law-Religion as a divisive factor, Secularism as a solution to the problem, Reform of the law on secular lines: Problems, Freedom of religion and non-discrimination on the basis of religion, religious minorities and the law

UNIT-III

Language and the law- Language as a divisive factor: formation of linguistic states, Constitutional guarantees to linguistic minorities, Language policy and the Constitution: Official language; multi-language system, Non-discrimination on the ground of language.

UNIT-IV

Community and the law- Caste as a divisive factor, Non-discrimination on the grounds of caste, Acceptance of caste as a factor to undo past injustices, Protective discrimination: Scheduled castes, tribes and backward classes, Reservation; Statutory Commissions, Statutory provisions, Crimes against women, Gender injustice and its various forms, Empowerment of women: Constitutional and other legal provisions.

UNIT- V

Regionalism and the law- Regionalism as a divisive factor, Concept of India as one unit, Right of movement, residence and business; impermissibility of state or regional barriers, Equality in matters of employment: the slogan “Sons of the soil” and its practice, Admission to educational institutions: preference to residents of a state.

Select Bibliography

1. Marc Galanter (ed.), Law and Society in Modern India (1997) Oxford.
2. Robert Lingat, The Classical Law of India (1988), Oxford.
3. U.Baxi, The Crisis of the Indian Legal System (1982). Vikas, New Delhi.
4. U. Baxi (ed.), Law and Poverty Critical Essays (1988), Tripathi, Bombay.
5. Manushi, A Journal about Women and Society.
6. Duncan Derret, The State, Religion and Law in India (1999). Oxford University Press, New Delhi.
7. H.M.Seervai, Constitutional Law of India (1996), Tripathi.
8. D.D. Basu, Shorter Constitution of India (1996), Prentice – Hall of India(P) Ltd., New Delhi.
9. Indian Law Institute, Law and Social Change: Indo-American Reflections, Tripathi (1988)

CO Mapping with PO and PSO

Course Outcome (COs)															
CO & PO Mapping (Three Level : 3-Strongly Related , 2-Moderate, 1-Slightly)															
	PO 1	PO 2	PO 3	PO 4	PO 5	PO 6	PO 7	PO 8	PO 9	PO 10	PSO 1	PSO 2	PSO 3	PSO 4	PSO 5
CO 1	2	2	1	2	2	2	3	1	1	1	2	2	2	1	2
CO 2	2	1	2	1	1	2	2	2	-	2	2	1	2	3	2
CO 3	3	2	3	2	1	3	1	1	1	2	3	2	2	2	2
CO 4	3	2	2	2	2	1	2	2	2	1	1	2	2	1	2
Average	2.5	1.7	2.0	1.7	1.5	2.0	2.0	1.5	1.0	1.5	2.0	1.7	2.0	1.7	2.0

INDIAN CONSTITUTIONAL LAW: THE NEW CHALLENGES

Sub. Code: MLC – 103

C 4, L 4.

Course Objectives:

- Students will study the nature and characteristics of the constitution.
- Students will be familiarized with the leading case laws and legislative changes to the provisions of the Constitution
- Students will learn the diverse principles of judicial interpretation that constructs notions of 'state', 'law' and 'law in force'.
- Students will understand the nature and scope of the nexus between constitutional organs.
- Students will learn the applicability of the Fundamental Rights and Directive Principles of State Policy.

Course Outcome

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

1. Explain the nature of the Constitution along with the federal characteristics of the constitution.
2. Analyse and sort out the diverse judicial tests used to determine the constitutionality of state action.
3. Compare the constitutional relationship between the rights enumerated under part 3 and 4 of the Constitution of India.
4. Evaluate the idea of welfare state by amalgamating the harmonious impacting of Fundamental Rights and Directive Principles of State Policy.

UNIT-I

Federalism-Creation of new states, Allocation and share of resources - distribution of grants-in-aid, The inter-state disputes on resources, Centre's responsibility and internal disturbance within States, Directions of the Centre to the State under Article 356 and 365, Federal Comity: Relationship of trust and faith between Centre and State, Special status of certain States, Tribal Areas, Scheduled Areas.

UNIT-II

Separation of powers: stresses and strains.-Judicial activism and judicial restraint, PIL : implementation, Judicial independence, Appointment, transfer and removal of judges, Accountability: Executive and judiciary,

UNIT-III

Freedom of Press and challenges of new scientific development-Freedom of speech and expression, Right to broadcast and telecast, Impact of Information Technology Act, 2000, Right to strikes, *hartal* and *bandh*

UNIT-IV

Emerging regime of new rights and remedies-Reading Directive Principles and Fundamental Duties into Fundamental rights, Compensation jurisprudence, Right to education, Commercialisation of Education and its impact, Educational institutions and state control: Critical Analysis of Pai Foundation & its aftermath,

UNIT- V

Democratic process- Nexus of politics with criminals and the business, Election: Jurisprudence of Representation; Role of Election Commission, Electoral Reforms: Contribution of Judiciary, Coalition government, 'stability, durability, corrupt practice'

Select Bibliography

M.P. Jain, Indian Constitutional Law.

H.M. Seervai, The Indian Constitutional Law.

V.N. Shukla, Indian constitutional Law.

CO Mapping with PO and PSO

Course Outcome (COs)															
CO & PO Mapping (Three Level : 3-Strongly Related , 2-Moderate, 1-Slightly)															
	PO 1	PO 2	PO 3	PO 4	PO 5	PO 6	PO 7	PO 8	PO 9	PO 10	PSO 1	PSO 2	PSO 3	PSO 4	PSO 5
CO 1	2	2	1	2	2	2	3	1	1	1	2	2	2	1	2
CO 2	2	1	2	1	1	2	2	2	-	2	2	1	2	3	2
CO 3	2	2	3	2	1	3	1	1	1	2	3	2	2	2	2
CO 4	3	2	2	2	2	1	2	2	2	1	1	2	2	1	2
Average	2.2	1.7	2.0	1.7	1.5	2.0	2.0	1.5	1.0	1.5	2.0	1.7	2.0	1.7	2.0

COMPARATIVE CRIMINAL PROCEDURE

(Preferably the Paper should be taught with reference to India, England and USA)

Sub. Code: MLE – 105

C 4, L 4.

Course Objectives/Course Description

- The students will deal with the basic procedural aspects with regard to criminal law in action.
- Understanding of the related procedure enforced in various countries
- Apply thorough knowledge of the Code of Criminal Procedure
- Learn the effective implementation of criminal law.

Course Outcome

On completion of the course students will be able to –

1. Explain the scope and applicability of the Code of Criminal Procedure
2. Evaluate the role played by the functionaries of the government in criminal justice administration.
3. Analyse the right the victims are entitled to and suggest appropriate remedies in case of breaches.
4. Understand the Criminal Procedures implemented in various countries.
5. Analyze the procedure of PIL in India , USA and UK

UNIT-I

Organisation of Courts and Prosecuting Agencies-Hierarchy of criminal courts and their jurisdiction, Organisation of prosecuting agencies for prosecuting criminals, Prosecutors and the Police, Withdrawal of Prosecution.

UNIT-II

Pre-Trial Procedure-Arrest and questioning of the accused, the rights of the accused, The evidentiary value of statements/articles seized/collected by the police, Right to counsel, Roles of the prosecutor and the judicial officer in investigation

UNIT-III

Trial Procedure-The accusatory system of trial and the inquisitorial system, Role of the judge, the prosecutor and defence attorney in the trial, Admissibility and inadmissibility of evidence, Expert evidence, Plea bargaining.

UNIT-IV

Correction and Aftercare service- The role of the court in correctional programmes in India - **Preventive Measures in India:** Provisions in the Criminal Procedure Code, Special enactments

Unit V

Public Interest Litigation- Directions for criminal prosecution.

Select Bibliography:

1. Vernon Fox - Introduction to Criminology
2. Sutherland and Cressy - Criminology
3. Sethna - Society and the Criminal
4. Ahmad Siddique – Criminology
5. K.D.Gaur – A Textbook on The Indian Penal Code.
6. Videh Upadhyay - Public Interest Litigation In India: Concepts, Cases Concerns 1st Edition
7. S. K Agrawala - Public interest litigation in India: A critique (K.M. Munshi memorial lectures)
8. N.V. Paranjape – Criminology Penology & Victimology.

CO Mapping with PO and PSO

Course Outcome (COs)															
CO & PO Mapping (Three Level : 3-Strongly Related , 2-Moderate, 1-Slightly)															
	PO 1	PO 2	PO 3	PO 4	PO 5	PO 6	PO 7	PO 8	PO 9	PO 10	PSO 1	PSO 2	PSO 3	PSO 4	PSO 5
CO 1	2	1	2	3	1	3	3	2	1	1	1	2	2	2	1
CO 2	3	1	2	2	1	2	2	2	2	2	1	2	2	3	3
CO 3	3	-	2	2	1	3	1	1	1	2	3	1	2	2	2
CO 4	2	2	3	2	3	3	2	1	1	3	1	3	1	1	2
CO 5	2	1	3	2	3	2	2	1	2	-	1	1	3	1	1
Average	2.4	1.0	2.4	2.2	1.8	2.6	2.0	1.4	1.4	1.6	1.4	1.8	2.0	1.8	1.8

TREATMENT OF OFFENDERS AND VICTIMOLOGY

Sub. Code: MLE – 107

C 4, L 4.

Course Objectives:

- The course will help students to understand the policy of criminal law. The course focuses on how criminal law has adapted and evolved to deal with deviant behaviours which is a systematic study within the scope of sociology and psychiatry.
- It will also help the students to have a greater understanding of social costs of crime and the effective ways of lessening them. Penology offers a specialist understanding of criminal policies including theories of punishment, and prison reform.
- The victim has traditionally been ignored as component of the crime. Hopefully victimology will provide the student with an insight into not only how important the victim is to an investigation, but why they are important in the overall scheme of the crime, which will shift the study from accused centric approach to much needed victim centric approach.

Course Outcome

After completion of this course, students will be able to understand:

1. The scientific study of criminology and concept of law relating to it and concept of law relating to it. Apart from these general principles in Criminology equally important place of criminal law in criminal science, nature and functions of criminal law.
2. The behaviour of the juveniles involved in crimes for and the law which govern them in a better manner.
3. The clarity about logical structure of crime prevention and its implementation with judicial pronouncements.
4. The administration of criminal justice system in India with critical analysis of legislative provisions along with its practical implementation.
5. The importance of the victim for an investigation and why they are important in the overall scheme of the crime. The theoretical aspects of punishment give clarity to the students about the nature and purpose of punishment.

UNIT-I

Introductory: Definition of Penology-Theories of Punishment: Retribution, Utilitarian prevention: Deterrence; Utilitarian: Intimidation; Behavioural prevention: Incapacitation, Behavioural prevention: Rehabilitation-Expiation, Classical Hindu and Islamic approaches to punishment

UNIT-II

Approaches to Sentencing- _Alternatives to Imprisonment, Probation, Corrective labour, Fines, Collective Fines, Reparation by the offender/by the court, Constitutionality of Capital Punishment, Judicial Attitudes towards Capital Punishment in India - An inquiry through the status law and case law, Law Reform Proposal.

UNIT-III

Imprisonment-The State of India's jails today, The disciplinary regime of Indian prisons, Classification of prisoners, Right of prisoner and duties of custodial staff, Deviance by custodial staff, Open prisons, Judicial Surveillance-basis- development reforms.

UNIT-IV

Victimology-Status of victim in Criminal Justice System, Rights of Victim, Compensation to victims of crime, UN Declaration on Rights of victim of crime and abuse of power, recommendations of Malimath Committee and Law Commission of India.

