



**MANAV RACHNA
UNIVERSITY**
Declared as State Private University vide Haryana Act 26 of 2014

PROGRAMME BOOKLET

**LLM 1 year (LWP01)
(Academic Session: 2022-2023)
(Syllabus: Scheme 2022-23)**

**Department of Law
School of Law
Manav Rachna University**

MANAV RACHNA UNIVERSITY

Vision

To educate students in frontier areas of knowledge enabling them to take up challenges as ethical and responsible global citizens

Mission

- To impart outcome based holistic education
- To disseminate education in frontier areas
- To produce globally competitive, ethical and socially responsible human resources
- To produce human resources sensitive to issues of Environment and Sustainable Development
- To develop Environment and Sustainable development as a thrust area of research and development.

Quality Policy

To continuously learn from the best practices, study role models and develop transparent procedures for empowerment of stakeholders.

Strategic Objectives

- To facilitate, enhance & promote innovation in curriculum design and delivery and have Outcome-oriented Learning Culture.
- To promote Research Environment and Management Practices.
- To enhance the quality of the student learning experience.
- To provide Resources and Infrastructure for Academic Excellence.

DEPARTMENT OF LAW

Vision

To solemnly cherish and uphold Justice and Rule of Law.

Mission

To provide a stimulating environment to the learners, so as to enable them to:

1. Develop core legal competencies through experiential and inclusive education;
2. Comprehend and apply legal principles to the conflicts, disputes and socio-legal concerns within the broad contours of Justice and Rule of law;
3. Critically analyze the governing framework at national as well as global level, on the touchstone of rule of law;
4. Contribute to the emerging dynamics of constitutionalism.

LLM – 1 year

Program Outcomes:

Law postgraduates will be able to demonstrate

PO1: Knowledge of Law: The advanced knowledge of principles of Law, legislations and leading cases relating to the subjects, that form part of the post-graduate programs of study;

PO2: Research-related skills: Learn the art of conducting doctrinal and empirical research using accepted methods and techniques of legal research.

PO3: Writing skills: Find and read a variety of legal and inter-disciplinary materials in printed and digital formats, from libraries and online databases and use them for academic and professional writings including essays, research papers and dissertations *inter alia*

PO4: Analytical Reasoning: Ability to evaluate the reliability and relevance of evidence; identify logical flaws and holes in the arguments; synthesize data from a variety of sources; draw valid conclusions and support them with evidence and logic.

PO5: Problem Solving: Capacity to extrapolate from what one has learned and apply their competencies to solve different kinds of real-life legal and extra-legal problems.

PO6: Teaching-related skills: Ability to articulate and communicate legal knowledge to the audience in general and students in particular.

PO7: Moral and Ethical Awareness/Reasoning: Ability formulate a position/argument about an ethical issue from multiple perspectives, including social, political and economic context in which basic concepts, values, principles and rules of the legal system operate

PO8: Digital Proficiency: Capability to access, evaluate and use ICT sources and tools to fetch relevant information to be used in a variety of learning situations

PO9: Self-directed Learning: Ability to work independently, identify appropriate resources required for a project, and work on any project through to completion.

Program Specific Outcomes

Graduates of LLM in Commercial Arbitration will be able to

PSO1: Understand the complex legal framework applicable to commercial arbitration.

PSO2: Establish the relationship between international sources of law and domestic law in matters of commercial arbitration agreements, procedure and awards.

Graduates of LLM in Criminal Law will be able to

PSO1: Critiquing criminal laws and criminal justice delivery system using various methods, including, theoretical, doctrinal, comparative, and socio-legal perspectives/ technique

PSO2: Identify and evaluate the different weaknesses/ lacunae/ limitations of Criminal Justice System in Indian society and accordingly suggest measures to strengthen it.

Graduates of LLM in Corporate Law will be able to

PSO1: Understand the complex legal framework, including connected rules and regulations, that regulate companies, corporations, and businesses.

PSO2: Identify and evaluate the different weaknesses/ lacunae/ limitations of corporate laws in and accordingly suggest measures to strengthen it.

PROGRAMME STRUCTURE

(2022-23)

As per the UGC guidelines, the Program structure/curriculum for One-Year LL.M. shall have the following components:

- i) Foundation/Compulsory Papers (3 papers of three credits each)
- ii) Optional/Specialization Papers (6 papers of two credits each)
- iii) Dissertation (three credits)

Provided, in case the candidate takes a minimum of four specialization papers from any particular Group/Cluster only, then that Course can be called after the discipline the candidates select; the candidate can opt for remaining paper/papers of his/her choice in order to complete the number of courses/credits prescribed for the Degree.

The specialization offered to LLM students include

- (i) Corporate Law
- (ii) Criminal Law
- (iii) Commercial Arbitration

The structure of the Program shall be as under:

S. No.	Title of the Course	Credits assigned	Semester
1.	Research Methods and Legal Writing	3	First
2.	Comparative System of Governance	3	First
3.	Law and Justice in Globalizing World	3	First
4.	Specialization Paper I	2	First
5.	Specialization Paper II	2	First
6.	Specialization Paper III	2	Second
7.	Specialization Paper IV	2	Second
8.	Specialization Paper V	2	Second
9.	Specialization Paper VI	2	Second
10.	Dissertation	4	Second
	TOTAL CREDITS	25	

MANAV RACHNA UNIVERSITY				
FACULTY OF LAW				
MASTER OF LAW (LLM) (LWP01)				
SEMESTER - I				
S.NO	Subject Code	SUBJECT NAME		Credits
1	LWH601	Research Methods and Legal Writing	COMPULSORY	3
2	LWH602	Comparative Systems of Governance	COMPULSORY	3
3	LWH603	Law and Justice in a Globalizing World	COMPULSORY	3
4	LWH611/ LWH631/ LWH641	Commercial Arbitration: Theory and Doctrine/Corporate Governance and Principles of Companies Act/Principles of Criminal Law	ELECTIVE	2
5	LWH612/ LWH611/ LWH642	Commercial Arbitration: Practice and Procedure I/Commercial Arbitration: Theory and Doctrine/Criminal Justice Administration	ELECTIVE	2
		TOTAL (L-T-P/CONTACT HOURS/CREDITS)		13
SEMESTER - II				
S.NO	Subject Code	SUBJECT NAME		Credits
1	LWH613/ LWH632/ LWH644	Commercial Arbitration: Practice and Procedure II/Corporate Finance/Socio-Economic Offences	ELECTIVE	2
2	LWH614/ LWH633/ LWH647	International Commercial Arbitration: Principles and Practice/Insolvency and Bankruptcy Law/Gender in Criminal Law	ELECTIVE	2
3	LWH615/ LWH634/ LWH648	Institutional Arbitration/Corporate Mergers and Acquisitions/National Security Laws and Fundamental Rights	ELECTIVE	2
4	LWH616/LWH635/LWH649	Construction Arbitration/Competition Law/International Criminal Law	ELECTIVE	2
5	LWH604	DISSERTATION		4
		TOTAL (L-T-P/CONTACT HOURS/CREDITS)		12
		TOTAL CREDITS		25

SEMESTER- I

Course Code	Course Name	Course Type (Deptt- Allied/Core/Elective/Audit)	Structure			Credits
			L	T	P	
LWH601	Research Methods and Legal Writing	Core	3	0	0	3
LWH602	Comparative Systems of Governance	Core	3	0	0	3
LWH603	Law and Justice in a Globalizing World	Core	3	0	0	3
LWH631	Corporate Governance and Principles of Companies Act	CORPORATE LAW	2 + 2	0	0	2 + 2
LWH611	Commercial Arbitration: Theory and Doctrine	CORPORATE LAW				
LWH641	Principles of Criminal Law	CRIMINAL LAW				
LWH642	Criminal Justice Administration	CRIMINAL LAW				
LWH611	Commercial Arbitration: Theory and Doctrine	COMMERCIAL ARBITRATION				
LWH612	Commercial Arbitration: Practice and Procedure I	COMMERCIAL ARBITRATION				
Semester Credits(L-T-P/Credits)			13	0	0	13

SEMESTER-I
COMPULSORY PAPERS

Course Title/ Code	Research Methods and Legal Writing (LWH601)	
Course Type:	Core (Departmental)	
L-T-P Structure	(3-0-0)	
Objectives	The objective of this paper is to introduce various established legal research methods to the students that will help and guide them to do their research in their relevant areas. This course caters to the needs of Post Graduate students in their pursuit of legal research and Dissertation/thesis writing.	
Course Outcomes (COs)		Mapping (Employability/ Skill Development/ Entrepreneurship)
CO1	Distinguish the methods and techniques of legal research from that of social sciences research	Skill Development
CO2	Apply the techniques of legal research to legal communication and writings	Skill Development
CO3	Develop the proposal for conducting research to write good quality – PG level dissertation	Skill Development
CO4	Apply the research techniques to prepare class lectures/ lessons based on principles, theories, legislations and cases?	Skill Development
Prerequisites if any		

MODULE 1

An Introduction to Legal Research (Contact Hours – 8)

- a. Meaning, Scope and Objectives
- b. Kinds of Legal Research-Doctrinal or Traditional Research
- c. Non-Doctrinal or Empirical Research

- d. Analytical and Critical Research
- e. Inter-disciplinary (e.g. Socio-legal Research) and Multi-disciplinary Research

MODULE 2

Various Steps in Legal Research (Contact Hours – 8)

- a. Research Problem: Identification and Formulation
- b. Literature Review
- c. Hypothesis
- d. Research Design (Quantitative & Qualitative)
- e. Data collection
- f. Data Analysis

MODULE 3

Tools and Techniques of Legal Research (Contact Hours-8)

- a. Primary and secondary Sources
- b. Questionnaire, Interview, Case study
- c. Survey
- d. Sampling
- e. Use of Library and e-resources

MODULE 4

Legal Writing (Contact Hours – 8)

- a. Essentials of Good Legal Writing
- b. Framing of Title, Research Questions, Identifying relevant areas of law.
- c. Citation, Reference and Footnoting
- d. Research Ethics and Plagiarism
- e. Dissertation Writing
- f. Dissertation Writing

Reference Material

1. C. R. Kothari — Research Methodology (Methods and Techniques (2nd edn., New Age International Publishers),1990

2. Dennis P. Force and Stephen Richer (ed.), *Stages of Social Research and Legal Writing: Contemporary Perspectives* (New Jersey : Prentice Hall Inc., Englewood Cliffs, 1970).
3. Dr. H.N.Tawari Legal Research Methodology — Allahabad Law Agency.
4. Erwin C. Surrency B. Fielf and .J. Cn, 4 Guide to Legal Research (1959)
5. Frederic Charles Hicks, Materials and Methods in Legal Research (Lawyers Cooperative Publishing, New York).
6. Goode and Hall, Methods in Social Research (Singapore : MacGraw Hill Book Co., 1985).
7. G.P. Tripathi, *Legal Research and Research Methodology*, Central Law Publications, 2019
8. H.M.Hyman, Interviewing in Social Research (1965)
9. Harvard Law Review Association, The Bluebook: Uniform system of Citation (Harvard Law Review, Harvard).
10. High Brayal, Nigel Duncan and Richard Crimes, Clinical Legal Education: Active Learning in your School (1998) Blackstone P. Press Limited, London.
11. Janathan Anderson, Thesis and Assignment Writing (Wiley Eastern Ltd., New Delhi).
12. Johan Galtung, Theory And Methods of Social Research (London: George Allen & Unwin Ltd., 1970).
13. Legal Research and Methodology— Indian Law Institute, New Delhi
14. Leon Festinger (ed.), Research Methods in Behavioral Sciences (Holt, Rinehart and Winston, New York, 1953).
15. Pauline V. Young, Scientific Social Surveys and Research (New Delhi : Prentice Hall of India Pvt. Ltd., 1984).
16. Rattan Singh, *Legal Research Methodology*, Lexis Nexis, 2nd Edn., 2016
17. S. K. Verma and Afzal Vani, Legal Research and Methodology, ILI, New Delhi William I Grade and Paul K Hatt, Methods in Social Research, Mc GrawHill Book Company, London.

