

**UNIVERSITY SCHOOL OF LAW AND LEGAL STUDIES
GGS IP UNIVERSITY, DWARKA, NEW DELHI**

Date: 30.08.2022

Minutes of 27th Meeting of Board of Studies

The online Meeting of the Board of Studies of the University School of Law and Legal Studies (USLLS) was held on **30th August 2022 at 11.30 am, in Room No. 412 of C Block, GGS IP University, Dwarka, Delhi-110078**

Members who were present:

1. Prof. A. P Singh, Professor, Dean, USLLS and Chairperson
2. Prof. K P S Mahalwar, (External Member)
3. Prof. Manoj Kumar Sinha, Director, ILI (External Member)
4. Prof. Tarun Arora, Dean, Dept of Law, Central University, Punjab (External Member)
5. Prof. Kanwal DP Singh, Professor, USLLS
6. Prof. Queeny Pradhan Singh, Professor, USLLS
7. Prof. Deepshikha Aggarwal, Professor, USLLS
8. Prof. Lisa P. Lukose, USLLS
9. Prof. Shivani Goswami, Professor, USLLS
10. Prof. Anuj Vaksha, Professor, USLLS
11. Dr. Rakesh Kumar, Associate Professor, USLLS
12. Dr. Kavita Solanki, Associate Professor, USLLS
13. Dr. Ravinder Kumar, Associate Professor, USLLS
14. Dr. Upma Gautam
15. Dr. Neelu Mehra
16. Prof. Rashmi Shalpekar, Dean, VSLLS
17. Dr. Rajni Malhotra Dhingra, ~~Dean, Law School, MAIMS~~

Members who joined online

1. Prof. V S Mishra, Professor, Faculty of Law, Banaras Hindu University, Varanasi
2. Prof. Kavita Dhull, Dean, Faculty of Law, Maharshi Dayanand University, Rohtak

The Board of Studies discussed and decided the following

Agenda Item No. 001 : To approve finalization of panel of examiners for the academic year 2022-23

The University School of Law and Legal Studies has prepared a panel of examiners which was presented before the Board for kind consideration and approval of the board for examinations of academic year 2022-23. The board perused, considered, approved the panel of examiners for B.A. LL.B & B.B.A. LL.B, (2014 Syllabus), B.A. LL.B (Honrs) & B.B.A. LL.B (Honrs) (2022 Syllabus), LL.M, LL.M(weekend) and

*Principal, Department
of Law*

Ph.D. (Coursework) for the academic session 2020-21. The same was signed by the members present.

Agenda Item No. 002 : To approve the extension of time for submission of Ph.D of Ms. Sujata Jayant, working under the supervision of Dr. Ravinder Kumar

Ms. Sujata Jayant, who has not been able to complete her Ph.D work due to several reasons including ill health due to covid and some personal reasons, sought an extension of one Year from 18.10.2021 to 17.10.2022, which has already been approved by the SRC. The Board Considered and accorded the approval for the same.

Agenda Item No. 003 : To approve the extension of time for submission of Ph.D of Ms. Nitya Thakur, working under the supervision of Dr. Neelu Mehra

Ms. Nitya Thakur, who has not been able to complete her work due to several reasons including ill health due to covid and some personal reasons, sought an extension of one Year from 18.10.2022 to 17.10.2023, which has already been approved by the SRC. The Board considered and accorded the approval for the same.

Agenda item no-4 : To approve the increase of seats for LLM (Weekend Program), already approved by SRC

LLM (Weekend) program that was started during 2011-12, a seat intake of 40 students in two courses, LLM (Cyber Law) and LLM (IPR) was approved. However due to increased demand of the students this was increased to 60 seats, which has been approved by SRC USLLS. The Board considered and accorded the approval of the same.

Agenda Item No. 05 : Any other agenda item with permission of the Chair

The Syllabus of LL.M. (Regular-One year) program was not revised for over 6 years. The syllabus was revised recently under the guidance of Dean USLLS and Prof. Anuj Vaksha. The board perused, considered and approved the same to be applicable from this academic year. The board recommended that the same may be approved by Academic Council Sub Committee.

The meeting ended with the thanks to all the members present in the meeting.

psaurekar

Prof. Amar Pal Singh,
Dean, USLLS
Dean

University School of Law and Legal Studies
Guru Gobind Singh Indraprastha University
Sector-16C, Dwarka, New Delhi-110078

Copy to-

1. Prof. A. P Singh, Professor, USLLS and Chairperson
2. Prof. K P S Mahalwar, (External Member)
3. Prof. Manoj Kumar Sinha, Director, ILI (External Member)
4. Prof. Tarun Arora, Dean, Dept of Law, Central University, Punjab (External Member)
5. Prof. Kanwal DP Singh, Professor, USLLS
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7. Prof. Deepshikha Aggarwal, Professor, USLLS
8. Prof. Lisa P. Lukose, USLLS
9. Prof. Shivani Goswami, Professor, USLLS
10. Prof. Anuj Vaksha, Professor, USLLS
11. Dr. Rakesh Kumar, Associate Professor, USLLS
12. Dr. Kavita Solanki, Associate Professor, USLLS
13. Dr. Ravinder Kumar, Associate Professor, USLLS
14. Dr. Upma Gautam
15. Dr. Neelu Mehra
16. Prof. Rashmi Shalpekar, Dean, VSLLS
17. Dr. Rajni Malhotra Dhingra, Dean, Law School, MAIMS

Copy to Members who joined online

1. Prof. V S Mishra, Professor, Faculty of Law, Banaras Hindu University, Varanasi
2. Prof. Kavita Dhull, Dean, Faculty of Law, Maharshi Dayanand University, Rohtak

Copy for Information of the Competent Authority

1. AR to Hon'ble Vice Chancellor
2. AR to Registrar

Manoj Kumar Sinha

[Signature]

KPS Mahalwar

Rashmi Shalpekar

[Signature]

[Signature]



Guru Gobind Singh Indraprastha University
Sector-16 C, Dwarka, Delhi- 110078.
OFFICE OF DIRECTOR (ACADEMIC AFFAIRS)

Ref. No. GGSIPU/DAA/2022/4305

13th September, 2022

The Scheme of Examination and detailed syllabus of the following programmes that have been approved by the Sub Committee of Academic Council for the University Schools USBT, USCT and USLLS are as below:

- 1) Modification of Scheme and syllabus of B.Tech (Chemical Engineering and Biochemical Engineering) programme for students of batches 2021 and onwards.
- 2) Scheme & Syllabus and passing criteria for students admitted through Lateral Entry to III semester of B.Tech/M.Tech dual degree programmes running in USCT from the Academic Session 2022-23.
- 3) Revision of Mathematics Syllabus (1st & 2nd semester for B.Tech. Biotechnology Students) effective from the academic session 2022-23.
- 4) Minor revision in BS-113 (Engineering Physics I) effective from the academic session 2022-23.
- 5) Revision of the Scheme & Syllabus of LL.M. (Regular-One year) for Master of Laws (LL.M.) in (Corporate Laws) programme effective from the Academic Session 2022-23.
- 6) Revision of the Scheme & Syllabus of LL.M. (Regular-One year) for Master of Laws (LL.M.) in Intellectual Property Rights (IPRs) programme effective from the Academic Session 2022-23.

If agreed and approved, we may forward the copies of the Scheme of Examination and detailed syllabus as mentioned above, to the Examination Branch for needful at their end, please.

13/9/22
AR (DAA)

Director, Academic Affairs

COE-I

Copy for information to:

1. Dean, USBT
2. Dean, USCT
- ✓ 3. Dean USLLS

SCHEME OF EXAMINATION

&

DETAILED SYLLABUS

for

MASTER OF LAWS [LLM] (w.e.f 2023 onwards)

[One Year]

With Specialization in

- 1. Corporate Law (CL)**
- 2. Intellectual Property Right (IPR)**
- 3. Alternate Dispute Resolution (ADR)**
- 4. Criminal Justice System (CJS)**
- 5. Gender Justice and Women Empowerment (GJWE)**



**GURU GOBIND SINGH
INDRAPRASTHA
UNIVERSITY**

UNIVERSITY SCHOOL OF LAW AND LEGALSTUDIES

**Guru Gobind Singh Indraprastha University
Dawark Sector-16-C, New Delhi-110078**

PROGRAM OUTCOMES (POS) OF LLM

PO-1: inculcate critical thinking to carry out research objectively without being biased with preconceived notions & equip the student with skills to analyze problems,

PO-2: formulate a hypothesis, evaluate and validate results, and draw reasonable conclusions thereof prepare students for pursuing legal research in varied fields.

PO-3: imbibe effective scientific and/or technical communication in both oral and writing.

PO-4: continue to acquire relevant knowledge and skills appropriate with the help of professional activities and demonstrate highest standards of ethical issues in legal research

PROGRAM SPECIFIC OUTCOMES (PSOS) OF LLM

PSO-1: should be able to demonstrate understanding of substantive and procedural law sufficient to enter the legal profession and professions in which legal knowledge is an advantage.

PSO-2: should be able to associate the learning from the courses related to Law and Management.

PSO-3: should be able to gather and interpret relevant facts and conduct legal research.

PSO-4- to strengthen the capability so as to understand the laws at national and global level and to solve the client's problem.

PSO-5: should possess the skills to communicate in both oral and written forms and ability to formulate legal problems and using appropriate concepts and methods to solve them.

PSO-6: Should analyzing social problems and understanding social dynamics.

LL.M (One Year) – CL Specialization

Semester I

Paper Code	Paper Title	L	RTDA	C
GEN 101	Research Methods and Legal Writing	4	2	5
GEN 103	System of Governance	4	2	5
GEN 105	Law and Justice in a Globalised World	4	2	5
CRL 111	Law of Corporate Management and Governance	4	2	5
CRL 113	Competition Law and Consumer Protection Laws	4	2	5

Semester II

Paper Code	Paper Title	L	RTDA*	C
CRL 112	Regulation of Capital market and Foreign Investment	4	2	5
CRL 114	Corporate taxation	4	2	5
CRL 116	Banking, Insolvency and Insurance Laws	4	2	5
CRL 118	Law of Corporate Finance and Securities Regulation	4	2	5
GEN 110	Dissertation**	-	-	10

Explanations

* **L**- Lecture

* **C**- Credits

* **RTDA** – Research and Teaching Development Activities

** **University Examination system**

LL.M (One Year) – IPR Specialization

Semester I

Paper Code	Paper Title	L	RTDA	C
GEN 101	Research Methods and Legal Writing	4	2	5
GEN 103	System of Governance	4	2	5
GEN 105	Law and Justice in a Globalised World	4	2	5
IPR 107	Nature, Emergence and Development of IPR	4	2	5
IPR 109	Law of Copyright	4	2	5

Semester II

Paper Code	Paper Title	L	RTDA*	C
IPR 102	Law of Patents	4	2	5
IPR 104	Law of Trademark	4	2	5
IPR 106	Law of Designs, Layout Designs and Geographical Indications	4	2	5
IPR 108	Protection of Plant Varieties & Traditional Knowledge	4	2	5
GEN 110	Dissertation**	-	-	10

Explanations

* **L**- Lecture

* **C**- Credits

* **RTDA** – Research and Teaching Development Activities

** **University Examination System**

LL.M (One Year) – ADR Specialization

Semester I

Paper Code	Paper Title	L	RTDA	C
GEN 101	Research Methods and Legal Writing	4	2	5
GEN 103	System of Governance	4	2	5
GEN 105	Law and Justice in a Globalised World	4	2	5
ADR 115	Evolution and Concept of ADR	4	2	5
ADR 117	Law of Arbitration	4	2	5

Semester II

Paper Code	Paper Title	L	RTDA*	C
ADR 128	Mediation, Conciliation and Negotiation	4	2	5
ADR 130	International Commercial Arbitration	4	2	5
ADR 132	International Investment Arbitration	4	2	5
ADR 134	Practical Training in ADR Skills/ Practical Applications of ADR Methods	4	2	5
GEN 110	Dissertation**	-	-	10

Explanations

- * **L**- Lecture
- * **C**- Credits
- * **RTDA** – Research and Teaching Development Activities
- ** **University Examination System**

LL.M (One Year) – CJS Specialization

Semester I

Paper Code	Paper Title	L	RTDA	C
GEN 101	Research Methods and Legal Writing	4	2	5
GEN 103	System of Governance	4	2	5
GEN 105	Law and Justice in a Globalised World	4	2	5
CJS 119	Crime and Administration of Criminal Justice in India	4	2	5
CJS 121	Law and Organized Crime	4	2	5

Semester II

Paper Code	Paper Title	L	RTDA*	C
CJS 120	Penology: Treatment of Offenders	4	2	5
CJS 122	Privileged Class Deviance	4	2	5
CJS 124	Crime and Investigation in ICT Era	4	2	5
CJS 126	International Criminal Justice System	4	2	5
GEN 110	Dissertation**	-	-	10

Explanations

- * **L**- Lecture
- * **C**- Credits
- * **RTDA** – Research and Teaching Development Activities
- ** **University Examination System**

LL.M(One Year) – GJWE Specialization

Semester I

Paper Code	Paper Title	L	RTDA	C
GEN 101	Research Methods and Legal Writing	4	2	5
GEN 103	System of Governance	4	2	5
GEN 105	Law and Justice in a Globalised World	4	2	5
GJWE 111	Gender Justice : Basic Concepts	4	2	5
GJWE113	Gender Justice: A Historical Perspective	4	2	5

Semester II

Paper Code	Paper Title	L	RTDA*	C
GJWE 112	Gender Justice: Issues and Problems	4	2	5
GJWE 114	Gender Justice : Emerging Trends	4	2	5
GJWE 116	Gender Justice and Law	4	2	5
GJWE 118	Empowerment of women	4	2	5
GEN 110	Dissertation**	-	-	10

Explanations

* **RTDA** – Research and Teaching Development Activities

** **University Examination System**

Mode of Evaluation and Distribution of Marks

Each course shall carry total of 100 marks. There shall be semester end written examination for all the courses conducted by Examination Division of the University for 75 Marks. In each course in each semester there shall be Internal-evaluation of 25 marks including written examination and RTDA evaluation respectively as continuous assessment by the subject teacher concerned.

Note:

The total number of Credits of the LL.M. Programme is 55 (Fifty Five).

1. Each student shall be required to appear for examination in all the papers of the course and secure 55 credits for the award of a degree.

Paper – I
Subject: Research Methods and Legal Writing

L4 RTDA2 C5
Paper Code: GEN-101

Objective: This paper will make students understand research methodology and different components of legal research and their application. The paper will attempt to instill rational tools of analysis in the students so that their research contributes to the development of socio-legal dimensions.

Course Outcome (COs):

CO1: to make students understand research methodology and different components of legal research and their application. The paper will attempt to instill rational tools of analysis in the students so that their research contributes to the development of socio-legal dimensions.

CO2: Demonstrate good legal writing skills, including an understanding of the use and preparation of legal research material in legal writing and the correct methods of legal referencing.