Select Bibliography:

1. Vernon Fox - Introduction to Criminology
2. Sutherland and Cressy - Criminology
3. Sethna - Society and the Criminal
4. Ahmad Siddique – Criminology
5. K.D.Gaur – A Textbook on The Indian Penal Code.
6. Vidhe Upadhyay - Public Interest Litigation In India: Concepts, Cases Concerns 1st Edition
7. S. K Agrawala - Public interest litigation in India: A critique (K.M. Munshi memorial lectures)
8. N.V. Paranjape – Criminology Penology & Victimology.

CO Mapping with PO and PSO

Course Outcome (COs)															
CO & PO Mapping (Three Level : 3-Strongly Related , 2-Moderate, 1-Slightly)															
	PO 1	PO 2	PO 3	PO 4	PO 5	PO 6	PO 7	PO 8	PO 9	PO 10	PSO 1	PSO 2	PSO 3	PSO 4	PSO 5
CO 1	2	1	2	3	1	3	3	2	1	1	1	2	2	2	1
CO 2	2	1	2	2	1	2	2	2	1	2	1	2	2	3	3
CO 3	2	-	2	2	1	3	2	1	2	2	3	1	2	2	2
CO 4	2	2	3	2	3	3	2	1	1	3	1	3	1	1	2
CO 5	2	1	3	2	3	2	2	1	3	-	1	1	3	1	1
Average	2.0	1.2	2.6	2.4	1.8	2.6	2.2	1.4	1.6	1.6	1.4	1.8	2.0	1.8	1.8

LAW OF CORPORATE MANAGEMENT AND GOVERNANCE

Sub. Code: MLE-109

L 4, C 4.

Course Objectives/Course Description

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

Course Outcome

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

1. Identify the salient features of corporate governance mechanism.
2. List out the important aspects with regard to auditors and other statutory compliances that companies have to follow.
3. Apply various legal and regulatory restrictions and obligations vis-à-vis the Board and the individual directors.
4. Analyse the issues related to the functioning of the corporate system as a mode of business organization.
5. Evaluate as against other the OECD principles and propose a solution to the various issues related to Corporate Social Responsibility and its application.

UNIT-I

Corporate Incorporation and Management-Certificate of Incorporation, Memorandum and Articles of Association, Doctrine of Ultra Vires, Doctrine of Indoor Management.

Directors: Appointment, Removal, Position, Powers and Duties of Directors.

Audit Committee: Its Role. Company Secretary: Qualification, Appointment and Duties.

Officer who is in default: Definition of Officer who is in default. Liability of independent directors. Meetings: Types of Meetings, Procedure of calling meeting, Company's resolutions and its kinds

UNIT-II

(Sections 397 to 408; Sections 235 to 251)

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

UNIT-III

Corporate Liquidation-Winding up of Companies, Mode of winding up of the companies, Compulsory Winding up under the Order of the Tribunal, Voluntary winding up, Contributories, Payment of liabilities

UNIT-IV

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

Corporate Social and Environmental Responsibility.

Selected Bibliography:

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

CO Mapping with PO and PSO

Course Outcome (COs)															
CO & PO Mapping (Three Level : 3-Strongly Related , 2-Moderate, 1-Slightly)															
	PO 1	PO 2	PO 3	PO 4	PO 5	PO 6	PO 7	PO 8	PO 9	PO 10	PSO 1	PSO 2	PSO 3	PSO 4	PSO 5
CO 1	2	1	2	3	1	3	3	1	1	1	1	2	2	2	1
CO 2	3	1	2	2	1	2	2	2	1	2	1	2	2	3	3
CO 3	2	1	2	2	1	2	1	1	-	2	3	1	2	2	2
CO 4	2	2	3	2	3	3	2	2	1	3	1	3	1	1	2
CO 5	2	1	3	2	3	2	2	1	3	2	1	1	3	1	1
Average	1.1	1.0	2.4	2.2	1.8	2.2	2.0	1.1	1.1	1.6	1.4	1.8	2.0	1.8	1.8

COMPETITION AND CONSUMER PROTECTION LAWS

Sub. Code: MLE-111

L 4, C 4.

Course Objectives/Course Description

Until recently most of the developing countries operated without a structured competition policy, and have justified the intervention by the state over economic activities. India owing to its WTO obligations enacted Competition Act, 2002.

- The course seeks to provide fundamentals of market economy and extensive knowledge of application of competition policy in India.
- The course aims to understand the study of developments of the policy of free and fair competition in India.
- The course will provide an analysis of the legal developments, from MRTP to the Competition Act.
- The course will analyze the progress of the Competition Law in various legal systems and also determine the role of WTO in its policies.

Course Outcome

1. On the completion of this course the students will have clarity about evolution, object and functions of Competition law.
2. The students will have clarity about the types of anti-competitive agreements and testing its validity, the practices covered by abuse of dominant position, practices in connection with combinations.
3. The students will be familiarised with an understanding about the role of the CCI.
4. Students will have a clear understanding about the conflicting issues regarding the IPR and competition laws, the investment issues under the competition laws and also the different modern dimensions of competition law.

UNIT – I

Competition: An Introduction-Definition of Competition, Definition of Competition Law, Objectives of Competition Law-History of Competition Law: (USA, UK, Europe) Relevant provisions of Sherman's Act, Indian scenario with an overview of MRTP Act, 1969. *Raghavan* Committee Report-International co-operation for competition: WTO agreements and the Act

UNIT – II

Anti-competitive Agreement-Appreciable adverse effect, Horizontal and Vertical agreements, Effects doctrine. Prohibition of anti-competitive agreements: Concerted practices and parallel behaviour, Cartel and Cartelisation, Bid rigging and collusive bidding, Tie-in-

arrangements, Exclusive supply agreement, Resale price maintenance agreement. Abuse of Dominant Position: Relevant market, Predatory behaviour, Predatory pricing, Discriminatory practices, Relevant market.

UNIT – III

Combination-Value of Assets, Turnover, Acquisition, Conglomeration, Joint Venture, Merger and Amalgamation, Notification. Competition Commission of India: Establishment and composition, Duties, Procedure for inquiry, Powers, Competition funds. Competition Advocacy: Competition Policy

UNIT – IV

Consumer Protection Act, 1986 and its applicability to Competition Law-Definition of Consumer, Definition of Service, Deficiency in Service, Unfair Trade Practices, Overlapping areas

Selected Bibliography:

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

CO Mapping with PO and PSO

Course Outcome (COs)															
CO & PO Mapping (Three Level : 3-Strongly Related , 2-Moderate, 1-Slightly)															
	PO 1	PO 2	PO 3	PO 4	PO 5	PO 6	PO 7	PO 8	PO 9	PO 10	PSO 1	PSO 2	PSO 3	PSO 4	PSO 5
CO 1	2	1	2	3	1	3	1	2	1	2	1	1	2	1	1
CO 2	2	1	2	1	1	2	2	2	-	2	1	2	2	3	3
CO 3	3	-	2	2	1	3	1	1	-	2	3	1	2	2	2
CO 4	2	2	3	2	3	3	2	1	1	3	1	3	1	1	2
Average	2.2	1.0	2.2	2.0	1.5	2.7	1.5	1.5	1.0	2.2	1.5	1.7	1.7	1.7	2.0

CONSTITUTIONALISM

Sub Code: MLE-113

L-4, C-4.

Course Objectives:

- Students will study the basics of Constitutional Law and Constitutionalism
- Students will be familiarized with the leading case laws and legislative changes to the provisions of the Constitution
- Students will learn the diverse principles of judicial interpretation that constructs notions of 'state', 'law' and 'law in force'.
- Students will understand the nature and scope the federal features of the Constitution
- Students will learn the applicability of the Constitution through PIL and Justice Administration.

Course Outcome

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

1. Explain the nature of the Constitution and applicability of rule of Law in India.
2. Analyse and sort out the diverse judicial tests used to determine the constitutionality of state action.
3. Compare the constitutional relationship between the rights enumerated under Articles 14, 19 and 21 of the Constitution of India.
4. Evaluate the idea of welfare state by amalgamating the harmonious impact of Fundamental Rights and Directive Principles of State Policy.

UNIT - I

The Concept of Constitutionalism-Essential Principles of Constitutionalism-
Constitutionalism and Rule of Law- Functions of Rule of Law and Constitutionalism
Constitutionalism in the Indian Legal Order

UNIT- II

Federalism as an aspect of Constitutionalism-The Federal principle : Classical and Modern-
An overview of the Canadian and American Position-Main features of Indian federalism-
Federalism and Constitutionalism

UNIT – III

New challenges to Constitutionalism: some social issues- Equality and Affirmative actions
(Dalits, and Backward Classes)-Human Rights of the Marginalized Groups.-An Evaluation of
Role of Courts.

UNIT - IV:

Justice Delivery System In India-PIL Movement: Promises and Perils Independence of
Judiciary-Judicial Reforms.

Selected Bibliography:

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

6. M. P. Singh. *Federalism, Democracy and Human Rights*. 47 J.I.L.I. 47 (2005).

CO Mapping with PO and PSO

Course Outcome (COs)															
CO & PO Mapping (Three Level : 3-Strongly Related , 2-Moderate, 1-Slightly)															
	PO 1	PO 2	PO 3	PO 4	PO 5	PO 6	PO 7	PO 8	PO 9	PO 10	PSO 1	PSO 2	PSO 3	PSO 4	PSO 5
CO 1	2	2	1	2	2	2	3	1	1	1	2	2	2	1	2
CO 2	2	1	2	1	1	2	2	2	-	2	2	1	2	3	2
CO 3	3	2	3	2	1	3	1	1	1	2	3	2	2	2	2
CO 4	3	2	2	2	2	1	2	2	2	1	1	2	2	1	2
Average	2.5	1.7	2.0	1.7	1.5	2.0	2.0	1.5	1.0	1.5	2.0	1.7	2.0	1.7	2.0

COMPARITIVE CONSTITUTIONAL LAW

MLE-115

L4T/P0C4

Course Objectives:

1. Students will study the basics of Constitutional Law and the salient features of the Constitution of India
2. Students will be familiarized with the leading case laws and legislative changes to the provisions of various Constitution
3. Students will learn the diverse principles of judicial interpretation that constructs notions of 'state', 'law' and 'law in force'.
4. Students will understand the nature and scope the rights to freedom, life , personal liberty and due process.
5. Students will learn the applicability of the right to freedom of religion in India and other countries.

Course Outcome

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

1. Explain the nature of the Constitution and can compare it with the Constitution of other countries
2. Analyse and sort out the diverse judicial tests used to determine the constitutionality of state action
3. Compare the constitutional relationship between the rights enumerated under Articles 14, 19 and 21 of the Constitution of India
4. Evaluate the idea of welfare state by amalgamating the harmonious impactg of Fundamental Rights and Directive Principles of State Policy

UNIT-I

Philosophy of rights and liberties – Historical overview – Methods of guarantee of basic rights – Common Law method – Constitutional bill of rights – Division of powers approach – Concept of State action – Right to Life – Traditional and Modern Concept – Positive rights of life – Rights to die – Right to personal liberty and Right to privacy.

UNIT –II

Right to Equality – Racial Equality – Non-discrimination – Reasonable Classification – Gender equality – Protective discrimination – method and extent. Due process of Law and its kinds – Rights of Accused– Immunity against Self- incrimination – Rule against double jeopardy – Protection against unreasonable search and seizure – Speedy Trial – Right to Counsel – Right to bail – Protection against Cruel and Unusual punishment – death penalty.

