

REGULATIONS AND SYLLABUS RELATING TO M.B.L. (Master of Business Law) DEGREE COURSE (TWO YEAR) SEMESTER PATTERN:

1. Scope

The regulations framed herein shall apply to the M.B.L. (Master of Business Law) programme under the Faculty of Law to the University of Kerala.

2. Eligibility for admission

- (a) The minimum qualification to get admission to the programme is Graduate degree (in law or other fields) recognised by University of Kerala (Minimum aggregate 50%). No age limit. Students are offered admission to the M.B.L. Course strictly based on merit acquired in the qualifying exam.
- (b) Reservation of seats shall be according to the rules framed in this regard by the University from time to time.

3. Nature and Duration of the Course

- (a) The normal duration of the M.B.L. (Master of Business Law) programme shall be four semesters (2 years) which will be conducted as an evening course. The duration of each semester shall be 20 weeks inclusive of examinations. There shall be at least 100 instructional days and 300 hours of instruction in a semester (3 hours/day)
- (b) No student shall be permitted to complete and pass the programme by attending more than 8 continuous semesters.

4. Scheme of Examination and Syllabus

- (a) The aggregate marks shall be 1800 distributed as follows:

There shall be four written papers each carrying a maximum of 100 marks in the first semester, four written papers each carrying a maximum of 100 marks in the second semester and also in the third semester consisting of four written papers each carrying a maximum of 100 marks.

- (b) In the fourth semester along with three written papers each carrying a maximum of 100 marks, each candidate shall submit a Dissertation which shall carry a maximum of 200 marks.
- (c) There shall be a viva-voce examination carrying 100 marks at the end of the fourth semester.

➤ The course break up for each semester shall be as follows:-

I. FIRST SEMESTER

PAPER I-LEGAL REGULATION OF ECONOMIC SECTORS -100 Marks.

PAPER II- GENERAL PRINCIPLES OF CONTRACT -100 Marks

PAPER III- PUBLIC UTILITIES LAW -100 Marks

PAPER IV- LABOUR, CAPITAL AND LAW -100 Marks

II. SECOND SEMESTER

PAPER I-BANKING LAWS -100 Marks

PAPER II-LAW OF EXPORT IMPORT REGULATION -100 Marks

PAPER III-SALE OF GOODS , LAW OF INSURANCE -100 Marks

AND CARRIAGE OF GOODS

PAPER IV-INTERNATIONAL TRADE AND ECONOMIC -100 Marks

ORGANISATIONS AND INTERNATIONAL

ECONOMIC LAW

III. THIRD SEMESTER

PAPER I- LAW OF INTELLECTUAL PROPERTY -100 Marks

AND INFORMATION TECHNOLOGY LAW

PAPER II-CORPORATE AND COMMERCIAL LAW -100 Marks

PAPER III –INDUSTRIAL AND BUSINESS - 100 Marks

MANAGEMENT LAWS

PAPER IV- COMPETITION LAW -100 Marks

IV. FOURTH SEMESTER

PAPER I-INVESTMENT LAWS -100 Marks

PAPER II-INDUSTRIAL ADJUDICATION	-100 Marks
PAPER III- COMMERCIAL ARBITRATION	-100 Marks
DISSERTATION	-200 Marks
VIVA-VOCE	- 100 Marks
TOTAL	-1800 Marks

5. Evaluation

(1)Evaluation of each paper shall be done in two parts viz., 1. Continuous Assessment (CA), 2. End Semester Assessment (ESA).

(2)The distribution of marks shall be 20% for CA and 80% for ESA.

6. Continuous Assessment

(1)The allocation of marks for each component under continuous assessment shall be as follows:

- a. Attendance -5
- b. Assignment-5
- c. Tests-5
- d. Seminar-5

(2) Attendance :

The minimum attendance required for each subject shall be 75% of the total number of classes conducted for that semester. Those who secure the minimum attendance in a semester alone will be allowed to register for the End Semester Assessment for the semester. The allotment of marks for attendance shall be as follows :

Attendance less than 75% - 0 mark

75% - 2.5 Marks

Above 75% - 0.5 marks for every 5% attendance

(3) Assignments :

Each student shall be required to do at least one assignment for each paper. Valued assignments must be returned to the student.

(4) Tests:

For each paper there shall be an internal mid-semester examination in a semester. The probable date of test shall be announced at the beginning of each semester. Marks for the component shall be awarded on the basis of the marks secured for the examination. Valued answer scripts must be made available to the students for perusal.

(5) Seminar

Students shall be required to present a seminar on a selected topic in each paper. A maximum of 5 marks shall be awarded for the seminar. The evaluation of the seminar will be done by the teachers concerned based on the presentation, seminar paper and participation in discussion.

NOTE: All the records of the continuous assessment must be kept in the college and must be made available for verification by the University if necessary.

7.Dissertation and Viva-Voce

Each candidate shall select a topic for dissertation at the beginning of the fourth semester. The topic shall be of importance in one of the areas of study and shall be of sufficient scope for research leading to achievement of knowledge in the area of study. The topic so selected shall be subject to the approval of the college or Centre conducting the course.

The dissertation shall be prepared under the guidance of a person having LL.M./M.B.L Degree who has been approved as a supervising teacher for this purpose by the College/Department/Centre. The dissertation shall be submitted within 15 days from the last date of final year examination of the course.

Every student shall submit dissertation within 15 days from the last date of the Final Semester examination. The dissertation will be valued by a Board of 2 examiners appointed by the University. The maximum marks shall be 200

There shall be a comprehensive viva-voce at the end of the fourth semester carrying 100 marks.

- Guidelines for preparation of MBL Dissertation

Sequence of Pages

Cover Page, Certificate by Guide, Declaration by Student, Acknowledgment, Preface, Abbreviations, Table of cases, Table of figures if any, Contents, Main Text, Bibliography, Appendixes

General Instructions

Paper size --A4 . Margins Top 4 cm, Bottom 2 cm, Left 2.5 cm Right 2 cm. Line spacing 1.5 Lines. Font --Times New Roman.Font size-- 12 for main text; 10 for Foot notes.

Foot Notes

Font same as the main text. Font size 10 points. Line spacing Single. Citation shall be uniform throughout the work. Numbering should be in continuation from first chapter to the last.

Text

The Text shall be divided into chapters. The Introduction chapter should contain Scope of the study, Research Objectives, Research Methodology, Hypothesis, Literature Review and a brief overview of all chapters. The dissertation should include the Results/Findings, Conclusion and Suggestions.

Page numbers prior to Chapter 1 should be in lower case Roman numerals (i, ii, iii, ...). Page numbers should be placed at the bottom of each page. Total Number of Pages Shall Be Generally Between 150 To 200.

Binding

The dissertation should be submitted in fully bound form in hard cover.

8. End semester Assessment

End Semester Assessment of all the semesters shall be conducted by the University. There shall be double valuation system of answer books. The average of 2 valuations shall be taken into account. If there is a variation of more than 10%, the answer books shall be valued by a third examiner. Average of the 3rd valuation and best of the first two valuations shall be the mark to be awarded in such cases.