CO 3: Use and apply secondary sources, case law and legislation using both paper based and online resources to a research problem.

Unit – I: Precepts

(Lectures 10)

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

Unit - II: Research Designs

(Lectures 10)

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

Unit - III: Research Techniques

(Lectures 10)

- a. Methodology: Tool and Techniques for collection of data, collection of case materials and juristic literature, use of historical and comparative research material and use of questionnaire and interview.
- b. Census and Survey
- c. Sampling: Types, Merits and Demerits
- d. Observation
- e. Interview, Questionnaire

Unit – IV: Data Processing Report Writing

(Lectures 10)

- a. Data Analysis and Interpretation
- b. Report Writing
- c. Supervision

- d. Guidelines for researchers
- e. Research Ethics

Text Books:

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

References:

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

Objective: The objective is to enable the students understand and appreciate various forms and systems of Governance. The students should particularly appreciate the role of judicial institutions in promotion of governance, its limitations and challenges.

Course Outcome (COs):

CO 1: is to enable the students understand and appreciate various forms and systems of Governance.

CO 2: to orient students with the role of judicial institutions in promotion of governance, its limitations and challenges.

Unit - I : Introduction

(Lectures 10)

- a. Meaning and Concept of Governance
- b. Systems of Governance
- c. Constitutional Governance: Democracy, Rule of Law and Separation of Powers
- d. Law and Governance in India

Unit - II : Federalism as a Pattern of Governance

(Lectures 10)

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

Unit - III: Judicial process and its role in Governance

(Lectures 10)

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

Unit-IV: Emerging Trends and Challenges to Governance

(Lectures 10)

- a. Challenges to Governance: Corruption, Criminalization, Caste, Poverty, Terrorism etc.
- b. State Responsibility & PPP
- c. Principles of compensatory discrimination, Religious and Linguistic Minorities
- d. Role of Media in Governance

Text Books:

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

References:

1. C. H. Mell Wain, *Constitutionalism: Ancient and Modern*. (1947).
2. A. V. Dicey, *Introduction to the Study of Law of the Constitution*. (1982) Edition.
3. Lary Alexander (ed). *Constitutionalism: Philosophical Foundations*. Cambridge. (1998)
4. M. P. Singh 'Constitution of India. 11th Ed. 2008, Eastern Book Co.
5. K. C. Wheare. *Federal Government*. Ch. 1 & 2, 4th Edition 1963.
6. M. P. Singh. *Federalism, Democracy and Human Rights*. 47 J.I.L.I. 47 (2005).
7. Parmanand Singh 'Social Rights and Good Governance In C. Raj Kumar and D. K. Srivastava (ed.) *Human rights and Development: Law, Policy and Governance* Ch.24 pp.437-54. Lexis Nexis. Hong Kong. (2006).
8. Parmanand Singh 'Hunger Amidst Plenty: Reflections on Law, Poverty and Governance. 48, J.I.L.I. PP 57-77. (2006).
9. Virendra Kumar. *Dynamics of Reservation Policy: Towards a More Inclusive Social Order*, 50, J.I.L.I. PP 478-517. (2007).
10. Virendra Kumar, *Minorities' Rights to Run Educational Institutions: T. M. A. Pai Foundation in Perspective*. 45, J.I.L.I. PP 200-238. (2003).
11. Parmanand Singh 'Equality and Compensatory Discrimination: The Indian Experience, In Choklingam and C. Raj Kumar (ed) *Human rights, Criminal Justice and Constitutional Empowerment*, Chapter 7, Oxford, Delhi. (2006).
12. Parmanand Singh. *Protecting the Rights of the Disadvantaged Groups Through Public Interest Litigation*, in M. P. Singh et al (ed), *Human Rights and Basic Needs: Theory and Practice*, Universal Law Publishing Company, New Delhi, PP 305-329. (2008).
13. Balakrishnan, K. G. 'Judiciary in India: Problems and Prospects. 50, J.I.L.I. PP 461-467 (2008).

Objectives: The students should understand the process of globalization in all its dimensions and perspectives, they should particularly appreciate the globalization in the context of law and justice and the *vice versa* i.e. the law and justice in the context of globalization.

Course Outcome (COs):

CO 1: To understand the process of globalization in all its dimensions and perspectives.

CO2: To understand the globalization in the context of law and justice and the *vice versa* i.e. the law and justice in the context of globalization.

Unit-I: Globalization: Meaning, Perspectives and Issues

(Lectures 10)

- a. Universalism, Internationalism and Globalization: Meaning and Differences
- b. Contexts of Globalization: Historical Epoch, Confluence of Economic Processes, Hegemony of Euro-American Values, Technological and Social Revolution
- c. Role of International Organizations in the Globalized World: WHO, ILO, UNSC, UNHCR, World Bank and IMF, WTO

Unit-II: Quest for Just World Order (Lectures 10)

- a. Meaning and Approaches to Global Justice: Stoic philosophers, Role of Sovereign States (Hobbes, Locke, Vattel, Grotius), Wolff's Civitas Maxima, Georges Scelle's idea of superiority of International law over national laws, Indian concept of *Vasudhaiva Kutumbakam*
- b. World Order after WW-II: Eurocentric International Law, Military, Economic and Political hegemony of West, Rules Based World Order
- c. Communist Approaches to Just World Order, Political contexts of the Fall of Berlin Wall and Fall of USSR, Rise of China-Russia alliance in the context of Ukraine-Russia conflict)
- d. Third World Perspectives' on world order, Basic Principles of New International Economic Order, Neo-liberalism and Era of Economic Reforms (Liberalization, privatization and globalization)

Unit-III: Institutionalized Mechanisms for Law and Justice

(Lectures 10)

- a. Sources of International Law, *Jus Cogens*, Role of UNGA, and International Law Commission
- b. Statute of the International Court of Justice 1945
- c. Principles of International Humanitarian Law and Geneva Conventions 1949,
- d. Rome Statute of the International Criminal Court 1998

Unit-IV: Issue based International Mechanisms for Justice

(Lectures 10)

- a. International Framework for Protection of Human Rights, including UN Guiding Principles on Business and Human Rights
- b. Rights of Foreign Investors and Investor-State Dispute Settlement (Calvo Doctrine, Trend of Bilateral Investment Treaties (BITs), ICSID, UNCITRAL), India's Model BIT of 1993 and 2016
- c. MDGs, and SDGs
- d. Global Framework on Climate Change

Recommended Readings

1. Reich, S., 1998. What is globalization?: Four possible answers. The Helen Kellogg Institute for International Studies.
2. Fischer, S., 2003. Globalization and its challenges. *American Economic Review*, 93(2), pp.1-30.
3. Chimni, B.S., 2007. The past, present and future of international law: a critical third world approach. *Melbourne journal of international law*, 8(2), pp.499-515.
4. Chimni, B.S., 2012. Capitalism, imperialism, and international law in the twenty-first century. *Or. Rev. Int'l L.*, 14, p.17.
5. Nagel, T., 2017. The problem of global justice. In *Global Justice* (pp. 173-207). Routledge.
6. Estévez, A., 2012. *Human rights, migration, and social conflict: Towards a decolonized global justice*. Springer.
7. de Bres, H., 2013. Disaggregating global justice. *Social theory and practice*, 39(3), pp.422-448.
8. Rabkin, J., 1997. Grotius, Vattel, and Locke: An older view of liberalism and nationality. *The Review of Politics*, 59(2), pp.293-322.
9. Vaksha, A.K., 2019. Jay Treaty 1794: The Treasure Trove for Principle of International Law on Protection of Foreign Investments. *US-China L. Rev.*, 16, p.281.
10. Schwebel, S.M., 2004, March. The Influence of Bilateral Investment Treaties on Customary International Law. In *Proceedings of the Annual Meeting (American Society of International Law)* (pp. 27-30). The American Society of International Law.
11. Salacuse, J.W., 2007. The treatification of international investment law. *Law & Bus. Rev. Am.*, 13, p.155.
12. Cole, T. and Vaksha, A.K., 2011. Power-conferring treaties: The meaning of 'investment' in the ICSID convention. *Leiden Journal of International Law*, 24(2), pp.305-330.

Reference Books

13. Sinha, M.K., 2020. *The Handbook of International Humanitarian Law*.
14. Cox, R.W. and Sinclair, T.J., 1996. *Approaches to world order* (No. 40). Cambridge University Press.
15. Boyle, F.A., 1999. *Foundations of world order: the legalist approach to international relations (1898-1922)*. Duke University Press.
16. Kissinger, H., 2014. *World order*. Penguin Books.
17. Anghie, A., Chimni, B., Mickelson, K. and Okafor, O.C. eds., 2021. *The third world and international order: Law, politics and globalization*. Brill.
18. Byrnes, A., Hayashi, M. and Michaelsen, C. eds., 2013. *International law in the new age of globalization*. MartinusNijhoff Publishers.
19. Stiglitz, J.E., 2006. *Making globalisation work*. Esri.
20. Donnelly, J. and Whelan, D.J., 2020. *International human rights*. Routledge
21. Mayer, B., 2018. *The international law on climate change*. Cambridge University Press.

Note: Recommended Readings and the Reference Books enlisted here do not cover all the prescribed contents of the syllabus. Teachers and students are advised to refer additional reading materials also to cover all the prescribed topics in the syllabus.

Paper – X
Subject: Dissertation

C 10
Paper Code: GEN 110

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.

Course Outcome (COs):

CO1:The dissertation shall be evaluated by the Board of Examiners consisting of Dean, an External Examiner, one faculty member nominated by APC and the supervisor concerned. Students are evaluated on the basis on their research writing skills , clarity on research methodology, hypothesis, literature review, research questions,etc

(This Paper should be taught with updated sections of Companies Act, 2013as and where applicable to the Companies Act, 1956)

Course Outcome (COs):

CO 1: Identify the issues connected with governance of corporations

CO 2: Prepare the strategies and terms to enable a business entity to minimise frictions due to non-compliance of corporate governance standards

CO 3: Develop plans for mitigating the risks through due diligence in corporate transactions by way of good governance standards

CO 4: Compare the best practices and differentiate the Indian corporate governance standard with Global corporate governance norms, including ESG

Unit - I: Corporate Incorporation and Management

- (i) Certificate of Incorporation
- (ii) Memorandum and Articles of Association
- (iii) Doctrine of Ultra Vires
- (iv) Doctrine of Indoor Management

2.

- (i) Directors: Appointment, Removal, Position, Powers and Duties of Directors.
- (ii) Audit Committee: Its Role.
- (iii) Company Secretary: Qualification, Appointment and Duties
- (iv) Officer who is in default: Definition of Officer who is in default
- (v) Liability of independent directors.

3.

- (i) Types of Meetings
- (ii) Procedure of calling meeting
- (iii) Company's resolutions and its kinds

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

1.

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

2.

- (i) Company Investigation

Unit – 3: Corporate Liquidation

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

Unit -4 : Corporate Governance and Social Responsibility

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

2. (i) Corporate Social and Environmental Responsibility

Text Books:

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

References:

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

LL.M(One Year) - Corporate Law Specialization

LL.M

Subject: Competition Law & Consumer Protection Act, 2019*

L4 RTDA2 C5

Paper Code: CRL 113

Course Outcome (COs):

CO1: To equip students with an understanding of principles of Competition law, together with the ability to subject it to critical, legal and economic analysis.

CO2: To provide an understanding of fundamentals of market economy and extensive knowledge of application of competition policy on such systems in India.

CO 3: To study the developments of the policy of free and fair Competition in India in the light of latest legal developments, from MRTP to the Competition Act. To study and understand the working of Competition Law Enforcement and compare the same with US and EU.

CO 4: To compare substantive laws relating to Competition in India, EU and US, including the control of monopoly and oligopoly, merger control, anti-competitive agreement and abuse of dominant position.

UNIT – I

1) **Competition: An Introduction**

(Lecture 10)

- Definition of Competition
- Definition of Competition Law, Competition Policy
- Objectives of Competition Law
-

2) **History and Development of Competition Law**

- Relevant Provisions of Sharman Act, Anti-Trust Law
- Overview of MRTP Act, 1969, Liberalization and Globalization, Raghavan Committee Report, Competition Act, 2002, Salient features of the Competition Act, 2002

3) **WTO Agreements and the Act**

UNIT – II

- 1) **Anti-Competitive Agreements:** Horizontal and Vertical Agreements, Appreciable Adverse Effect on Competition in India
- 2) **Prohibitions of Anti-Competitive Agreements:** Concerted Practices and Parallel Behavior, Cartel and Cartelization, Price Fixing Agreements, Market Allocation/Sharing, Limiting Production, Bid Rigging and Collusive Bidding, Tie-in Arrangements, Exclusive Supply Agreement, Exclusive Distribution Agreement, Refusal to Deal, Resale Price Management Agreement, Exemptions
- 3) **Abuse of Dominant Position:** Relevant Market, Factors Relevant for Determining Dominant Position, Predatory Pricing

UNIT – III

- 1) **Combinations:** Merger, Acquisitions and Amalgamations, Combinations covered under the Competition Act, Regulations, Penalties
- 2) **Competition Commission of India:** Establishment and Composition, Term of Office of Chairperson

* The revised scheme and syllabus of different programs of USLLS and IP affiliated Law Colleges has been approved by 32nd Board of Studies of USLLS, GGSIPU on 12th June,2024 and Sub-Committee of Academic Council for USLLS,GGSIPU held on 27th July,2024. The revised scheme and syllabus will be applicable for every batch from Academic Session 2024-25.

and other members, Resignation and suspension, Administrative powers of Chairperson, Salary and allowances, Vacancy, Appointment of Director General, secretary, experts, professionals and other officers, Meetings of the Commission, Duties, Procedure for Inquiry, Powers, Extra- territorial jurisdiction Competition Fund, Competition Advocacy

UNIT – IV

1) Consumer Protection Act, 2019 and its applicability

- Definition of Consumer, Service, Deficiency in Service, Unfair Trade Practices, Consumer Protection Act, 2019 and Competition Law

Text Books:

- 1) Ramappa T. *Competition Law in India- Policies, Issues and Development*, Oxford University Press, 2013
- 2) Vinod Dhall, *Competition Law Today: Concept, Issues and Law in Practice*, Oxford University Press, 2007
- 3) G.B. Reddy and Baglekar Akash Kumar, *Consumer Protection Act: A Commentary*, EBC Reader, e-book, 2021

References:

- 1) Richard Whish, *Competition Law*, Oxford University Press, 2008
- 2) Vasanth Aditya J., *Conceptual Foundation of Competition Law in India: Law and Interpretation of the Competition Act, 2002*, Notion press, 2020
- 3) Srinivasan Parthasarathy, *Competition Law in India*, Kluwer Law International, 2017
- 4) Avtar Singh, *Competition Law*, Eastern Law House, 2012
- 5) Furse Mark, *Competition Law of the EC and UK*, Oxford University Press, 2008
- 6) Piet Jan Slot and Angus Johnston, *An Introduction to Competition Law*, Oxford and Portland, Oregon, 2006
- 7) Dugar S.M., *Guide to Competition Law: Containing Commentary on Competition Act, MRTP Act and Consumer Protection Act*, Lexis Nexis Butterworths Wadhwa Nagpur, 2010
- 8) Consumer Protection Law and Practice, Taxmann, 2022
- 9) Abir Roy and Jayant Kumar, *Competition Law in India*, Eastern Law House, New Delhi
- 10) Mittal D.P., Taxmann's *Competition Law and Practice*, 2007
- 11) Vinod Dhall (ed.), *Competition Law Today*, Oxford University Press, 2007
- 12) Renato Nazzani, *Concurrent Proceedings in Competition Law*, Oxford University Press, 2007
- 13) Rodger Barry *Competition Law and Policy in the EC and UK* London: Cavendish, 1999
- 14) V.K Agarwal, *Consumer Protection Act, 2019*, Aggarwal Law House, 2022
- 15) Aditi P. Talati, Nahar S. Mahala, *Competition Act 2002: Law, Practice and Procedure*, Commercial Law Publishers, 2006
- 16) Martin Smith, *Competition Law Enforcement and Procedure*, Oxford University Press, 2001
- 17) Consumer Protection Act, 2019, EBC, e-book, 2022

Objectives: Students should have general understanding of the trends in regulation of capital markets and foreign investments. They should appreciate the broader economic objectives and purposefulness of the nature, forms and extent of regulation of the capital markets.