UNIT-III

Freedom of Speech and Expression – Content , and extent of restriction – Electronic Media – Law of Media – Freedom of Assembly, Association, Movement, Residence – Content and Extent of restrictions.

UNIT-IV

Freedom of Religion – Secularism –Right to property – Power of eminent domain – Freedom of business. The study is with reference to the constitutions of the USA, Canada and the United Kingdom.

Books for Study:

1. Kauper and Beytaugh – Constitutional Law
2. Rotunda and Nowak – Treatise on American Constitution Vol.3 and 4
3. Lockhart, Kamisar and Choper – American Constitution
4. Bernad Schwartz Commentary on American Constitution Part II & III,
5. Peter W. Hogg – Canadian Constitutional Law
6. Laskin – Canadian Constitutional Law
7. Leon & Atkey – Canadian Constitutional Law in Modern Perspective.
8. Wade and Philips – Constitutional and Administrative Law.
9. Bailey, Harries and Jones – Civil Liberties.
10. Hood Philips – Constitutional and Administrative Law

Mapping with PO and PSO

Course Outcome (COs)															
CO & PO Mapping (Three Level : 3-Strongly Related , 2-Moderate, 1-Slightly)															
	PO 1	PO 2	PO 3	PO 4	PO 5	PO 6	PO 7	PO 8	PO 9	PO 10	PSO 1	PSO 2	PSO 3	PSO 4	PSO 5
CO 1	2	3	2	2	1	3	2	1	1	2	1	3	2	1	1
CO 2	2	1	2	1	1	2	2	2	1	2	1	2	2	2	3
CO 3	2	2	3	2	-	3	2	1	-	2	3	1	2	2	2
CO 4	2	2	3	2	1	3	2	1	1	3	1	3	1	3	3
Average	2.0	2.0	2.5	1.8	1.0	2.7	2.0	1.2	1.1	2.2	1.5	2.2	1.7	2.0	2.2

NATURE, EMERGENCE AND DEVELOPMENTS OF IPRs

Sub Code: MLE-117

L-4 , C-4.

Course Objectives:

In light of the above, Unit 1 seeks to impart the historical evolution of IP protection and an exposure to the international and global evolution of IPR in the current state. It will also emphasise on the philosophical and economic justifications for the grant of IPR. Unit 2 is designed to educate the students about the specific law relating to patents in terms of eligibility, subject matter acquisition, enforcement etc. Unit 3 examines the law relating to copyright in India in light of the 2012 Amendment. Unit 4 is designed to appreciate the law relating to trademark with special emphasis on the concept of distinctiveness, deceptive similarity, dilution, and various trends in passing off. Unit 5 aims at an understanding of the concept of designs and legal issues involved in the same. Unit 6 takes note of the expanding horizons of IP like semi conductor chips and new plant varieties as a response to new technology. It also addresses the conflicting areas by virtue of IP protection.

Course Outcome

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

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

UNIT-I

Nature & Concept-Meaning-Types of Intellectual Property Rights

Nature of Intellectual Property Rights

- i. Monopolistic Perspective
- ii. Economic Perspective

iii. Public welfare perspective

Theories

i. Natural theory

ii. Lockes' Theory of property

iii. Hegelian Philosophy

iv. Utilitarian guidelines

v. Incentive theory

vi. Prospect theory

vii. Schumpeterian theory

UNIT-II

Origin & Development-Historical Background-Technological Development of IPR- Intellectual Property Rights: From National to International Character-Sustainable Development- Challenges for IPR system:

i. Digital Economy

ii. E-commerce

iii. Domain names

iv. Biotechnology including Human genomes

v. Nanotechnology

f) Role of Government in fostering the IPR

UNIT-III

International regime of Intellectual Property Rights- Background-Pre WTO regime-Paris Convention- Berne convention- Rome convention- Patent Cooperation treaty-World Intellectual Property Organization (WIPO), etc..-Post WTO regime- TRIPS

UNIT-IV

National regime

a) Background

b) Pre WTO

c) Post WTO

Suggested Readings:

1. Shiv Sahai Singh, *The Law of Intellectual Property Rights*, Deep & Deep publication Pvt. Ltd. 2004.

2. Phillippe Culet, *Intellectual Property Protection and Sustainable Development*, Lexis Nexis Butterworth, 2004.

3. W R Cornish, *Intellectual Property: Patents, copyright, Trademarks and allied rights*, London : Sweet & Maxwell, 1996

4. Jayanti Bagachi, *World Trade organization; an Indian Perspective*(2000).
Narayanan, P., Intellectual Property Rights

Further readings

1. UNCTAD-ICTSD, *Resource book on TRIPs and Development*, Cambridge University Press, 2005

2. Surendra Bhandari, *World Trade organisation and Developing Countries*, 1998

3. Bleir, F.K., Crespi, R.S. and Straus, J., *Niotechnology and Patent Protection- an international review*, OECD

4. Jayashree Watal, *Intellectual Property rights in the WTO and Developing Countries*, the Hague kluwer law Interantional, 2001

CO Mapping with PO and PSO

Course Outcome (COs)															
CO & PO Mapping (Three Level : 3-Strongly Related , 2-Moderate, 1-Slightly)															
	PO 1	PO 2	PO 3	PO 4	PO 5	PO 6	PO 7	PO 8	PO 9	PO 10	PSO 1	PSO 2	PSO 3	PSO 4	PSO 5
CO 1	2	3	2	2	2	3	2	2	2	2	1	3	2	1	1
CO 2	2	1	2	1	2	2	2	2	1	2	1	2	2	3	3
CO 3	1	2	2	2	2	3	1	1	-	2	3	1	2	2	2
CO 4	2	2	3	2	1	2	2	1	1	3	1	3	1	1	2
CO 5	2	2	3	2	1	2	2	1	3	1	1	1	1	2	2
Average	1.8	2.0	2.4	1.8	1.6	2.4	1.8	1.4	1.7	2.2	1.4	2.0	1.6	1.8	2.0

COPYRIGHT LAW & NEIGHBOURING RIGHTS

MLE-119

L4 T/P0 C4

Course Objectives

- The Students will understand about the Protection of copyright and related rights mainly
- Explain the promotion of literary, musical and artistic creativity and the dissemination of cultural and information products to the general public.
- Analyse the protection of indispensable incentives for the creation of new valuable works and for the investment into production and distribution of cultural and information goods.
- Learn efficient mechanisms, procedures, remedies and sanctions that are necessary for their enforcement in practice.

Course Outcome

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

1. Get an overview regarding the basics of copyright law, its philosophical perspectives as well as will be able to trace the historical evolution of copyright law.
2. Comprehend the various issues related to ownership of copyrighted materials; how the rights are transmitted and also the modes in which copyrighted materials are licensed.
3. Identify the key copyright issues in the recording industry and also how the copyright is collectively administered within the industry.
4. Acquainted with the key provisions in law related to copyright infringement and the types of liability.
5. Reflect on how the recent changes, posed by technology, are addressed by copyright law as well as how copyright issues are dealt in digital world. And will be well versed with different type of remedies provided under copyright law for copyright violation.

UNIT – I

1. Introduction to Copyright

(a) Historical development of the law of copyright

(b) Nature and Scope of Copyright Law and Neighbouring Rights

2. International Conventions/Treaties on Copyright

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

UNIT – II

1. Subject matter of copyright works

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

2. Ownership, duration and assignment of copyright

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

UNIT – III

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

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

2. Broadcast Reproduction Rights and Public Interest

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

UNIT– IV

1. Infringement of copyright

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

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

(a) Preventive and compensatory civil remedies

(b) Criminal remedies

(c) Administrative remedies

Compulsory Readings:

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

Suggested Readings:

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

CO Mapping with PO and PSO

Course Outcome (COs)															
CO & PO Mapping (Three Level : 3-Strongly Related , 2-Moderate, 1-Slightly)															
	PO 1	PO 2	PO 3	PO 4	PO 5	PO 6	PO 7	PO 8	PO 9	PO 10	PSO 1	PSO 2	PSO 3	PSO 4	PSO 5
CO 1	2	3	2	2	2	3	2	2	2	2	1	3	2	1	1
CO 2	2	1	2	1	2	2	2	2	1	2	1	2	2	3	3
CO 3	1	2	2	2	2	3	1	1	-	2	3	1	2	2	2
CO 4	2	2	3	2	1	2	2	1	1	3	1	3	1	1	2
CO 5	2	2	3	2	1	2	2	1	3	1	1	1	3	2	2
Average	1.8	2.0	2.4	1.8	1.6	2.4	1.8	1.4	1.7	2.2	1.4	2.0	2.0	1.8	2.0

JUDICIAL PROCESS

Sub. Code: MLC – 202

L 4, C 4

Objectives:

- The course intends to provide an exhaustive study about the judicial process.
- The course will enable the student to understand the concept of judicial review and process.
- Learn about the forms of Government; organization of Legislature, Executive and Judiciary and their powers in the perspective of Indian polity.
- Learn the evolution of ‘Rights’ in three major democracies and their impact on the concept of ‘right’ in India.
- Analyse the concept of Dharma and its relationship with Law

Course Outcome

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

1. Explain the significance of Judicial Review and Judicial Process.
2. Understand the Indian constitutional law and its implementation through the courts of law.
3. Compare the working of the judiciary and judicial process in India with three major constitutional democracies.
4. Analyze the concept of Dharma and relation of law with the society
5. Demonstrate an understanding of the growth justice.

UNIT-I

Nature of judicial process- Judicial process as an instrument of social ordering, Judicial process and creativity in law common law model-Legal Reasoning and growth of law-change and stability, The tools and techniques of judicial creativity and precedent, Legal development and creativity through legal reasoning under statutory and codified systems.

Special Dimensions of Judicial Process in Constitutional Adjudications: Notions of judicial review, Role in Constitutional adjudication-various theories of judicial role, Tools and techniques in policy-making and creativity in constitutional adjudication. Varieties of judicial and juristic activism, Problems of accountability and judicial law-making.

UNIT-II

Judicial Process in India- Indian debate on the role of judges and on the notion of judicial review, The independence of judiciary and the political nature of judicial process, Judicial activism and creativity of the Supreme Court-The tools and techniques of creativity, Judicial process in pursuit of constitutional goals and values-New dimensions of judicial activism and structural challenges, Institutional liability of courts and judicial activism-Scope and limits.

UNIT-III

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.

UNIT-IV

Relation between Law and Justice- Equivalence Theories-Justice as nothing more than the positive law of the stronger class, Dependency theories-For its realization justice depends on law, but justice is not the same as law, the independence of justice theories-means to end relationship of law and justice-the relationship in the context of the Indian Constitutional ordering, Analysis of selected cases of the Supreme Court where the judicial process can be seen as influenced by theories of justice.