CO PO MAPPING

Courses Code	Courses	Course Outcomes	PO1	PO2	PO3	PO4	PO5	PO6	PO7	PO8	PO9	PSO1	PSO2
LWH601	Research Methods and Legal Writing	CO1	-	3	2	3	-	3	-	1	-	2	2
		CO2	-	3	2	3	-	3	-	1	-	2	2
		CO3	-	3	2	3	-	3	2	1	3	2	2
		CO4	-	3	2	3	-	3	2	1	-	-	2

Course Title/ Code	Comparative Systems of Governance (LWH602)	
Course Type:	Core (Departmental)	
L-T-P Structure	(3-0-0)	
Objectives	The course has been designed to drive the students through the journey of historical development to the law of the Third World. Focus is laid on the endeavours at global unification of law.	
Course Outcomes (COs)		Mapping (Employability/ Skill Development/ Entrepreneurship)
CO1	Distinguish and describe public law vis-a-vis private law in global context;	EMPLOYABILITY
CO2	Differentiate common law system from that of civil law system by reference to important characteristics of each ;	EMPLOYABILITY
CO3	Describe and apply the basic theories of constitutionalism including rule of law, separation of powers and judicial review and test it for Indian legal system;	EMPLOYABILITY
CO4	Explain the principles of comparative criminal law and analyse their working in Indian criminal justice delivery system;	EMPLOYABILITY
Prerequisites if any		

MODULE 1

The Theoretical Perspectives of Comparative Public Law (Contact Hours – 8)

- Historical Development of Public Law, Meaning, Nature and Significance
- Tools of Comparative Public Law
- Constitutional and Administrative Law- A Comparative Study

MODULE 2

Study of World Law (Contact Hours – 8)

- a. Unification of the World Law
- b. Legislative Mechanism-Common Law, Civil Law
- c. Comparative Constitutional Law – its relevance
- d. Concerns and problems of comparison

MODULE 3**Constitutionalism (Contact Hours – 8)**

- a. Distinction between Constitution and Constitutionalism
- b. Essential Features of Constitutionalism

MODULE 4**Forms of Government (Contact Hours – 8)**

- a. Federal and Unitary
- b. Features, advantages, disadvantages
- c. Models of Federalism and Concept of Quasi Federalism
- d. Role of Courts in Preserving Federalism
- e. Parliamentary and Presidential Forms

Reference Material

1. D.D. Basu, Comparative Constitutional Law (2nd ed., Wadhwa Nagpur).
2. David Strauss, The Living Constitution (Oxford University Press, 2010)
3. Dr. Subhash C Kashyap, Framing of Indian Constitution (Universal Law, 2004)
4. Elizabeth Giussani, Constitutional and Administrative Law (Sweet and Maxwell, 2008).
5. Erwin Chemerinsky, Constitutional Law, Principles and Policies (3rd ed., Aspen, 2006)
6. J Baylis, S. Smith, *Globalization of World Politics: An Introduction to International Relations*
7. J.D.M Derrett, An Introduction to Legal Systems(3rd Edition, Universal Law)
8. M.V. Pylee, Constitution of the World (Universal, 2006)
9. Mahendra Kumar, *International Relations*

10. Mahendra P. Singh, *Comparative Constitutional Law* (Eastern Book Company, 1989).
11. Neal Devins and Louis Fisher, *The Democratic Constitution* (Oxford University Press, 2010)
12. Prakash Chandra, *International Relations* (Vikas Publishing House)
13. S.N Ray, *Judicial Review and Fundamental Rights* (Eastern Law House, 1974).
14. *Structure Doctrine* (Oxford University Press, 2009)
15. Sudhir Krishna Swamy, *Democracy and constitutionalism in India – A Study of the Basic*
16. Sunil Khilnani, Vikram Raghavan, Arun Thiruvengadam, *Comparative Constitutionalism in South Asia* (Oxford University Press, 2013).
17. V.N. Khanna (201 Christopher Forsyth, Mark Elliott, Swati Jhaveri, *Effective Judicial Review: A Cornerstone of Good Governance* (Oxford University Press, 2010).
18. Vikram David Amar, Mark Tushnet, *Global Perspectives on Constitutional Law* (Oxford University Press, 2009).
19. Zachery Elkins, Tom Ginsburg, James Melton, *The Endurance of National Constitutions* (Cambridge University Press, 2009).

Articles

1. Aman Ullah and Uzair Samee, "Basic Structure of Constitution: Impact of Kesavananda Bharati on Constitutional Status of Fundamental Rights", Vol. 26 (2) *South Asian Studies* 299- 309 (July December 2011).
2. Anne Smith, "Internationalization and Constitutional Borrowing in Drafting Bills of Rights", 60(4) *International and Comparative Law Quarterly* 867-894 (2011 October).
3. Bruce Ackerman, "The New Separation of Powers" 113 (3) *Harv. L. Rev.* 634-729 (2000)
4. Bryan Clark and Amanda Leiter, "Regulatory hide and seek: What agencies can (and can't) do to limit judicial review" 52(5) *Boston College Law Review* 1687-1732 (2011 November)
5. Chhavi Agarwal, "Rule of Law: Reflection upon we the People and Beyond" 252 (1) *Madras Law Journal* 8-16 (2010)
6. Chris Brown and Ainley Kirsten (2009) *Understanding International Relations*, New York: Palgrave Macmillan(4th edition)
7. Daryl Levinson and Richard H. Pildes "Separation of Parties, Not Powers" 119(8) *Harvard Law Review* 2311-2386 (2006).
8. David King, "Formalizing Local Constitutional Standards of Review and the Implications for Federalism" 97 (7) *Virginia Law Review* 1685-1726 (November 2011).

CO PO MAPPING

Course Code	Course	Course Outcomes	PO1	PO2	PO3	PO4	PO5	PO6	PO7	PO8	PO9	PS01	PS02
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LWH602	Comparative Systems of Governance	C01	3	3	2	3	-	3	-	1	3	-	-
		C02	3	3	2	3	-	3	-	1	3	-	-
		C03	3	3	2	3	-	3	2	1	3	-	-
		C04	3	3	2	3	-	3	2	1	3	-	-

Course Title/ Code	Law and Justice in Globalizing World (LWH603)	
Course Type:	Core (Departmental)	
L-T-P Structure	(3-0-0)	
Objectives	The objective of the course is to enable students to understand and seek solutions to pressing problems in the domain of global justice. By the end of the term, students are expected to be familiar with multiple dimensions of the theoretical perspectives and be able to critically evaluate the liberal, republican discursive democratic attempts to make sense of, and to ameliorate prevailing instances of injustice in the world.	
Course Outcomes (COs)		Mapping (EMPLOYABILITY/Skill Development/Entrepreneurship)
CO1	Describe the nature and factors of globalization; current and its historical perspective	EMPLOYABILITY
CO2	Apply the analytical tools to analyze the impact of globalization on sovereignty of state, federalism and human rights jurisprudence	EMPLOYABILITY
CO3	Interpret the concept of global justice and give opinion in any social and economic conflict situations	EMPLOYABILITY
CO4	List out the role and working of international institutions towards achieving global justice	EMPLOYABILITY
Prerequisites if any		

MODULE 1

Legal Globalization- An Introduction (Contact Hours- 8)

- Meaning of "globalization" in a contemporary context
- Introduction to the Increasing Globalization of Law
- Impact of globalization-on sovereignty of state, on Federalism and Democratic Law Making, on Human Rights Law

MODULE 2

Legal Implementation of Global Justice (Contact Hours – 8)

- a. The Concept of Global Justice
- b. Treaties and the Role of Customary International Law
- c. International Implementation System (International Court of Justice, International Criminal Court)

MODULE 3

Human Rights and Humanitarian Law (Contact Hours-8)

- a. War, Terrorism & Genocide, and Humanitarian Intervention;
- b. Migration, Refugees, Asylums;
- c. Universal Jurisdiction for Crimes Against Humanity/War Crimes;

MODULE 4

Global Justice and Trade Law (Contact Hours – 8)

- a. Dispute settlement Mechanism in International Trade Law
- b. Theories of global Justice in International Trade Law
- c. Impact of Globalization on Trade Law
- d. Environmental issues in International Trade Law

Reference Material

1. Andrew Kuper, *Democracy Beyond Borders: Justice and Representations in Global Institutions* (OUP, 2006)
2. Anthony McGrew, David Held (eds.), *Governing Globalization: Power, Authority and Global Governance* (Polity Press, 2002).
3. Chi Carmody, Frank J. Garcia, & John Linarelli, *Global Justice and International Economic Law: Opportunities and Prospects* (ASIL Studies in International Legal Theory) (2012)
4. David Schzeiderman, *Constitutionalizing Economic Globalization: Investment Rules*
5. David Weissbrodt, FionnualaNíAoláin, Joan Fitzpatrick, and Frank Newman, *International Human Rights: Law, Policy and Process* (4th ed. 2008)

6. David Weissbrodt, Joan Fitzpatrick, Frank Newman, Marci Hoffman and Mary Rumsey, *Selected International Human Rights Instruments and Bibliography for Research on International Human Rights Law* (3d ed. 2001)
7. Helen M. Stacy & Win Chiat Lee, *Economic Justice: Philosophical and Legal Perspectives* (AMINTAPHIL: The Philosophical Foundations of Law and Justice) (2012)
8. Hurst Hannum, *International Human Rights: Problems of Law, Policy, and Practice* (2011)
9. International Covenant on Economic, Social, and Cultural Rights (ICESCR) and Optional Protocol www2.ohchr.org/english/law/pdf/cescr.pdf; www2.ohchr.org/english/law/docs/A.RES.63.117_en.pdf
10. Jean-Marc Coicaud, Michael W. Doyle et al (eds.), *The Globalization of Human Rights* 2003 (United Nations University Press).
11. John Baylis, Steve Smith, et al (eds.) *The Globalization of World Politics: An Introduction to International Relations* (OUP, 2008).
12. Karl-Heinz Ladeur (ed.), *Public Governance in the Age of Globalization* (2004).
13. Laura Valentini, *Justice in a Globalizing World: A Normative Framework* (OUP, 2011).
14. M. Abouharb, David Cingranelli, *Human Rights and Structural Adjustment* 2007 (Cambridge University Press)
15. Pablo De Greiff and Ciaran Cronin (eds.), *Global Justice and Transnational Politics: Essays on the Moral and Political Challenges of Globalization* (MIT Press, 2002).
16. Percy E. Corbett, *The Growth of World Law* 184 (1971).
17. Protocol to Prevent, Suppress, and Punish Trafficking in Persons, especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, UN Doc. A/53/383 (2000). International Labor Convention 189 (2011) <http://www.ilo.org/ilolex/english/convdisp1.htm>
18. Rosalyn Higgins, *Development of International Law through the Political Organs of the United Nations* (1963).
19. Simon Coney, *Justice Beyond Borders: A Global Political Theory* (Oxford University Press, 2005).
20. Upendra Baxi, *The Future of Human Rights* (OUP, 2002).
21. Warner Menski, *Comparative Law in Global Context: The Legal Systems of Asia and Africa* (Cambridge University Press, 2006).