Course Outcome (COs):

CO1: to understand of the trends in regulation of capital markets and foreign investments.

CO2: to contemplate the broader economic objectives and purposefulness of the nature, forms and extent of regulation of the capital markets.

Unit – I: Overview of Capital Market

(Lectures 10)

- a. Role, Relevance and significance of Capital Market in national development
- b. Capital Market and Economic Reforms: Challenges and prospects
- c. Introduction to various components of capital market – primary and secondary market, stock exchanges,

Unit – II: Trends in Regulation of Capital Markets

(Lectures 10)

- a. Securities Contract Regulation Act 1956
- b. SEBI Act 1992 with particular emphasis on role of SEBI
- c. Depositories Act 1996

Unit – III: Policy framework for regulation of FDI

(Lectures 10)

- a. Meaning and forms of FDI
- b. Foreign Exchange Management Act
- c. FDI Policy and role of RBI

Unit – IV: Bilateral and multilateral investment agreements

(Lectures 10)

- a. Introduction to the trends of bilateral and multilateral investments agreements
- b. Nature and scope of substantive rights of foreign investors under BIPAs
- c. Dispute Settlement Mechanisms under BITs – Investment Arbitrations under ICSID and UNCITRAL

Text Books:

1. Guruswamy, *Capital Market*, Tata McGraw Education, 2009
2. E Gordon & H Nataraj, *Capital Market in India*, Himalaya Publishing House, 2013

References:

1. *Deepening India's Capital Market: The Way Forward*, USAID, November 2007
2. *The Consolidated FDI Policy Circular of 2014*, Ministry of Commerce & Industry Department of Industrial Policy & Promotion, Government of India
3. *ICSID Convention – A Commentary*, C. Schreuer, 2nd Edition 2009
4. Sanjeev Agarwal, *Guide to Indian Capital Market*, Bharat Law House, 2009
5. Imaad A Moosa, *Foreign Direct Investment: Theory Evidence and Practice*, PalgraveMacMillan, 2010.
6. Niti Bhasin, *FDI In India*, New Century Publication, 2008.

Course Outcome (COs):

CO1: To learn practical aspects of taxation of companies and interpret the entire process of interplay between economy, taxation and generation of revenue via a vis employment opportunities

CO2: Learn about new and emerging areas in Tax Litigation and understand international aspects of tax management

Unit 1 Introduction and Corporate Tax Planning (Lecture 10)

- i. Background of Taxation system in India; Vital Statistics; Layout; Administration. An overview of Finance Bill, ; Important definitions under Income Tax Act, 1961; Distinction between Capital and Revenue Receipts and Expenditure; Residential Status & Basis of Charge; Scope of Total Income; Tax Rates. Incomes not included in Total Income; Tax holidays.
- ii. **Computation of Total Income and Tax Liability of various entities :** Individual; Hindu Undivided Family ‘HUF’; Alternate Minimum Tax (AMT); Partnership Firm / LLP; Co-operative Societies; Association of Person ‘AOP’ and Body of Individual ‘BOI’ Taxation of non resident entities Political Parties; Electoral Trusts; Exempt organization –Registration u/s12A/12AA;
- iii. **Classification and Tax Incidence on Companies :** Computation of taxable income and tax liability of Company including foreign company; Dividend Distribution Tax; Minimum Alternate Tax ‘MAT’; Other Special Provisions Relating to Companies; Equalization Levy.

Unit II - Goods And Service Tax

(Lecture 10)

- i. An Overview on Goods and Services Tax ‘GST’: Introduction; Constitutional Aspects & Administration; Concept of Indirect Taxes at a glance; Pre-GST tax structure and deficiencies; Administration of Indirect Taxation in India;
- ii. Transition to GST (Transitional Provisions)
- iii. GST models; Levy and collection of CGST and IGST; Composition scheme & Reverse Charge, Exemptions.
- iv. Supply: Meaning & scope, types of supply (composite/mixed inter/ intra); Time, Place and Value of Taxable Supply; Import and Export of Goods or Services under GST, Classification of Goods and Services; Job work provisions, agency contracts, e-commerce & TCS.
- v. Input Tax Credit & Computation of GST Liability: Input tax credit; Computation of GST liability.
- vi. Procedural Compliance under GST: Registration; Tax Invoice, Debit & Credit Note, Account and Record, Electronic way Bill, Payment of Tax, TDS, Returns & Refund, Valuation, Audit & Scrutiny; Assessment.
- vii. Demand and Recovery, Appeals and Revision, Inspection, search, seizure, offences & penalties, Compliance rating, anti-profiteering, GST practitioners, authorised representative, professional opportunities.
- viii. Integrated Goods and Service Tax (IGST), Union Territory Goods and Service tax (UTGST), GST Compensation to States.

Unit III – Custom Law

(Lecture 10)

- i. Overview of Customs Law; Levy and collection of customs duties; Types of Custom duties; Taxable events

- ii. Classification and valuation of import and export goods; Exemption; Officers of customs; Administration of Customs Law; Import and Export Procedures; Transportation, and Warehousing; Duty Drawback; Demand and Recovery; Confiscation of Goods and Conveyances; Refund.
- iii. Arrival or Departure and Clearance of Goods, Warehousing, Duty Drawback, Baggage and Miscellaneous Provisions: Arrival and departure of goods; Clearance of Import and Export Goods & Goods in Transit; Transportation and Warehousing provisions; Duty Drawback provisions, Baggage Rules & provision related to prohibited goods, notified goods, specified goods, illegal importation / exportation of goods.

Unit IV International Taxation

(Lecture 10)

- i. Corporate Tax Planning & Tax Management: Tax Planning, Tax Management; Tax Avoidance v/s Tax Evasion; Areas of Corporate Tax Planning
- ii. General Anti Avoidance Rules 'GAAR': Basic concept of GAAR; Impermissible avoidance arrangement; Arrangement to lack commercial substance; Application of GAAR Rule; GAAR v/s SAAR.
- iii. Basics of International Taxation
 - A. Transfer Pricing: Introduction & Concept of Arm's Length Price; International and Specified Domestic Transaction; Transfer Pricing Methods; Advance Pricing Agreement & Roll Back Provision; Documentation and Return.
 - B. Place of Effective Management (POEM): Concept of POEM; Guidelines of determining POEM.
- iv. Tax Treaties. Income Tax Implication on specified transactions: Slump Sale; Restructuring; Buy Back of shares; Redemption of Preference shares; Issue of shares at Premium; Transfer of shares; Reduction of share Capital; Gifts, cash credits, unexplained money, investments etc.

Text Books & References

1. Dr JC Varshney, Nikhil Gupta "Corporate Tax Planning" 2022 - SBPD Publications
2. Dr HC Mehrotra, Dr SP Goyal Direct Tax including Tax Planning & Management AY 2022-23 Sahitya publications
3. VS Datey, "A Complete Guide to GST Input Tax Credit (including Availment& Reversal),Refunds of ITC & Export issues relating to ITC"2022 Taxmann
4. SK Mishra "Simplified Approach to GST" 2022 eBooks2Go Inc.
5. Dr HC Mehrotra , Prof VP Agarwal "Goods and Services Tax (G.S.T.) & Customs Duty"2022Sahitya Bhawan Publications
6. Vinod K Singhanian"Students Guide to GST and Customs Law" 2022Agarwal lawhouse
7. Nigam Nugehali,"International Taxation: The Indian Perspective"2019 Springer Briefs
8. Parthasarthy Shome"Reimagining International Taxation - Navigating Through The Crises Of Pandemic Lack Of Consensus And Retrospective Taxation" 2021International Tax Research and Analysis Foundation(ITRF) & Oakbridge Publishing
9. DC Agarwal "Basic Concepts of International Taxation" 2016 Taxmann
10. Parthasarthy Shome "International taxation in Digitalera", 2022, International Tax Research and Analysis Foundation(ITRF) & Oakbridge Publishing

Course Outcome (COs):

CO 1: to develop a conceptual understanding of the basics principles of Banking and Insurance Laws.
CO 1: To develop a conceptual understanding of the basics principles of Banking and Insurance Laws.

CO 2 : To facilitate the participants with an in-depth understanding and hands-on approach in relation to the legal and practical aspects of insolvency and bankruptcy.

CO 3: To understand the concepts and apply them to a wide range of problems related to the Banking and Insurance Sector

Unit-I: Banking System in India

(Lectures-10)

- a. Historical Development of Banking System in India
- b. Bank Nationalization and Social Control
- c. Salient features of Banking Regulation Act,1949, Commercial & Investment Banking
- d. Relationship between Banker and Customer, KYC Norms,
- e. Banking Ombudsman and Application of Consumer Protection Law in Banking Services

Unit-II: Lending, Securities and Recovery Process by Banks

(Lectures-10)

- a. Principles of Lending
- b. Nature of Securities, Collateral and other Securities
- c. Scope, Nature and process of recovery under Recovery of Debts and Bankruptcy Act,1993
- d. Non- Performing Assets and Role of SARFAESI,2002 and Enforcement of security interest
- e. Wilful Defaulter and Nature of Bank Fraud(Applicable laws and RBI Guidelines)

Unit-III: Introduction to Insolvency and Bankruptcy Regime in India

(Lectures-10)

- a. Need, Rationale and objectives of Insolvency and Bankruptcy Code
- b. Role of Authorities and enforcement mechanism
- c. Creditors, Corporate Insolvency Resolution Process
- d. Contemporary Case laws

Unit-IV: Insurance Law

(Lectures-10)

- a. Nature and Fundamental Principles of Insurance Contracts
- b. Kinds of Insurance: Life Insurance, Fire Insurance, Marine Insurance and Medi-claim Insurance
- c. Motor Vehicles Insurance (with reference to Third Party Insurance)
- d. Powers, Duties of Insurance Regulatory Development Authority under IRDA Act, 2002
- e. Application of Consumer Protection with reference to Insurance Services

Text Books:

1. M.L. Tannan, Banking Law and Practice in India, Lexis Nexis, 23rd Edition(Latest Edition).
2. Banking and Insurance Law and Practice, Institute of Company Secretaries of India, Taxmann Publishers, 2019
3. M.N. Mishra, Law of Insurance, Central Law Agency (Latest Edition).
4. V.S Datey, Guide to Insolvency and Bankruptcy Code, 2016, Taxmann Publication ,2018.
5. Ashish Makhija, Insolvency and Bankruptcy Code of India, LexisNexis Publication , 2018.

References:

1. K.C. Shekhar, & Lekshmi Shekhar, Banking Theory and Practice, Vikas Publishing House, 19th Edition, 2005.
2. J N Jain & R K Jain, Modern Banking and Insurance – Principles and Techniques, Regal Publications, 2008
3. Jyotsana Sethi & Nishwar Bhatia, Elements of Banking and Insurance, PHI Publishers, 2nd Edition.
4. Birds, John, Modern Insurance Law, Universal Publishing Co., 2003,
5. Shah, M. B., Landmark Judgments on Insurance, Universal Publishing Co., 2004
6. Rangarajan, C., Handbook of Insurance and Allied Laws. K.C. Shekhar, & Lekshmi Shekhar, Banking Theory and Practice, Vikas Publishing House, 19th Edition, 2005.

Course Outcome (COs):

CO 1 : To define, explain and analyze the basic concepts, financial system and financial instruments relating to investments.

CO 2: to comprehend the practical aspects of the constitution, powers, functions and working of SEBI and the Securities Appellate Tribunal.

CO 3 : to analyze the legal and regulatory framework governing investments in India.

UNIT – I:

(1). **Public Issue of Shares**

- (i) Prospectus
- (ii) Remedies for misrepresentation
- (iii) SEBI and Stock Exchange guidelines

(2). **Share Capital**

- (i) Nature and Kind of Shares
- (ii) Transfer, Transmission, Surrender and forfeiture of Shares
- (iii) Purchase by Company of its own shares
- (iv) Issue of shares at premium and discount
- (v) SEBI Guidelines

UNIT – II:

(1). Shareholders' Rights (Various rights of shareholders and variation of shareholders rights).

(2). Debentures; Difference between Share and Debentures; Kinds of Debenture; Remedies of Debenture Holder; Company Charges.

UNIT – III:

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

UNIT – IV:

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

Text Books:

- 1. Paul Davis & Sara Worthington, Gower's *Principles of Company Law*, Sweet & Maxwell Thomson, 9th Edition, 2006
- 2. David Kidwell & Robert Parinno, *Fundamentals of Corporate Finance*, Wiley, 2012

References:

1. Charles Wild, Stuart Weinsten, *Smith and Keenon's Company Law*, Pearson Education Ltd.,2013
2. J.C. Verma & Sanjeev Agarwal, *Corporate Mergers, Amalgamations & Takeovers*, BharatLaw House, 2008
3. Richard Brealey, Stewart Myers, Franklin Allen, *Principles of Corporate Finance*, HillMcGraw, 2012

Syllabus for LL.M. IPR

Paper – IV

Subject: Nature, Emergence and Development of IPR

L4 RTDA2 C5

Paper Code: IPR 107

Course Outcome (COs):

CO1: To trace out the origin and development of IPR and to do a comparative approach on the economic and constitutional perspective on IPR.

CO2 : To Explore the relationship between patents, copyrights, trademarks vis a vis human rights and to understand whether fundamental right is a safeguard for the coherence of intellectual property law.