9. Publication of Results

The results of CA shall be displayed within a week from the last day of a semester. The complaints, if any, shall be examined by the college Level Committee and it shall arrive at a decision regarding the awarding of marks.

The marks awarded for various components of the CA shall not be rounded off, if it has a decimal part. The total marks of the CA shall be rounded off to the nearest whole number. The statement of marks of the CA of all the students in a semester shall be approved by the College Level Committee, countersigned by the Principal and forwarded to the Controller of Examinations within 10 working days from the last day of the semester.

The results of the ESA shall be arranged to be published within 30 to 45 days from the date of the last examination.

10. Pass requirement

Those who secure a minimum of 50% marks for each paper along with a mandatory minimum of 40% of ESA shall be declared to have passed in that paper. Failed candidates need to re-appear only for that paper. Semester pass shall be a minimum of 50% of the aggregate of marks for all papers of that semester.

Students who fail to secure the minimum required aggregate attendance during a semester will be given one more chance to repeat the semester along with the subsequent batch of students after obtaining re-admission. They have to repeat the CA of all the papers.

Those who have successfully completed all the semesters of the programme shall be declared to have successfully completed the M.B.L. Degree Programme.

11. Classification of Results.

(1) The classification of the results of the Programme shall be done at the end of the Fourth semester based on the total marks secured for all semesters and shall be as follows: Candidate securing not less than 50% but below 60%- Second Class. Candidate securing 60% and above and who passes all semester examinations in the first chance or with the immediate junior batch- First Class. Candidate securing 80% and above and who pass all semester examinations in the first chance and who pass all semester examination in the first chance. – Distinction.

(2) Ranking-Candidate who pass all the semester examinations in the First appearance within the minimum period prescribed for each Semester shall be ranked on the basis of aggregate marks secured for all the Semesters.

12. Issue of Mark Lists.

(1) The mark lists of each of the first three semesters shall be issued immediately after the publication of the results of each semester.

(2) Consolidated Mark list showing the marks secured for all the papers of all the four Semesters with classification will be issued immediately after the finalization of the results of the final semester, by the University.

13. Promotion to Higher Semesters

(1) Students who complete the course, secure the minimum required attendance for all the papers of a Semester and register for the University Examinations at the end of the Semester alone will be promoted to the higher Semesters.

Note: The Three year MBL Degree pattern has been stopped now, provided the students pursuing the same can continue till their course completes.

14. Monitoring of the programme.

Monitoring of the M.B.L. Programme shall be done at College level.

College Level Committee : A Committee consisting of the Principal and 4 teachers engaged in teaching M.B.L. course shall constitute the College Level Committee. The Principal shall be the Chairman and a Member nominated by the Principal shall serve as the Convener. This Committee shall be responsible for the conduct of the M.B.L programme, ensuring minimum

instructional days, arranging ESA (University Examinations) of the various Semesters etc. Complaints of students regarding evaluation of CA should be considered by the Committee for taking appropriate decision. The College Level Committee shall be reconstructed every year by the Principal immediately on commencement of the M.B.L. Programme.

PROGRAMME OUTCOME

PO 1: Understand the business knowledge and skills coupled with legal matters in corporate sectors.

PO 2: Identify the areas of merger and acquisitions, competition law , import-export laws and economic development of the nation.

FIRST SEMESTER

PAPER I-LEGAL REGULATION OF ECONOMIC SECTORS

COURSE OUTCOME

After completion of this course, the student able to

CO 1: Evaluate the constitutional perspectives of new economic policy and the allied regulation of industrial units.

CO 2: Identify licensing policy and economic growth in India along with dispute resolution mechanisms.

UNIT I- GOVERNMENT REGULATIONS AND ITS REASON

Constitutional perspectives -The new economic policy - Industrial policy resolutions -The place of public, small scale, co-operative, corporate, private and joint sectors -in the changing context -Regulation of economic activities -Disclosure of information -Fairness in competition -Competition policy ,2002-Emphasis on consumerism-Development and regulation of Industries.

UNIT II - DEVELOPMENT AND REGULATION OF INDUSTRIAL UNITS.

Historical periods of development of industrial units- impact of Laissez Fair and social justice-Management of industrial units under industrial revolution-Industrial Acts-types and functions of industrial management-ways of industrial control and judicature in industrial

undertakings-limited liability Partnership (Amendment) Bill, 2021 –start up ecosystem- ease of doing business.

UNIT III- NATIONALISATION AND CAPITAL ISSUES

Licensing Policy and Legal Process-Analysis of nationalisation policy of Sick Industrial Undertakings in India - Growing Trends of Liberalisation-Socialist economy-Deregulation of essential commodities-officials taking cognizance of Essential Commodities Act related crimes and prosecution - Financial Services - Changing Techniques of Regulation-Equity and debt finance -Global depositories -De-materialized securities.

UNIT IV- PROBLEMS OF CONTROL AND ACCOUNTABILITY

Definition and meaning of large scale destruction and environmental degradation-legal responsibility of environmental protection: new trends and Corporate Social Responsibility (CSR)-Public liability insurance : adequacy- issues in zoning and location of industrial units-collaboration agreements for technology transfer-Investment in India, Foreign aid and economic growth in India

UNIT V BUSINESS LAW EDUCATION

Place of business in education-Content of business law-Function of business law in curriculum-Business law and ethics- 1991 committee report on “The Role of Law in the Business School Curriculum- The Essence of Business School Law Classes- Alternative Dispute Resolution and Business Dispute Resolution Systems.

***PREFERRED REFERENCES:-**

- S. Aswani Kumar, The Law of Indian Trade Mark (2001), Commercial Law House, Delhi.
- Industrial Policy Resolutions of 1948,1956, 1991 Industrial Licensing Policy 1970,1975 Industrial Policy Statements 1973,1977, 1980
- Reports of Committees on Public Undertakings of Parliament.
- Industries (Development and Regulation) Act, 1951
- U. Baxi (ed.), Inconvenient Forum and Convenient Catastrophe The Bhopal Case, (1986)
- U. Baxi & T. Paul (eds.), Mass Disasters and Multinational Liability (1986)
- U. Baxi & A. Dhandba, Valiant Victims and Lethal Litigation: The Bhopal.
- A Study of Industrial law- G N Kothari.
- Industrial Relations- V V Giri.
- Labour problems in India- V V Giri.
- Murrey –Industrial Relations and social order.
- J S Rousec- Social control.
- J H Smith-Industrial Sociology.
- World Religion and Environment- Dr.O P Dwivedi.

PAPER II

GENERAL PRINCIPLES OF CONTRACT

COURSE OUTCOME

After completion of this course, the student able to

CO 1: Understand the elements of contract and aspects of special contracts like indemnity, guarantee, pledge, bailment and agency.

CO 2: Evaluate the nature of specific relief, types of negotiable instruments and the concept of partnership.