CO PO MAPPING

Course Code	Course	Course Outcomes	PO1	PO2	PO3	PO4	PO5	PO6	PO7	PO8	PO9	PS01	PS02
LWH603	Law and Justice in a Globalizing World	CO1	3	3	2	3	1	3	-	1	3	-	-
		CO2	3	3	2	3	2	2	-	1	3	-	-

		C03	3	3	2	3	-	2	2	-	-	-	-
		C04	3	3	3	3	-	1	2	-	-	-	-

CORPORATE LAW SPECIALIZATION

Course Title/ Code	Corporate Governance and Principles of Companies Act (LWH631)	
Course Type:	Core (Departmental)	
Course Nature:	Hard	
L-T-P-O Structure	(2-0-0)	
Objectives	The objective of this paper is Acquaint students of fundamental theories and principles governing companies and corporate governance.	
Course Outcomes (COs)		Mapping (EMPLOYABILITY/Skill Development/Entrepreneurship)
CO1	Describe the basic theories of incorporation and corporate governance?	EMPLOYABILITY
CO2	Identify the legal framework through various provisions relating to corporate governance?	EMPLOYABILITY
CO3	Counsel and advice the clients on rights of shareholders under companies Act and other laws?	Skill development
CO4	Advise companies on the structuring of the Board and its various committees?	Skill development
CO5	Identify the duties of auditors and respresent the parties in the court on matters relating to financial govenance?	Skill development
Prerequisites if any		

MODULE 1

Fundamentals of Corporate Governance (8 Class Hours)

- a. Basic Framework - Meaning, relevance and significance of corporate governance
- b. Theories, Models and Mechanisms of CG – Legal Liability, Social and Ethical Norms, Markets

MODULE II

Shareholders and Stakeholders (8 class hours)

- a. Rights, Role(s) and responsibilities of shareholders
- b. Rights, Role(s) and responsibilities other stakeholders

MODULE III

Board and Management (8 class hours)

- a. Board of Directors – Role and Responsibilities
- b. Board Structure and Functioning

MODULE IV

Financial Governance (8 class hours)

- a. Aspects of financial governance
- b. Audit committees;
- c. Financial reporting;
- d. Role & Responsibilities of Auditors;
- e. Equity market reforms etc.

Reference Material

1. Andrei Shleifer and Robert Vishny "Management Entrenchment: The Case of Manager-Specific Investments." 25(1) *Journal of Financial Economics* 123-139 (1989).
2. Andrei Shleifer and Robert Vishny, "Large Shareholders and Corporate Control," 94(3) *Journal of Political Economy*, 461-488 (June 1986)
3. Andrei Shleifer and Robert W. Vishny, "A Survey of Corporate Governance." 52(2) *Journal of Finance* 1997
4. Bebchuk, Lucian A., Jesse M. Fried, and David I. Walker, "Managerial Power and Rent Extraction in the Design of Executive Compensation," NBER working paper #9068, July 2002.
5. Bebchuk, Lucian, and Jesse Fried (2004), *Pay without Performance: The Unfulfilled Promise of Executive Compensation.* Cambridge: Harvard University Press.
6. Bebchuk, Lucian, and Yaniv Grinstein (2005), "The Growth of Executive Pay." NBER Working Paper Series No. 11443.

7. Becht, Marco, Patrick Bolton, and Ailsa Röell (2003), "Corporate Governance and Control." In: Handbook of the Economics of Finance (Constantinides, Harris, and Stulz eds.), Amsterdam:Elsevier, Chapters 1-4.
8. Bertrand, Marianne and Sendhil Mullainathan, "Do CEOs Set their Own Pay? The Ones without Principals Do," NBER Working Paper No. 7604, March 200. Also available at: <http://econ-www.mit.edu/faculty/mullain/files/papers/CeosPrincipals.pdf>
9. Burkart, Mike, Denis Gromb, and Fausto Panuzi, "Why Higher Takeover Premia Protects Minority Shareholders," *Journal of Political Economy*, Vol. 106, Iss. 1, February 1998, pp. 172- 204.
10. Chew, Donald Jr., and Stuart Gillan eds. (2005), Corporate Governance at the Crossroads. New York: McGraw-Hill, Section 2.2.d
11. Claessens, Stijn and Simeon Djankov (1999), "Ownership Concentration and Corporate Performance in the Czech Republic." *Journal of Comparative Economics*, 27, 498-513.
12. Claessens, Stijn, "Corporate Governance and Equity Prices: Evidence from the Czech and Slovak Republics," *Journal of Finance*, Vol. 52, Iss. 4, September 1997, pp. 1641-1658.
13. Claessens, Stijn, Simeon Djankov, Joseph Fan, and Larry Lang, "The Separation of Ownership and Control in East Asia Corporations," *Journal of Financial Economics*, Vol. 58, Iss. 1-2, October 2000, pp. 81-112.
14. Coffee, John C. Jr., "The Future as History: The Prospects for Global Convergence in Corporate Governance and its Implications", Columbia University Center for Law and Economic Studies, Working Paper No. 144, February 1999.
15. D Bertrand, Marianne and Sendhil Mullainathan (2003), "Enjoying the Quiet Life? Corporate Governance and Managerial Preferences." *Journal of Political Economy*, 111(5), 1043-1075.
16. Demsetz, Harold and Kenneth Lehn (1985), "The Structure of Corporate Ownership: Causes and Consequences." *Journal of Political Economy* 93(6), 1155-1177.
17. Dyck, Alexander and Luigi Zingales, "Private Benefits of Control: An International Comparison," University of Chicago mimeo, December 2002.
18. Dyck, Alexander, and Luigi Zingales (2004), "Control Premiums and the Effectiveness of Corporate Governance Systems." In: Global Corporate Governance (D. Chew and S. Gillan eds.), New York: Columbian Business School Publisher.
19. Earle, John and Saul Estrin (1996), "Employee Ownership in Transition." In: Corporate
20. Easterbrook, H. Frank and Daniel R. Fischel, "The Corporate Contract" in Chapter 1 of The Economic Structure of Corporate Law (Harvard University Press, Cambridge, MA, 1991) (1-39)
21. Franks, Julian, and Colin Mayer (2009), "Corporate Ownership and Control in the U.K., Germany and France" In: Global Corporate Governance (D. Chew and S. Gillan eds.), New York: Columbian Business School Publisher.
22. Gilson, Stuart, "Management Turnover and Financial Distress," *Journal of Financial Economics*, Vol. 25, January 1989, pp. 241-262.
23. Governance in Central Europe and Russia (R. Frydman, C. Gray and A. Rapaczynski eds.) Budapest: Central European University Press.

24. Grosfeld, Irena, and Thierry Tressel (2002), "Competition and Ownership Structure: Substitutes or Complements?" *Economics of Transition* 10(3), 525-551.
25. Hansmann, Henry (1996), *The Ownership of Enterprise*. Cambridge, USA: The Belknap Press of Harvard University Press, Chapters 1-3.
26. Hart, Oliver, "Corporate Governance: Some Theory and Implications," *The Economic Journal*, Vol. 105, Iss. 430, May 1995 (678-689)
27. Hu, Yifan, and Xianming Zhou (2008), "The Performance Effect of Managerial Ownership: Evidence from China." *Journal of Banking and Finance* 32, 2099-2110.
28. Jensen, Michael and William Meckling, "Theory of the Firm: Managerial Behavior, Agency Costs and Ownership Structure," *Journal of Financial Economics*, Vol. 3, Iss. 4, October 1976 (305-360)
29. Jensen, Michael, and Kevin Murphy (1990), "Performance Pay and Top-Management Incentives" *Journal of Political Economy* 98, 225-264.
30. Joh, Sung Wook (2003), "Corporate Governance and Firm Profitability: Evidence from Korea before the Economic Crisis." *Journal of Financial Economics* 68, 287-322.
31. Kaplan, Steven N. and Bernadette A. Minton, "Appointments of Outsiders to Japanese Boards: Determinants and Implications for Managers," *Journal of Financial Economics*, Vol. 36, Iss. 2, October 1994, pp. 225-258.
32. Kester, W. Carl, "Note on Corporate Governance Systems: The United States, Japan and Germany," Harvard Business School, Case #9-292-012.
33. La Porta, Rafael, Florencio López-de-Silanes, and Andrei Shleifer, "Corporate Ownership Around the World," *Journal of Finance*, Vol. 54, Iss. 2, April 1999, pp. 471-517.
34. La Porta, Rafael, Florencio López-de-Silanes, and Andrei Shleifer, "Investor Protection and Corporate Valuation," *Journal of Finance*, Vol. 57, Iss. 3, June 2002, pp. 1147-1170.
35. La Porta, Rafael, Florencio López-de-Silanes, Andrei Shleifer and Robert W. Vishny, "Investor Protection and Corporate Governance," *Journal of Financial Economics*, Vol. 58, Iss.1-2, October 2000, pp. 3-27.
36. Morck, Randall, Andrei Shleifer and Robert W. Vishny (1988), "Management Ownership and Market Valuation: An Empirical Analysis." *Journal of Financial Economics*, 20(1-2), 293-315.
37. Nenova, Tatiana, "The Value of Corporate Votes and Control Benefits: A Cross-Country Analysis," Harvard University mimeo, September 2000.
38. OECD, "Principles of Corporate Governance," May 1999. Available at: <http://www.oecd.org/EN/documents/0,,EN-documents-77-3-no-24-no-77,00.html>
39. Ronald H. Coase, "The Nature of the Firm," *Economica*, Vol. 4, Iss. 16, November 1937(pp. 386-405)
40. Rosenstein, S. and J. G. Wyatt, "Outside Directors, Board Independence, and Shareholder Wealth," *Journal of Financial Economics*, Vol. 26, Iss. 2, August 1990, pp. 175-191.