CO 3 : To get a basic introduction to all Conventions, Agreements and Treaties in The Field of Intellectual Property

CO 4: To understand the relationship between intellectual property law, competition law and economic approach; principles of competition policy applied to patents, copyrights and trademark

UNIT – I: Introduction to Intellectual Property

(Lectures 10)

- a. Concept & Meaning of Intellectual Property
- b. Nature and Characteristics of Intellectual Property
- c. Origin and Development of Intellectual Property
- d. Kinds of Intellectual Property

UNIT –II: Theories of Intellectual Property

(Lectures 10)

- a. Justification and Rationale for Protecting Intellectual Property
- b. Balancing the Protection of IPR and Public Policy Objective
- c. Theories of IPR:-
 - i. Natural Theory
 - ii. Hegelian Philosophy (Personality Theory)
 - iii. Lockes' Theory of Property (Labour Theory)
 - iv. Social Contract Theory
 - v. Social Planning Theory
 - vi. Incentive Theory
 - vii. Reward Theory
 - viii. Prospect Theory
 - ix. Schumpeterian Theory
 - x. Economic Theory

UNIT – III: International Institutions and Basic International Conventions

(Lectures 10)

- a. Paris Convention for the Protection of Industrial property, 1883
- b. The Berne Convention, 1886
- c. TRIPS Agreement, 1994
- d. International Institutions Concerned with Intellectual Property

UNIT – IV: Contemporary Issues in IPR

(Lectures 10)

- a. Interface between IPR and Human Rights
- b. Interface between IPR and Competition Law
- c. IPR and sustainable development
- d. The Impact of Internet on IPR
- e. IPR Issues in Biotechnology
- f. E-Commerce and IPR issues

Text Books:

1. David I. Bainbridge, *Intellectual Property*, Longman, 9th Edition, 2012
2. Peter Groves, *Sourcebook on Intellectual Property Law*, Routledge-Cavendish, 1997.

References:

1. Susan K Sell, Private Power, *Public Law: The Globalization of Intellectual Property Rights*, Cambridge University Press, 2003
2. N.S. Gopalakrishnan & T.G. Ajitha, *Principles of Intellectual Property*, Eastern Book Company, 2nd Edition, 2014
3. Jayashree Watal, *Intellectual Property Rights in the WTO and Developing Countries*, Oxford University Press, 2001
4. Lionel Bently & Brad Sherman, *Intellectual Property Law*, Oxford University Press, 3rd Edition, 2008
5. Peter Drahos, *A Philosophy of Intellectual Property*, Dartmouth Pub Co, 1996
6. Duggal Pavan, *Legal Framework on Electronic Commerce & Intellectual Property Rights*, Universal Publishing House, 2014
7. Paul Torremans, *Intellectual Property And Human Rights*, Kluwer Law International, 2008
8. Steven D Anderman, *Interface Between Intellectual Property Rights and Competition Policy*, Cambridge University Press, 2007.
9. Philippe Cullet, *Intellectual Property Protection and Sustainable Development*, Lexis Nexis, 2005

Course Outcome (COs):

CO 1 : To gain in-depth knowledge of the copyright laws and major policy concerns at national and international level

CO 2 : To analyse the scope and limitation of copyright as a form of Intellectual property Rights and its interface with other forms of IPRs

CO 3 : To understand copyright issues in new age technologies and identify solutions to them.

CO 4 : To learn to interpret and apply copyright statutory principles and its judicial overlay.

UNIT – I: Introduction to Copyright

(Lectures 10)

a. Introduction

- i. Theories of Copyright protection
- ii. Evolution of Copyright Law in India
- iii. Nature and Scope of Copyright
- iv. Pre-requisites for Copyright
- v. Copyright and its relationship with other IPRs

b. International Conventions and Treaties

- i. Berne Convention for the Protection of Literary and Artistic Works, 1883
- ii. Universal Copyright Convention, 1952
- iii. TRIPS Agreement, 1994
- iv. WIPO Copyright Treaty, 1996
- v. International Copyright Order, 1999
- vi. Marrakesh Treaty, 2013

UNIT –II: Subject Matters of Copyright

(Lectures 10)

- a. Work in which Copyright Subsists
- b. Authorship vis- a vis Ownership
- c. Copyrights: Economic and Moral Rights
- d. Duration of Copyright
- e. Issues and contemporary trends in Digital Copyright Law
- f. Assignment and Licensing

UNIT – III: Enforcement of Copyright and Current Issues

(Lectures 10)

- i. Limitation and Exceptions of Copyright
- ii. Infringement
- iii. Remedies
- iv. Enforcement of Copyright at National and International Level
- b. Current Issues
 - i AI and Copyright Law
 - ii Copyright Infringement *vis a vis* Plagiarism
 - iii Culture and copyright
 - iv. Copyright and Human Rights

UNIT – IV: Neighboring Rights

(Lectures 10)

- a. Origin and Development
- b. Rationale for Protection
- c. Copyright vis-a vis Neighboring rights
- d. International Treaties:
 - i. Rome Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organisations 1961
 - ii. Geneva Convention for the Protection of Producers of Phonograms Against Unauthorized Duplication of Their Phonograms Phonograms Convention, 1971
 - iii. Brussels Satellites Convention, 1974
 - iv. TRIPS Agreement, 1994
 - v. WIPO Performances and Phonograms Treaty, 1996
 - vi. Beijing Treaty on Audiovisual Performances, 2012
- e. Performers Rights
- f. Broadcasting organizations rights
- g. Rights of the Producers of Phonograms
- h. Economic and Moral Rights
- i. Exceptions
- j. Infringement and Remedies

Text Books:

1. S. Sivakumar and Lisa P. Lukose (ed.) *Novel Dimensions of Copyright Law*, Thomson Reuters, 2022
2. Jeanne C. Fromer, Christopher Jon Sprigman, *Copyright Law - Cases and Materials*, 2022
3. *Omri Rachum-Twaig, Copyright Law and Derivative Works: Regulating Creativity*, Routledge, 2020
4. Manoj Kumar Sinha and Vandana Mahalwar (ed.) *Copyright Law in the Digital World: Challenges and Opportunities*, Springer, 2018
5. Julie E. Cohen, Lydia Pallas Loren and et al., *Copyright in a Global Information Economy*, Wolters Kluwer, 2015
6. Kevin Garnett, Jonathan Rayner James, Gillian, *Copinger and Skone James on Copyright*, Sweet & Maxwell, London, 2013
7. P. Narayanan, *Copyright and Industrial Designs*, Third Edition, Eastern Law House, New Delhi, 2007

References:

1. David Nimmer, *Nimmer on Copyright*, Lexis Nexis, 2010
2. W R Cornish, *Intellectual Property: Patents Copyright Trademarks and allied rights*, Sweet & Maxwell, London, 2010.
3. S. Sivakumar & Lisa P. Lukose, *Broadcasting Reproduction Right in India: Copyright and Neighbouring Right Issues*, ILI, New Delhi, 2013
4. A.K. Kaul & V.K.Ahuja, *Law of Copyright: From Gutenberg's Invention to Internet*, University of Delhi, Delhi, 2001.
5. Ananth Padmanabhan, *Intellectual Property Rights Infringement and Remedies*, Lexis Nexis, 2012
6. Mira Sundara Rajan, *Moral Rights: Principles, Practice, and New Technology*, Oxford University Press, 2011
7. Neil Weinstock Netanel, *Copyright's Paradox*, Oxford University Press, 2008.
8. Robert A Gorman, Jane C. Ginsburg, *Copyright Cases and Materials*, Foundation Press, 2011
9. Paul Goldstein, *International Copyright: Principles, Law, and Practice*, Oxford University Press, 2012

Course Outcome (COs):

CO1: To demonstrate knowledge and understanding of the justifications, rationale, core doctrines and jurisprudential basis of patent protection

CO 2 : To demonstrate knowledge and understanding of the appropriate procedures for patent filing, patent acquisition and patent enforcement at national and international level

CO 3: To identify legal issues which arise in the context of innovation and patenting

CO4: To understand the current and emerging issues related to technology and human rights in patent regime and to create collaborative solutions to these issues

UNIT – I: Introduction

(Lectures 10)

- a. Justification and theories of patent protection
- b. Evolution of Patents in India
- c. International Treaties on Patents
 - i. Paris Convention
 - ii. TRIPS Agreement
 - iii. Budapest Treaty
 - iv. PCT

UNIT – II: Patentability and Procedures for Grant of Patents

(Lectures 10)

- a. Patentable and Non Patentable Inventions
- b. Pre-requisites
 - i. Novelty: Prior Art and Anticipation
 - ii. Inventive Step, Person Skilled in the Art
 - iii. Industrial Application
- c. Procedures for Filing Application
- d. Specifications – Provisional and Complete Specifications
- e. Claim Interpretations and Constructions
- f. Priority date
- g. Pre-Grant and Post Grant Opposition
- h. Grant and sealing of Patents
- i. Rights of Patentee
- j. Term of Patent
- k. Surrender, Restoration and Revocation of Patents
- l. Patent of Addition

UNIT – III: Limitations, Exceptions & Infringements

(Lectures 10)

- a. Licencing – Voluntary & Non –Voluntary
- b. Assignment
- c. Fair Use
- d. Use and acquisition of inventions by Central Government
- e. Exhaustion of Patents and Parallel Imports
- f. Infringements & Remedies

UNIT – IV: Patent Authorities, Patent Agents & Emerging Issues

(Lectures 10)

- a. Controller General of Patents
- b. Patent Examiners

- c. Patent Agents
- d. Emerging Issues
- i. Patents & Computer Programs
- ii. Business Method Patents& Utility Model Patents
- iii. AI Inventions and Patents
- iv. Patent and Human Rights,
- v. Public Health, Patent Waiver and Related Issues
- vi. TK and IK *vis a vis* Patents
- vii. Outer Space Inventions and Patents

Text Books:

1. Craig A. Nard, *The Law of Patents*, 6th Edn., Aspen Publishing; 2022
2. Peter S Menell , Mark A Lemley and Robert P Merg, *Intellectual Property in the New Technological Age: Perspectives, Trade Secrets and Patents*, Clause 8 Publishing, 2022
3. Emmanuel Kolawole Oke, *Patents, Human Rights, and Access to Medicines*, Cambridge University Press, 2022
4. Janice M. Mueller , *Aspen Treatise for Patent Law*, 6th Edn., Aspen Publishing; 2020
5. Jyh-An Lee, Reto Hilty and Kung-Chung Liu (eds.) *Artificial Intelligence and Intellectual Property*, Oxford University Press, 2021
6. Feroz Ali Khader, *The Law of Patents-With a Special Focus on Pharmaceuticals in India*, LexisNexis, 2nd Edition, 2011
7. Elizabeth Verkey, *Law of Patents*, Eastern Book Company, 2nd Edition, 2012

References:

1. Richard Miller, Guy Burkill, Hon Judge Birss, Douglas Campbell, *Terrell on the Law of Patents*, Sweet and Maxwell, 2010
2. Feroz Ali Khader, *The Touchstone Effect: The Impact Of Pre-Grant Opposition On Patents*, Lexis Nexis, 2009
3. Donald S Chisum, *Chisum on Patents* (17 Volumes), Lexis Nexis, 2012
4. Janice M. Mueller, *Patent Law*, Wolters Kluwer, 2013
5. Martin J. Adelman et al., *Patent Law in a Nutshell*, West, 2013
6. Amy L. Landers, *Understanding Patent Law*, Lexis Nexis, 2012.
7. Ananth Padmanabhan, *Intellectual Property Rights Infringement and Remedies*, Lexis Nexis, 2012

Course Outcome (COs):

CO 1: To understand the relevance of trademarks protection in a market economy

CO2 : to understand the basic principles of trademark protection both internationally and in India

CO3 : to analyse the new dimensions which may arise in the scope of trademark protection

CO4: to apply in real life the provisions dealing with registration and enforcement of trademarks

UNIT-I: Introduction

(Lectures-10)

- a. Evolution of Trademark in India
- b. Justification
- c. International Treaties:
 - i. Paris Convention
 - ii. Madrid Agreement and Protocol
 - iii. NICE Agreement
 - iv. Trademark Law Treaty
 - v. Singapore Law Treaty
 - vi. TRIPS
- d. Kinds of Trademarks: Registered and Unregistered Trademarks, Conventional & Non-Conventional Trademarks, Service Mark, Collective Marks, Certification Marks, Well Known Trademarks

UNIT-II: Registration of Trademarks

(Lectures-10)

- a. Pre-requisites
- b. Absolute and Relative Grounds for Refusal of Registration
- c. Concept of Deceptive Similarity and its Applicability in Registration
- d. Procedure for Registration
- e. National and International Registration

UNIT-III: Commercial Exploitation of Trademarks and IPAB

(Lectures-10)

- a. Rights of Proprietor
- b. Assignment, Licensing and Transmission of Trademark
- c. IPAB

UNIT-IV: Infringement and Passing off

(Lectures-10)

- a. Infringement
- b. Goodwill and Passing off
- c. Remedies
- d. Trademark Issues in Cyberspace

Text Books:

1. K C Kailasam and Ramu Vedaraman, *Law of Trademarks including International Registration under Madrid Protocol and Geographical Indications*, Lexis Nexis, 2013
2. A. K. Bansal, *Law of Trademark in India*, Thomson & Reuter, 2014

References:

1. David T Keeling, David Llewelyn, *Kerley's law of Trade Marks and Trade Names*, Sweet and Maxwell, 15th Edition , 2014.
2. Narayanan, *Trade Marks and Passing Off*, Eastern Law House, 2004
3. Ananth Padmanabhan, *Intellectual Property Rights Infringement and Remedies*, Lexis Nexis, 2012
4. Christopher Wadlow, *The Law of Passing Off: Unfair Competition by Misrepresentation*, Sweet and Maxwell, 2011.
5. David Lindsay, *International Domain Name Laws*, Hart Publishing, 2007.

Course Outcome (COs):

CO1: To interpret and analyse the procedure for registration of GI

CO2: To understand the practical aspects of layout designs and registration process

CO3: To comprehend the requirement of IP entrepreneurship and starts up in context of Design law.

UNIT-I: Industrial Designs

(Lectures-10)

- a. Introduction
- b. Evolution
- c. Justification
- d. International Treaties
 - i. Paris Convention
 - ii. Hague Agreement
 - iii. Locarno Agreement
 - iv. TRIPS
- e. Industrial Design Act, 2000
- f. Interface Between Design, Copyrights and Trademarks

UNIT-II: Semiconductor and Layout Designs

(Lectures-10)

- a. Introduction
- b. Evolution
- c. Justification
- d. International Treaties:
 - i. Washington Treaty
 - ii. TRIPS

e. The Semiconductor Integrated Circuits Layout-Designs Act, 2000

UNIT III: Geographical Indications-I

(Lectures-10)

- a. Introduction
- b. Evolution
- c. Justification
- d. International Treaties:
 - i. Paris Convention
 - ii. Madrid Agreement
 - iii. Lisbon Agreement
 - iv. TRIPS Agreement

UNIT-IV: Geographical Indications-II

(Lectures-10)

- a. Protection of GI at National Level
- b. Geographical Indication of Goods (Protection & Registration) Act, 1999
- c. Higher Level of Protection of GIs and TRIPS, Article 23 Controversy
- d. Genericides of Geographical Indications

Text Books:

1. Ashwani Kumar Bansal, Design Law, Universal Law Publishing Company, 2012.
2. Latha R Nair & Rajendra Kumar, *Geographical Indications: A Search For Identity*, Lexis Nexis, 2005

References:

1. Tapan Kumar (Ed.), *WTO, TRIPS and GIs*, New Century Publications, 2014
2. Dev Gangjee, *Relocating the Law of GI*, Cambridge University Press, 2012
3. K C Kailasam and Ramu Vedaraman, *Law of Trademarks including International Registration under Madrid Protocol and Geographical Indications*, Lexis Nexis, 2013

Course Outcome (COs):

CO 1: To comprehend the patenting process of plant varieties and protective measures.