UNIT I- INTRODUCTION

History -Formation of Contract – Agreement and Contract – Definitions – Classification - Offer and Acceptance – Communication – Revocation – Essential elements – Invitation to Offer – Tenders- Consideration – Nudum Pactum - Essential elements – Privity of Contract and of Consideration –Exceptions – Unlawful Consideration and its effect. Contractual Ability – Electronic Documents as Web Pages – Digital Certificates as Entry Passes – Time and Place of Contract – Secured Custody of Electronic Records.

UNIT – II CAPACITY TO CONTRACT, DISCHARGE, BREACH

Minor's Agreements and its effects – Persons of unsound mind – Persons disqualified by Law. Free Consent – Coercion - Undue influence – Misrepresentation – Fraud – Mistake – Legality of Object – Void Agreements – Agreements against Public Policy – Wagering - Agreements – Its exceptions – Contingent Contracts- Discharge Of Contracts And Its Various Modes, Breach

UNIT – III-SPECIAL CONTRACT

Indemnity and guarantee-bailment-bailor's duty-liability of bailee-termination of bailment-pledge-pawner's right-agency-agent's responsibility-agent's duty to principal-sub-agent

UNIT – IV -SPECIFIC RELIEF

Nature of Specific Relief with recent Amendments– Recovery of Possession of movable and immovable Property – Specific performance when granted and not granted – Cancellation – injunctions

UNIT V-NEGOTIABLE INSTRUMENTS, PARTNERSHIP

Negotiable instruments essentials-bills of exchange, cheque, promissory notes- -dishonour-banking ombudsman-electronic banking-constitution of partnership.

***PREFERRED REFERENCES**

- (1) Pollock & Mulla, Indian Contract & Specific Relief Act (edited by R Yashod Vardhan and Chitra Narayan) 15th Ed. 2017
- J. Beatson, Anson's Law of Contract (28 th ed., 2002)
- H.K. Saharay, Dutt on Contract – The Indian Contract Act, 1872 (10th ed., 2006)
- Avtar Singh, Law of Contract and Specific Relief (11 th ed., 2013)
- Sachin Rastogi, Insights into E-Contracts in India, 2014
- R K Singh, Law Relating to Electronic Contracts, 2013

PAPER III**PUBLIC UTILITIES LAW****COURSE OUTCOME**

After completion of this course, the student able to

CO 1: Identify the evolution of public utilities and Consumer protection.

CO 2: Understand the liabilities and privileges of public utilities.

UNIT I- INTRODUCTION

Railways, Electricity, Gas, Road Transport, telephone, post and telegraph service, Police, Fire Brigade, Banking service, etc. -Growth and evolution of public utilities and their legislation.

UNIT II- PUBLIC UTILITIES; GOVERNMENT MONOPOLY

Government and Parliamentary Control -Constitutional division of power to legislate- Utilities Legislation - Patterns of – Administrative Authorities - Structure of the Administrative Authorities Subordinate legislation- Public Utilities and Fair Rearing Quasi-Judicial Decision - Administrative Discretion.

UNIT III- Public Utilities and Consumer Protection

Rights of consumers protected by the Consumer Protection Act -Rights Arising from law of Contract and law of Torts- Exclusion from M.R.T.P. Act- Rights of consumers protected by the Consumer Protection Act, 1986- Rights Arising from law of Contract and law of Torts -

Public Utilities and their Employees: Application of Articles 16, Art 19 and 311- Public Interest vis-a-vis Right to Strike - Emerging trends.

UNIT IV- Public Utilities and their Employees.

Application of Articles 16 and 311? -Application of Industrial law- right to strike- The right to equality-Are Public utilities "State" for the purpose of article 12 of the Constitution? - Extension of the concept of State.

UNIT V- Liabilities and special privileges of public utilities

In contract, In tort, In criminal law-United Nations guidelines for consumer protection-UNCTAD's actions to meet the needs of vulnerable consumers of public utilities

***PREFERRED REFERENCES:-**

- P.M. Bakshi, Television and the Law, (1986)
- Vasant Kelkar, "Business of Postal Service" 33 I.J.PA. pp. 133-141 (1987)
- G. Ramesh, "Characteristic of Large Service Organisation in a Developing Country Like India" 32 I.J.PA. 77 (1986)
- Nalini Paranjpe, "Planning for Welfare in the Indian Railways" 31 I.J.PA. 171-180 (1985)
- Arvind K. Sharna "Semi-Autonomous Enterprise: Conceptual Portrait - Further Evidence on the Theory of Autonomy" 33 I.J.PA. p. 99-113.
- S.P. Sathe, Administrative Law (1998) Jain & Jain, Principles of Administrative Law, (1986)
- Jagdish UI, Handbook of electricity Laws, (1978)
- Bhaumik, The Indian Railways Act, (1981)
- Law Commission of India, 38th Report : Indian Post Office Act, 1898, (1968)
Students should consult relevant volumes of Annual Survey of Indian Law published by the Indian Law Institute (Constitutional Law 1 & 11, Administrative Law, Consumers Protection Law and Labour law).

PAPER IV

LABOUR, CAPITAL AND LAW

COURSE OUTCOME

After completion of this course, the student able to

CO 1: Understand the concept of collective bargaining and its legal control.

CO 2: Identify the role of trade unions in India in the light of economic development.

UNIT I-INTRODUCTION

Freedom of Organization -International norms: right to association of industrial and unorganised labour -Right to association in India: the constitutional and legal aspects.

UNIT II- COLLECTIVE BARGAINING CONCEPTUAL AND PROCEDURAL ISSUES

Conception of collective bargaining: a comparative appraisal -Methodological aspects-. Bargaining Process -Empirical Indian studies -Types of bargaining: plant level, industry level and national level.

UNIT III- LEGAL CONTROL OF COLLECTIVE BARGAINING ENDEAVOURS

Strike (pen-down, tool down, go slow, work to rule, stay in, sit in, picketing) -Gherao -Lock out Factors Affecting on Collective -Multi- Other factors -Conditions for successful functioning: comparative analysis.

UNIT IV- ECONOMIC IMPLICATIONS OF COLLECTIVE BARGAINING

Wage policy -Work discipline -National income and profit -Collective Bargaining and Political Processes-. Problem of outsiders in the union - Affiliation of unions to political parties -Policies towards workers, participation in management - role of state.