41. Shleifer, Andrei and Robert Vishny, "Large Shareholders and Corporate Control," *Journal of Political Economy*, Vol. 94, Iss. 3, June 1986, pp. 461-488.
42. Shleifer, Andrei and Robert W. Vishny (1989), "Management Entrenchment: The Case of Manager-Specific Investments." *Journal of Financial Economics*, 25(1): 123-39.
43. Shleifer, Andrei and Robert W. Vishny (1997), "A Survey of Corporate Governance." *Journal of Finance* 52(2)
44. The Economist, "Corporate Boards: The Way We Govern Now," January 9, 2003.
45. Tirole, Jean, "Corporate Governance," *Econometrica*, Vol. 69, Iss. 1, January 2001 (1-35)
46. Volpin, Paolo, "Governance with Poor Investor Protection: Evidence from Top Executive Turnover in Italy," *Journal of Financial Economics*, Vol. 64, Iss. 1, April 2002, pp. 61-90.
47. Weisbach, M. S., "Outside Directors and CEO Turnover," *Journal of Financial Economics*, Vol. 20, January 1988, pp. 431-460.
48. Williamson, Oliver (1985), *The Economic Institutions of Capitalism*. New York: Macmillan, Chapter 2.

CO PO MAPPING

Course Code	Course	Course Outcome	PO1	PO2	PO3	PO4	PO5	PO6	PO7	PO8	PO9	PS01	PS02
LWH631	Corporate Governance and Principles of Companies Act	CO1	3	3	2	3	2	3	-	-	3	-	-
		CO2	3	3	2	3	3	3	2	1	3	-	-
		CO3	3	3	2	3	3	3	-	-	-	-	-
		CO4	3	3	2	3	3	-	-	1	3	-	-
		CO5	3	3	2	3	3	-	-	-	3	-	-

Course Title/ Code	Commercial Arbitration: Theory and Doctrine (LWH611)	
Course Type:	Core (Departmental)	
L-T-P Structure	(2-0-0)	
Course Outcomes (COs)		Mapping (EMPLOYABILITY/Skill Development/Entrepreneurship)
CO1	Are you able to develop the discretion to use ADR mechanisms to resolve disputes?	EMPLOYABILITY
CO2	Are you able to interpret the arbitration agreements with respect to the intent of the parties, seat of arbitration, applicable law and other relevant clauses?	EMPLOYABILITY
CO3	Are you able to represent the parties in arbitration and appeal proceedings?	Skill development
CO4	Are you able to act as an arbitrator to resolve the disputes?	Skill development
Prerequisites if any		

MODULE I

Fundamentals of Arbitration (Contact Hours – 10)

- a. Nature and Scope of Arbitration
 - i. Arbitration v. Litigation
 - ii. What Is and Is Not Arbitration?
 - iii. Specialized Uses and Forms of Arbitration
 - iv. Choosing Arbitration Scenario
 - v. Framework of Arbitration – Statutory and Legal Standards
- b. Arbitration Jurisdiction
 - i. Consent/ Party Autonomy – Contractual Foundations
 - ii. Competence of an Arbitral Tribunal (Principle of *Kompetenze Kompetenze*)
 - iii. May Parties Avoid Arbitration? – Front End Issues

- iv. Statutory Arbitration in India

MODULE II

Arbitration Agreement and Arbitrability (Contact Hours – 10)

- a. Arbitrability
 - i. Substantive and Procedural
 - ii. Defenses to Questions of Arbitrability
- b. Arbitration Agreement
 - i. The Separability Doctrine
 - ii. Choice of Law
 - a. Choice of substantive law
 - b. Choice of seat provisions in arbitration agreements
- c. Role of Arbitrators
 - i. Power and duties
 - ii. Sources of ethical standards and ethical obligations
 - iii. Independence and impartiality
 - iv. Liability of arbitrators and arbitral organizations

MODULE III

Enforcement of Decisions of Arbitral Tribunals (Contact Hours – 10)

- a. The Establishment of Arbitral Tribunal
 - i. Appointment
 - ii. Challenge and replacement
 - iii. Emergency arbitrator
- b. Arbitral decisions
 - i. Procedural directions
 - ii. Arbitral Orders
 - iii. Arbitral Awards

- c. Judicial Enforcement and Review of Arbitral Awards
 - i. Functus officio doctrine
 - ii. Standard of review of awards
 - iii. Grounds for set-aside and enforcement of foreign awards
 - iv. Contract based standards and grounds

Reference Material

1. A. Ayyasamy v. A. Paramasivam (2016) 10 SCC 386
2. Ajar Rab, "Defining the Contours of the Public Policy Exception – A New Test for Arbitrability in India" 7(2) Indiana Journal of Arbitration Law 2019 at 161.
3. Arbitration and Conciliation Act 1996
4. Bharat Bhushan Bansal v. U.P. Small Industries Corporation Ltd. (1999) 2 SCC 166
5. Booz Allen and Hamilton Inc. v. SBI Home Finance Ltd. (2011) 5 SCC 532
6. Chetan Chawla, "The Muddy Waters of Pre-Arbitration Procedures – Are they Enforceable?" Kluwer Arbitration Blog, 2019
7. Detlev Kuhnner, "The Impact of Party Impecuniosity on Arbitration Agreements" The Example of France and Germany" 31 (6) Journal of International Arbitration 2014
8. Gary Born and Marija Scekic, "Pre-Arbitration Procedural Requirements" 2015 (OUP Uncorrected Proof- Firstproofs)
9. Gracious Timothy Dunna & Juhi Gupta, "Existential Crisis of Section 11(6A) of the Indian Arbitration Act? Part -I" Kluwer Arbitration Blog, 2019
10. Indian Farmers Fertilizer Cooperative Ltd. V. Bhadra Products (2018) 2 SCC 534
11. KK Modi v. K.N. Modi and Ors. (1998) 3 SCC 573
12. NTPC v. Siemens Atkeingesellschaft (2007) 4 SCC 451

CO PO MAPPING

Course Code	Course	Course Outcomes	PO1	PO2	PO3	PO4	PO5	PO6	PO7	PO8	PO9	PSO1	PSO2
LWH611	Commercial Arbitration: Theory and	CO1	3	3	2	3	2	3	-	-	3	-	-
		CO2	3	3	2	3	3	-	-	1	3	-	-
		CO3	3	3	2	3	-	-	2	1	3	-	-

	Doctrine	CO4	3	3	-	-	-	3	2	1	3	-	-
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CRIMINAL LAW SPECIALIZATION

Course Title/ Code	Principles of Criminal Law (LWH641)											
Course Type:	Elective (Departmental)											
Course Nature:	Hard											
L-T-P-O Structure	(2-0-0)											
Objectives	To make students critically understand the meaning of crime and criminal law and how they are different from civil wrongs, to analyze the exemptions and justifications which are available to a person in specific situations even when prima facie appears that crime has been committed.											
Course Outcomes (COs)										Mapping (EMPLOYABILITY/Skill Development/Entrepreneurship)		
CO1	Explain the established principles of liability and their evolution under criminal law.									EMPLOYABILITY		
CO2	Apply the substantive elements of vicarious and inchoate liability in the situation of deviant conduct.									Skill development		
CO3	Advice and counsel the client regarding the applicability of general defences to a particular criminal activity.									Skill development		
CO4	Present and publish on the contemporary criminal law issues in the context of social, political, and cultural conditions.									Skill development		
Prerequisites if any												

MODULE I

Introduction to criminal law and Elements of Crime (Contact Hours- 5)

- a) History of Indian Penal Code

- b) Nature and Scope of Criminal Law
- c) Definitions (From Penal Code) – Difference between Crime and Other Wrongs

MODULE II

Elements of Crime and Offences against Public Tranquility (Contact Hours- 10)

- a. Actus Reus, Mens Rea
- b. Motive, Intention, Preparation and Attempt
- c. Common Intention and Common Object
- d. Abetment; Criminal Conspiracy

MODULE III

General Exceptions (Contact Hours – 10)

- a. Mistake-Accident-Necessity-Infancy-Unsoundness of Mind
- b. Intoxication as Defence
- c. Right of Private Defence- Of Body –Self Defence
- d. Of Property- Extent of Such Right under different Circumstances
- e. Commencement and Continuance of Such Right

MODULE IV

Offences against the State; Offences against Decency, Morals and Religion (Contact Hours – 10)

- a. Offences against state (s. 121-130)
 - a. War and Sedition
 - b. Public Mischief (s. 505)
- b. Offences affecting decency, Morals and Religion
 - a. Obscene (s. 292 – 294A)
 - b. Offences relating to religion (s. 295-298)

References

1. C K Thakker, *Criminal Procedure* 2014 (India: Lexis Nexis)
2. Eugene J. Chesney, "Concept of Mens Rea in the Criminal Law", 29 *Am. Inst. Crim. L. & Criminology* 627 (1938-1939)
3. Glanville Williams, *Textbook of Criminal Law*
4. J. W. Turner, *Kenny's Outlines of Criminal Law*, 2006 (Delhi: Universal)
5. JWC Turner, *Russell on Crime* 1964 (latest Ed.)
6. K D Gaur, *Criminal Law-Cases and Materials* 2015 (India: Lexis Nexis)
7. K D Gaur, *Textbook on Indian Penal Code*, 2017 (Delhi: Universal Law)
8. K L Vibhute, *PSA Pillai's Criminal Law*, 2017 (India: Lexis Nexis)
9. KNC Pillai, *General Principles of Criminal Law* 2011 (Lucknow: EBC)
10. KNC Pillai, *R. V. Kelkar's Criminal Procedure* 2017 (Lucknow: EBC)
11. KNC Pillai, *R. V. Kelkar's Lectures on Criminal Procedure* 2017 (Lucknow: EBC)
12. Versha Vahini, *Ratanlal & Dhirajlal The Indian Penal Code* 2014 (Student Edition) (India: Lexis Nexis)

Important Cases

1. Abhyanand Mishra v. State of Bihar AIR 1961 SC 1698
2. Asgarali Pradhania v. Emperor AIR 1933 Cal. 893
3. Barendra Kumar Ghosh v. King Emperor
4. Basdev v. Pepsu AIR 1956 SC 488
5. Chandra Bihari Gautam v. State of Bihar (2002) 9 SCC 208
6. Deo Narain v. State of U.P. (1973) 1 SCC 347
7. Dr. Vimla v. Delhi Administration AIR 1963 SC 1572
8. Gian Kaur v. State of Punjab (1996) 2 SCC 648
9. James Martin v, State of Kerala (2004) 2 SCC 203
10. K.N. Mehra v. State of Rajasthan AIR 1957 SC 369
11. Kishan v. State of M.P. (1974) 3 SCC 623
12. Lakshmi v. State AIR 1959 All 534
13. Mahabir Choudhary v. State of Bihar (1996) 5 SCC 107
14. Mahbub Shah v. Emperor AIR 1945 PC 118
15. Maina Singh v. State of Rajasthan (1976) 2SCC827

16. Mizaji v. State of U.P. AIR 1959 SC 572
17. Mobarak Ali v. State of Bombay AIR 1957 SC 857
18. Om Prakash v. State of Punjab (1962) 2 SCR 254
19. Om Prakash v. State of Punjab AIR 1961 SC 1782
20. Pandurang v. State of Hyderabad (1955) 1 SCR 1083
21. Queen-Empress v. Kader Nasyer Shah (1896) ILR 23 Cal. 604
22. Shrikant Anandrao Bhosale v. State of Maharashtra (2002) 7 SCC 478
23. State of M.P. v. Narayan Singh (1989) 3 SCR 549
24. State of Maharashtra v. M. H. George (1965) 1 SCR 123
25. State of Maharashtra v. Mohd. Yakub (1980) 3 SCC 57 24
26. State of Orissa v. Bhagban Barik (1987) 2 SCC 98
27. State of Orissa v. Ram Bahadur Thapa AIR 1960Ori. 161
28. State of U.P. Ram Swarup (1974) 4 SCC 764