CO2: To contextualize the relationship between traditional knowledge and human rights

CO 3: To study the scope of benefit sharing and access to natural resources.

CO 4: To study the nature of traditional knowledge of indigenous communities

UNIT – I: Introduction

Lectures-10)

- a. Introduction to Plant Varieties – Law & Science
- b. Evolution of Plant Patents & Plant Varieties Protection
- c. Justification for IP Protection
- d. UPOV
- e. Essential Requirements- NDUS
- f. Kinds of Varieties
- g. Registration of Varieties

UNIT – II: Rights, Limitations & Infringement

(Lectures-10)

- a. Exclusive Rights
- b. Breeders' Rights v. Farmers' Rights
- c. Researcher's Rights; Farmers' rights and Rights of Communities
- d. Compulsory Licence
- e. Benefit Sharing
- f. Infringement & Remedies

UNIT – III: Traditional Knowledge (TK)

(Lectures-10)

- a. Meaning, Nature and Characteristics
- b. **Need for protection of TK**
 - i. **Equity Considerations**
 - ii. **Conservation Motive**
 - iii. **Preservation of Traditional Practices and Cultures**
 - iv. **For Indigenous Peoples' Participation in Development Process**
 - v. **To Facilitate Access**
 - vi. **For the Conservation of Environment and Management of Bio Diversity**
- c. **International Initiatives on TK Protection**
 - i. **Rio Declaration on Environment and Development (1992)**
 - ii. **The Convention on Biological Diversity, 1992**

- iii. Bonn Guidelines on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising out of their Utilization, 2002
 - iv. International Treaty on Plant Genetic Resources for Food and Agriculture, 2001
 - v. The FAO International Code of Conduct for Plant Germplasm Collecting and Transfer, 1993
 - vi. Convention Concerning Indigenous Peoples in Independent Countries, 1986
 - vii. Declaration of Principles of the World Council of Indigenous Peoples, 1984
 - viii. Kari-Oca Declaration and the Indigenous Peoples' Earth Charter, 1992
 - ix. The Mataatua Declaration on Cultural and Intellectual Property Rights of Indigenous Peoples, 1993
 - x. Doha Ministerial Declaration, 2001
 - xi. UN Declaration on the Rights of Indigenous Peoples, 2007
 - xii. The Nagoya Protocol, 2010
 - xiii. Other TRIPS Plus initiatives
- d. International bodies and Institutions responsible for the Protection of TK

UNIT – IV: Traditional Knowledge and IPR

(Lectures -10)

- a. Interface between IPR & TK
 - i. Protection of Traditional Knowledge under the Existing Modes of Intellectual Property and Issues thereof
 - ii. Concepts of Prior Informed Consent (PIC) and Agreement to benefit sharing (ABS)
- b. National Initiatives
 - i. Defensive protection of TK through legislative efforts: Constitutional Provisions, The Biological Diversity Act, 2002; Protection of Plant Varieties and Farmers' Rights Act, 2001; The Patent Amendment Acts 2002 and 2005; The Geographical Indications of Goods (Registration and Protection) Act, 1999 ;The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 etc.
 - ii. TKDL
 - iii. Need for a *sui generis* protection

Text Books:

1. Elizabeth Verkey, *Law of Plant Varieties Protection*, Eastern Book Company, 2007

References:

1. Anthony J. Stenson and Tim S. Gray, *The Politics of Genetic Resource Control*, Macmillan Press Ltd., London, 1999
2. Brush S.B & D. Stabinsky (ed.), *Valuing Local Knowledge- Indigenous people and Intellectual Property Rights*, Island Press, Covelo, California, 1996

3. Carlos M Correa, *Traditional knowledge and Intellectual Property, Issues and Options Surrounding the Protection of Traditional Knowledge*, Quaker United Nations Office, Geneva, 2001
4. David Downes, *Using Intellectual Property as a Tool to Protect Traditional Knowledge: Recommendations for Next Steps*, Center for International Environmental Law, Washington, DC, 1997
5. P. Drahos and M. Blakeney (ed.), *Perspectives on Intellectual Property: IP in Biodiversity and Agriculture*, Sweet and Maxwell, London, 2001
6. Vandana Shiva, *Biopiracy: The Plunder of Nature and Knowledge*, South Press, 1997
7. Vandana Shiva, *Protect or Plunder: Understanding Intellectual Property Rights*, Zed Books Ltd., London, 2001
8. S. K. Verma & Raman Mittal (ed.), *Intellectual Property Rights a Global Vision*, Indian Law Institute, New Delhi, 2004

Course Outcome (COs):

- CO1- to understand the backdrop, meaning, advantages and disadvantages of Alternative Dispute Resolution (ADR) mechanisms.
- CO2- to study the fundamental concepts associated with dispute resolution mechanism and its utility with legal aid and consumer awareness.

UNIT – I: Introduction to ADR-I

(Lectures 10)

- a. Disputes – meaning and Kinds of Disputes
- b. Dispute Resolution in adversary system, Justiciable court structure and jurisdiction
- c. ADR- Meaning and philosophy, Need for ADR
- d. Overview of ADR processes

UNIT – II: Indian Perspective of ADR

(Lectures 10)

- a. Types of ADR in India
- b. Current Trends
- c. Acceptability

UNIT –III: Dispute Resolution at grass root level

(Lectures 10)

- a) Lok Adalats,
- b) Nyaya Panchayath,
- c) Legal Aid,
- d) Preventive and Strategic legal aid.

UNIT – IV: ADR Application

(Lectures 10)

- a. Commercial and Financial Disputes
- b. Real estate and Land Disputes
- c. Consumer Disputes
- d. Accident Claims
- e. Matrimonial Disputes

Text Books:

1. P.C. Rao and William Sheffield, *Alternative Dispute Resolution*, Universal Law Publication, 2004
2. Sarfaraz Ahmed Khan, *Lok Adalat: An Effective Alternative Dispute Resolution*, New APCON Publication, Daryaganj, 2006.
3. Madabhushi Sridhar - *Alternative Dispute Resolution*, Butterworth Lexis Nexis, (Reprint 2010) 1st edition.

References:

1. Federal Judicial Centre, *Manual for Litigation Management and Cost and Delay Reduction* (1992).
2. Henry J Brown and Arthur L. Marriott, *ADR Principles and Practices* (2nd ed.) Sweet and Maxwell, 1999.
3. J. G. Merrills, *International Dispute Settlement*. U.K : Cambridge University Press, 2005(Fifth Edition)

Course Outcome (COs):

- CO1- interpret the arbitration agreements with respect to the intent of the parties, seat of arbitration, applicable law and other relevant clauses.
- CO2- to understand framework of arbitration and different issues of jurisdiction
- CO3- to understand the practical issues in drafting “Arbitration Clause”.

UNIT – I: Introduction to Arbitration

(Lectures 10)

- a. Concept and Essential features
- b. Need of Arbitration in International and Indian Law
- c. Arbitration Law before 1996
- d. Arbitration Law after 1996

UNIT –II: Law of Arbitration in India-I

(Lectures 10)

- a. Arbitration Agreement
- b. Appointment of Arbitrator
- c. Conduct of Arbitration Proceedings
- a. Power of Courts to interfere in Arbitration Proceedings
- d. Place of Arbitration
- e. Law applicable to the Arbitration

UNIT – III: Law of Arbitration in India-II

(Lectures 10)

- a. Interim Measures
- b. Jurisdictional Issues
- c. Arbitral Award
- d. Setting Aside the Arbitral Award
- e. Enforcement of Arbitral Award
- f. Online Dispute Resolution

UNIT – IV: International Dispute Resolution

(Lectures 10)

- a. Foreign Award
- b. New York Convention
- c. Geneva Convention
- d. Enforcement of Foreign Award: Public Order

Text Books:

1. Avtar Singh, Law of Arbitration and Conciliation, Eastern Book Company, 2013(10th Edition)
2. Bansal, A. K. *Law of international commercial arbitration*, Universal, Delhi, (2010)
3. David St. John, Judith Gill, Mathew Gearing, *Russell on Arbitration*, Sweet & Maxwell, 23rd ed. 2013.

References:

1. O. P. Malhotra & Indu Malhotra, *The Law and Practice of Arbitration and Conciliation*, 3rd ed. (2014).
2. Justice P.S. Narayan, *The Arbitration and Conciliation Act*, 4th ed. (2007).
3. Chawla, S.L. *Law Of Arbitration and Conciliation*, Eastern Law House (2004)
4. Markanda P.C., *Law Relating to Arbitration and Conciliation*, Wadhwa Nagpur

Course Outcome (COs):

- CO1- to understand Drafting skills of Mediated Agreements and its enforceability.
- CO2- to study the significance of specialized communication skills, and negotiation techniques which facilitate productive interaction for mediator/conciliator.

UNIT – I: Mediation-I

(Lectures 10)

- a. Mediation: Meaning, Scope and importance of Mediation
- b. Adjudication vs Mediation
- c. Techniques of Mediation
- d. Mediation Ethics and Obligations of Mediation

UNIT – II: Mediation II

(Lectures 10)

- a. Supreme Court's Module on Mediation
- b. Civil and Commercial Mediation
- c. Family Mediation
- d. Victim-offender Mediation

UNIT – III: Conciliation and Negotiation

(Lectures 10)

- a. Conciliation: Nature and Modes of Conciliation
- b. Law Relating to Conciliation
- c. Negotiation: Meaning and Significance
- d. Techniques and approach to Negotiation

UNIT – IV: International Practices

(Lectures 10)

- a. Comparative study of Mediation
- b. Comparative Study of Conciliation
- c. Negotiation for International Relations and Disputes

Text Books:

1. Sriram Panchu, *Mediation Practices & Law*, Lexis Nexis Butterworth, 1st ed. (2011).
2. S. Susheela, *Mediation Readers Handbook*, Asia Law House, 1st ed. (2012).

References:

1. Abraham P. Ordoover and Andrea Doneff, *Alternatives to Litigation : Mediation, Arbitration, and the Art of Dispute Resolution*, Notre Dame: National Institute for Trial Advocacy, 2002
2. *Mediation in India, A Toolkit*, USEFL
3. *The Mediator's Handbook* by Ruth Chariton and Micheline Dewdney .
4. *The Fundamentals of Family Mediation* by John M. Haynes and Stephanie Charlesworth.

Course Outcome (COs):

- CO 1 - The students gain knowledge base of the currently existing main international legal provisions and sources of norms viz., UNCITRAL model law on arbitration regulating international commercial arbitration and have demonstrated the application of the law in the recent and leading Supreme Court decisions.
- CO 2- The students will be familiarised with the concept of arbitral awards and its enforceability.

UNIT-I: Introduction

(Lectures-10)

- a. Concept, Nature and Emergence of International Commercial Arbitration
- b. Dispute Resolution in International Trade
- c. Important terms used in International Commercial Arbitration
- d. International Arbitration Institutions
- e. A comparison between institutional versus ad-hoc rules of arbitration

UNIT-II: Applicability of Laws

(Lectures-10)

- a. Types of laws
- b. applicable in international commercial arbitration
- c. Governing law of arbitration, Law applicable to the substantive and procedural issues
- d. Enforcing the choice of law clause
- e. Party Autonomy: Choice of law (Seat Theory), Choice of national law.
- f. Conflict Rules

UNIT-III: Regulating International Commercial Arbitration

(Lectures-10)

- a. An introduction to UNCITRAL Model law on International Commercial Arbitration
- b. Judicial intervention to Arbitration
- c. Reference to arbitration
- d. Interim Measures
- e. General policy for enforcement, review and refusal of foreign award in India.

UNIT-IV: Recognition or enforcement of foreign arbitral awards

(Lectures-10)

- a. Foreign Award- meaning
- b. The International Conventions for recognition and enforcement of arbitral awards
- c. Reciprocity and Commercial Reservation
- d. Indian law- Scope and Applicability
- e. Recognition and enforcement of annulled awards

Text Books:

1. Jay E. Grenig, International Commercial Arbitration, West Thomson Reuters, 1st ed.(2014).
2. Kroll, Laukas A Mistelis, Viscasilas, V. Rogers, International Arbitration and International Commercial Law, Kluwer International (2011)

References:

1. Ashwinie Kumar Bansal, International Commercial Arbitration - Practice and Procedure (Enforcement of Foreign Awards - Covering more than 75 Countries), Universal Law Publication Co. Pvt. Ltd, 1st ed. (2014).
2. Justice R.S. Bachawat, Anirudh Wadhwa, Anirudh Krishnan, Law of Arbitration and Conciliation with Exhaustive Coverage of International Commercial Arbitration & ADR, Lexis Nexis Butterworth, 5th ed. (2013).

**Subject: Foreign Investment and
International Investment Arbitration**

Paper Code: ADR 132

Course Outcome (COs):

CO 1- to study the significance of Investor-State Dispute Settlement and how qualified arbitrators serves foreign investors.

CO2- to understand the functionality of commercial courts on the subject of international Investment Arbitration.

UNIT-I: Introduction

(Lectures-10)

- a. Overview of issues and trends in foreign investments
- b. Foreign investments in historical context.
- c. Trends in flow of foreign investments.
- d. Foreign investments and development.

UNIT-II: Regulation of Foreign Investment

(Lectures-10)

- a. Historical trends in regulation of foreign investments
- b. Perspectives and emergence of bilateral, regional and multilateral Investments Treaties.
- c. Rights of foreign investors.
- d. Responsibilities of foreign investors' vis-à-vis environment, human rights and other municipal concerns of host states

UNIT III: Remedies for Foreign Investors

(Lectures-10)

- a. Trends and issues in treaty based remedies for foreign investors.
- b. Fork in the road and the umbrella clauses.
- c. Overview of foreign arbitral institutions.
- d. Recognition and enforcement of foreign arbitral awards with specific reference to India.

UNIT-IV: International Centre for Settlement of Investment Disputes (Lectures-10)

- a. Overview of ICSID.
- b. Resolution of Investors State Dispute with specific reference to Washington Convention 1965.
- c. Preliminary issues in respect of jurisdictional proceedings.
- d. Essentials for the jurisdiction of ICSID, patterns of consent and meaning of foreign investment under Article 25 of the ICSID.