UNIT V- TRADE UNIONISM IN INDIA

Historical retrospect -Role of Trade Unions in India in economic development - Recommendations of National Law Commission of Labour- Problems: multi-employer - employment situation -Workmen's compensation -Minimum wages

PREFERRED REFERENCES:-

- Gillian S.Morris and Timothy J.Archer, Collective Labour Law (2000), Oxford
- Nick Humphrey, Trade Union Law (1997), Blackstone, London
- John Bowers and Simon Hentyball, Text book on Labour Law (1998), Blackstone, London
- Stephen Dery and Richard Mitchell, Employment Relations Individualisation and Union Exclusion (1999), Blackston,London.
- Roger Blanpain, Chris Engels(Eds.), Comparative Labour Law and Industrial Relations in Industrialised Market Economies (1999) Kluver
- Indian Law Institute, Labour Law and Labour Relations, (1987)
- ILO, Collective Bargaining
- ILO, Collective Bargaining in Industrialised Market Economies Mary Sur, Collective Bargaining (1965)
- R.W. Rideout, Principles of Labour Law, Chs. 8,9 and 10 (1983)
- Otto Kahn-Freund, Labour and the Law, (1977)

- A.V. Rajagopalan, "Approaches to collective Bargaining - Intricacies" 1982 Vol. II Labour Law Notes P.J. 42
- B.R. Patil, Sectionalised Bargaining in Textile Industry in Coimbatore" 20 Indian Journal of Industrial Relations 44. (1985)
- Elias T. Ramos, "Growth of Collective Bargaining in the Philippines, 1953-74", 14 Indian Journal of Industrial Relations 559 (1987)
- T.O. Ekeehukwu, "Collective Bargaining and Process of Settling Industrial Disputes in Nigeria" 18 Indian Journal of industrial Relations 607 (1983)
- Y.R.K. Reddy, "Determination of collective Bargaining Agency Search for a Procedure" 14 Indian Journal of Industrial Relations 73 (1978)
- Sahab Dayatl "Revival of Collective Bargaining in India: Some Recent Evidence" 17 Indian Journal 'of industrial Relations 329 (1982)
- 'The History of Trade Unions'-Sydney Beatrice Webb Longman, 1926, London Report of the Second Labour Commission of India, 2002.

SECOND SEMESTER

PAPER I

BANKING LAWS

COURSE OUTCOME

After completion of this course, the student able to

CO 1: Understand the origin of banking system and allied legislations.

CO 2: Identify the various emerging dimensions of banking system along with E-commerce.

UNIT I-INTRODUCTION

Evolution of the banking system-the development of British banking system-modern commerce and banking-social responsibility of banks-Nationalisation of banks-The Banking Regulation Act, 1949-Role of RBI In Indian economy-New Bank Licensing Policy, 2013-Prevention of Money Laundering Act, 2002 (PMLA)- Banking Codes and Standards Board of India (BSCSBI)- The Banking Ombudsman Scheme.

UNIT II-BANKER CUSTOMER RELATIONSHIP

Relationship as Debtor and Creditor-Garnishee Order-Recovery of Debts Due to Banks and Financial institutions Act, 1993 (DRT Act)- Bankers' Book Evidence Act, 1891-SARFAESI Act - Important aspects-Asset Reconstruction-Insolvency and Bankruptcy Code, 2016-Principles of Lending-Basel Committee Recommendations.

UNIT III- LEGAL ASPECTS OF BANKING OPERATIONS

Legal aspects of a Cheque-Effect of negotiability-Features of negotiable instruments Act and latest Amendments and case laws-Declaration of Holiday under the Negotiable instruments Act, 1881-Financial Resolution and Deposit Insurance Bill, 2017

UNIT IV-LAWS RELATING TO LOANS, ADVANCES AND INVESTMENTS BY BANKS

Subsidiary business operations of bankers with special reference to Safety Deposit Lockers – Liability of Banker in case of bank robberies and fraud by bank employees – Vicarious liability of the bank employees – Vicarious liability of the bank – Recovery of loans and advances – Recovery of debts due to banks, Financial Institutions Act, 1993.

UNIT V-CONTROL OF BANKS AND EMERGING DIMENSIONS IN BANKING SYSTEM

Social Control of Banks.-. Nationalisation of Banks. -Priority lending.-. Protection of Depositors, Promotion of underprivileged classes, Development work and participation in national economy.- E-commerce -E-banking-Regional rural banks-NABARD and Co-operative society

***PREFERRED REFERENCES:-**

Basu, A. Review of Current Banking Theory and Practise (1998) Mac millan

M. Hapgood (ed.), Pagets' Law of Banking (1989) Butterworths, London

R. Goode, Commercial Law, (1995) Penguin, London.

Ross Cranston, Principles of Banking Law (1997) Oxford.

L.C. Goyle, The Law of Banking and Bankers (1995) Eastern

M.L. Tannan, Tanhan's Banking Law and Practice in India (1997) India Law House, New Delhi, 2 volumes

K.C. Shekhar, Banking Theory and Practice (1998) UBS Publisher Distributors Ltd. New Delhi.

M. Dasse, S. Isaacs and G. Pen, E.C. Banking Law, (1994) Lloyds of London Press, London

V. Conti and Hamaui (eds.), Financial Markets' Liberalization and the Role of Banks', Cambridge University Press, Cambridge, (1993).

J. Dermine (ed.), European Banking in the 1990s' (1993) Blackwell, Oxford.

C. Goodhart, The Central Bank and the Financial System (1995), Macmillan, London

S. Chapman, The Rise of Merchant Banking (1984) Allen Unwin, London

K. Subrahmanyam, Banking Reforms in India (1997) Tata McGraw Hill, New Delhi.

Subodh Markandeya and Chitra Markandeya, Law Relating to Foreign Trade in India: Being a Commentary on the Foreign Trade, (Development and Regulation) Act 1992, Universal Law Publishing Co. Pvt. Ltd. Delhi.

R.S. Narayana, The Recovery of Debts due to Banks and Financial Institutions Act, 1993 (51 of 1993), Asia Law House, Hyderabad.

M.A. Mir, The Law Relating to Bank Guarantee in India (1992), Metropolitan Book, New Delhi.

Anthony Pierce, Demand Guarantees in International Trade (1993) Sweet & Maxwell,

Ross Cranston (ed.) European Banking Law: The Banker-Customer Relationship (1999) LLP, London

Mitra, The Law Relating to Bankers' Letters of Credit and Allied Laws, (1998) University Book Agency, Allahabad.

R.K. Talwar, Report of Working Group on Customer Service in Banks

Janakiraman Committee Report on Securities Operation of Banks and Financial Institution (1993)

Narasimham Committee report on the Financial System (1991)- Second Report (1999)

PAPER II

LAW OF EXPORT IMPORT REGULATION

COURSE OUTCOME

After completion of this course, the student able to

CO 1: Evaluate the import export scenario in the development of economy.

CO 2: Understand the changing dimensions of investment policies and also the legal aspect of customs.

UNIT I- INTRODUCTION

State control over import and export of goods - from rigidity to liberalisation-Impact of regulation on economy- The Basic Needs of Export and Import Trade -Goods ,Services

,Transportation- WTO agreement-WTO and tariff restrictions -WTO and non-tariff restrictions-Investment and transfer of technology -Quota restriction and anti-dumping - Permissible regulations -Quarantine regulation -Dumping of discarded technology and goods in international market.

UNIT II- GENERAL LAW ON CONTROL OF IMPORTS AND EXPORTS

General scheme -Legislative control -Power of control : Central government and RBI- Export-Import formulation : guiding features -Control under FEMA -Foreign exchange and currency -Import of goods- Regional Comprehensive Economic Partnership (RCEP).