CO PO MAPPING

Course Code	Course	Course Outcomes	PO1	PO2	PO3	PO4	PO5	PO6	PO7	PO8	PO9	PS01	PS02
LWH641	Principles of Criminal Law	CO1	3	1	1	3	2	-	-	1	3	2	2
		CO2	3	2	2	3	3	2	2	1	3	3	3
		CO3	3	3	2	3	3	-	-	-	-	3	3
		CO4	3	3	3	3	-	-	3	-	-	3	3

Course Title/ Code	Criminal Justice Administration (LWH642)	
Course Type:	Elective (Departmental)	
Course Nature:	Hard	
L-T-P-O Structure	(2-0-0)	
Course Outcomes (COs)		Mapping (EMPLOYABILITY/Skill Development/Entrepreneurship)
CO1	Describe the role and functions of relevant authorities under criminal justice system.	EMPLOYABILITY
CO2	Counsel and advice the client on the process of investigation including arrest and bail.	Skill development
CO3	Represent the client and advance arguments during the trial on the matters involving rights, evidence and sentencing.	Skill development
CO4	Conduct research and publish opinions on the contemporary issues including Institutional and non-institutional Reforms in CJA	Skill development
Prerequisites if any		

MODULE I

Introduction to Criminal Justice Administration (Contact Hours – 8)

- Constitutional Foundations of Criminal Justice System
- Functionaries of Criminal Justice Administration including hierarchy of courts.
- Decoding the 'Justice' in Criminal Justice Administration.
- Comparative analysis of two models of criminal process- Adversarial and Inquisitorial systems.

MODULE II

Arrest and Bail – Human Rights Issues (Contact Hours – 8)

- Profile of Crimes in India: Rate of crime, proportion of different crimes- age, sex, education, economic status of offenders, conviction rate
- Reporting of Crimes and Arrest Process in Criminal Justice Administration and Rights of Arrestee

- c. Provision for Bail under the Code: Grant of bail and under-trial prisoners, torture during Interrogation; use of forensic and scientific investigation techniques.
- d. Speedy and Fair Trial; Components of Fair Trial, Quality Legal Aid; Plea Bargaining.
- e. Judgement and Sentencing – Compounding of offence, Remission, commutation and pardoning power.

MODULE III

Prison System (Contact Hours – 8)

- a. Theories of punishment- retributive; deterrent; preventive; reformative.
- b. Kinds of punishment- with special emphasis on capital punishment.
- c. Correctional administration – prison system – Challenges – Prison Act 1894
- d. Non-Institutional form of treatment- probation- Probation of Offenders Act 1958, parole- open prisons- role of NGO's.

MODULE IV

Victimology (Contact Hours – 8)

- a. Meaning and scope of victimology.
- b. Problems of crime victims and types of victims.
- c. Role of victim in criminal justice administration- Malimath committee report
- d. Witness and Victim Protection, Role and Rights of Victims, Compensation to Victims- Central Victim Compensation Scheme 2015, Compensation Scheme for Women Victims/Survivors of Sexual Assault/other crimes 2018.

Reference Material

1. B. Bowling, Racial Harassment and the Process of Victimization, Vol. 33 British Journal of Criminology (1993).
2. Bare Act of Code of Criminal Procedure, 1972
3. Critique of Malimath Committee Report, part 1 and 2
4. Ghazvini, Mohammad Farajiha, 2002, Police protection to victims of crime, New Delhi Deep & Deep Publications
5. J. McDevitt, Consequences for Victims: A Comparison of Bias and Non-Bias Motivated Assault, Vol. 45 (4) American Behavioral Scientist (2001).
6. K. I. Vibhute, Criminal Justice A Human Rights Perspective of the Criminal Justice

7. L.E. Cohen and Felsho, Social Inequality and Predatory Criminal Victimization: An Exposition and Test of a Formal Theory, Vol. 44 American Sociological Review, (1979).
8. Latest Prison Statistics from website of government agencies
9. M. Cheif Bassiouni, "Human Rights in the Context of Criminal Justice: Identifying
10. Malimath Committee Report on Criminal Law Reforms, 2004
11. Measures for Women Offenders (the Bangkok Rules)
12. Model Prison Manual 2003
13. P.K. Majumdar, *Law of Bails, Bonds and Arrest* 2012 (Orient Publication)
14. P.V. Ramakrishna, *Law of Bail, Bonds, Arrest and Custody* 2008 (LexisNexis)
15. Prevention and Criminal Justice Systems and Their Development in a Changing Process in India (2004) Eastern Book Company
16. Ratanlal & Dhirajlal, *Criminal Procedure*, 2012 (Lexis Nexis Butterworths Wadhwa, Nagpur)
17. Reports of the Law Commission of India – 35, 154, 156, 172, 177, 185, 203
18. Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and Their Development in a Changing World
19. UN Standard minimum rules for treatment of prisoners
20. United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules)

CO PO MAPPING

Course Code	Course	Course Outcomes	PO1	PO2	PO3	PO4	PO5	PO6	PO7	PO8	PO9	PS01	PS02
LWH642	Criminal Justice Administration	CO1	3	1	-	-	2	3	2	1	2	2	2
		CO2	3	3	1	3	3	2	-	-	3	-	2
		CO3	3	3	-	-	3	2	-	-	3	-	2
		CO4	3	3	3	3	3	2	3	1	3	3	3

COMMERCIAL LAW SPECIALIZATION

Course Title/ Code	Commercial Arbitration: Theory and Doctrine (LWH611)	
Course Type:	Core (Departmental)	
Course Nature:	Hard	
L-T-P-O Structure	(2-0-0-0)	
Course Outcomes (COs)		Mapping (EMPLOYABILITY/Skill Development/Entrepreneurship)
CO1	Are you able to develop the discretion to use ADR mechanisms to resolve disputes?	EMPLOYABILITY
CO2	Are you able to interpret the arbitration agreements with respect to the intent of the parties, seat of arbitration, applicable law and other relevant clauses?	EMPLOYABILITY
CO3	Are you able to represent the parties in arbitration and appeal proceedings?	Skill development
CO4	Are you able to act as an arbitrator to resolve the disputes?	Skill development
Prerequisites if any		

MODULE I

Fundamentals of Arbitration (Contact Hours : 8)

- a. Nature and Scope of Arbitration
 - a. Arbitration v. Litigation
 - b. What Is and Is Not Arbitration?
 - c. Specialized Uses and Forms of Arbitration
 - d. Choosing Arbitration Scenario
 - e. Framework of Arbitration – Statutory and Legal Standards
- b. Arbitration Jurisdiction
 - a. Consent/ Party Autonomy – Contractual Foundations
 - b. Competence of an Arbitral Tribunal (Principle of *Kompetenze Kompetenz*)

- c. May Parties Avoid Arbitration? – Front End Issues
- d. Statutory Arbitration in India

MODULE II

Arbitration Agreement and Arbitrability (Contact Hours : 8)

- a. Arbitrability
 - a. Substantive and Procedural
 - b. Defenses to Questions of Arbitrability
- b. Arbitration Agreement
 - a. The Separability Doctrine
 - b. Choice of Law
 - i. Choice of substantive law
 - ii. Choice of seat provisions in arbitration agreements
- c. Role of Arbitrators
 - a. Power and duties
 - b. Sources of ethical standards and ethical obligations
 - c. Independence and impartiality
 - d. Liability of arbitrators and arbitral organizations

MODULE III

Enforcement of Decisions of arbitral Tribunals (Contact Hours : 8)

- a. The Establishment of Arbitral Tribunal
 - i. Appointment
 - ii. Challenge and replacement
 - iii. Emergency arbitrator
- b. Arbitral decisions
 - i. Procedural directions
 - ii. Arbitral Orders
 - iii. Arbitral Awards

- c. Judicial Enforcement and Review of Arbitral Awards
 - i. Functus officio doctrine
 - ii. Standard of review of awards
 - iii. Grounds for set-aside and enforcement of foreign awards
 - iv. Contract based standards and grounds

Reference Material

1. A. Ayyasamy v. A. Paramasivam (2016) 10 SCC 386
2. Ajar Rab, "Defining the Contours of the Public Policy Exception – A New Test for Arbitrability in India" 7(2) Indiana Journal of Arbitration Law 2019 at 161.
3. Arbitration and Conciliation Act 1996
4. Bharat Bhushan Bansal v. U.P. Small Industries Corporation Ltd. (1999) 2 SCC 166
5. Booz Allen and Hamilton Inc. v. SBI Home Finance Ltd. (2011) 5 SCC 532
6. Chetan Chawla, "The Muddy Waters of Pre-Arbitration Procedures – Are they Enforceable?" Kluwer Arbitration Blog, 2019
7. Detlev Kuhner, "The Impact of Party Impecuniosity on Arbitration Agreements" The Example of France and Germany" 31 (6) Journal of International Arbitration 2014
8. Gary Born and Marija Scekic, "Pre-Arbitration Procedural Requirements" 2015 (OUP Uncorrected Proof- Firstproofs)
9. Gracious Timothy Dunna & Juhi Gupta, "Existential Crisis of Section 11(6A) of the Indian Arbitration Act? Part -I" Kluwer Arbitration Blog, 2019
10. Gracious Timothy Dunna & Juhi Gupta, "Existential Crisis of Section 11(6A) of the Indian Arbitration Act? Part -II" Kluwer Arbitration Blog, 2019
11. Indian Farmers Fertilizer Cooperative Ltd. V. Bhadra Products (2018) 2 SCC 534
12. KK Modi v. K.N. Modi and ors. (1998) 3 SCC 573
13. NTPC v. Siemens Atkeingesellschaft (2007) 4 SCC 451

CO PO Mapping

Course Code	Course	Course Outcomes	PO1	PO2	PO3	PO4	PO5	PO6	PO7	PO8	PO9	PS01	PS02
LWH611	Commercial Arbitration: Theory and Doctrine	CO1	3	3	2	3	2	3	-	-	3	-	-
		CO2	3	3	2	3	3	-	-	1	3	-	-
		CO3	3	3	2	3	-	-	2	1	3	-	-

		C04	3	3	-	-	-	3	2	1	3	-	-
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Course Title/ Code		Commercial Arbitration: Practice and Procedure – I (LWH612)										
Course Type:		Core (Departmental)										
Course Nature:		Hard										
L-T-P-O Structure		(2-0-0)										
Course Outcomes (COs)									Mapping (EMPLOYABILITY/ Skill Development/ Entrepreneurship)			
CO1	Conduct the arbitration proceedings, as an arbitrator and/or as counsel in a commercial dispute.								EMPLOYABILITY			
CO2	Interpret and understand the substantive dispute and represent the parties in arbitration proceedings.								EMPLOYABILITY			
CO3	advise and counsel the client on the procedure of arbitration with respect to the dispute, evidence, testimony, oral hearings and awards in a commercial dispute.								Skill development			
CO4	offer pre-arbitration and post-arbitration counseling, aid and advise to the client.								Skill development			
Prerequisites if any												

MODULE I

Arbitral Tribunal (Contact Hours 10)

- Status of Arbitral Tribunal;
- Composition; Appointment; Qualifications;

- c. Impartiality;
- d. Jurisdiction; Powers and Duties

MODULE II

Commencement of Arbitration (Contact Hours 10)

- a. Commencement of arbitration;
- b. Reference to arbitral Tribunal & terms of reference; procedural directions.