Select Bibliography

1. Julius Stone, The Province and Function of Law, 2000 Universal, New Delhi
2. Cardozo, The Nature of Judicial Process, 1995 Universal, New Delhi
3. Henry J. Abraham, The Judicial Process, 1998, Oxford.
4. J. Stone, Precedent and the Law-Dynamics of Common Law Growth, 1985
5. W. Friedmann, Legal Theory, 1960
6. Bodenheimer-Jurisprudence-the Philosophy and Method of the Law, 1997, Universal, New Delhi
7. J. Stone, Legal System and Lawyers' Reasonings, 1999 Universal, New Delhi

CO Mapping with PO and PSO

Course Outcome (COs)															
CO & PO Mapping (Three Level : 3-Strongly Related , 2-Moderate, 1-Slightly)															
	PO 1	PO 2	PO 3	PO 4	PO 5	PO 6	PO 7	PO 8	PO 9	PO 10	PSO 1	PSO 2	PSO 3	PSO 4	PSO 5
CO 1	2	3	2	2	1	3	2	1	1	2	1	3	2	1	1
CO 2	2	1	2	1	1	2	2	2	-	2	1	2	2	3	3
CO 3	2	2	2	2	1	3	2	-	-	2	3	1	2	2	2
CO 4	2	2	3	2	1	3	2	1	1	3	1	3	1	1	2
CO 5	2	2	3	2	1	2	2	1	3	1	1	1	3	2	2
Average	2.0	2.0	2.4	1.8	1.1	2.6	2.0	1.2	1.6	2.0	1.4	2.0	2.0	1.8	2.0

LEGAL EDUCATION AND RESEARCH METHODOLOGY

Sub. Code: MLC – 204

L 4, C 4

Course Objectives

- To acquaint the student of law with the scientific method of social science research. This course is expected to provide the knowledge of the technique of selection, collection and interpretation of primary and secondary data in socio-legal research.
- Analyse the basics of legal research
- Understand the Research problem and Research design and Research Methods
- Familiarize the students about Research ethics and Report Writing

Course Outcome

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

1. Formulate a research problem and identify research questions.
2. List out the different types of legal research.
3. Analyse the issues related to applicability of scientific methods in legal research.
4. Apply appropriate research method.
5. Evaluate as against other the different forms of research designs. And draw appropriate suggestions and conclusions based on logical legal reasoning.

UNIT-I

Introductory- Objectives of Legal Education, Lecture Method of Teaching – Merits and demerits, The Problem Method, Discussion method and its suitability at postgraduate legal teaching, The Seminar Method of teaching, Examination system and problems in evaluation – external and internal assessment, Student participation in law school programmes – Organisation of Seminars, publication of journal and assessment of teachers, Clinical legal education – legal aid, legal literacy, legal survey and law reform.

UNIT-II

Research Methods- Social Legal Research, Doctrinal and non-doctrinal, Relevance of empirical research, induction and deduction.

UNIT-III

Identification of Problem of research-What is a research problem? Survey of available literature and bibliographical research, Legislative materials including subordinate legislation, notification and policy statements, Decisional materials including foreign decisions; methods of discovering the, “rule of the case” tracing the history of important cases and ensuring that these have not been over-ruled; discovering judicial conflict in the area pertaining to the research problem and the reasons thereof, Juristic Writings – a survey of juristic literature relevant to select problems in

India and foreign periodicals, Compilation of list of reports or special studies conducted relevant to the problem.

UNIT-IV

Preparation of the Research Design-Formulation of the Research problem, Devising tools and techniques for collection of data: Methodology, Methods for the collection of statutory and case materials and juristic Literature, Use of historical and comparative research materials, Use of observation studies

Use of questionnaires/interview, Use of case studies, Sampling procedures – design of sample, types of sampling to be adopted, Use of scaling techniques, Jurimetrics, Computerized Research – A study of legal research programmes such as, Lexis and West law coding, Classification and tabulation of data – use of cards for data collection – Rules for tabulation, Explanation of tabulated data, Analysis of data.

UNIT – V

Conduct of Research-Supervision, Guidelines for researchers

Bibliography

1. S.K.Agrawal (Ed.), Legal Education in India (1973), Tripathi, Bombay.
2. N.R.Madhava Menon, (ed) A Handbook of Clinical Legal Education, (1998) Eastern Book Company, Lucknow.
3. M.O.Price, H.Bitner and Bysiewiez, Effective Legal Research (1978)
4. Pauline V. Young Scientific Social Survey and Research , (1962)
5. William J. Grade and Paul K.Hatt, Methods in Social Research, Mc Graw-Hill Book, Company, London
6. H.M.Hyman, Interviewing in Social Research (1965)

7. Payne, The Art of Asking Questions (1965)
8. Erwin C.Surrency, B.Fielf and J.Crea, A Guide to Legal Research (1959)
9. Morris L.Cohan, Legal Research in Nutshell, (1996), West Publishing Co.
10. Havard Law Review Association, Uniform System of Citations.
11. ILI Publication, Legal Research and Methodology

CO Mapping with PO and PSO

Course Outcome (COs)															
CO & PO Mapping (Three Level : 3-Strongly Related , 2-Moderate, 1-Slightly)															
	PO 1	PO 2	PO 3	PO 4	PO 5	PO 6	PO 7	PO 8	PO 9	PO 10	PSO 1	PSO 2	PSO 3	PSO 4	PSO 5
CO 1	2	1	2	3	-	3	1	-	1	2	1	1	2	1	1
CO 2	2	1	2	1	1	2	2	2	-	2	1	2	2	3	3
CO 3	3	-	2	2	1	3	1	1	1	2	3	1	2	1	1
CO 4	2	2	3	2	3	3	2	1	2	3	1	3	3	1	2
CO 5	2	2	3	2	3	2	2	1	3	3	1	2	3	2	1
Average	2.2	1.5	2.4	2.0	2.0	2.6	1.6	1.2	1.7	2.4	1.4	1.8	2.4	1.6	1.6

DRUG ADDICTION, CRIMINAL JUSTICE AND HUMAN RIGHTS

Sub. Code: MLE 206

L 4, C 4.

Course Objectives

The objective of this course is to impart the students' knowledge on drug abuse and the pattern of consumption and the legal and ethical issues related to drug abuse. Also to discuss the role of the society to curb this menace as well as the legal framework including NDPS Act and IPC.

Course Outcome

1. Understand the legal framework related to drug abuse and penal provisions under NDPS Act and Indian Penal Code
2. Describe the existing policy of the government regarding drugs
3. Identify the fundamental causes of drug addiction
4. Summarize the legal effects of international treaties and conventions on combating the problems of drug addiction.
5. Critically analyse the protective mechanism, nationally and internationally concerning Drug abuse.
6. Formulate the role of society to curb the menace of drug abuse

UNIT-I

Introductory- Basic conceptions, Drugs' narcotics" "psychotropic substances". 'Dependence," "addiction", "Crimes without victims, "Primary drug abuse", Problem of drug addiction, Analysis of the background and different convention related control of drug trafficking, Causes of drug addiction.

UNIT- II

Anagraphic and Social Characteristics of Drug Users-Gender, Age, Religiousness, Single individuals/cohabitation, Socio-economic level of family, Residence patterns (urban/rural/urban), Educational levels, Occupation, Age at first use, Types of drug use, Reasons given as cause of first use, Method of intake, Pattern of the – Use, Average Quantity and Cost, Consequences on addict's health (physical/psychic).

NOTE: Since no detailed empirical studies exist in India, the class should be in this topic sensitized by comparative studies. The principal objective of this discussion is to orient the class to a whole variety of factors which interact in the making of a drug addict.

UNIT-III

Indian Regulatory System-Penal provisions under the IPC and Custom Act, Penal provisions under the Narcotics,

Drugs and Psychotropic Substances Act, 1985, Procedure and punishment under NDPS

Act. Judicial approaches to sentencing in drug trafficking and abuse, treatment, aftercare
And rehabilitation

UNIT-IV

The International Legal Regime- Analysis of background, text and operation of the Single Convention on Narcotic Drugs, 1961, Analysis of the Convention on Psychotropic Substances, 1972, International collaboration in combating drug addiction, The SARC, and South-South Cooperation, Profile of international market for psychotropic substances.

UNIT-V:

The Role of Community in Combating Drug Addiction-Profile of Community initiatives in inhibition of dependence and addiction (e.g. addiction and aftercare), The role of educational systems, The role of medical profession, The role of mass media, Law reform initiatives

Select bibliography

1. H.S. Becker, *Outsiders: The Studies in Sociology of Deviance* (1966)
2. J.A. Incard, C.D. Chambers, (eds.), *Drugs and the Criminal Justice System* (1974)
3. R. Goeken, *Drug Abuse and personality in Young Offenders* (1971)
4. G. Edwards Busch, (ed.) *Drug Problems in Britain: A Review of Ten Years* (1981)
5. P. Kondanram and Y.N. Murthy, "Drug Abuse and Crime: A Preliminary Study" 7 *Indian Journal of Criminology*, 65-68 (1979)
6. P.R. Rajgopat *Violence and Response: A Critque of the Indian Criminal System* (1988)
7. United Nations, *Economic and Social Reports of the Commission on Narcotic Drugs*, United Nations
8. *Social Defence*, Research Institute (UNSDRI) *Combating Drug Abuse and Related Crimes* (Rome, July 1984, Publicatio.n No. 21).
9. Lok Sabha and Rajya Sabha Debates on 1986 **Bill** on Psychotropic Substances. Useful Journals in this area are:
 - The Law and Society Review (USA)
 - Journal of Drug Issues (Tallahassee Florida)
 - International Journal of Addictions (New York)
 - British Journal of Criminology
 - Journal of Criminal Law, Criminology and Police Science (Baltimore, Md.)
 - Journal of Criminal Law and Criminology (Chicago, III)
 - International Journal of Offender Therapy and Comparative Criminology (London)
 - Bulletin on Narcotics (United Nations)

CO Mapping with PO and PSO

Course Outcome (COs)															
CO & PO Mapping (Three Level : 3-Strongly Related , 2-Moderate, 1-Slightly)															
	PO 1	PO 2	PO 3	PO 4	PO 5	PO 6	PO 7	PO 8	PO 9	PO 10	PSO 1	PSO 2	PSO 3	PSO 4	PSO 5
CO 1	2	3	2	2	1	3	2	1	1	2	1	3	2	1	1
CO 2	2	1	2	1	2	2	2	2	-	2	1	2	2	3	3
CO 3	2	2	3	2	2	3	2	1	-	2	3	1	2	2	2
CO 4	2	2	3	2	1	2	2	1	1	3	1	3	1	1	2
CO 5	2	2	3	2	1	2	2	1	3	1	1	1	3	2	2
CO6	-	-	-	-	3	-	-	-	1	-	-	1	3	-	2
Average	2.0	2.0	2.6	1.8	1.8	2.4	2.0	1.1	1.0	2.0	1.4	1.8	2.1	1.8	2.0

PRIVILEGED CLASS DEVIANCE

Sub. Code: MLE 208

L 4, C4.

Course Objectives:

The course attempts to map the theoretical and empirical queries that have emerged on the grand theme called privileged class deviance. It introduces the perspectives and methods that are essential to map the questions of diverse forms of deviance across the diverse spheres of human life. It provides refined understanding on conceptual and praxeological gap in the context of legal discourse.

Course Outcome:

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

1. Remember the core perspectives of privilege class deviance.
2. Explain the various types of deviance viz. police, professional and official.
3. Understand the legal discourse with a critical outlook.
4. Analyze the broader meanings of professional deviance in legal perspectives.

UNIT-I

Privileged Class Deviance- Meaning and concepts-Theories of Deviance (Individualistic versus Sociological Theories , Structural -Functionalism & Anomie Theories , Conflict and Threat Theories , Labeling Theory) white collar crimes- Indian approaches to socio-economic offences , Deviance on electoral process (rigging, booth capturing, impersonation, corrupt practices) , Gender- based aggression by socially economically and politically Powerful.

UNIT-II

Police Deviance- Police deviance and ethics, Types of Police deviance, Deviance and corruption. Structures of legal restraint on police power in India –Unconstitutionality of “third-degree” methods and use of fatal force by Police-“Encounter” killings-Police atrocities – The plea of superior orders-Rape and related forms of gender-based aggression by police and para-Military forces.