UNIT III- CONTROL OF EXPORTS AND REGULATION ON INVESTMENT

Quality control -Regulation on goods -Conservation of foreign exchange- Foreign exchange management -Currency transfer -Investment in foreign countries- Borrowing and lending of money and foreign currency -Securities abroad - issue of -Immovable property - purchase abroad -Issue of derivatives and foreign securities GDR (global depositories receipts), ADR (American depository receipts) and Euro -Investment in Indian banks -Repatriation and surrender of foreign securities.

UNIT IV- EXIM POLICY : CHANGING DIMENSIONS

Investment policy : NRIs, FIIs (foreign institutional investors), FDIs -Joint venture - Promotion of foreign trade -Agricultural products -Textile and cloths -Jewellery -Service sector.

UNIT V- LAW RELATING TO CUSTOMS

Prohibition on importation and exportation of goods -Control of smuggling activities in export-import trade -Levy of, and exemption from, customs duties -Clearance of imported goods and export goods-. Conveyance and warehousing of goods

***PREFERRED REFERENCES:-**

- Government of India, Handbook of Import Export Procedures, (Refer to the latest edition)
- Government of India Import and Export Policy (1997 - 2002) The Students should consult the relevant volumes of the Annual Survey of Indian Law, Published by the Indian law Institute, New Delhi.
- Foreign Trade Development and Regulation Act 1992 and Rules Foreign Exchange Management Act 1999
- Marine Products Export Development Authority Act 1972.
- Customs Manual (Latest edition)
- Final Treaty of GATT, 1994.
- How to Export?- Nabhi Board of Exports , New Delhi Nabhi Publications

PAPER III

SALE OF GOODS ,LAW OF INSURANCE AND CARRIAGE OF GOODS

COURSE OUTCOME

After completion of this course, the student able to

CO 1: Understand the essential formalities of sale of goods and also the principles of insurance law.

CO 2: Evaluate the liability of common carrier and the aspect of Commercial courts.

UNIT I-SALE OF GOODS

Sale of goods-essential formalities-sale and agreement to sell-hire purchase-Subject matter of sale-transfer of title-unpaid seller's rights as against buyer and as against the goods-Conditions and warranties-Difference in the consequences of breach of condition and warranty-Stipulations as to time or performance –implied conditions-Caveat emptor rule-Satisfactory quality and Merchantability-Condition or Warranty implied by usage-Doctrine of fundamental breach and case laws-CIF Contract-FOB Contracts-Bill of lading.

UNIT II-INSURANCE LAW , GENERAL PRINCIPLES

Risk Management - Perils - Nature – Risk Analysis – Planning – Control - Mechanism for Transfer of risk Insurance and Reinsurance-Insurable Interest - Indemnity - Uberrimae fidei - Proximate Cause - Subrogation and Contribution - Differentiation Insurance and Guarantee - Insurance and Wager - Disclosure – Moral Hazards-Nature of Insurance Contract - Features of Insurance Contract - Types of Insurance - Concept of Intermediaries – Market Players and their Roles - Agents, Brokers, Surveyors & Loss Assessors, Health Third Party Administrators, Certification of Insurance Professionals, Training Organizations-Ethics and corporate governance framework for insurance companies.

UNIT III-INSURANCE LAW: REGULATORY ENVIRONMENT

Regulation of Insurance Business, Insurance Act, Insurance Regulatory and Development Act, Powers and Functions of IRDA, Relevant Regulations and Guidelines issued by IRDA, Licensing, Audit & Supervision, Investments, Amalgamation and Transfer, Grievance Redressal, Rural and Social Sector obligations, Micro Insurance, Financial inclusion, Product Approval-Other Relevant Legislation (Motor Vehicles Act, Marine Insurance Act, Employees State Insurance Act etc.)- Insurance Ombudsmen, Arbitration-International Association of Insurance Supervisors – Future Trends

UNIT IV-LIFE INSURANCE AND GENERAL INSURANCE

Application of Principles in Life Insurance Contract — Representation - Assignment and Nomination - Title and Claims - Tax Law Implications - Concept of Trusts in Life Policy - Stamp Duties - Role and Function of Life Insurance Companies-Application of Principles in General Insurance Contracts — Structure of the Policy — Insurance Documentation — Underwriting and Rating - Disclosure - Terms and Conditions-Claims Procedures — Underinsurance - Condition of Average - Recovery — Salvage.

UNIT V-CARRIAGE OF GOODS

Carriage by land. Carriers Act, 1865, its features-Liability of common carrier , early English law-Contract of affrayment-freight documents-Hague Visby Rules,1968-Rotterdam Rules-Carriage by Road Act, 2007-The Railways Act, 1989.- The Carriage of Goods by Sea Act, 1925-The Carriage by Air Act, 1972-The Multimodal Transportation of Goods Act, 1993.- The Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts Act , 2015

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Scrutton , Charterparties

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Carver, Carriage of goods by sea

Pollock & Mulla's Sale of goods

Avtar Singh Sle of goods and hire purchase

Chalmer's sale of goods

Atiyah sale of goods

S S H Azmin Sale of goods and consumer protection in india

PAPER IV

INTERNATIONAL TRADE AND ECONOMIC ORGANISATIONS AND INTERNATIONAL ECONOMIC LAW

COURSE OUTCOME

After completion of this course, the student able to

CO 1: Identify the nature of international trade and the development of international economic institutions.

CO 2: Understand the dispute settlement and International monetary systems.

UNIT I-INTERNATIONAL TRADE

Foreign Trade (Development and Regulation) Act, 1992- Customs Act, 1962-UN Convention on Contracts for the International Sale of Goods (CISG) 1980-Unifrom Customs Practice for Documentary Credits, 1993-Role of World bank-IMF-GATT-WTO-EXIM Bank-Export Credit Guarantee Corporation of India ltd-Foreign Exchange Determination Systems: Basic Concepts Relating to Foreign Exchange, Various types of Exchange Rate Regimes – Floating Rate Regimes, Managed Fixed Rate Regime, Purchasing Power Parity, Mint Parity,

Interest rates, other Factors Affecting Exchange Rates, Brief History of Indian Rupees Exchange Rates- Concept of letters of credit-Concept of GST, Comparative study

UNIT II-INTERNATIOANL TRADE PRINCIPLES

International Trade and Investment Theories: Mercantilism; Absolute Cost theory, Comparative Cost theory, Opportunity Cost theory, factor endowment theory, Complimentary trade theories – stopler – Samuelson theorem, International Product life Cycles. Investment Theories – Theory of Capital Movements, Market Imperfections theory; Internationalisation Theory; Location Specific Advantage Theory; Eclectic Theory; other theories, Instruments of Trade Policy- Tariffs, Subsidies, Import Quotas, Voluntary Export Restraints, Administrative Policy, Anti-dumping Policy-Cadbury Committee

UNIT III-INTERNATIONAL ECONOMIC INSTITUTIONS

UN Declaration on new international economic order-Constitution , function and objectives of economic organisations-IBRD-IMF-ADB-IDA-IFC-UNIDO-UNCITRAL-UNCTAD-EU and BREXIT-ASEAN-BRICS-Asia pacific Economic Cooperation (APEC)-EU EURATOM –UN ESCAP-UN ECA-Economic Commission for Europe (ECE)-Economic Commission for Latin America (ECLA)-Economic Commission for Western Asia (ECVVA)-BIS.