MODULE III

Conduct of Arbitration (Contact Hours 10)

- a. Conduct of arbitration proceedings:
- b. Initiating arbitration,
- c. Constituting the tribunal,
- d. Establishing terms of reference, submission of testimony, discovery, hearings, and awards

MODULE IV

Proceedings of Arbitration (Contact Hours 10)

- a. Conduct of Proceedings; Fair Trial;
- b. The Challenge Procedure;
- c. Termination of Arbitrator;
- d. Appeals.

Reference Material

1. B S Patil, *The Law of Arbitration and Conciliation* (2008) Fifth Edition :
2. CR Datta, *Law of Arbitration and Conciliation (Including Commercial Arbitration)*, (2007), LexisNexis,
3. Halsbury's *Annotated Statutes of India Volume 1 – Arbitration*, LexisNexis, (2008),
4. Joharis, *Commentary on Arbitration and Conciliation Act, 1996* in 2 vols. Kamal Law House, (2008)

CO PO MAPPING

Course Code	Course	Course Outcomes	PO1	PO2	PO3	PO4	PO5	PO6	PO7	PO8	PO9	PS01	PS02
LWH612	Commercial Arbitration: Practice and Procedure I	CO1	3	3	2	3	3	3	-	1	3	-	-
		CO2	3	3	2	3	3	3	-	1	3	-	-
		CO3	3	3	2	3	-	-	2	-	3	-	-
		CO4	3	3	2	3	3	3	2	-	3	-	-

SEMESTER- II						
Course Code	Course Name	Course Type (Deptt- Allied/Core/Elective/Audit)	Structure			Credits
			L	T	P	
LWH632	Corporate Finance	CORPORATE LAW	2+2+2+2	0	0	2+2+2 + 2
LWH633	Insolvency and Bankruptcy Law	CORPORATE LAW		0	0	
LWH634	Corporate Mergers and Acquisitions	CORPORATE LAW		0	0	
LWH635	Competition Law	CORPORATE LAW		0	0	
LWH644	Socio-Economic Offences	CRIMINAL LAW				
LWH647	Gender in Criminal Law	CRIMINAL LAW				
LWH648	National Security Laws and Fundamental Rights	CRIMINAL LAW				
LWH649	International Criminal Law	CRIMINAL LAW				
LWH613	Commercial Arbitration: Practice and Procedure II	COMMERCIAL ARBITRATION				
LWH614	International Commercial Arbitration: Principles and Practice	COMMERCIAL ARBITRATION				
LWH615	Institutional Arbitration	COMMERCIAL ARBITRATION				
LWH616	Construction Arbitration	COMMERCIAL ARBITRATION				
LWH604	Dissertation		0	0	0	4
Semester Credits(L-T-P/Credits)			12	0	0	12

SEMESTER II**COMMERCIAL LAW SPECIALIZATION**

Course Title/ Code	Corporate Finance – I (LWH632)	
Course Type:	Core (Departmental)	
Course Nature:	Hard	
L-T-P-O Structure	(2-0-0)	
Objectives	The objective of this paper is (i) To understand the economic and legal dimensions of corporate finance in the process of industrial development in establishing social order in the context of constitutional values; (ii) To acquaint the students with the normative, philosophical and economic contours of various statutory rules relating to corporate finance; (iii) To acquaint the students with the organisation, functions, lending, and recovery procedures, conditions of lending and accountability of international national and state financing institutions and also of commercial banks.	
Course Outcomes (COs)		Mapping (EMPLOYABILITY/ Skill Development/ Entrepreneurship)
CO1	suggest the client company on type, source and conditions of capital for the venture	Skill development
CO2	advise on the nuances of debt equity ratio	Skill development
CO3	counsel on capital restructuring with respect to conditions and methods	Skill development
CO4	identify and propose the ways and measures of investor protection to a company	Skill development
CO5	give opinion on the legal framework applicable to raising external capital	Skill development
Prerequisites if any		

MODULE 1

Introduction to the Corporate Finance (Contact Hours – 12)

- a. Introduction
- b. Equity finance
- c. Debit Finance

MODULE 2

Conservation of Corporate Finance (Contact Hours – 12)

- a. Conservation of Corporate Finance
- b. Protection of Creditors

MODULE 3

Investor Protection (Contact Hours – 12)

- a. Protection of Investors
- b. Corporate Fund Raising

MODULE 4

Corporate Fund Raising and Regulations (Contact Hours – 12)

- a. Administrative Regulation on Corporate Finance
- b. Relevant leading case studies

Reference Material

1. A. Ramaiya, *Guide to the Companies Act 1998* (Vol. I, II and III)
2. Alastair Hundson, *The Law on Financial Derivatives 1998* (Sweet & Maxwell)
3. Eil's Ferran, *Company Law and Corporate Finance*, Oxford (1999)
4. Gilbert Harold, *Corporation Finance* 1956.
5. H.A.J. Ford and A.P. Austen, *Fords' principle of Corporations Law* 1999 (Butterworths)

6. Henry E. Hoagland, *Corporation Finance* 1947.
7. J.H. Farrar and B.M. Hanniyan, *Farrar's company Law* 1998 (Butterworths)
8. Maryin M. Kristein, *Corporate Finance* 1975
9. R P Austen, *The Law of Public Company Finance* 1986.
10. R.C. Osborn, *Corporation Finance* 1959.
11. R.M. Goode, *Legal Problems of Credit and Security* 1988 (Sweet and Maxwell)
12. V.G. Kulkami, *Corporate Finance* (1961)
13. Y.D. Kulshreshta, *Government Regulation of Financial management of Private Corporate Sector in India* (1986)

CO PO MAPPING

Course Code	Course	Course Outcomes	PO1	PO2	PO3	PO4	PO5	PO6	PO7	PO8	PO9	PS01	PS02
LWH632	Corporate Finance	CO1	3	1	1	3	2	3	2	1	3	-	-
		CO2	3	2	2	3	3	2	-	-	3	-	-
		CO3	3	3	2	3	3	3	-	-	3	-	-
		CO4	3	3	3	3	-	-	-	-	3	-	-
		CO5	3	1	1	2	2	-	-	-	-	-	-

Course Title/ Code	Insolvency and Bankruptcy Law (LWH633)
Course Type:	Core (Departmental)
Course Nature:	Hard
L-T-P-O Structure	(2-0-0)
Objectives	This course concerns the law and finance of corporate bankruptcy with an emphasis on reorganization. This basic bankruptcy course covers the major facets of bankruptcy that influence business financing transactions.

Course Outcomes (COs)		Mapping (EMPLOYABILITY/Skill Development/Entrepreneurship)
CO1	Apply the provisions of relevant laws to corporate debt restructuring	Skill development
CO2	Counsel on bankruptcy procedure in cases of corporate insolvency	Skill development
CO3	Take up cases relating to corporate insolvency in the court of law	Skill development
Prerequisites if any		

MODULE 1

The fundamentals of debt contracting (Contact Hours – 8)

- Insolvency – Concepts and Evolution
- Introduction to Insolvency and Bankruptcy Code
- Corporate Insolvency Resolution Process
- Insolvency Resolution of Corporate Persons

MODULE 2

The Bankruptcy Process (Contact Hours – 8)

- Resolution Strategies
- Fast Track Corporation Insolvency Resolution Process
- Liquidation of Corporate Person
- Voluntary Liquidation of Companies

MODULE 3

Corporate Debt Restructuring and other options (Contact Hours – 8)

- a. Adjudication and Appeals for Corporate Persons
- b. Debt Recovery and Securitization
- c. Winding-Up by Tribunal
- d. Cross Border Insolvency

MODULE 4

Cross-border bankruptcies (Contact Hours – 8)

- a. Insolvency Resolution of Individual and Partnership Firms
- b. Bankruptcy Order for Individuals and Partnership firms
- c. Bankruptcy for Individuals and Partnership Firms
- d. Fresh Start Process
- e. Professional and Ethical Practices for Insolvency Practitioners

Reference Materials

1. Bare Act – Insolvency and Bankruptcy Act 2017
2. Brian A. Blum, Bankruptcy and Debtor/Creditor: Examples and Explanations (Examples & Explanations)2006.
3. Bruce G. Carruthers and Terence C. Halliday, Rescuing Business: The Making of Corporate Bankruptcy Law in England and the United States 1998.
4. Grant W. Newton and Robert Liquerian, Bankruptcy and Insolvency Taxation, 2008
5. Grant W. Newton, Corporate Bankruptcy: Tools, Strategies, and Alternatives 2003.
6. Ian Ratner, Grant T. Stein, and John C. Weitnauer, Business Valuation and Bankruptcy (Wiley Finance) 2009.
7. Irene Lynch-Fannon, Corporate Insolvency and Rescue 2010.
8. John R. Cornell, Employee Benefits and Executive Compensation in Corporate Bankruptcy: A Collier Monograph, 2008.
9. Lynn M. LoPucki and Joseph W. Doherty, Professional Fees in Corporate Bankruptcies: Data, Analysis, and Evaluation 2011.
10. Mark J. Roe, Bankruptcy and Corporate Reorganization: Legal and Financial Materials 2007.
11. Mark S. Scarberry, Business Reorganization in Bankruptcy: Cases and Materials 2006.

12. Mike Wheeler and Roger Oldfield, International Corporate Recovery Procedures 2002.
13. Professor Sir Roy Goode and Robert Stevens, Goode on Principles of Corporate Insolvency Law 2011.
14. Rizwaan Jameel Mokal, Corporate Insolvency Law: Theory and Application 2005.
15. Thomas J. Salerno, Executive Guide to Corporate Bankruptcy 2010.