UNIT-III

Official Deviance- Conception of official deviance– Official Deviance by Legislators – Official Deviance by Bureaucrats – Official Deviance by Judicial Officers -Anti-Deviance Framework in India -Commissions on official deviance

UNIT-IV

Professional Deviance & Indian Legal Order to the Deviance-Unethical practices at the Indian bar- The Lentin Commission Report- The Press Council on unprofessional and unethical journalism-Medical malpractice, Vigilance Commission, Public Accounts Committee, Ombudsman, Commissions of Enquiry, Prevention of Corruption Act, 1947, The Antulay Case.

CO Mapping with PO and PSO

Course Outcome (COs)															
CO & PO Mapping (Three Level : 3-Strongly Related , 2-Moderate, 1-Slightly)															
	PO 1	PO 2	PO 3	PO 4	PO 5	PO 6	PO 7	PO 8	PO 9	PO 10	PSO 1	PSO 2	PSO 3	PSO 4	PSO 5
CO 1	2	2	1	2	2	2	3	1	1	1	2	2	2	1	2
CO 2	2	1	2	1	1	2	2	2	-	2	2	1	2	3	2
CO 3	3	2	3	2	1	3	1	1	1	2	3	2	2	2	2
CO 4	3	2	2	2	2	1	2	2	2	1	1	2	2	1	2
Average	2.5	1.7	2.0	1.7	1.5	2.0	2.0	1.5	1.0	1.5	2.0	1.7	2.0	1.7	2.0

INTELLECTUAL PROPERTY RIGHTS

Sub. Code: MLE 210

L 4, C 4.

Course Objectives:

In light of the above, Unit 1 seeks to impart the historical evolution of IP protection and an exposure to the international and global evolution of IPR in the current state. It will also emphasise on the philosophical and economic justifications for the grant of IPR. Unit 2 is designed to educate the students about the specific law relating to patents in terms of eligibility, subject matter acquisition, enforcement etc. Unit 3 examines the law relating to copyright in India in light of the 2012 Amendment. Unit 4 is designed to appreciate the law relating to trademark with special emphasis on the concept of distinctiveness, deceptive similarity, dilution, and various trends in passing off. Unit 5 aims at an understanding of the concept of designs and legal issues involved in the same. Unit 6 takes note of the expanding horizons of IP like semi conductor chips and new plant varieties as a response to new technology. It also addresses the conflicting areas by virtue of IP protection.

Course Outcome

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

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

UNIT-I

Introduction -Meaning & Origin of IPR, purpose of Intellectual Property Rights, Categories of IPR, International Conventions, World Trade Organization (WTO) and Intellectual Property Rights, World Intellectual Property Organization (WIPO), Trade Related Aspects of Intellectual Property Rights (TRIPS).

UNIT-II

Intellectual Property: Issues & Challenges-Meaning of Copyright, Copyright Protection, Legal Recognition, Copyrights in Computer Software, Rights of Broadcasting Organizations and Performers Rights, Copyrights Act. 1957.

Meaning of Patent, Purpose& Policy, Objects of Patent Law, Rights and obligations of patent holder, patents –Infringements and remedies, Rights of Patentees, transfer of patent, revocation and surrender of patents, patent Agent, Global Governance towards patent.

UNIT-III

Intellectual Property: Contemporary Trends-Introduction of Trademarks, Trade Mark and Paris convention, Madrid Agreement, Comparative analysis in India, Legal Recognition, Trade Mark Act., Geographical Indications, Geographical Indications of Goods Act. Rights of Biological Diversity, Biological Diversity Act.2002, UNESCO – Protection of Folklore/ Cultural Expressions, Nagoya Protocol and Indian Law.

UNIT-IV

Designs & Rights of Plant Breeders and Farmers -Industrial Designs, Layout Designs (Topographies) of integrated circuits, Rights of Plant Breeder’s and Farmer’s, Benefit Sharing and Contractual Agreements- International Treaty on Plant Genetic.

Suggestive Readings:

1. W. Cornish & Llewelyn – Intellectual Property: Patent, Copyrights, Trade Marks & Allied Rights”, London Sweet & Maxwell.
2. Nard Madison- The Intellectual Property, Aspian Publication.
3. Carlosm Correa- Oxford Commentaries on GATT/WTO Agreements trade related aspects of Intellectual Property Rights, Oxford University Press.
4. David Bainbridge – Intellectual Property Law.
5. Dr. S.R. Myneni- Law of Intellectual Property, Asia Law House, Hyderabad.
6. Dr. B.L. Wadhwa – Law Relating to Intellectual Property, Universal Law Publishing co., New Delhi.
7. N.K. Acharya – Intellectual Property Rights, Asia Law House, Hyderabad.

CO Mapping with PO and PSO

Course Outcome (COs)															
CO & PO Mapping (Three Level : 3-Strongly Related , 2-Moderate, 1-Slightly)															
	PO 1	PO 2	PO 3	PO 4	PO 5	PO 6	PO 7	PO 8	PO 9	PO 10	PSO 1	PSO 2	PSO 3	PSO 4	PSO 5
CO 1	2	3	2	2	1	3	2	1	1	2	1	3	2	1	1
CO 2	2	1	2	1	2	2	2	2	1	2	1	2	2	3	3
CO 3	1	2	2	2	2	3	1	1	-	2	3	1	2	2	2
CO 4	2	2	3	2	1	2	2	1	1	3	1	3	1	1	2
CO 5	2	2	2	2	1	2	2	1	3	1	1	1	3	2	2
CO 6	1	2	1	2	1	1	1	2	1	1	2	3	1	1	1
Average	1.6	2.0	2.0	1.8	1.3	2.1	1.6	1.3	1.4	1.8	1.5	2.1	1.8	1.6	1.8

CORPORATE TAXATION

Sub. Code: MLE - 212

L 4, C 4.

Course Objectives:

- To understand the concept, scope and relevance of international taxation and the existing legal framework.
- To enhance interpretation skills and the application of the traditionally established principles of law to international taxation.
- To apply case studies and adopt the comparative analysis of other jurisdictions in understanding the existing legal framework.
- To introduce global tax challenges and emerging issues of international tax regulations.

Course Outcome

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

1. Analyse the concepts relating to tax avoidance agreements and tax treaties.
2. Identify, describe and analyse the law of international taxation and its development towards international harmonization.
3. Evaluate and critically assess the impact of international tax principles on individuals and businesses.
4. Understand the mechanism related to Excise, customs and service tax .

UNIT-I

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

Capital Companies and Venture Capital Fund 115-U. Dividend Tax ; International Transaction. Penalties and prosecution

UNIT- II

Wealth Tax-Introduction & Chargeability, Valuation date and computation, Assets and deemed assets, Assets exempt from tax, Debt owed, Valuation of assets, Return of wealth and assessment.

UNIT- III

Sales Tax & VAT Laws- Preliminary, Imposition of Tax, Registration and Security, Returns, Assessment, Payment of Tax and Interest, Accounts and Records, Objections, Appeals and Disputes, Penalties and Offences, Way to GST (Tax on goods & services)- going to implement w.e.f. 1-4-2010.

UNIT – IV

Excise, Customs and Service Tax

(1) Excise: Introduction, Levy and Collection, Valuation, Cenvat Credit, Search, Seizure and Confiscation, Appeals and Revision

(2) Custom: Introduction, Charge of Custom Duty, Bill of Entry, Prohibition of Import and Export, Goods liable for confiscation, Baggage exempt from duty, Offences.

(3) Service Tax: Introduction, Exemption from service tax, Abatement, Penalties, Service Tax on Government Department and Public Authorities

Selected Bibliography:

1. Singhanian V.K. & Singhanian Kapil, *Direct Taxes, 2006, Law and Practice*, Taxmann.
2. Ahuja Girish & Gupta Ravi, *Concise Commentary on Income Tax 2008*, Bharat Law House.
3. Garg Rakesh, *Delhi Vat Ready Reckoner, 2007*, Versatile Publishers.
4. Garg Mohan Lal, *Law of Central Sales Tax, 2008*, Jain Book Agency.
5. Kohli D.N., *Central Excise Procedures 2008*, Taxman Publication
6. Jain R.K., *Service Tax Law Guide, 2007-2008*, Centax Publishers
7. Jain R.K., *Customs Law Manuals, 2008* Centax Publishers
8. Gupta Ravi & Ahuja Girish, *Bharat's Systematic Approach to Income Tax & Central Sales Tax, 2006*, Bharat Law House.
9. Chaturvedi K., *Guide to Mastering Vat, 2005*, Wadhwa & Company.

10. Chaturvedi K., *Central Sales Tax Laws, 2002*, Wadhwa & Company.
11. Arvind P. Datar, *Guide to Central Excise Law and Practice, 2002*, Wadhwa & Company.
12. Gururaj B.N., *Guide to the Customs Act, 2005*, Wadhwa & Company.
13. Batra Ashok, *A Guide to Service Tax, 2005*, S. Wadhwa & Company.
14. Gupta S.S., *Service Tax, 2005*, Taxmann.
15. Aggarwal Rohini, *Service Tax Law and Practice, 2005*, Eastern Book Company

CO Mapping with PO and PSO

Course Outcome (COs)															
CO & PO Mapping (Three Level : 3-Strongly Related , 2-Moderate, 1-Slightly)															
	PO 1	PO 2	PO 3	PO 4	PO 5	PO 6	PO 7	PO 8	PO 9	PO 10	PSO 1	PSO 2	PSO 3	PSO 4	PSO 5
CO 1	2	1	2	3	1	3	3	1	1	1	1	2	2	2	1
CO 2	3	1	2	2	1	2	2	2	2	2	1	2	2	3	3
CO 3	2	1	2	2	1	2	1	1	-	2	3	1	2	2	2
CO 4	2	2	3	2	3	3	2	2	1	3	1	3	1	1	2
Average	2.2	1.2	2.2	2.2	1.5	2.2	2.0	1.5	1.0	1.6	1.5	2.0	1.7	2.0	2.0

CONSTITUTIONALISM: POWER OF JUDICIAL REVIEW

MLE-214

L4 T/P0 C4

Objectives:

The course intends to provide a comparative study and analysis of the forms of Government, organization of Legislature, Executive and Judiciary and their powers in the perspective of Indian polity. Further, it aims at providing an understanding of the evolution of 'Rights' in three major democracies and their impact on the concept of 'right' in India.