UNIT IV-INTERNATIONAL ECONOMIC LAW –GENERAL PRINCIPLES

Fundamental principles of economic law-The World Financial And Trade Order – A Historical And Contemporary Perspective-Concepts of EU-NAFTA-MERCOSUR-International Commercial Arbitration-The Theory of Comparative Advantage-International Monetary Policy-Institutional Framework of the WTO-Principles of Non-Discrimination under GATT and GATS-Role of UN

UNIT V-INTERNATIONAL INVESTMENT AND INTERNATIONAL MONETRAY SYSTEM

The Responsibility of Host States to Foreign Investors: Customary International Law - Dispute Settlement and International Investment -Evolving Standards of International Law on International Investment-The Bretton Woods System -The International Monetary Fund as Amended -The International Monetary System and Regional Crises -Other Institutions of the International Monetary System -The European Monetary System and the Rise of the Euro - International Monetary Law and Private Activity.

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2. C.R.Dutta, Law Relating to Commercial and Domestic Arbitration (Wadhwa Nagpur, 2008).

3. David D. Caron, The UNCITRAL Arbitration Rules (Oxford University Press, New York, 2006)
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- 9) Kumar R and Goel, International Business, (UDH Publications, edition 2013)
- 10) Jaiswal- International Business (Himalaya Publication)
- 11) Varshney R.L, Bhattacharya B - International Marketing Management (Sultan Chand & Sons, 9th Ed.)
12. Bhole L M - Financial Institutions and Markets (Tata McGraw-Hill, 3rd edition, 2003)
- 13) Srivastava ,R.M & Nigam Divya - Management of Financial Institutions (Himalaya, 2003)

THIRD SEMESTER

PAPER I

LAW OF INTELLECTUAL PROPERTY AND INFORMATION TECHNOLOGY LAW

COURSE OUTCOME

After completion of this course, the student able to

CO 1: Evaluate the various intellectual property rights and international instruments allied to it.

CO 2: Understand the UNCITRAL Model Law on Electronic Commerce and data protection scenario.

UNIT I- CONCEPT, LAW OF TRADEMARKS AND GEOGRAPHICAL INDICATION

Introduction to Intellectual Property Rights: Concept, Theories and Kinds, Changing Dimensions of IPR -International Scenario TRIPs and IPR Regime Role of IPR in Economic Developments in India- WTO and Dispute Settlement Mechanism- Introduction to Trade

Marks Law: Objects and Scope Registrations of Trade Marks -Requirements for Registration -Refusal of Registrations of Trade Marks -Kinds of Marks -Goodwill, Doctrine of Passing-off-actions and its development in India- Domain Names Dispute and Cybersquatting-Geographical Indications National and International Law.

UNIT II- LAW OF COPYRIGHT, INDUSTRIAL DESIGN AND LAYOUT DESIGN OF INTEGRATED CIRCUIT

Introduction to Copyright Fundamentals of Copyright, International Treaties and Conventions- Subject Matter and Subsistence of Copyright- Economic Rights and Moral Rights- Doctrine of Fair Dealing- Neighbouring Rights- Infringement of Copyright and Remedies -Copyright in Software and Database-Digital Copyright -Introductions to Industrial Design- International Regime- Design Act, 2000- The Semi Conductor Integral Circuits Layout Design Act, 2000.

UNIT III- LAW OF PATENTS WITH LAW ON PROTECTION OF BIO-DIVERSITY, FARMERS RIGHTS AND TRADITIONAL KNOWLEDGE

Evolution of Patent Law in India Patent Act, 1970 and its Amendments: Salient Features - Patent in International Regime: Conventions and Treatise- Relevant Provisions under TRIPs Agreement, 1994, US UK and EU- Software Patents -Bio- Patents -Drug Patents- Arts. 7 & 8 of TRIPs and its Significance. -Protection of Traditional Knowledge, issues of Bio-piracy and Bio-prospecting Infringements & Remedies- Bio-Diversity Act, 2002. Salient Features and other Relevant Sections- Protection of Plant Varieties & Farmer s Rights Act 2000, Salient Features and other related issues

UNIT IV-IT LAW-GENERAL-OFFENCES RELATED TO E-MAIL, E - GOVERNANCE-E CONTRACTS

UNCITRAL Model Law on Electronic Commerce - The Information Technology Act, 2000 - The Information Technology (Amendment) Act, 2008 - Scheme of The Information Technology Act, 2000 (With 2008 Amendment)- Advantages of Emails -Crime Related to Emails - Phishing Scams -Sending Offensive Messages - Sending of Sexually Explicit Contents - Cyber Terrorism - Precautionary Measures for using Email Safely-Advantages of E-Governance - Access to Vital Information at a Click - Transparency - Cost Saving - Centralization - Accountability -Educative Value - The National E-Governance Plan- Examples of National E-Governance Plan -Types of e-contract

UNIT V-ELECTRONIC SIGNATURE-DATA PROTECTION –REGULATION

Technical Aspect of Digital Signature - Digital Signature Certificates - Legal Aspect of Digital Signature - Functions of Electronic Signature - Offences Related to Electronic Signature-Data theft -Compensation for Failure to Protect Data - Power to Intercept, Monitor and Decrypt Information-Electronic evidence-Admissibility-Controller of Certifying Authorities - The Cyber Appellate Tribunal - Adjudicating Officer-Investigation Officer.

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2. Ashwani Bansal, Law of Trade Marks in India with introduction to Intellectual Property Laws (Institute of Constitutional and Parliamentary Studies, New Delhi, 2009)
3. David Bainbridge, Intellectual Property (Pearson Education, Delhi, 2003).
4. Elizabeth Verkey, Law of Patent (Eastern Book Company, Lucknow, 2005).
5. Holyoak & Torremans, Intellectual Property Law (Oxford University Press, New York, 2010)
6. J.A.L.Sterling, World Copyright Law (Sweet & Maxwell, London, 2009).
7. Jeremy Philips and Alison Firth, Introduction to Intellectual Property Law (LexisNexis, Butterworths, UK, 2001).
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9. Latha R Nair and Rajendra Kumar, Geographical Indications: A Search for Identity (Lexis Nexis, New Delhi, 2005).
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12. Richard Arnold, Performers' Rights (Sweet & Maxwell, London, 2004).
13. Srikanth Venkataraman, Understanding Design Law,(Universal Law Publishing Co. Pvt. Ltd, New Delhi, 2008).
14. Steven D. Ander man (ed.), The Interface between Intellectual Property Rights and Competition Policy (Cambridge University Press, New York, 2007).
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16. V.K.Ahuja, Intellectual Property Rights in India (Lexis Nexis, Butterworths, Wadhwa, Nagpur, 2009).
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18. V.Vijay Lakhmi and Patro, Intellectual Property Protection at Border , 14(4) JIPR 330-339 (2009). 19. Zakir Thomas, Overview of Changes to the Indian Copyright Law , 17 JIPR 324-334 (2012).