CO PO MAPPING

Course Code	Course	Course Outcomes	PO1	PO2	PO3	PO4	PO5	PO6	PO7	PO8	PO9	PS01	PS02
LWH633	Insolvency and Bankruptcy Law	CO1	3	3	1	3	3	2	-	-	3	-	-
		CO2	3	3	3	3	-	-	2	1	3	-	-
		CO3	3	3	3	3	3	2	-	-	3	-	-

Course Title/ Code	Corporate Mergers and Acquisitions (LWH634)	
Course Type:	Core (Departmental)	
Course Nature:	Hard	
L-T-P-O Structure	(2-0-0)	
Objectives	The purpose of the paper is to consider the substance, form, and mechanics of corporate mergers, acquisitions, and reorganizations. It also explores generally the tax, S.E.C., accounting, and successor liability considerations.	
Course Outcomes (COs)		Mapping (EMPLOYABILITY/ Skill Development/ Entrepreneurship)
CO1	Differentiate between different modes of corporate restructuring;	Skill development
CO2	Find and apply the laws governing corporate restructuring;	Skill development
CO3	Give advise to the companies on the regulatory mechanisms regarding takeovers;	Skill development
CO4	Represent the parties in the court of law on matter of mergers and acquisitions;.	Skill development
Prerequisites if any		

MODULE 1

Introduction to Corporate Restructuring (Contact Hours – 6)

- The substance, form, and mechanics of corporate mergers, Acquisitions, and Reorganizations
- Theory, Reasons and Factors responsible for M&A
- Other Restructuring options

MODULE 2

Regulations of Mergers & Acquisitions (Contact Hours – 14)

- Legal regime in India
- Companies Act, Takeover Code, Competition Law; Other Relevant Acts and Regulations (Such as Merger Review Provisions; regulations relating to Disclosure; Insiders Trading regulations etc

- c. Comparative legal regulatory regime in US, EU/ UK and Australia

MODULE 3

Other Aspects of Mergers and Acquisitions (Contact Hours – 8)

- a. Company Valuation
- b. Due Diligence
- c. Merger Agreements
- d. Takeover Defenses

MODULE 4

Other Aspects of Mergers and Acquisitions (Contact Hours – 10)

- a. Directors
- b. Accountants
- c. Solicitors
- d. Regulators (NCLT, SEBI, CCI and other Sectoral Regulators)
- e. Merchant Bankers
- f. Other Specialists such as Actuaries, Surveyors, Environmental Consultants

Reference Material

1. "Directors' Duties in Response to Hostile Takeover Bids" 14(12) *International Company and Commercial law Review* 370-377 (2003)
2. Anthony F. Buono and James L. Bowditch, *The Human Side of Mergers and Acquisitions: Managing Collisions Between People, Cultures, and Organizations* 2003.
3. Arthur Fleischer and Alexander R. Sussman, "Directors' Fiduciary Duties in Takeover and Mergers" 31st *Annual Securities Regulation Institute* (Jan. 21-23, 2004)
4. Atreya Chakraborty and Richard, "Takeover Defenses and Dilution: A Welfare Analysis" 36(3) *The Journal of Financial and Quantitative Analysis* 311-334 (Sep., 2001)
5. Carney and William J. Carney, *Mergers & Acquisitions: The Essentials* 2009 (Wolters Kluwer)
6. Carol Yeh-Yun Lin, Yu-Chen Wei, "The Role of Business Ethics in Merger and Acquisition Success: An Empirical Study" 69(1) *Journal of Business Ethics* 95-109 (Nov., 2006)

7. Carolyn Carroll, John M. Griffith and Patricia M. Rudolph, "Hostile vs. White Knight Bidders" 20 *Managerial and Decision Economics* 163-171 (1999)
8. Dana Vachon *Mergers and Acquisitions: A Step-by-Step Legal and Practical Guide* by Edwin L. Miller 2008.
9. David Austen-Smith and Patricia C. O'Brien, "Takeover Defenses and Shareholder Voting" 59(2) *Economica* 199-219 (May, 1992)
10. Dennis J. Roberts, *Mergers & Acquisitions: An Insider's Guide to the Purchase and Sale of Middle Market Business Interests* 2009.
11. Donald M. DePamphilis, *Mergers, Acquisitions, and Other Restructuring Activities, Fifth Edition: An Integrated Approach to Process, Tools, Cases, and Solutions* (Academic Press Advanced Finance Series) 2009.
12. Edward F. Greene, James J. Junewicz, "A Reappraisal of Current Regulation of Mergers and Acquisitions" 132(4) *University of Pennsylvania Law Review* 647-739 (Apr., 1984)
13. Enrique R. Arzac, *Valuation: Mergers, Buyouts and Restructuring* 2007.
14. George D. Gibson, Thomas J. Campbell, "Fundamental Law for Takeovers" 39 *The Business Lawyer* 1551 (1984)
15. George E. Pinches, "Financing Corporate Mergers and Acquisitions with Convertible Preferred Stock" 23(5) *The Journal of Finance* 897-898 (Dec., 1968)
16. J. A. Hornby, "Class Membership in a Company's Scheme of Arrangement" 39(2) *The Modern Law Review* 207-210 (Mar., 1976)
17. Jean-Pierre Labroue, "Directors' Fiduciary Duties in Hostile Takeovers and the 'JUST SAY NO' Defense" 7 *International Business Law Journal* 821-835 (1995)
18. John Birchall, "Duties of Good Faith in Commercial Joint Ventures? Contractual Duties, fiduciary Duties and Shareholders' Remedies" *Journal of Business Law* 269-285 (May 2005)
19. John C. Coates, "Explaining Variation in Takeover Defenses: Blame the Lawyers" 89(5) *California Law Review* 1301-1421 (Oct., 2001)
20. Joshua Rosenbaum, Joshua Pearl, and Joseph R. Perella, *Investment Banking: Valuation, Leveraged Buyouts, and Mergers and Acquisitions* (Wiley Finance) (2009)
21. Kenneth C. Johnsen, "Golden Parachutes and the Business Judgment rule: Towards a Proper Standard of Review" 94 *Yale Law Journal* 909 (1985)
22. Kevin K. Boeh and Paul W. Beamish *Mergers and Acquisitions: Text and Cases* 2006 (The Ivey Casebook Series)
23. Michael E. S. Frankel, *Mergers and Acquisitions Basics : The Key Steps of Acquisitions, Divestitures, and Investments* (2005)
24. Michael Watkins, *Harvard Business Review on Mergers & Acquisitions* (2001)
25. Mitchell Lee Marks and Philip H. Mirvis, *Joining Forces: Making One Plus One Equal Three in Mergers, Acquisitions, and Alliances* (2010)
26. Nagesh Kumar, "Mergers and Acquisitions by MNEs: Patterns and Implications" 35(32) *Economic and Political Weekly* 2851-2858 (Aug. 5-11, 2000).

27. Patricia H. Werhane "Two ethical issues in mergers and acquisitions" 7(1/2) *Journal of Business Ethics* 41-45 (1998)
28. Patrick A. Gaughan *Mergers, Acquisitions, and Corporate Restructurings* (2010)
29. Raghav Sharma and Rajeev Vidhani, "Law Relating to Cross-Border Mergers under Companies Act, 1956"
30. Robert F. Bruner and Joseph R. Perella *Applied Mergers and Acquisitions* (Wiley Finance) (2004)
31. Robert F. Bruner and Arthur Levitt Jr., *Deals from Hell: M&A Lessons that Rise Above the Ashes* (2009)
32. Shaun J. Mathew, "Hostile Takeovers in India: New Prospects, Challenges and Regulatory Opportunities" 3 *Columbia Business law Review* 800 (2007)
33. Stephen M. Bainbridge, "Director Primacy in Corporate Takeovers: Preliminary Reflections" 55 *Stanford law Review* 791 (Dec. 2002)
34. Stephen M. Bainbridge, *Mergers and Acquisitions* (University Textbook Series) (2008)
35. Steven M. Bragg, *Mergers and Acquisitions: A Condensed Practitioner's Guide* (2008)
36. Therese H. Maynard, *Mergers and Acquisitions: Cases, Materials, and Problems* (2008)
37. Vineet Aneja, "Cross Border M & A in India" 19 *International Law Practicum* 53 (Spring 2006)

CO PO MAPPING

Course Code	Course	Course Outcomes	PO1	PO2	PO3	PO4	PO5	PO6	PO7	PO8	PO9	PS01	PS02
LWH634	Corporate Mergers and Acquisitions	CO1	3	3	2	3	3	-	-	-	3	-	-
		CO2	3	3	2	3	3	3	-	-	-	-	-
		CO3	3	3	2	3	1	-	-	1	3	-	-
		CO4	3	3	2	3	2	2	-	-	-	-	-

Course Title/ Code	Competition Law (LWH635)	
Course Type:	Core (Departmental)	
Course Nature:	Hard	
L-T-P-O Structure	(2-0-0)	
Objectives	Students will be able to understand the basic economic concepts of Competition, Law and jurisprudence developed through case law.	
Course Outcomes (COs)		Mapping (EMPLOYABILITY/Skill Development/Entrepreneurship)
CO1	Explain the economic principles behind competition and relevant laws;	Skill development
CO2	Apply the law to different forms of competition issues;	Skill development
CO3	Counsel, advise and represent the parties on matters involving competition law violations;	Skill development
CO4	Write and publish research articles and opinions on contemporary issues in Competition law	Skill development
Prerequisites if any		

MODULE 1

Fundamentals of Competition (Contact Hours 6)

- Basic economic and legal principles;
- Restraint of Trade under Indian Contract Act; Monopolistic & Restrictive Trade Practices
- Evolution of Competition Law in India

MODULE 2

Anti-Competitive Agreement (Contact Hours 12)

- Horizontal Agreements
- Vertical Agreements
- Exceptions

MODULE 3

Abuse of Dominant position & Combinations (Contact Hours 14)

- a. Dominant Position
- b. Abusive Practices
- c. Protection of consumers
- d. Combinations (Mergers and Acquisitions)

MODULE 4

Competition Authorities (Contact Hours 8)

- a. Competition Commission of India
 - a. Structure and function of CCI;
 - b. regulatory role
- b. Competition Appellate Tribunal
 - a. Composition, Functions, Powers and Procedure;
 - b. Award Compensation;
 - c. Power to punish for contempt;
 - d. Execution of orders

Reference Material

1. A.E. Rodrigues, Ashok Menon, *The limits of Competition Policy, the shortcomings of Economics* 2018
2. Dr. R.K. Singh, *Restriction Trade Practices and Public Interest* 2017
3. K.S. Anantaraman, *Lectures on Company Law and MRTP* 2016
4. Report of the Monopolies Inquiries Commission, Govt. of India 1965 (Dr. Hazari Report)
5. S.M. Dugar's *MRTP Law, Competition Law and Consumer Protection* 2018
6. Sachar Committee Report, High Powered Committee on MRTP Act & Company Act, 1980
7. Suzanne Rab, *Indian Competition Law- An International Perspective* 2015
8. Taxmann's *competition Law and Practice*
9. Versha Vahini, *Indian Competition Law* (Lexis Nexis 2020)

CO PO Mapping

Course Code	Course	Course Outcomes	PO1	PO2	PO3	PO4	PO5	PO6	PO7	PO8	PO9	PS01	PS02
LWH635	Competition Law	C01	3	3	2	3	-	-	-	1	3	-	-
		C02	3	3	3	3	3	1	2	1	3	-	-
		C03	3	3	2	3	2	-	-	-	3	-	-
		C04	3	3	2	3	3	3	-	-	3	-	-

CRIMINAL LAW SPECIALIZATION

Course Title/ Code	Socio-Economic Offences (LWH644)	
Course Type:	Elective (Departmental)	
L-T-P Structure	(2-0-0)	
Objectives	Understanding the emergence of concept of socio economic offences, multifarious ways in which these crimes may be committed, grasp and analyse the existing legal frameworks as to their investigation, prosecution and judicial approach towards it.	
Course Outcomes (COs)		Mapping (EMPLOYABILITY/Skill Development/Entrepreneurship)
CO1	Describe the evolution of socio-economic offenses and their relationship with white-collar crimes and other professional crimes etc.	EMPLOYABILITY
CO2	To identify and interpret the relevant domestic legislation and international instruments dealing with human trafficking and illicit drug trafficking.	Skill development
CO3	Advise the clients on the appropriateness of the forums /courts in matters of corruption.	Skill development
CO4	Able to apply the provisions of Money Laundering Act,2002 to relevant case laws in a real life given situation.	Skill development
Prerequisites if any		

MODULE I

Introduction to Socio- Economic Offences

- a. Concept and Evolution of 'Socio-Economic Offences.'
- b. Nature and Extent of Socio-Economic Offences.
- c. Mens Rea, Nature of Liability, Burden of Proof and Sentencing Policy.
- d. White Collar Crime: Definitional issues; Sutherland's definition of white-collar crime,

- e. Various types of white-collar crime, Relationship with other types of crimes, Blue collar crime, corporate crime, organized transnational crime, occupational crime
- f. 47th Law Commission Report – The Trial and Punishment of Social and Economic Offences.