Course Outcome

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

1. Have an analytical understanding of the concept of constitutionalism.
2. Understand how states have developed their administrative structure and how they solve the conflicts between State and citizens.
3. Understand the application of constitutional principles in global era.
4. Analysis by understanding the similarities and differences between various legal systems and have jurisprudential knowledge of different political systems of the world

UNIT-I

Concept of Constitutionalism-Common Law-Indian Concept: Before Independence-Present Constitutionalism-Independence of Judiciary-Doctrine of Separation of Powers-Rule of Law-Independence of Judiciary in India- Judiciary in India-Appointment of Judges-Jurisdiction and Powers of the Supreme Court and the High Court

UNIT-II

Power of Judicial Review- Supremacy of the Constitution-Doctrine of Ultra Vires-Judicial Review of Constitutional Amendments. Legislations, Administrative Actions-Writ Jurisdiction-Articles 32 and 226-General Conditions- Particular Writs

UNIT-III

Expanding Dimensions of Fundamental Rights- Public Interest Litigation-Definition of State Action-Judicial Review of Discretion- Judicial Activism

UNIT-IV

Exclusion of judicial Review- Political Questions-Express exclusion by the Constitution- Judicial Self-restrain -Courts and Tribunals- Subordinate Judiciary- Tribunals

Select Bibliography:

1. Seervai, H.M. : Constitutional Law of India (1991), Tripathi, Bombay.
2. Bhatnagar, Sudha: Union- State Financial Relations and Finance Commissions (1979)
3. Chandra, Ashok: Federalism in India(1965)
4. Sebastian, V.D.: Indian Federalism: The Legislative Conflicts, Chs. 6-7 and 8 (1980)
5. Chandrapal: Centre-State Relations and Cooperative Federalism, Chs. 5 and 8 (1983)
6. Subba, Rao G.C.V.: Legislative Powers in Indian Constitution Law, Chs. 37,38,39(1982)
7. Richard M. Pious: The American Presidency, 293-331, Ch. 9 (1979)
8. Deniel J. Elazar: American Federalism, Chs. 3 and 4 (1984)
9. Krishna Shetty, K.P.: The Law of Union- State Relations and the Indian Federalism Ch. 9(1981).
10. Ludri, Amit: Law of Personal Autonomy (2012 ed.)
11. Report of the Eighth Finance Commission.
12. Administrative Reforms Commission on Centre-State Relationship, Ch. 3 (1969)
13. Constituent Assembly Debates Vol. 9, 203, 204 and 302-349, Vol. 10, 325-342.
14. Administrative Reforms Commission, Report of the Study Team on Central-State Relationship (1967) Vol. I, Sections I and II, pp IS-168
15. Singhvi, L.M.(ed): Union-State Relations in India 124-154 (1969)
16. Government of Tamilnadu: Report of the Centre-State Relations Inquiry Committee Ch. 5(1971)
17. Lakadwala, D.T.: Union-State Financial Relations (1967)
18. Jain, M.P.: Indian Constitutional Law (1994), Wadhwa
19. Subba Rao, K.: The Indian Federation (1969)
20. Wheare, K.C.: Federal Government (1963)

CO Mapping with PO and PSO

Course Outcome (COs)															
CO & PO Mapping (Three Level : 3-Strongly Related , 2-Moderate, 1-Slightly)															
	PO 1	PO 2	PO 3	PO 4	PO 5	PO 6	PO 7	PO 8	PO 9	PO 10	PSO 1	PSO 2	PSO 3	PSO 4	PSO 5
CO 1	2	2	1	2	2	2	3	1	1	1	2	2	2	1	2
CO 2	2	1	2	1	1	2	2	2	-	2	2	1	2	3	2
CO 3	2	2	3	2	2	3	1	1	1	2	3	2	2	2	2
CO 4	3	2	2	2	2	1	2	2	2	1	2	2	2	1	2
Average	2.2	1.7	2.0	1.7	1.7	2.0	2.0	1.5	1.0	1.5	2.2	1.7	2.0	1.7	2.0

FEDERALISM: UNION-STATE RELATIONS

MLE-216

L4 T/P 0 C4

Objectives of the Course:

1. To explore critically Federal Characters of Constitution and New Emerging Trends.
2. To Evaluate and compare the different aspects of Union State Relations.
3. To Understanding and critically Evaluate the Different Kind of Emergencies.
4. Critically exploring and comparing the Provisions of Amendment in Indian, US., and U.K. Constitutions

Course Outcomes (COs):

1. Understand the simple and complex aspects of Federalism
2. Analyze and evaluate the different kinds of Union State relations and their importance in governance.
3. Evaluate critically the different types of emergencies in the Indian Constitution their necessity in the current system.
4. Develop the alternative model after understanding the provisions relating to the composition, powers and functions of Union Legislature as well as of State Legislatures.

UNIT-I

Federalism-Classical Federalism- USA, Australia, Canada-Co-operative Federalism-Essential Conditions of Federalism- States of the Union-Creation New States-No guarantee of territorial integrity-State Autonomy

UNIT-II

Legislative and Administrative Relations-Distribution of Legislative Powers- Principles of Interpretation, Residuary power, Dominance of the Union Power

UNIT-III

Financial Relations-Distribution of Taxes.-Tax sharing under the Constitution-Finance Commission-Doctrine of Immunity of Instrumentalities-Inter-State Trade and Commerce-Freedom of Trade and Commerce-Restriction on the Freedom-Authority to regulate Trade and Commerce

UNIT-IV

National Economy- Need for Regulation and Development of National Economy- Planning Commission- Review of Union-State Relations- Need for Review- Recommendation of Sarkaria Commission- Special Status of some States- State of J&K (Article 370)- Other States

Suggested reading:

1. Baxi, Upendra :Law, Democracy and Human Rights”- 5 Lokayan Bulletin 4 (1987).
2. Dandekar, V.M.: “Unitary Elements in a Federal Constitution” 22 E.P.W. 1865(1988)
3. Dhavan, Rajeev: “ The Press and the Constitutional Guarantee of Free Speech and Expression” 28 J.I.L.I. 299, (1986)
4. Fazal, M.A.: “Drafting A British Bill of Rights” 27 J.I.L.I. 423 (1985)
5. Jain, M.P: Indian Constitutional Law (1994) Wadhwa
6. Narain, Jagat: “ Judicial Law Making and the Place of the Directive Principles in the Indian Constitution.” J.I.L.I. 198(1985)
7. Ludwikowski, Rhett: “ judicial Review in the Socialist Legal Systems: Current Development” 37 I.C.L.D. 89-108 (1988)
8. Sathe, S.P.: Fundamental Rights and Amendment of the Indian Constitution(1968)
9. Seervai, H.M. : Constitutional Law of India (1993) Tripathi, Bombay.

Mapping with PO and PSO

Course Outcome (COs)															
CO & PO Mapping (Three Level : 3-Strongly Related , 2-Moderate, 1-Slightly)															
	PO 1	PO 2	PO 3	PO 4	PO 5	PO 6	PO 7	PO 8	PO 9	PO 10	PSO 1	PSO 2	PSO 3	PSO 4	PSO 5
CO 1	2	3	2	2	1	3	2	1	1	2	1	3	2	1	1
CO 2	2	1	2	1	1	2	2	2	1	2	1	2	2	2	3
CO 3	2	2	3	2	-	3	2	1	-	2	3	1	2	2	2
CO 4	2	2	3	2	1	3	2	1	1	3	1	3	1	3	3
Average	2.0	2.0	2.5	1.8	1.0	2.7	2.0	1.2	1.1	2.2	1.5	2.2	1.7	2.0	2.2

PATENTS LAW

Subject Code: MLE-218

L4,C4.

Course Objectives

The course provides an understanding of the philosophies of Patent law and the patent-competition law interplay studies the patent system and the economic functions in the US, EU, and India. Also will provide the evolving views of patent-competition law intersection and relationship. The course deals with specific issues in technology markets and attend hold-up and misuse. Equips the students with agreements concerning patented technology.

Course Outcome

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

1. Identify the scope of patent theory, Antitrust and IP relationship and the specific issues in Technology market.
2. Explain and critically analyse the patent law in US, EU and India.
3. Analyse the interplay between patent law and competition law and the underlying philosophies of patent and antitrust law.
4. Analyse the concepts of patent hold-up and misuse and the agreements concerning patented technology.

UNIT-I

Evolution and Growth-History of the patent law in U.K.-Beginning of concept-Coming of Industrialization-The International Patent System- Foreign Impact upon National system- History of Patent law in India- Grant and Content-Variety of Patent-National Grant of Patents-Patent specification-General procedure for obtaining a patent- International Grant of Patent

UNIT-II

Validity of claims-National Scenario-Novelty-Inventive step-Industrial application Patentable subject matter-Clear and complete disclosure-Requirement for claims- International Scenario-Patent Cooperation Treaty-TRIPs- Scope of Exclusivity-Infringement-Introduction-Infringement during manufacture-Infringement after manufacture-Right of patentee

UNIT-III

Property Rights and Exploitation- Under national Forum-Initial entitlement and property dealing-Licensee of patent and allied rights-Compulsory license-EMR / Mailbox System Infringement of Patent-Modes of Infringement- National / International Infringement

UNIT-IV

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

Emerging Problems Damage and other monetary benefits

Cross border patent violation- Emerging technologies

Suggested reading:

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

CO Mapping with PO and PSO

Course Outcome (COs)															
CO & PO Mapping (Three Level : 3-Strongly Related , 2-Moderate, 1-Slightly)															
	PO 1	PO 2	PO 3	PO 4	PO 5	PO 6	PO 7	PO 8	PO 9	PO 10	PSO 1	PSO 2	PSO 3	PSO 4	PSO 5
CO 1	2	3	2	2	1	3	2	1	1	1	1	3	2	1	1
CO 2	2	1	2	1	2	2	2	2	1	2	1	2	2	3	3
CO 3	1	2	2	2	1	3	1	1	1	2	3	1	2	2	2
CO 4	2	2	3	2	1	2	2	1	1	2	1	3	1	1	2
Average	1.7	2.0	2.2	1.7	1.2	2.5	1.7	1.2	1.0	1.7	1.5	2.2	1.7	1.7	2.0

LAW RELATING TO

TRADEMARK

Sub Code: MLE-220

L4 ,C4.

Course Objectives

Law of Trademarks will orient students with an international regime for the protection of Trademarks and its due observance in national legislations. It will help to know the scope and ambit of domestic legislations and principles underlined therein. This course will develop critical thinking and will reflect upon new jurisprudence evolved by Indian judiciary in relation to Trademarks. A comprehensive understanding of Law of Trademarks can serve as a sound foundation for further development of the knowledge.

Course Outcome

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

1. Identify and describe the basic requirement of trademarks protection
2. List out the rights enjoyed by trademarks owners.
3. Apply the principles of trademarks protection to legal problems correctly.
4. Analyse the principles related to infringement of trademarks and passing off.
5. Evaluate as against other the international legal framework related to trademarks protection and articulate the problem areas for the deficiency.

UNIT -I

History and Evolution-Paris Convention (history and continuing influence over national trademark laws)- Madrid Agreement-Madrid Protocol-TRIPs Agreement-Trademark Law Treaty

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

Passing Off- Laws relating to Passing off.-Passing off action.

UNIT-II

Registration of Trademarks- Principle for Registration of Trademarks- Rights Conferred by Registration of Trademarks-Procedure for Registration.-Deceptive Similarity.

Licensing of trademark-Assignment and Transmission of Trademarks-Limitations on Licensing.

Invalidity-What marks are not registerable-Cancellation of Registration.

UNIT-III

Infringement-Infringement of Trademarks- Action for Infringements.-Offences & Penalties.- Unfair Competition Law.

Remedies And Enforcement-Types of Relief- Civil, Criminal & Administrative-Procedure for Litigation.

UNIT-IV

New Challenges-Trademarks in cyberspace- Domain names, Cyber squatting, Meta tagging- Review alternative dispute resolution procedure such as the Uniform Domain

Resolution Policy (UDRP) and other similar procedures-Trademarks vs. Patent, Copyrights, Trade secrets & Geographical indication-Concept of Well-known Trademarks. -Comparative Analysis of European and Indian Trademarks Law

Suggested Readings

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

CO Mapping with PO and PSO

Course Outcome (COs)															
CO & PO Mapping (Three Level : 3-Strongly Related , 2-Moderate, 1-Slightly)															
	PO 1	PO 2	PO 3	PO 4	PO 5	PO 6	PO 7	PO 8	PO 9	PO 10	PSO 1	PSO 2	PSO 3	PSO 4	PSO 5
CO 1	2	3	2	2	1	3	2	1	1	2	1	3	2	1	1
CO 2	2	1	2	1	2	2	2	2	1	2	1	2	2	3	3
CO 3	1	2	2	2	2	3	-	1	2	2	3	1	2	2	2
CO 4	2	2	3	2	1	2	2	-	1	3	1	3	1	1	2
CO 5	2	2	3	2	1	2	2	1	3	1	1	1	3	2	2
Average	1.8	2.0	2.4	1.8	1.4	2.4	2.0	1.2	1.6	2.0	1.4	2.0	2.0	1.8	2.0

JUVENILE DELINQUENCY

Sub. Code: MLE – 303

L 4, C 4.