Text Books:

1. Campbell Mc Lachlan, Laurence Shore & Matthew Weiniger, *International Investment Arbitration: Substantive Principles*, Oxford University Press, 1st ed, 2008.
2. Todd Weiler, *International Investment Law and Arbitration: Leading Cases from the ICSID, NAFTA, Bilateral Treaties and Customary International Law*, Cameron, 2005.
3. Mohamed A. M. Ismail, Conseil d'État, *International Investment Arbitration: Lessons from Developments in the MENA Region*, Ashgate, 1st ed., 2013

References:

1. *Arbitration under International Investment Agreements: A Guide to the Key Issues* (2010) [INTL K3830 .A75 2010](#).
2. Kroll & Horn, *Arbitrating Foreign Investment Disputes: Procedural and Substantive Legal Aspects*, Kluwer Law, (2004)

Paper – IX

L4 RTDA2 C5

Subject: Practical Training in ADR Skills

Paper Code: ADR 134

Course Outcome (COs):

- CO1- to equip the learner with an understanding of various ADR methods;
- CO-2 to train the learner to choose from these methods, and use them in a manner which creates minimum stress on the parties – in terms of both money and time; and
- CO3- to enable learners to pursue solutions acceptable to both sides in a legal dispute

The objectives of this paper is to develop in the students of LLM ADR practical understandings of the matter which can be preferably resolved through ADR. They will therefore be given actual training in processing cases for resolution using ADR techniques. The main focus will be on resolution of commercial disputes of both national and international dimensions, disputes between citizens and government, matrimonial disputes, arbitration and those concerning civil rights. During the semester at least four cases will have to be processed by the students. The evaluation of course work in this paper shall be exclusively internal by a Board of examiner constituted by the Academic Programme Committee of the University School of Law and Legal Studies.

Subject : Crime and Administration of Criminal Justice in India

Objective: The objective of the present course is to enable and equip the students not only to effectively evaluate the contemporary criminal justice system-their policies and practices but also research and critically analyze the lacunae in criminal justice services.

Course Outcome (COs):

- CO 1- to learn the contemporary debates in criminal law and criminal justice
- CO2 - to acquire in depth knowledge on procedural criminal law in India.
- CO 3- the students will be able to tell the essentials of Criminal justice system know the importance of procedural law and analyze power of courts and their powers

Unit -1- Introduction:(Lectures 10)

- (a) Crime : Concepts, principles-*actusreus*, *mensrea*,strict liability, absolute liability, exclusion of *mensrea* classification , trends and prevention
- (b) Relationship between Crime and society
- (c) Schools of Criminology-Neo classical ,Biological, Sociological, Psychological theories and concepts related to crime and criminals, Contemporary thoughts of criminology.

Unit-II- Criminal Proceedings in India:(Lectures 10)

- (a) **Police Investigation:** FIR, arrest, bail, confessions of the accused and statements of the witnesses, witness protection, search, seizures.
- (b) Prosecutors –role in the criminal proceedings, meaning purpose and need of independent prosecution system.
- (c) Attitude of the law towards the police : police dilemma
- (d) Criminal justice reform- Malimath Committee Recommendations

Unit III- Criminal Judicial System and Social Defence:(Lectures 10)

- (a) Public Interest Litigation
- (b) Bail Justice System
- (c) Prison Justice
- (d) Compensation to victims of crime
- (e) Legal aid and legal services.

UNIT-IV- Human rights under criminal justice system:(Lectures 10)

- (a) Communal and caste violence
- (b) Rule of law and due process of law in criminal jurisprudence
- (c) Punitive and preventive detention –procedure and safeguards
- (d) UDHR, ICCPR, ICESCR –legal significance in Indian context

Text Books:

1. RatanLal Law of Criminal Procedure
2. Sarkar, Law of Evidence

References:

3. Tapas Kumar Banerjee Background to Indian Criminal Law [1990]
4. K N Chandrasekharan Pillai [ed.] R V Kelkar's Outline of Criminal Procedure [2000] Eastern Book House
5. Law of Commission of India, forty-second Report Ch. 3 [197 1
6. Malimath Committee Report 2004
7. Patric Devlin The Criminal Prosecution in England
8. Sanders and Young Criminal Justice [1994]
9. P D Sharam Police and Criminal Justice System in India
10. Agarwal, H.O. Implementation of Human Rights Covenants with Special Reference to India(New Delhi: D.K. Publishers, 1993)
11. Aroras, Nirman, "Custodial torture in Police Stations in India: A Radical Assessment", Journal of Indian Law Institute, vol.41, nos.3, and 4, 1999, pp. 513-29

**LL.M(one year) – Criminal Justice System
Specialization**

First Semester

**LLM
Law and Organized Crime***

**Paper Code: CJS 121
L4 RTDA2 C5**

Objective: The objective is to enable the students understands and appreciate broad classification of organized crime and their respective causes. The students should particularly appreciate the role of judicial Institutions and investigating authorities in this regard for preventing & control strategies.

Course Outcome (COs):

CO1- To enable the students understands and appreciate broad classification of organized crime and their respective causes

CO2- To understand the role of organized crime in the matters of national security and associated legal issues

Unit-I: Introduction to Organized Crime

(Lectures 10)

- a. Definition & scope of organized crime
- b. Types & characteristics of organized crime
- c. Causes of organized crime
- d. Comparison between white-collar crime, corporate crime, and organized crime

Unit-II: Scope of Organized Crime in India

(Lectures 10)

- a. Drug Addiction, trafficking –national & international legal perspective
- b. Illicit trafficking of women & children, prostitution
- c. Economic crime, money laundering, scams, Hawala& Counterfeiting of Currency
- d. Nexus of Organized crime and politics

Unit-III: Legal Analysis, Investigation & Prosecution of Organized Crime (Lectures 10)

- a. Mens rea, modus operandi & criminal conspiracy in organized crime
- b. Role of Police in Investigation of organized crime
- c. Role of Judiciary, Trial and Sentencing in organized crime
- d. Legal issues under Bharatiya Nyaya Sanhita,2023 and Bharatiya Sakshya Adhiniyam,2023.

Unit-IV: Organized Crime, Threat to National Security & Preventive Action (Lectures 10)

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- b. Close linkage between organized crime and terrorism – special reference to Maharashtra

* The revised scheme and syllabus of different programs of USLLS and IP affiliated Law Colleges has been approved by 32nd Board of Studies of USLLS, GGSIPU on 12th June,2024 and Sub-Committee of Academic Council for USLLS,GGSIPU held on 27th July,2024. The revised scheme and syllabus will be applicable for every batch from Academic Session 2024-25.

Control of Organized Crime Act, 1999 & Gujarat Control of Terrorism and Organized Crime Bill 2015

- c. Issues & law related to Internal Security - The National Security Act, 1980.
- d. Armed Forces (Special Powers) Act (AFSPA) 1958

Text Books:

- 1. C.K. Gandhirajan, 2003, Organized Crime, APH Publishing Corporation, TamilNadu.
- 2. Patrick J. Ryan, 1997, Understanding Organized Crime in Global Perspective: A reader, Sage Publications, California.
- 3. Russell, 2012, On Crime, Universal Law Publishing Company, New Delhi
- 4. Jay Albanese, Philip Reich, Transnational Organized Crime- An Overview from Six Continents.

References:

- 1. P M Nair, Combating organized crime, Konark Publishers, New Delhi.
- 2. N. Prabha Unnithan, 2013, Crime and Justice in India, Sage Publications, Colorado State University, Fort Collins
- 3. Pace, Denny F, 1975, Organized Crime: Concept and Control, Prentice Hall Englewood Cliffs.
- 4. P.M Nair & Sankar Sen, 2005, Trafficking in Women and Children in India, Orient Blackswan Publication.
- 5. Frank Madsen, 2008, Transnational Organized Crime, Global Institutions, New Delhi.
- 6. International and Transnational Criminal Law by David Luban, Julie R. O'Sullivan, David P. Stewart
- 7. Transnational Organized Crime: A Commentary on the United Nations Convention and its Protocols (Oxford Commentaries on International Law) Hardcover – May 17, 2007 by David McClean, Oxford University Press (May 17, 2007)
- 8. U Baxi - Dissent, Development and Violence' in R Meagher [ed.] Law and Social Change: Indo American Reflection 92 [1988]
- 9. R Desai Violation of Democratic Rights in India [1986]
- 10. Bharatiya Nyaya Sanhita, 2023
- 11. Bharatiya Sakshya Adhinyam, 2023.

Objective: The objective of this course is to make the students aware about the criminal policies including theories of punishment, approaches to sentencing and the problematic of discretion in the sentencing. It also provides the knowledge about the treatment of the offenders under imprisonment and alternative to imprisonment.

Course Outcome (COs):

- CO1- Student will have any insight of correction facility, its objective, need and importance.
CO2- to impart teaching on punishment, prison administration, police administration, etc. and familiarise the students with the latest developments taking place in this field of knowledge.
CO3- to study the scope of juvenile justice in context of treatment of offenders.

Unit-I Introduction (Lectures 10)

- I. Nature and Scope of Penology.
- II. Historical and contemporary approaches to Penology.
- III. Correctional philosophy of offenders.

Unit-II Approaches to Punishment (Lectures 10)

- I. Theories of Punishment.
 - a) Retribution
 - b) Utilitarian, Prevention, Deterrence
 - c) Reformatory Theory
 - d) Hindu and Islamic Approaches to Punishment

- II. Policy and Practice of Sentencing in India
 - a) Capital Punishment
 - b) Other kinds of Punishment
 - c) Care of Victims.

Unit-III Treatment of Offenders (Lectures 10)

- a) Prison administration and Policy in India.
- b) Treatment of Women Prisoners.
- c) Parole and Probation.
- d) Alternate Sentencing, Open Prison.

Unit-IV Juvenile Justice in India (Lectures 10)

- I. Law on Juvenile Justice.
- II. Reformation of Juvenile Offenders.
- III. Working of Correctional Homes.

Text Books :

1. Ahmad Siddique, revised by S.M.A. Qadri, "*Criminology & Penology*" (6th edition 2009, reprint 2014)
2. Dr. Rajendera Kumar Sharma, "*Criminology and Penology*" (1998)

References:

3. J. C. Chaturvedi, "*Penology And Correctional Administration*" (2006)
4. Girjesh Shukla, "*Criminology- Crime Causation, Sentencing and Rehabilitation of Victims*" (2013)
5. Girish Kathpalia, "*Criminology and Prison Reforms*" (2014)
6. K.S. Chhabbra, "*The Quantum of Punishment in Criminal Law*" (1970)
7. H.L.A. Hart, "*Punishment and Responsibility*" (1968)
8. Alf Ross, On Guilt, "*Responsibility and Punishment*" (1975)
9. *Law Commission of India, Forty-Second Report Ch. 3* (1971)
10. Tapas Kumar Banerjee, "*Background to Indian Criminal Law*" (1990)
11. A. Siddique, "*Criminology*" (1984)
12. U. Baxi, "*Dissent, Development and Violence*" in R. Meagher (ed.) *Law and Social Change : Indo-American Reflection* 92 (1988)
13. Upendra Baxi, "*The Crisis of the Indian Legal System*" (1982)
14. Juvenile Justice (care & Protection of Children) Act, 2000.
15. KAPLAN, Howard B "*Patterns of juvenile delinquency*" (Sage Pub., Beverly Hills, 1984)
16. United Nations Beijing Rules on Treatment of Young Offenders (1985)

L4 RTDA2 C5

Paper-VII

Paper Code: CJS 122 Subject :Privileged Class Deviance

Objective: This course enables the student to appreciate the issues of diversity, including but not limited to the gender, race, ethnic, cultural and class issues, in the administration of criminal justice

Course Outcome (COs):

CO1- to focuses on the Criminality of the “Privileged Classes”. The definition of “Privileged Classes” in a society like India should not pose major problem at all; the expression nearly includes wielders of all forms of state and social power.

CO2- to explore Construction of model for the understanding of reality of middle and upper; middle class deviance criminality in India:

Unit –I – Introduction :

(Lectures 10)

- (a) Meaning of Deviance and deviant behavior and its sociology.
- (b) Privileged class Deviance : Concept and Nature
- (c) Approaches towards socio economic offences
- (d) Understanding privileged class of deviance in context of Indian Development.
- (e) Typical forms –official and professional deviance
- (f) Politics and Crime

Unit –II- Official Deviance and Professional Deviance

(Lectures 10)

- (a) Concept of Official Deviance –Permissible limits of discretionary powers
- (b) The Chambal valley dacoit Vinoba Mission and Jai PrakashNarainMission in 11959 and 1971.
- (c) The Chagla Commission Report on LIC –Mundra Affair
- (d) The Das Commission Report on Pratap Singh Kairon
- (e) The Grover Commission Report on Dev Raj Urs
- (f) The Maruti Commission Report
- (g) The Ibakkar –Natarajan Report Commission Report on Fairfax.

Unit-III- Professional Deviance-

(Lectures 10)

(a) Professional deviance –unethical practices at the Indian Bar, The LentinCommission Report, The Press Council on Unprofessional and unethical Journalism, Medical Malpractice.

(b) Trade Union Deviance

(c) Police Deviance – restraints on the powers of police in Indian legal system, “various forms of custodial violence and its constitutionality, police atrocities, Encounters and plea of superior orders, Rape and related forms of gender based aggression by police and paramilitary forces, police reforms .

(d) Gender based aggression by socially, economically and politically powerful

Unit –IV- Legal and Judicial Response to Privileged Class Deviance (Lectures 10)

(a) Right to information

(b) Prevention of Corruption Act –investigation and trial

(c) Vigilance Commission

(d) Ombudsman , Public Accounts Committee

Text Books:

1. B.B. Pande, "The Nature and Dimensions of Privileged Class Deviance" in The Other Side of Development 136 (1987; K.S. Shukla ed.).
2. UpendraBaxi, The Crisis of the Indian Legal System (1982) VikasPublislnng House, New Delhi.

References:

3. Upendra Baxi (ed.), Law and Poverty: Essays (1988)
4. Upendra Baxi, Liberty and Corruption: The Antulay Case and Beyond (1989)
5. K.S. Shukla, "Sociology of Deviant Behaviour" in 3 ICSSR Survey' of Sociology and Social Anthropology 169-179 (1986)
6. Dwevedi and G S Bhargava Political Corruption in India [1967]
7. A R Desai [ed.] Violation of Democratic Rights in India [1986]
8. A G Noorani Minister's Misconduct [1974]
9. H S Becker Outsiders : The Studies in Sociology of Deviance [1966]
10. P R Rajgopal Violence and Response : A Critique of the Indian Criminal System [1988]

L4 RTDA2 C5

Paper-VIII Paper Code: CJS 124 Subject : Crime and Investigation in ICT Era

Objective: The objective of the paper is to acquaint students with interface of Information Communication Technology (ICT) and the traditional concepts of crime.

Course Outcome (COs):

- CO1- to acquaint students with interface of Information Communication Technology (ICT) and the traditional concepts of crime.
- CO2- to study the analytical national and international response of cyber crime and judicial approach.