20. Matthan The law relating to computers , internet

21. S Oberoi, E Security and you

22. Nandan Kamath Law relating to computers, internet, E-Commerce

23. Krishna Kumar Cyber laws, Intellectual property and E commerce security

PAPER II

CORPORATE AND COMMERCIAL LAW

COURSE OUTCOME

After completion of this course, the student able to

CO 1: Evaluate the basic concepts of company law and corporate social responsibility.

CO 2: Understand the concept of depositories and public financing institutions.

UNIT I-GENERAL PRINCIPLES OF COMPANY LAW

Basic Concepts- Incorporation: Advantages and Disadvantages -Memorandum of Association- Doctrine of Indoor Management- Doctrine of Ultra-vires: Erosion, Evasion and Effects –Prospectus-Director- Company Meetings -Inspection and Investigation -Prevention of Oppression and Mismanagement ý Winding Up- Corporate Governance under SEBI Regulations

UNIT II-CORPORATE CRIMES ,SOCIAL RESPONSIBILITY AND MERGERS AND ACQUISITIONS

Corporate Crimes by Cyber Crimes -Corporate Social Responsibility: Theories and Justification- CSR and Multinational Corporations -Regulation of Multinational Corporations in India-Corporate Restructuring – meaning, objectives, types and forms, motives for restructuring – meaning of Mergers and Acquisitions, types, causes, distinction between Mergers and Acquisitions, Merger procedure, Scheme for Merger, theories of Merger, cross border Mergers and Acquisitions-Compliance with Indian Companies Act, Competition Act 2002, Income Tax Act 1961, Securities and Exchange Board of India (Substantial Acquisition of Shares and Takeovers) Regulations, 2011.

UNIT III-EQUITY FINANCE AND DEBT FINANCE

Share capital -Prospectus - information disclosure -Issue and allotment-. Shares without monetary consideration -Non-opting equity shares-Debentures -Nature, issue and class-. Deposits and acceptance -Creation of charges-. Fixed and floating charges -Mortgages - Convertible debentures

UNIT IV-PROTECTION OF CREDITORS AND INVESTORS

Preference in payment-. Rights in making company decisions affecting creditor interests-. Creditor self-protection-. Incorporation of favourable terms in lending contracts-Right to nominate directors -Control over corporate spending-Protection of Investors -Individual share holder right-. Corporate membership right -Derivative actions-. Qualified membership right-. Conversion, consolidation and re-organisation of shares -Transfer and transmission of securities -Dematerialisation of securities.

UNIT V-CORPORATE FUND RAISING AND ADMINISTRATIVE REGULATION

Depositories - IDR(Indian depository receipts), ADR(American depository receipts), GDR(Global depository receipts-Public financing institutions - IDBI, ICICI, IFC and -Mutual fund and other collective investment schemes -Institutional investments - LIC, UTI and banks-. FDI and NRI investment - Foreign institutional investments (IMF and World bank)- Inspection of accounts -SERI-. Central government control -Control by registrar of companies -RBI control

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J.H. Farrar and B.M. Hanniyan, Farrar's company Law (1998) Butterworths

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V.G. Kulkarni, Corporate Finance (1961)

Y.D. Kulshreshta, Government Regulation of Financial management of Private Corporate Sector in India (1986)

Journals -Journal of Indian Law Institute, Journal of Business Law, Chartered Secretary, Company Law Journal, Law and Contemporary Problems.

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Enrique R. Arzac, Valuation for Mergers, Buyouts and Restructuring, Second Edition, Wiley India, 2010.

Patrick A. Gaughan, Mergers, Acquisitions and Corporate Restructurings, Fifth Edition, Wiley India, 2011.

Statutory Materials - Companies Act and laws relating SEBI, depositories, industrial financing and information technology

PAPER III

INDUSTRIAL AND BUSINESS MANAGEMENT LAWS

COURSE OUTCOME

After completion of this course, the student able to

CO 1: Understand the nature of Indian labour and employment laws and also the concept of labour welfare.

CO 2: Identify the aspects of human resource management, Global competitiveness and technology transfer.

UNIT I-INTRODUCTION

Distinctive feature of Indian labour and Employment laws-Women labour and law-Law on Prevention of Sexual Harassment at Workplace Classification of labour legislations-EXIM policies-Business Economics-Human Resources-Real estate and development.

UNIT II-LABOUR WELFARE

Factories Act , 1948-The Workmen's Compensation Act-The Employees State Insurance Act-The Employees provident Funds & Miscellaneous Provision Act, 1952-The Payment of Gratuity Act, 1972- The Maternity Benefit Act, 1961-The Payment of Wages Act, -The minimum wages Act, 1948-The Industrial Employment (standing orders) Act, 1946-The Payment of bonus Act, 1966-Payment of subsistence allowance-The Interstate Migrant Workmen (Regulation Of Employment And Conditions Of Service) Act 1979-Ease of compliance rules,2017

UNIT III-BUSINESS MANAGEMENT

Competition law-Monopolies and restrictive trade practices Act, 1969-Concept of Human Resource management-FEMA-Direct & Indirect Taxes (MODVAT),(CENVAT)- Business Ethics, Corporate Governance, Philosophy and strategy of planning in India.

UNIT IV-CONSUMER PROTECTION AND INDUSTRIAL RELATIONS

Consumer Protection Act, 1986-Industrial relations in corporations-Industrial disputes Act, 1947-Industrial Disputes settlement machinery-the Trade Union Act, 1926-Role of Trade Unions. Liberalisation ,Effect of Privatization and Disinvestments in industrial relations, Special Economic Zone (SEZ) and their role and impact in International Business Environment-Redefining Value Proposition to MSMEs

UNIT V-BUSINESS ENVIRONMENT

Meaning of business environment-Social Responsibility of business enterprises, New Economic Policy, Globalization, EXIM policy and role of EXIM bank, FDI policy, Multinational Corporation (MNCs) and Transnational Corporations (TNCs), Global Competitiveness, technology and competitive advantage, technology transfer - importance and types, Appropriate technology and technology adaptation.

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C.S.Venkata Ratnam, Globalisation and Labour Management Relations, Response Books, 2007.

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D P S Verma MRTP Law, principles , provision and cases, 1995

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Kogent - Industrial Relations & Labour Laws (Wiley Dreamtech

Venkata Ratnam – Industrial Relations (Oxford, 2006, 2nd Ed.)

D. L. Loudon, J. Albert Della Bitta: Consumer Behavior; Concepts and Applications, Tata McGraw Hill Publishing Company Limited

PAPER IV

COMPETITION LAW

COURSE OUTCOME

After completion of this course, the student able to

CO 1: Understand the concept of open market and anti-competitive agreements.

CO 2: Identify the impact of combinations in the market and powers of competition commission.

UNIT I- INTRODUCTION

Concept of market, Open market- Regulated market, Market functions of role of competition -Nature & Scope of competition law and policy -Evolution & Growth of competition law - Theoretical foundations of competition law -Competition Act, 2002- overview, definitions and ideas of agreement, dominant position, combination and effects of anticompetitive activities.