Course Objectives

The course will help students to understand the policy of criminal law. The course focuses on how criminal law has adapted and evolved to deal with deviant behaviours which is a systematic study within the scope of sociology and psychiatry.

It will also help the students to have a greater understanding of social costs of crime and the effective ways of lessening them. Penology offers a specialist understanding of criminal policies including theories of punishment, and prison reform.

The victim has traditionally been ignored as component of the crime. Hopefully victimology will provide the student with an insight into not only how important the victim is to an investigation, but why they are important in the overall scheme of the crime, which will shift the study from accused centric approach to much needed victim centric approach.

Course Outcome

After completion of this course, students will be able to:

1. Understand the scientific study of criminology and child committing crimes
2. Evaluate the behaviour of the juveniles involved in crimes for and the law which govern them in a better manner.
3. Analyse logical structure of Juvenile delinquency in Indian context.
4. Evaluate the role of Judicial System in Juvenile justice system.

UNIT-I

The conception of 'child' in Indian Constitution and Penal Code, Delinquent Juvenile, 'Neglected Juvenile', the Overall situation of children/young persons in India, also with reference to crime statistics (of crime by and against children), Differential Association, Anomie, Gang-sub-culture.

UNIT-II

Legislative Approaches- Legislative approaches during the late colonial era, Juvenile Justice Act, 2000, Constitutional Aspects, Competent Authorities, Powers given to government, Community Participation as envisaged, United Nation Conventions on the Right of Child, 1989.

UNIT-III

Indian Context of Juvenile Delinquency- The child population percentage to total sex ratio, urban/rural/rural-urban, Labourers, In organised industries like Zari, Cappel, Bidi, Glass, In unorganised section like domestic servant, shops and establishments, Durg Addicts, Victims of violence-sexual abuses, battered, killed by parents.

UNIT-IV

Judicial Contribution and Preventive Strategies- Social Action Litigation concerning Juvenile Justice, Judicial decisions, Role of legal profession in Juvenile Justice System, State Welfare Programme health, Nutrition, Role of community, family, voluntary, bodies, industrials, individual.

CO Mapping with PO and PSO

Course Outcome (COs)															
CO & PO Mapping (Three Level : 3-Strongly Related , 2-Moderate, 1-Slightly)															
	PO 1	PO 2	PO 3	PO 4	PO 5	PO 6	PO 7	PO 8	PO 9	PO 10	PSO 1	PSO 2	PSO 3	PSO 4	PSO 5
CO 1	2	1	2	3	1	3	1	2	1	2	1	1	2	1	1
CO 2	2	1	2	1	1	2	2	2	-	2	1	2	2	3	3
CO 3	3	-	2	2	-	3	1	1	-	2	3	1	2	2	2
CO 4	2	2	3	2	3	3	2	1	1	3	1	3	1	1	2
Average	2.2	1.0	2.2	2.0	1.2	2.7	1.5	1.5	1.0	2.2	1.5	1.7	1.7	1.7	2.0

COLLECTIVE VIOLENCE AND CRIMINAL JUSTICE SYSTEM

Sub. Code: MLE – 305

L 4, C 4.

Course Objectives:

The course attempts to map the theoretical and empirical queries that have emerged on the grand theme called collective violence and criminal justice system. It introduces the perspectives and methods that are essential to map the questions of diverse forms of deviance across the diverse spheres of human life. It provides refined understanding on conceptual and praxeological gap in the context of legal discourse.

Course Outcome:

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

1. Understand the core perspectives of violence.
2. Explain the various types of deviance viz. police, professional and official
3. Understand the legal discourse for violence against Schedule Caste
4. Analyze the root cause of communal violence .

UNIT-I

Notion of ‘force’, ‘coercion’, ‘violence’, Distinctions: Symbolic violence, Institutionalized violence structural violence, Speech as an incitement to violence, ‘Collective political violence’ and legal order.

UNIT-II

Religiously sanctioned structural violence caste and gender based, Ahimsma in Hindu, Jain, Buddish and Islamic traditions in India, Gandhijis approach to non-violence, Nature and scope of agrarian violence in the 18th, 19th century in India

UNIT-III

Notion of Atrocities, Incident of Atrocities, Uses of Criminal Law to combat atrocities as certain aftermath of atrocities, Violence against women.

UNIT-IV

Incidence and courses of communal violence, Findings of various commissions of inquiry, the Role of police and paramilitary systems in dealing with communal violence, operation of criminal justice system firing and in relation to, communal violence.

CO Mapping with PO and PSO

Course Outcome (COs)															
CO & PO Mapping (Three Level : 3-Strongly Related , 2-Moderate, 1-Slightly)															
	PO 1	PO 2	PO 3	PO 4	PO 5	PO 6	PO 7	PO 8	PO 9	PO 10	PSO 1	PSO 2	PSO 3	PSO 4	PSO 5
CO 1	2	1	2	3	1	3	3	2	1	1	1	2	2	2	1
CO 2	2	1	2	2	1	2	2	2	1	2	1	2	2	3	3
CO 3	2	2	2	2	1	3	2	1	2	2	3	1	2	2	2
CO 4	2	2	3	2	3	3	2	1	-	3	1	3	1	1	2
Average	2.0	1.5	2.2	2.2	1.5	2.7	2.2	1.5	1.3	2.0	1.5	1.8	2.0	2.0	2.0

BANKING AND INSURANCE LAWS

Sub. Code: MLE – 307

L 4, C 4.

Course Objective:

The course aims to:

- Equip students with skills to work as legal advisors to banking and financial Companies
- Train students in identifying legal issues and challenges faced in the Banking and Insurance sector that needs further research
- Discuss and analyse important principles governing Banking sector
- Familiarize students with the working of the banking and insurance sector especially transactions that require legal assistance

Course Outcome

After completion of this course, student will be able to

1. Understand the Banking structure in India which would assist them in :
2. Draft arguments for and against Banking and Non-Banking Financial Companies
3. Undertaking Research Projects related to Banking and insurance related law and policies, Draft arguments in matters covering technology related legal issues and Drafting policies related to banking and insurance sector.
4. Demonstrate knowledge of insurance contracts and provisions, and law relating to life, health, fire, marine and other types of insurance.

UNIT – I

The Evaluation of Banking Services and its History in India-History of Banking in India, Bank nationalization and social control over banking, Various types of Banks and their functions, Contract between banker and customer: their rights and duties, Role and functions of Banking Institutions

UNIT – II

Lending by Banks and Recent Trends of Banking System in India-Advances, Loans and Securities, Direct, collateral and miscellaneous Securities, Default and recovery, Bank Debt Recovery Tribunals, The Securitization and Reconstruction of Financial Assets and Enforcements of Security Interest Act, 2002 (Definitions, Section 13 – Enforcement of security interest, Section 17 - Right to appeal.)

UNIT – III

General Principles of Law of Insurance-Definition, nature and history, Contract of insurance and principles, The Risk – commencement, attachment, assignment, Types of insurances, Policy and its Legal Status.

UNIT – IV

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

Selected Bibliography:

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

CO Mapping with PO and PSO

Course Outcome (COs)															
CO & PO Mapping (Three Level : 3-Strongly Related , 2-Moderate, 1-Slightly)															
	PO 1	PO 2	PO 3	PO 4	PO 5	PO 6	PO 7	PO 8	PO 9	PO 10	PSO 1	PSO 2	PSO 3	PSO 4	PSO 5
CO 1	2	1	2	3	1	3	1	2	2	2	1	1	2	1	1
CO 2	2	1	2	1	1	2	2	2	2	2	1	2	2	3	3
CO 3	3	-	2	2	1	3	1	1	1	-	3	1	2	2	2
CO 4	2	2	3	2	3	2	2	1	1	3	1	3	1	1	2
Average	2.2	1.0	2.2	2.0	1.5	2.5	1.5	1.5	1.7	2.3	1.5	1.7	1.7	1.7	2.0

THE LAW OF CORPORATE FINANCE AND SECURITIES REGULATIONS

Sub. Code: MLE - 309

L 4, C 4.

Course Objective

The purpose of this course is to study the fundamental concepts related to company. It also talks about the share capital and debentures that a company can issue. In this course the student will be introduced to the basic power, working and structure of SEBI. The course also outlines about amalgamation, merger and inside trading.

Course Outcome

The student will be able to:-

1. Understand the concept of SEBI and stock exchange.
2. Analyse various rights and of shareholder and variation of shareholders.
3. Remember the concept of Insider Trading.
4. Understand about the National Advisory Committee on Accounting Standard.

UNIT – I:

Public Issue of Shares: Prospectus, Remedies for misrepresentation, SEBI and Stock Exchange guidelines. Share Capital: Nature and Kind of Shares, Transfer, Transmission, Surrender and forfeiture of Shares, Purchase by Company of its own shares, Issue of shares at premium and discount, SEBI Guidelines.

UNIT – II:

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

UNIT – III:

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

UNIT – IV:

Reconstruction, Amalgamation and Take Over: Provisions in Company Law and SEBI Guidelines, Auditors: Appointment, powers, duties and removal of auditors, Special Audit, Director Responsibility statement in Board Report, National Advisory Committee on Accounting Standards

Selected Bibliography:

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

CO Mapping with PO and PSO

Course Outcome (COs)															
CO & PO Mapping (Three Level : 3-Strongly Related , 2-Moderate, 1-Slightly)															
	PO 1	PO 2	PO 3	PO 4	PO 5	PO 6	PO 7	PO 8	PO 9	PO 10	PSO 1	PSO 2	PSO 3	PSO 4	PSO 5
CO 1	2	1	2	3	1	3	3	1	1	1	1	2	2	2	1
CO 2	3	1	2	2	1	2	2	2	2	2	1	2	2	3	3
CO 3	2	1	2	2	1	2	1	1	-	2	3	1	2	2	2
CO 4	2	2	3	2	3	3	2	2	1	3	1	3	1	1	2
Average	2.2	1.2	2.2	2.2	1.5	2.2	2.0	1.5	1.0	1.6	1.5	2.0	1.7	2.0	2.0

HUMAN RIGHTS: CONSTITUTION OF INDIA

Sub Code: MLE-311

L-4 , C-4.

Course Objective

The course is designed to inform the students about the origin and evolution of human rights and the way they are read into our Constitution. It will cover the conceptual and constitutional aspects along with the provisions about the National and State Human Rights Commissions. It will promote a more humanitarian perspective towards the human rights issues facing not only the Indian society but internationally.

Course Outcome

After completion of the course, students would be able to:

1. Identify the fundamental philosophy and policies concerning human rights.
2. Summarize the legal effects of international treaties and conventions on the national human rights jurisprudence.
3. Relate to the on-going debates and current or future challenges concerning human rights.
4. Critically Analyse the Human rights protection mechanism, nationally and internationally concerning human rights.
5. Formulate the role of state actors for the protection of human rights.