Unit I - Nature and Scope of ICT

(Lectures 10)

- i. Introduction to Information Technology
- ii. Nature and functioning of Cyberspace
- iii. Various platforms available in ICT:
 - a. Social media
 - b. Cloud computing
 - c. Internet of things
 - d. Intermediaries
 - e. Virtual games, etc.
- iv. Nature and Extent of misuse of ICT
- v. Stakeholders of Cyber world
- vi. Development of Cyber laws

Unit II- Cyber Crime

(Lectures 10)

- i. Evolution of Cyber crime
- ii. Characterization and Classification of Cyber crimes
 1. Cyber crime against women
 2. Cyber crime against child
 3. Cyber crime against society
 4. Cyber war, Cyber Terrorism
 5. Cyber fraud
- iii. The Challenges of Cyber Crime
- iv. Legislative and judicial response to Cyber Crime

Unit III - Criminal Justice System and Cyber Crime

(Lectures 10)

- i. Applicability of Criminal Procedure Code
- ii. Challenges in investigation of Cyber Crime
- iii. Evidentiary regime and the internet
- iv. Admissibility, Burden of proof and Authenticity
- v. Forensic computing

Unit IV - International Response to Cybercrime

(Lectures 10)

- i. International Cyber crimes
- ii. Global Problems relating to Cybercrime
- iii. International law and Cyber Crime
- iv. Regional Cooperation relating to Cyber Crime

Text Books

1. M. Dasgupta, PranayChaturvedi, AnkurDalal, *Cyber Crime in India: A Comparative study*, Eastern Law House, 2009.
2. Robert Moore, *Cyber crime: Investigating High Technology Computer Crime*, RoutledgeTylor&Fornis Group, 2011
3. Jody R. Westby, *International Guide to Combating cyber Crime*, American Bar association, 2003

References

1. NandanKamath, *Law Relating to Computers Internet & E-Commerce*, Universal law Publishing Co. Ltd (Latest edition).
2. Justice Yatindra Singh, *Cyber Laws* Universal Law Publishing Co. Ltd .
3. Jonathan Rosenoer, *Cyber Law: The Law of Internet*
5. Vakul Sharma, *Information Technology – Law & Practice*
6. David S. Wall, *The Transformation of Crime in the information Age*, Polity Press, 2007
7. Susan W. Brenner, *Cybercrime and the Law: Challenge, Issues and outcomes*, North-Eastern University Press.
8. Danielle Keats Citron, *Hate Crimes in Cyberspace*, Harvard University Press, 2014
9. R. K. Dubey, *An Introduction to Cyber crime and Cyber law*, Kamal Law House, 2009
10. K. Jaishankar, *Cyber Criminology; Exploring Internet Crimes and Criminal Behavior*, CRC Press, 2011
11. Jonathan Clough, *Principles of Cyber crime*, Cambridge Press Univesrity, 2010
12. Dr. AmitVerma, *Cyber crime and Law*, Central Law Publications
13. Douglas Thomas & Brian D. Loader, *Cyber Crime: Law Enforcement, Security And Surveillance in The Information Age*, Routledge, 2003

L4 RTDA2 C5
Paper- IX Paper Code: CJS 126 Subject :International Criminal Justice System

Objective: The subject focuses on the institutional developments in international criminal law as well as the definition and application of the crimes of genocide, crimes against humanity, war crimes. The objective is to develop students' analytical skills in relation of the function, scope and operation of the international criminal justice system and its likely future development, as well as to enable students to apply the law to the various situations.

Course Outcome (COs):

- CO1-** The aim of this course is to analyze the differences in the jurisdiction of the International Criminal Court and the jurisdictions of the International Criminal Tribunal for former Yugoslavia and the International Criminal Tribunal for Rwanda.
- CO2-** A comprehensive analysis of all provisions and jurisprudence developed by the various tribunals will be discussed. Importance will be placed on the nature of the differing relations that exist between the ICC, ICTY and ICTR with national criminal courts.

Unit-I: Development of International criminal law(Lectures 10)

- a. The concept and sources of International Criminal Law
- b. Evolution of the Concept of Individual Criminal Responsibility
- c. The objectives and policies of International Criminal Law; including issues of amnesty, truth and justice
- d. Principle of Liability and Participation in International Criminal Law
- e. International Military Tribunals (Nuremberg and Tokyo Tribunals).

Unit-II: Nature and forms of International Crimes (Lectures 10)

- a. The crime of aggression, Genocide, War crimes, Terrorism as International crime
- b. Mechanism in dealing cases related to International Crime
- c. Rights of Accused and Protection of Victims and Witnesses
- d. Obligation of State Parties and Non Party States to International Criminal Court
- e. Emerging issues under International Criminal Jurisprudence.

Unit-III: Strategies for Prevention, Control and Correctional Actions(Lectures 10)

- a. Extradition Act 1962 (Relevant Provisions) and Extradition Treaty
- b. International investigative agencies (Interpol etc), Adjudication authorities (including ad hoc and permanent criminal tribunals),
- c. Conflicting issues between International humanitarian law and International Crimes (Case Study).
- d. Sentencing policy, prosecution in International crime

Unit-IV: Organized Crime in Transnational Jurisdiction(Lectures 10)

- a. Features of transnational organized crime
- b. Indian's perspective on transnational organized crime
- c. Naples Declaration and Global Action Plan 24 Dec. 1994
- d. Role of United Nations in preventing International crime

Text Books:-

1. Robert Cryer, Hakan Friman, Darryl Robinson, An Introduction to International Criminal Law and Procedure Paperback – June 28, 2010, Cambridge University Press, 2003.
2. Philippe Sands, From Nuremberg to the Hague: The Future of International Criminal Justice, Cambridge University Press, 2003

References:

1. The International Criminal Court: Challenges to Achieving Justice and Accountability in the 21st Century by Mark S. Ellis; Richard J. Goldstone. International Debate Education Association, 2008
2. International Criminal Law: Cases and Commentary (Paperback) By (author) Antonio Cassese, By (author) Guido Acquaviva, By Mary De Ming Fan, Alex Whiting
4. An Introduction to Transnational Criminal Law (Paperback) by Neil Boister
5. The International Criminal Court: A Commentary on the Rome Statute (Oxford Commentaries on International Law) By William A. Schabas
6. An Introduction to the International Criminal Court By William A. Schabas
7. International and Transnational Criminal Law by David Luban, Julie R. O'Sullivan, David P. Stewart
8. Transnational Organized Crime- An Overview from Six Continents by Jay Albanese, Philip Reichel
10. Transnational Organized Crime: A Commentary on the United Nations Convention and its Protocols (Oxford Commentaries on International Law) Hardcover – May 17, 2007 by David McClean, Oxford University Press (May 17, 2007)
11. Handbook of Transnational Crime and Justice by Jay Albanese, Philip Reichel, Sage Publication.

GENDER JUSTICE: BASIC CONCEPTS

Paper – IV

L4 RTDA2 C5

Subject: Gender Justice : Basic Concepts Paper Code:

GJWE 111

Objective : *The aim of the paper is to familiarize and make known to the students with the basic concepts of gender justice, manifestation and depiction of gender inequality in the society, prevailing socialization process, understanding masculinity and femininity and the evolution of gender justice in the society*

Course Outcome (COs):

CO1: is to enable the students understand and appreciate various forms and history of gender justice.

CO2: to orient students with the role of judicial institution in promotion of gender justice, its limitations and challenges.

Unit I

Gender Justice:

Meaning, Types of genders

(Lectures-10)

Sex and Gender,

Gender Injustice, Reasons associated,

Gender Identity, Gender stereotype, Gender roles

Unit II

Gender Inequality and Gender Stratification

(Lectures 10)

Gender and Socialization

Sociological Perspectives on Gender Stratification

Gender Stratification in home, education, workplace, politics, healthcare etc

Unit III

Femininity and Masculinity

(Lectures 10)

Meaning, Concept, nature

Ancestry and origin of Femininity/Masculinity Development and

Expansion of Femininity and Masculinity

Measuring Masculinity and Femininity: A Sociological and A Psychological view

Unit IV

Evolving Concept of Gender Justice

(Lectures 10)

Evolving Concept of Gender Justice in West

Evolving Concept of Gender Justice in Asia

Text Books

1. Khanna, Girija & Verghese, Mariamma, A., *Indian Women Today*, Vikas Publishing House Pvt. Ltd., New Delhi, 1978.
2. Bem Sandra L, "*The Lenses of Gender Transforming the Debate on Sexual Inequality*. New Haven: Yale University Press, 1993
3. De Souza, Alfred (ed.) , *Women in Contemporary India : Traditional Images and Changing Roles*, Manohar Book Service , New Delhi, 1975.
4. Desai, N. & Krishnaraj, M., *Women and Society in India*, Ajanta publications, Delhi, 1987

Recommended Readings

1. Rege, Sharmila (ed), *Sociology of Gender: The Challenge of Feminist Sociological Knowledge*, Sage, New Delhi, 2003.
2. Chatterjee, B.A Century of Social Reform for Women"s Status, *IJSW*, Vol. XI, No,3, October 1980
3. Biernat Monica,"Gender Stereotypes and the Relationship between Masculinity and Femininity: A Developmental Analysis." *Journal of Personality and Social Psychology*, 1991
4. Mohanty, Manoranjan, (eds), *Class, Caste, Gender*, Sage, New Delhi, 2004
5. Bhatt, D.K., Human Rights and Gender Issues, *Indian Socio-Legal Journal*, Vol. XXVI, 2000
6. Faulkner,W. Doing Gender in Engineering Workplace Cultures: Part II- Gender in Authenticity and in/Visibility Paradox. *Engineering Studies*, 2009
7. Kaila H.L, *Women, Work and the Family*, Rawat Publications, Jaipur, 2005.
8. Encyclopedia of Social Sciences, Vol. XV, ed, By Edwin, R.A., Seligman, 1935
9. Misra, Preeti, *Gender Justice: A Dream To Be Fulfilled*, Law Review, Vol.20, 198-99,JNPG College, Lucknow
10. Maithreyi Krishna Raj: *Women's Studies in India – Some Perspectives* Bombay,
11. Popular Prakasam, 1986
12. Moyer, K.E., *The Psychology of Aggression*, Harper& Row, New York, 1976
13. Agnes, Flavia *Law and Gender Inequality: The Politics of Women's Rights in India*, OUP, New Delhi, 1999
14. Kanhere ,Usha S, *Women and Socialization A Study of Their Status & Role IN Lower Castes of Ahmedabad*, New Delhi, Mittal Publication, 1987.

GENDER JUSTICE: A HISTORICAL PERSPECTIVE

Paper – V
Subject: Gender Justice: A Historical Perspective

L4 RTDA2 C5
Paper Code: GJWE 113

Objective: *The paper aims to comprehend students about the status of women and third genders in different ages in India. It focuses on the evolution and development of feminism in India and Abroad, various theories presented by feminist and diverse and sundry feminist movements from grass root level to worldwide level. The paper will also disseminate students with the various international conferences that have been held for progression of women*

Course Outcome (COs):

CO1: is to enable the students understand and appreciate various forms and history of gender justice.

CO2: to orient students with the role of judicial institution in promotion of gender justice, its limitations and challenges.

Unit I

Women and Third Gender through Different Periods (Lectures 10)

Women in Ancient period
Women in Medieval Period
Women in Modern Period
Evolution of Third Gender
Rights of Women and Third Gender through different periods

Unit II

Development of Feminism in India and Abroad (Lectures 10)

Evolution, Meaning, Forms
Various Theories of Feminism
Feminism in India
Feminist Thinkers and Activists in Contemporary India

Unit III

Women Movements in India and World (Lectures 10)

Social Reform Movement in Colonial India, National Movement,
Women Movement in Post Independent India, Religious Movements, Peasant Movements, Tribal
Movements, Dalit Movements and Chipko Movement
The Three Waves of International Women's Movement

Unit IV

Global Conferences for the Progression of women (Lectures 10)

World Conference on Women, Mexico (1975) World
Conference on Women, Copenhagen (1980) World
Conference on Women, Nairobi (1985) World
Conference on Women, Beijing (1995).

Text Books

1. Kaur Inderjeet, *Status of Hindu Women in India*, Chugh Publication, 1983.
2. Kaushal, Rachana, *Women and Human Rights in India*, Kaveri Books, New Delhi, 2000.
3. Desai, Neera, *Woman in Modern India*, Vora, 1977
4. Desai, Neera (ED): *A Decade of Women's Movement in India*, Bombay: Himalaya Publishing House, 1988.

Recommended Readings

1. Maithreyi Krishna Raj: *Women's Studies in India – Some Perspectives* Bombay, Popular Prakasam, 1986
2. Das, Purdah, *The Status of Indian Women*, Vanguard Press, New York, 1932.
3. Shastri, Madhu, *Status of Hindu Women*, Jaipur; RBSA, 1990..
5. Barbare Sinclair Deckard: *The Women's Movement*, New York: Harper & Row, 19
6. Tewari, Om Prakash, *Women's Rights in India*, (Faridabad; Sri Sai Publications, 2002).
7. Ghadially, R., *Women in Indian Society*, Sage Publications, New Delhi, 1988
8. .Kamal K. Misra, Janet Huber Lowry, (Ed)., *Recent Studies on Indian Women*, Rawat Pub. Jaipur, 2007
9. Misra, Rekha, *Women in Mughal India*, Munshiram Manoharlal, Oriental Publishers, Delhi, 1967.
10. Verma and Verma, *Indian Women through the Ages*, Great India Publishers, New Delhi, 1976.
11. Kumari Jayawardane: *Feminism and Nationalism in the Third World* New Delhi: Kali for Women, 1986
12. Bader, Clarisse, *Women In Ancient India*, The Chowkhamba Sanskrit Series Office, Varanasi, 1964

GENDER JUSTICE: ISSUES AND PROBLEMS

Paper – VI

Subject: Gender Justice : Issues and Problems

L4 RTDA2 C5

Paper Code: GJWE 112

Objective: *The aim of the paper is to illuminate students with the various issues and problems which the women are presently coming across in their daily lives. It talks about the atrocities and brutalities that she faces in and outside her home; various health related issues and issues related to the girl child, marginalized and deprived women. The paper also enlightens the deplorable and appalling conditions of women in mass media*

Course Outcome (COs):

CO1: to understand the function of gender justice and identify the issues and problems connected in the present world.

CO2: to understand the meaning of gender justice in the context of law and justice and the *vice versa* i.e. the law and justice in the context of gender notion

Unit I

Issues Relating to Women In and Outside Home

(Lectures 10)

Domestic Violence
Marital Rape
Wife Battering
Bride Burning
Dowry Deaths
Problems of Elderly Women and Single Women
Acid Attacks, Witch hunting, Sexual Harassment

Unit II

Women and Health Issues

(Lectures 10)

Health – Meaning and Concept, Communicable diseases and its impact, combating and preventive measures.
Nutrition-Meaning and Concept, Nutritional Disorders and its Impact, Remedies
Reproductive Health and Reproductive Rights.