UNIT II- ANTI- COMPETITIVE AGREEMENTS

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

UNIT III- ABUSE OF DOMINANT POSITION

Abuse of dominant position: Concept, forms and treatment in India -Essential facilities doctrine -Refusal and abuse of dominant position-Pricing strategies and abuse of dominant position- Treatment of abuse of dominant position under USA, EU, UK, Australia

UNIT IV- COMBINATIONS

Combinations: Concept, forms, reasons and regulatory framework in India-. Different tests for studying the impacts of combinations in the market -Unilateral and co- ordinate effects of combinations -Foreclosure -Failing firm -Creeping acquisitions -Regulation of Cross- border combinations -Treatment of combinations under USA, EU, UK, Australia.

UNIT V- COMPETITION COMMISSION, INVESTMENT AND COMPETITION LAW

Composition, powers and function of CCI -Role of the DG -Appellate Tribunal -Penalties and remedies- WTO norms for investment -OECD guidelines in investment -FDI policies and it's impacts on Competition in domestic market -Regulation of FDI in India, USA, EU, UK, Australia

- **PREFERRED REFERENCES:-**

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- Alphen aan den Rijn, The reform of EC competition law : new challenges
- Avtar Singh; Competition Law; Eastern Law House, 2012-11- 27
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- Competition Law in India; Srinivasan Parthsarthy; Wolter Kluwer, 2012
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- T Ramappa, Competition Law in India: Policy, Issues, and Developments, New Delhi Oxford University Press 2006
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- Telecommunications, Broadcasting and the Internet EU Competition Law and Regulation London : Thomson Reuters Limited,
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- Yang-Ching Chao , International And Comparative Competition Law And Policies India Kluwer Law International 2008.

FOURTH SEMESTER

PAPER I-INVESTMENT LAWS

COURSE OUTCOME

After completion of this course, the student able to

CO 1: Evaluate the nature and risk related to investment and also the issue and allotment of shares.

CO 2: Identify the concept of non-banking institutions and also the basic features of securities contracts.

UNIT I- INTRODUCTION

Meaning of investment and market -Nature and risk associated with investment -Evolution of Investment and bargaining norms.

UNIT II- SHARES

Definition and nature -Shares and Shareholders -Stock and Shares -Certificate of shares -Call on shares -Lien on shares -Minimum subscription -Share capital -Issue and allotment of shares -Transfer and Transmission of shares -Debentures, Charges and Deposits -Inter-Corporate loans and investments.

UNIT III- SECURITIES CONTRACTS AND SECURITIES AND EXCHANGE BOARD

Basic Features of the Securities Contracts -Recognition of stock Exchange -Derivatives - Options and futures-Debt and Money Market Instruments -Mutual Funds, Venture Capital, Collective Investment Schemes -Methods of Resource Mobilization in International Capital Markets -Listing of securities -Penalties and procedure for adjudication- SEBI Constitution- Powers and Functions of SEBI -Securities Appellate Tribunal -SEBI (Disclosure & Investor Protection) Guidelines.

UNIT IV- DEPOSITORIES ACT

Salient features -Agreement between depository and participant -Registration of transfer of securities with depository -Stamp duty on transfer -Non-Banking Financial Institutions.

UNIT V- PRINCIPLES OF INTERNATIONAL INVESTMENT LAW

International treaties -Types of Investment contracts -Applicable law -Stabilization clauses - Renegotiation and adaptation.

- **PREFERRED REFERENCES**

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PAPER II

INDUSTRIAL ADJUDICATION

COURSE OUTCOME

After completion of this course, the student able to

CO 1: Understand the Constitutional goals protecting capital and labour.

CO 2: Identify the concept of industrial adjudication and the principle of compulsory arbitration.

UNIT I- INTRODUCTION

Constitutional Perspectives and Foundations- Constitutional authorization for institutional framework (legislative entries, Article 323. B) -Constitutional goals protecting capital and labour enshrined in the fundamental rights and duties and the directive principles.

UNIT II- Access to Adjudicatory Justice

Threshold control by government: reference-Extent of governmental discretion: time, expediency and matters for adjudication -Limitations on discretion -Political overtones and pressure tactics -Judicial restraint or liberalism, the ideal juristic approach -Direct access to adjudicatory authority by employer and employee: problems and perspectives -International -Comparative overview of access to adjudicatory process in the U.K. and Australia.

UNIT III- Adjudicatory Process

Industrial adjudication as a modality of harmonising interests of capital and labour -Impact on employer's prerogatives and employee's rights -Silence of the statute on criteria for adjudication -Equity and justice as guiding principle-Industrial conflicts and the vistas of decisional process: a comparative probe -Post-natal control by government over adjudication.

UNIT IV- Judicial Review of the Adjudicatory Process

Finality of decision making in adjudicatory process: a myth -Jurisprudence of industrial adjudication: formulations through constitutional remedies of writs and appeal -Jurisdiction of the adjudicatory authority in respect of dismissal of workmen -Juridical formulation of the concept of industry -Retrenchment the widening dimensions through decisional law.

UNIT V-COMPULSORY ARBITRATION VERSUS COLLECTIVE BARGAINING AND RECENT TRENDS

Principle of compulsory arbitration -authoritarian imposition of the terms and conditions of employment- coercive economic power- compulsory arbitration criticism on its inability to

ensure industrial peace- Collective bargaining and trial by combat- E-adjudication by artificial intelligence- Micro-service architecture –MCA21.

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PAPER III

COMMERCIAL ARBITRATION

COURSE OUTCOME

After completion of this course, the student able to

CO 1: Evaluate the dispute resolution in international trade.

CO 2: Understand the International Conventions for recognition and enforcement of arbitral awards.

UNIT I- INTRODUCTION

Importance of ADR, concept and nature of arbitration, dispute resolution in international trade -Important terms used in commercial arbitration -Types of arbitration-Overview of Arbitration & Conciliation Act 1996.

UNIT II- ARBITRATION AGREEMENT

Significance of arbitration agreement- Forms of arbitration agreement & definitions and validity -Foreign arbitration agreement -Jurisdiction of arbitral tribunal -Theory of competence.

Unit III- INTERNATIONAL COMMERCIAL ARBITRATION

UNCITRAL model law on arbitration -Governing law of arbitration, applicable law and choice of law and principles and judicial intervention -Conflict rules.

UNIT IV- ENFORCEMENT OF ARBITRAL AWARDS

Appointment of arbitrators -Choice of law (Seat Theory)- Jurisdiction of arbitral tribunal - Independence and impartiality of the tribunal -Arbitral process -Party autonomy and arbitral award -Grounds for setting aside arbitral award - General policy for enforcement, review and refusal of foreign award in India .

UNIT V- RECOGNITION OR ENFORCEMENT OF FOREIGN ARBITRAL AWARDS

Foreign award- meaning -The International Conventions for recognition and enforcement of arbitral awards -Reciprocity and commercial reservation -Indian law- scope and applicability.-Recognition and enforcement of annulled awards

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