UNIT-I

Human Rights- Freedom Movement and Human Rights- Universal Declaration of Human Rights- Framing of the Fundamental Rights in the Constituent Assembly. - Fundamental Rights under the Constitution- General- Enforcement of the Fundamental Rights

UNIT-II

Right to Equality- Formal Equality, Material Equality, Reservation and Equality- Socio-Economic Equality- Citizenship and Political Freedoms- Citizenship, Political Freedoms under Article 19, Restrictions on Freedom

UNIT-III

Right to Life and Personal Liberty- Right to life-Meaning- Human Dignity- Right not be subjected to torture, inhuman and cruel treatment- Personal Liberty- meaning and scope- Due Process- Procedural due process- Substantive due process

UNIT-IV

International Perspectives- UN Conventions- Impact of International Law- European Convention- Amnesty International- Human Rights Commission- International Human Rights Commission- Human Rights Commission in India

Select Bibliography:

1. Akbar, M.J.: Riots After Riots (1988)
2. Baxi, U. (ed.): The Right to be Human (1986)
3. Baxi, U.: The Crisis of the Indian Legal System(1982) Vikas Publishing House, New Delhi
4. Kazmi, F: Human Rights (1987)
5. Levin, L: Human Rights (1982)
6. Madhavtirtha: Human Rights (1953)
7. Gromley, W.P: Human Rights and Environment (1976)
8. Beddard, H: Human Rights and Europe (1980)
9. Singh, Nagendra: Human Rights and International Co-operation (1969)
10. Kashyap, S.C: Human Rights and Parliament (1978)
11. Khare, S.C: Human Rights and United Nations (1977).
12. Moskowitz: Human Rights and World Order (1958)
13. Andrews, J.A.: Human Rights in International Law (1986)
14. Menon, I. (ed.: Human Rights in International Law (1985)
15. Roberston, A.B. (ed.): Human Rights in National and International Law (1970)
16. Baxi U: "Human Rights, Accountability and Development" Indian Journal International Law 279 (1978)

CO Mapping with PO and PSO

Course Outcome (COs)															
CO & PO Mapping (Three Level : 3-Strongly Related , 2-Moderate, 1-Slightly)															
	PO 1	PO 2	PO 3	PO 4	PO 5	PO 6	PO 7	PO 8	PO 9	PO 10	PSO 1	PSO 2	PSO 3	PSO 4	PSO 5
CO 1	2	3	2	2	1	3	2	1	1	2	1	3	2	1	1
CO 2	2	1	2	1	2	2	2	2	-	2	1	2	2	3	3
CO 3	2	2	3	2	2	3	2	-	-	2	3	1	2	2	2
CO 4	2	2	3	2	1	1	2	1	1	3	1	3	1	1	2
CO 5	2	2	3	2	1	2	2	1	3	1	1	1	3	2	2
Average	2.0	2.0	2.6	1.8	1.8	2.2	2.0	1.2	1.6	2.0	1.4	2.0	2.0	1.8	2.0

CONSTITUTIONAL PLURALISM: PROTECTION OF SPECIAL NATIONAL INTERESTS

MLE-313

L-4 , C-4

Course Objectives:

- Students will study the basics of Constitutional Law and the salient features of the Constitution of India
- Students will be familiarized with the leading case laws and legislative changes to the provisions of the Constitution
- Students will learn the diverse principles of judicial interpretation that constructs notions of 'state', 'law' and 'law in force'.
- Students will understand the nature and scope the rights to freedom, life , personal liberty and due process.
- Students will learn the applicability of the directive principles of state policy.

Course Outcomes:

1. To bring out the importance of the system of Governance and the role of the executive in the Indian Constitution.
2. To brief about the Centre-State financial relations and specific to GST.
3. To demonstrate about the different types of emergency and the consequences of imposing it.
4. Demonstrate an idea about the unification of Tax in a federal state.
5. Evaluate the verdict in the ADM Jabalpur v Shivkant Shukla case.,(1976) 2 SCC 521

UNIT-I

Secularism & Pluralism-Concept of Secularism-Freedom of Religion-Rights of the Minorities-Protection of Linguistic Cultural & Educational Rights

UNIT-II

Gender Equality-Rights of the Women-Rights of the Children-Weaker Sections of the Society-Protection of SC's and ST's Interests-Backward Classes of citizens

UNIT-III

National Security-Legislation to Protect National Security-Preventive Detention and Safeguards-National Emergency-Emergency under Article 352-Effects of Emergency on Rights-Effects on Union State Relations-Protection of the States

UNIT-IV

State Emergency-Failure of Constitutional Machinery in the State-Financial Emergency-Martial Law

Select Bibliography:

1. Koppell G.O: “ The Emergency, The Courts and Indian Democracy” 8 J.I.L.I. 287(1966)
2. Seervai, H.M: The Emergency, Future Safeguards and the Habeas Corpus: A Criticism (1978)
3. International Commission of Jurists, Status of Emergency and Human Rights (1984)
4. Chatterji, N.C. and: Emergency and the Law (196)
5. Rao Parameshwar
6. Seervai, H.M.: Constitutional Law of India, Tripathi, Bombay
7. Jain, M.P.: Indian Constitutional Law, Wadhwa, Nagpur

CO Mapping with PO and PSO

Course Outcome (COs)															
CO & PO Mapping (Three Level : 3-Strongly Related , 2-Moderate, 1-Slightly)															
	PO 1	PO 2	PO 3	PO 4	PO 5	PO 6	PO 7	PO 8	PO 9	PO 10	PSO 1	PSO 2	PSO 3	PSO 4	PSO 5
CO 1	2	3	2	3	1	3	1	1	1	2	1	3	2	1	1
CO 2	2	1	2	1	1	2	2	2	1	2	1	2	2	3	3
CO 3	3	2	3	2	-	3	1	1	1	2	3	1	2	2	2
CO 4	2	2	3	2	3	3	2	1	1	3	1	3	1	1	2
CO 5	2	2	3	2	3	2	2	1	3	1	1	1	3	2	2
Average	2.2	2.0	2.6	2.0	1.6	2.6	1.6	1.1	1.4	2.0	1.4	2.0	2.0	1.8	2.0

LAW RELATING TO DESIGNS AND GEOGRAPHICAL INDICATIONS PAPER

MLE-315

L4, C4

Course Objective

This course seeks to provide a foundation for students to understand the enormous potential and power of intellectual property rights and regulatory framework in regard to GI and design in India. The major objectives of the course are to (i) To understand the niceties and complexities of the global system and the challenges it poses to India in terms of compliance to global standards of GI protection (ii) To identify design as an effective policy tool for national, economic, social and cultural development, especially through the use of limitations and exceptions to monopoly rights and (iii) To equip students with the knowledge of the procedural and substantive design and GI system in India

Course Outcome

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

1. Identify the different forms of designs and GI and describe the importance of their protection.
2. List out the criteria/essential requirements of GI and Design protection, duration, rights conferred, and remedies provided.
3. Apply the principles of IP protection to legal problems correctly.
4. Analyses the issues related to infringement of GI and design.
5. Evaluate as against other the international legal framework related to GI and design protection and articulate the problem areas for the deficiency.

UNIT-I

Industrial Designs- Historical Background-Introduction- Industrial Designs before TRIPs- Industrial Designs after TRIPs Emerging Issues-Protection of Security of India- International Reciprocal Arrangement.

UNIT-II

Registration-Registration of Designs- Copyright in Registered Designs- Refusal to Register a Designs-Infringement & Remedies- Piracy of Registered Designs-Remedies-Power & Duties of Controller.

UNIT-III

Geographical Indication-Historical Background- Introduction- International Evolution of Geographical Indication i) Indication of Source ii) Appellations of Origin- Paris Convention-Madrid Agreement- Lisbon Agreement- NAFTA- TRIPs-Emerging Issue- Genericide of Geographical Indication-TRIPs Article 23 Controversy

UNIT-IV

Registration- Registration of Geographical Indication- Effect of Registration- Infringement & Remedies-Infringement and Passing off of Geographical Indication- Remedies & Procedure-Comparative Analysis- Comparative Analysis of Geographical Indication Law in India & France

Suggested Reading:

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

CO Mapping with PO and PSO

Course Outcome (COs)															
CO & PO Mapping (Three Level : 3-Strongly Related , 2-Moderate, 1-Slightly)															
	PO 1	PO 2	PO 3	PO 4	PO 5	PO 6	PO 7	PO 8	PO 9	PO 10	PSO 1	PSO 2	PSO 3	PSO 4	PSO 5
CO 1	2	3	2	2	2	3	2	2	2	2	1	3	2	1	1
CO 2	2	1	2	1	2	2	2	2	1	2	1	2	2	3	3
CO 3	1	2	2	2	2	3	1	1	-	2	3	1	2	2	2
CO 4	2	2	3	2	-	2	2	1	1	3	1	3	1	1	2
CO 5	2	2	3	2	1	2	2	1	3	1	1	1	3	2	2
Average	1.8	2.0	2.4	1.8	1.4	2.4	1.8	1.4	1.7	2.2	1.4	2.0	2.0	1.8	2.0

TEACHING AND RESEARCH IN IPRs

MLE-317

L4, C4

Course Objectives:

- To understand the niceties and complexities of the global intellectual property system and the challenges it poses to India in terms of compliance to global standards of IP protection
- To identify IP as an effective policy tool for national, economic, social and cultural development, especially through the use of limitations and exceptions to monopoly rights and
- To equip students with the knowledge of the procedural and substantive IP system in India

Course Outcome

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

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

UNIT -I

Emerging Trends in Intellectual Property Rights- Intellectual Property Protection of Computer Software

- (a) Copyright Protection
- (b) Limitation of Copyright Protection of Software
- (c) Patentability of Software
- (2) Intellectual Property Protection in Cyberspace

- (a) Trademark and the Internet : Domain Names, Hyper links, Metatags
- (b) Copyright and the Internet: Computer program, Computer program language,
Electronic Signatures, Online works, Online music etc.
- (c) Emerging Patent Trends: Patent protection for Computer programs, Business
Methods, biotechnology Patents.

UNIT-II

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

UNIT - III

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

UNIT-IV

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

Selected Bibliography:

1. Cyber Law and E-Commerce- Baumer David and Poindexter J.C. MC Graw- Hill (2002)
2. Protecting your Company's Intellectual Property- A Practical Guide to Trademarks, Copyrights, Patents and Trade Secrets- Bouchouol, Deberah. E AMACOM, (With effect from Academic Session August 2009-2010)

LL.M. Programme

61

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

CO Mapping with PO and PSO

Course Outcome (COs)															
CO & PO Mapping (Three Level : 3-Strongly Related , 2-Moderate, 1-Slightly)															
	PO 1	PO 2	PO 3	PO 4	PO 5	PO 6	PO 7	PO 8	PO 9	PO 10	PSO 1	PSO 2	PSO 3	PSO 4	PSO 5
CO 1	2	3	2	2	1	3	2	1	1	2	1	3	2	1	1
CO 2	2	1	2	1	2	2	2	2	1	2	1	2	2	3	3
CO 3	2	2	2	2	2	3	-	1	1	2	3	1	2	2	2
CO 4	2	2	3	2	1	2	2	1	1	3	1	3	1	1	2
CO 5	2	2	3	2	1	2	2	1	3	1	1	1	3	2	2

Average	2.0	2.0	2.4	1.8	1.8	2.4	2.0	1.1	1.4	2.0	1.4	2.0	2.0	1.8	2.0
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Dissertation and Viva Voce

Sub. Code: LLM 402

Credit: 16

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

Teaching Assignment

Each of student has to undergo mandatory teaching assignment as per his/her specialization for minimum fifteen days to teach UG students at SLCS and submit a report to the mentor who are supervising for his/her dissertation.