Unit III

Issues Relating to Girl child, Marginalized and Deprived Women (Lectures 10)

Female Foeticide, female Infanticide,
Child marriage, Juvenile Girls
Dalit and Tribal Women, Devadasis, SC/ST, Women Prisoners, Prostitution
Women in Communal Riots

Unit IV

Women and Mass Media

(Lectures 10)

Women in mass media
Types of mass media-Newspapers, magazines, television, radio, cinema, social media
Depiction of women and unfair treatment & oppression in mass media

Text Books

1. M. Afzal Wani., *Social Dynamics & Legal Control of Child Marriage In India*, Fehmi Computers, 2014
2. D'Cruz, P.. *Family care in HIV/AIDs: exploring lived experience*. Sage Publications India Pvt Ltd, New Delhi. 2004
3. Creedon, P.J., (ed) *Women in Mass Communication*, Sage, Newbury Park, CA, 1993
4. Bathla, Sonia, *Women, Democracy and the Media: Cultural and Political Representations in the Indian Press*, Sage, New Delhi, 1998.

Recommended Readings

1. Sharma,Usha *Women Education in modern India*, Commonwealth Publisher
2. Premilla D'Cruz *In Sickness and in Health: The Family Experience of HIV/AIDS in India*, Street, Kolkata 2003
3. Agnes, F., *Violence in the Family: Wife Beating*, Women's Centre, Bombay, 1980.
4. Diwan, Paras, *Law Relating to Dowry, Dowry Deaths, Bride Burning, Rape and Related Offences*, II ed., Universal Law Publishing Pvt. Ltd., Delhi, 2002.
5. Goswami Sambodh. *Female Infanticide and Child Marriage*. Jaipur: Rawat, 2007..
6. Gangrade, K.D, *Evils of Dowry*, *Social Change*, 9(3), 1979.
7. S.C. Gulati, Rama Patnaik (1996) *Women's Status and Reproductive Health Rights*, Har-Anand Publications, New Delhi
8. Gondolf, EW and Fisher, E.R., *Battered Women as Survivors*, Lexington Books, Canada, 1998
9. Namita Sharma, *HIV-AIDS in Women and Children*, Pearl Books, New Delhi, 2007.
10. Atkins, L and Griffin, G., *Gender issues in Elder Abuse*, Sage publications, Thousand Oaks, 1997
11. Bhandare, N, *Dowry Legislation: Double-Edged Sword*, India Today, May 19,1998
12. Laura, Mulvey. "Visual Pleasure and Narrative Cinema". *Screen* 16.3 Autumn 1975
13. Dandekar, K., *The Elderly in India*, Sage Publications, New Delhi, 1996
14. Eastman, M., *Old Age Abuse*, Age Concern, London, 1984
15. Kaur, Amarjit, *Socio-Cultural Norms about Girl Child must Change*, Kurukshetra, XXXVII, September, 1990
16. Swapna Mukhopadhyay (1998) *Women's Health Public Policy and Community Action*, Manohar Publishers & Distributors, New Delhi

GENDER JUSTICE: EMERGING TRENDS

Paper – VI

Subject: Gender Justice : Emerging Trends

L4 RTDA2 C5

Paper Code: GJWE 114

Objectives: *The aim of the paper is to elucidate students with the emerging trends on the Gender Issues. It talks about all the contemporary issues which Indian society is presently facing. Issues relating to surrogacy, live in relationship, homosexuality are part of this paper. The paper also talks about various women comrade laws that the women have started misusing and mistreating against men. The paper also deals with impact of technology on the lives of women, the pivotal and fundamental role it plays*

Course Outcome (COs):

CO1: to equip students with an understanding the principles of gender justice, together with the ability to subject it to critical, legal and social analysis.

CO2: to provide the latest understanding of gender justice and to study the factors which are mainly functional in its emergence.

Unit I

Surrogacy and Live in relationships

(Lectures 10)

Surrogacy

Introduction, Meaning, Types, Concept
Impact on Surrogates
Arguments for and Against Surrogacy
Indian Stance on Surrogacy
ICMR Guidelines on Surrogacy

Live in relationship

Meaning, Concept, Rights of parties in live in relationship
Laws relating to live in relationship in India

Unit II

Misuse of Women Comrade Laws and Need for Protection

(Lectures 10)

Misuse by Women of Section 498-A IPC
Misuse by Women of Dowry Prohibition Act

Misuse by Women of Protection of Women from Domestic Violence Act, 2005
Role of Judiciary and NGOs, Need for Protection

Unit III

Homosexuality and Third Gender issues

(Lectures 10)

Homosexuality

Introduction, Meaning, Concept
Advocacy in Favour and Against Homosexuality
Homosexuality in India, Important Judgments

Third Gender

Introduction, Meaning and Concept
Problems Faced-Societal, Family, Education, Workplace, Discrimination by State
Demand for Legal Recognition

Unit IV

Women and Technology

(Lectures 10)

Technology: Definition and Scope – Gender and Technology – Women and Technology - Historical Perspective.

Technology and Women- Impact on Women's Employment
Women and Entrepreneurship

Text Books

1. Jain S.C., *Women and Technology*, Rawat Publication, Jaipur Begh, 1985.
2. Scott Rae , *The Ethics of Commercial Surrogate Motherhood: Brave New Families?* Praeger; First Edition (1993)
3. Gaur Sanjay , *Live-in-Relationship*, Yking Books (2011)
4. Paul Johnson and Vanderbeck Robert , *Law, Religion and Homosexuality*, Routledge [2014]

Recommended Readings

1. Juneja, R., *Women Should Also Be punished For Foeticide*, Pioneer, August 11,1993
2. Kumar, Anil, *Women Entrepreneurship in India*, Regal Publications, New Delhi., 2007
3. Walolar, Deepak.M, *Women Entrepreneurs*, Himalaya publishing House, New Delhi.
4. Morse Eric A., Mitchell Ronald K, *Cases in Entrepreneurship: The Venture Creation Process*, Sage Publications, New Delhi.2007
5. Sami Uddin. *Entrepreneurship Development in India*, Mittal publications, New Delhi
6. Tewari O.P., “*Cruelty Against Husbands by Wives & its Remedies*”, Allahabad Law Agency, 2004
7. Ramesh, Randeep , “India’s Literary Elite Call for Anti-Gay Law to be Scrapped, The Guardian (London), 2006
8. Regina papa, *Women, Entrepreneurships and Technology*.
9. Sinha Kounteya, *Legalize Homosexuality: Ramadoss*”. The Times of India, 2008
10. Agarwal, “*Gendered Bodies: The Case of the ‘Third Gender’ in India*”. Contributions to Indian Sociology 31(2):273-297.1997
11. Indian Transgender posted in <http://www.pmsrsg.com/2010/06/indian-transgenders.html>
12. Richi Verma: *Mehrauli graves remind Hijras of past glory*, Apr 17, 2014, 06.19AM IST, Times of India. Available at <http://timesofindia.indiatimes.com/city/delhi/Mehrauli-graves-remind-hijras-of-past-glory/articleshow/33841084.cms>
13. <http://www.dailymail.co.uk/indiahome/indianews/article-2605409/Supreme-Court-recognises-transgender-people-gender-calls-end-discrimination.html#ixzz3Trf2k8U5>
14. Homosexuality and the Indian”. Available at <http://www.littleindia.com/news/145/ARTICLE/1835/2007-08-17>.

GENDER JUSTICE AND LAW

Paper – VII
Subject: Gender Justice and Law

L4 RTDA2 C5
Paper Code: GJWE 116

Objective: The purpose of the paper is to comprehend students about various laws available to women for protecting the rights given to her. It talks about the international conventions for protection of women's rights, provisions relating to women under Constitution of India, Family Law, Indian Penal Code, 1860. The paper also focuses on Special Enactments on Women that have been passed to perk up and ameliorate her position in the society.

Course Outcome (COs):

CO1: learn about new and emerging areas in gender justice and law and understand various aspects of their connection between them.

CO2: to develop the conceptual understanding of basic principles of gender justice and law and to apply these principles in real life.

Unit I

Gender Justice: International Conventions and Constitutional Provisions (Lectures 10)

International Documents for Protection of Rights of Women under Human Rights

Rights of Women, Human Rights of Women in Indian Context

UN Conventions

Issues Relating to Women in Constitution of India, Fundamental Rights, Directive Principles,

Fundamental duties relating to provisions of Women

Unit II

Gender Justice and Family Law (Lectures 10)

Rights of Married Women with Respect to their Religion (Hindus, Muslims, Christians and Parsis)
Divorce, Adoption, Maintenance, Guardianship, Inheritance and Succession
Debate on Uniform Civil Code

Unit III

Gender Justice and Criminal Law (Lectures 10)

Issues Relating to Women in Indian Penal Code, 1860

Dowry Deaths, Causing miscarriage, Kidnapping, Abduction, Inducing Women to Compel her Marriage, Procurement of Minor Girl, Sexual Offences, Unnatural Offences, Offences Relating to Marriage, Cruelty etc.

Unit IV

Gender Justice and Special Enactments (Lectures 10)

- a. Pre-Conception and Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994
- b. Indecent Representation of Women (Prohibition) Act, 1986
- c. Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal Act, 2013.
- d. Domestic Workers Welfare and Social Security Act, 2010
- e. Immoral Traffic (Prevention) Act, 1987
- f. Protection of Women from Domestic Violence Act, 2005

Text Books

1. Diwan, Paras, *Modern Hindu Law*, Allahabad Law Agency, 1993
2. Mulla, *Principles of Hindu Law*, Lexis Nexis, 2007
3. Shukla V.N, *Constitution of India*, Eastern Book Agency, 2014
4. Jain M.P., *Indian Constitutional Law*, Lexis Nexis, 2013
5. Fyzee, A.A.A., *Outlines of Mohammadan Law*, Oxford University Press, 1974
6. Ratanlal and Dhirajlal Justice K.T.Thomas M S Rasid, *Indian Penal Code*, 33rd edition, 2016

Recommended Readings

1. Butalia U & Sarkar (ed). *Women and the Hindu Rights*. New Delhi :Kali for Women – 1996
2. Ashraf, Nehal, *Crime against Women*, Commonwealth Publisher, New Delhi, (1997).
3. Gelles, R.J. and Loseke, D.R. (eds.), *Current Controversies on Family Violence*, Sage Publications, California, 1993.
4. Saxena, Shobha. *Crime against Women and Protective Laws*. New Delhi: Deep and Deep, 1999.
5. Agnes, F., *Protecting Women against Violence*, Review of a Decade of legislation, 1980-89, EPW 27 (17), 1992.
6. Dewan, V.K., *Law Relating to Offences against Women*, Orient Law House, New Delhi, 1996.
7. Agnes, F., *Violence against Women*, The Lawyers, 1987
8. Biswal Tapan (2006) *Human Rights Gender and Environment*, New Delhi, Viva Books Private Limited.
9. Afzal Qutub, *A Treatise on Faith Oriented Family Norms*, 1990.
10. Kusum, *Marriage and Divorce Law Manual*, Universal Law Publishing Co. Pvt. Ltd., 2000
11. Ahuja, Ram, *Crime against Women*, Jeypore: Rawat Publications.
12. Quoroshe, M. A., *Muslim Law of Marriage: Divorce of Maintenance*.
13. Parasher, *Women of Family Law Reform in India*.
14. Devgan Aadesh. *Crime Against Women and Children: An Emerging Social Problem*., New Delhi: Cyber Tech, 2008.
15. Chawla, Monica. *Gender Justice Women and Law in India*. New Delhi : Deep & Deep Publications Pvt. Ltd., 2006.

EMPOWERMENT OF WOMEN

Paper – VIII

Subject: Empowerment of women

L4 RTDA2 C5

Paper Code: GJWE 118

Objective: *The object of the paper is to enlighten and make clear students on the ways through which women can be empowered. It talks about the concept of empowerment, how education plays an imperative role in women's empowerment. The paper also deals with socio-cultural, political and economic empowerment of women*

Course Outcome (COs):

CO1: to define, explain, analyze the basic concepts of empowerment of women and importance of it in this world.

CO2: to comprehend the practical aspects of the constitution, power and function of empowerment of women and also analyze the legal and regulatory bodies regarding this.

Unit-I

Meaning of Empowerment:

(Lectures 10)

Meaning, Nature and Significance of Women Empowerment
Women's Empowerment and its Historical and Social Perspectives
Various Empowerment Approaches, Women Empowerment Indicators
National Policy and Trends in Women Empowerment
Hurdles and Obstacles in Empowerment of Women

Unit-II

Education as a Device for Women Empowerment:

(Lect

ures 10) Hurdles and Obstacles to Women Education – Social, Economic,

Cultural etc Constraints in Formal System of Education

Need for Education to Empower Women:

Limitations of Women in Higher Education, Professional Education etc

Measures to be adopted for Growth of Women in Higher and Professional Institutions

Unit III

Socio Cultural and Political Empowerment of Women

(Lectures 10)

Women's Empowerment in Socio Cultural and Religious affairs

Empowerment of Women in Political Sphere -Local, State and National

Level International Trends

Trends, Patterns and Obstacles to Women Empowerment

Unit IV

Economic Empowerment of Women

(Lectures 10)

Empowerment of Women in Organised and Unorganised Sectors and

Labour Laws Liberalization, Globalization and Privatization and Its

Impacts

Emerging Trends on Women Economic Empowerment Gender Budget – Role of NGO's for Women's Development,

Concept of Gender Sensitive Economic Development

Text Books

1. Phadmis, Urmila and Malani, Indira, *Women of the World, Illusion and Reality*, Vikas Publishing House, Delhi, 1978.
2. Mandal Jyotirmay *Women and Reservation in India*, Kalpaz Publications, 2003
3. Narayan, Deepa. *Employment and Poverty Reduction: A Source Book*. World Bank Publications, 2002

Recommended Readings:

1. Acharya, Meena & Ghimmire Pushapa. *Gender Indicators of Equality, Inclusion and Poverty Reduction – Measuring Programme/Project Effectiveness, Economic and Political Weekly*. Volume XL, P 4719-4728.
2. Arunachalam, Jaya. *Women's Equality : A Struggle for Survival*. New Delhi : Gyan Books Publishing House Private Limited, 2000.
3. Griscom, J.L *Women and Power, Definition, Dualism and Difference, Psychology of Women Quarterly* (16) 1992.,
4. *Gender Equality and Poverty Reduction, Economic & Political Weekly*, Oct. 29, 2005, Volume XL, No. 44-45 (News Letter).
5. Maitreyi, Krishna Raj. *Women and Development, The Indian experience. SNTD Women's University & Monograph & Sociology*. Pune Shubhada Saraswat Prakashan, 1988.
6. Narayan, Deepa. *Employment and Poverty Reduction: A Source Book*. World Bank Publications, 2002
7. Sangari, K. *Politics of Possible*. New Delhi : Tulika, 1999.