MODULE II

The Immoral Traffic (Prevention) Act, 1956

- a. History, Development and Magnitude of Human Trafficking Constitutional Provisions and Sections 370-373 of the Indian Penal Code, 1860
- b. The 64th report of the Law Commission of India, 1975
- c. The Immoral Traffic (Prevention) Act, 1956

The Narcotic Drugs and Psychotropic Substances Act, 1985

- a. Definition of Narcotic Drugs and Psychotropic Substances
- b. Authorities and officers section 4, 6
- c. National Fund for Control of Drugs Abuse Section 7A
- d. Prohibition Control and Regulation, Section 8, 9, 9A
- e. Offences and Penalties, Section 18, 19, 21, 22, 25A, 27, 27A, 30, 31, 31A, 32, 32A, 33, 35, 36, 36A, 37, 39.
- f. Procedure and Immunities: Section 41- 50, 64, 64A, 69

The Prevention of Corruption Act, 1988

- a. Need of the Act (read with Santhanam Committee Report)
- b. Definitions of 'public servant,' Section 2 (c) and 'gratification,' Section 7.
- c. Offence committed by public servant and bribe giver and their Penalties (Section 7 to 14)
- d. Punishment for attempts (Section 15)
- e. Sanction for prosecution (Section 19 r/w Section 197 of the Code of Criminal
- f. Procedure, 1973) Presumption where public servant accepts gratification (Section 20)

MODULE III

Laws and Regulations for White Collar Offences (Contact Hours- 15)

- a. The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989
- b. The Protection of Women from Domestic Violence Act, 2005
- c. The Food Safety and Standards Act, 2006

- d. The Prevention of Corruption Act, 1988

MODULE IV

The Prevention of Money-Laundering Act, 2002

- a. Need for combating Money-Laundering
- b. Magnitude of Money-Laundering, its steps and various methods
- c. Definition of 'Money Laundering', Section 3 & 2(1)(p)
- d. Punishment for Money Laundering (Section 4)
- e. Enforcement: Attachment (Section 5) Survey, Search, & Seizure (Sections 16, 17 & 18)
- f. Power to arrest and bail provisions (Sections 19,45)

Reference Material

1. Ahmed Siddiqui, *Criminology: Problems and Perspectives* (4th Ed., 1997)
2. Mahesh Chandra, *Socio- Economic Offences* (1979)
3. Jack Bologna, *Corporate Fraud* 1984 (Butterworth Publishers)
4. J.S.P. Singh, *Socio- Economic Offences* (1st Ed., 2005, Reprint 2015)
5. Kumar (Revised by Justice A.B. Srivastava and C.S. Lal), *Commentaries on Prevention of Food Adulteration Act, 1954* (3rd Ed., 2009)
6. Bhure Lal, *Money Laundering: An insight into the dark world of Financial Frauds* 2003 (Siddharth Publications)
7. Lawyers Collective (Ed. by Indira Jaising), *Handbook on Law of Domestic Violence* (1st Ed., 2009)
8. M. C. Mehanathan, *Law on Prevention of Money Laundering in India* 2014.
9. Mahesh Chandra, *Socio- Economic Offences* 1979.
10. H.L. Mansukhani, *Smuggler's Paradise and Foreign Exchange Law* 1978 (Vikas Publishing)
11. Frederick Oughton, *Fraud and White collar crime* 1971 (Eleck Bock Ltd.,)
12. P.S. Narayan, *Commentary on Immoral Traffic Prevention Act, 1956* (2nd Ed., 2013)
13. Jonathan Reuvid, *The Regulation and prevention of Economic Crime* 1995.
14. Seth and Capoor, *Prevention of Corruption Act* (3rd Ed., 2000)
15. T.V. Nawal, *Legally Combating Atrocities against SC and ST* 2004.

CO PO MAPPING

Course Code	Course	Course Outcomes	PO1	PO2	PO3	PO4	PO5	PO6	PO7	PO8	PO9	PS01	PS02
LWH644	Socio-Economic Offences	CO1	3	3	2	3	3	1	-	-	2	2	2
		CO2	3	2	3	3	3	2	-	3	2	2	2
		CO3	3	3	2	3	3	3	-	-	-	3	3
		CO4	3	3	2	3	3	3	3	-	-	3	3

Course Title/ Code	GENDER IN CRIMINAL LAW (LWH647)	
Course Type:	Elective (Departmental)	
L-T-P Structure	(2-0-0)	
Course Outcomes (COs)		Mapping (EMPLOYABILITY/Skill Development/Entrepreneurship)
CO1	Demonstrate understanding of theoretical insights of approaches to gender and sexuality	EMPLOYABILITY
CO2	Discuss and deliberate on the issues of gender discrimination in India	EMPLOYABILITY
CO3	Critically examine the legal provisions of Criminal Law through a gender-sensitive lens	Skill development
CO4	Analyse the contemporary trend in recognition of the rights of LGBTQ+ people	Skill development
Prerequisites if any		

MODULE I

Gender Mainstreaming and Law (Contact Hours – 10)

- a. Broader concept of gender equality –
 - i. What is gender justice
 - ii. Difference between Sex and Gender
 - iii. Need for Gender Sensitization
- b. Gender justice and feminist jurisprudence-
 - i. Understanding Patriarchy and Matriarchy.
 - ii. Waves of feminism
- c. International Framework
 - i. Civil, Political, Social and Cultural rights,
 - ii. International Instruments

MODULE II

Gender Identity and Equality (Contact Hours – 10)

- a. Deconstructing Man, Woman & Other
- b. Freedom of expression and right to sexual identity.
- c. Legal protection for the LGBTQIA+ people.
- d. Human rights and sexual discrimination.
- e. Homophobia, Transphobia, Biphobia

MODULE III

Sexuality and Morality in Laws (Contact Hours – 10)

- a. Public Decency & Morality
- b. Rape Laws, Marital rape, Sexual assault
- c. Cruelty, Dowry, Domestic Violence
- d. Immoral Trafficking and Forced Prostitution
- e. Female Foeticide, Gender Mutilation

Reference Material

1. Cook, Rebecca J., ed. Human rights of women: National and international perspectives. University of Pennsylvania Press, 2012.
2. Grabe, Shelly, ed. Women's Human Rights: A Social Psychological Perspective on Resistance, Liberation, and Justice. Oxford University Press, 2017. Ross, S. D. Women's human rights: the international and comparative law casebook / S. D. Ross. – Philadelphia: University of Pennsylvania Press, 2008.
3. Charlesworth, H. (2005). Not waving but drowning: Gender mainstreaming and human rights in the United Nations. Harv. Hum Rts. J., 18, 1.
4. MacKinnon, C. A. (1991). Reflections on sex equality under law. Yale Law Journal, 100 (5), 1281-1328.
5. Kamla Bhasin, What is Patriarchy, Kali/Women Unlimited (2004) (Provided in reading material)
6. Ved Kumari, — Gender Analyses of Indian Penal Code in Amita Dhanda, Archana Parashar (ed) ENGENDERING LAW Essays in Honour of Lotika Sarkar, pp.139-160 (1999). Eastern Book Company.
7. Usha Tandon and Sidharth Luthra, —Rape: Violation of the Chastity or Dignity of Woman? A Feminist Critique of Indian Law”, FICHL Policy Brief Series No. 51 (2016)
8. Sunita Kishor and Kamla Gupta. 2009. Gender Equality and Women's Empowerment in India. National Family Health Survey (NFHS-3),

India, 2005-06. Mumbai: International Institute for Population Sciences; Calverton, Maryland, USA: ICF Macro

9. Lotika Sarkar, —Women's Movement and the Legal ProcessII Occasional Paper 24, CWDS,

10. Usha Ramanathan, —Images (1920-1950) Reasonable Man, Reasonable Woman and Reasonable ExpectationsII in Amita Dhanda, Archana Parashar (ed) ENGENDERING LAW, 4 pp. 33-70 (1999). Eastern Book Company

CO PO MAPPING

Course Code	Course	Course Outcomes	PO1	PO2	PO3	PO4	PO5	PO6	PO7	PO8	PO9	PS01	PS02
LWH647	Gender in Criminal Law	CO1	2	3	2	3	2	-	-	2	3	2	2
		CO2	3	3	3	2	3	-	-	3	3	2	2
		CO3	2	2	2	2	3	3	2	-	-	2	2
		CO4	2	3	3	3	2	3	2	-	-	2	2

Course Title/ Code	NATIONAL SECURITY LAWS & FUNDAMENTAL RIGHTS (LWH648)	
Course Type:	Elective (Departmental)	
L-T-P Structure	(2-0-0)	
Objectives	The aim of this course is to develop an understanding of the current status of national security laws in India vis-a-vis various facets of fundamental rights and their impacts. The course also covers India and other jurisdiction on issues of human rights.	
Course Outcomes (COs)		Mapping (EMPLOYABILITY/Skill Development/Entrepreneurship)
CO1	analyse the relationship between national security and fundamental rights	EMPLOYABILITY
CO2	Describe the evolution and abolition of various security legislation in India	EMPLOYABILITY
CO3	Explain the use and abuse of security legislations and various constitutional safeguards against arbitrary state actions in the name of national security	EMPLOYABILITY
CO4	Examine human rights concern, wrongful prosecutions, pendency, delay in national security cases	Skill development
Prerequisites if any		

MODULE I

Basics of National Security Laws (contact hours- 5)

- National Security, Public Orders and Rule of Law
- Civil Liberties
- Concept of Fundamental Rights relation with Natural rights
- Security Laws in India: AFSPA, TADA, POTA, MISA, PDA, UAPA, NSA Act NIA, IT Act 2000

MODULE II

Arrest, Preventive Detention & National Security -Art 22 (contact hours-5)

- a. Constitutional safeguard against Arbitrary Arrest and Detention
- b. Preventive Detention Laws with Prevention of Terrorism Act
- c. Use and abuse of terror laws
- d. Human Rights concern, law reforms

MODULE III

Right to Freedom, Information, Right to Life & Personal Liberty –Art 22 (contact hours-5)

- a. Protection of Life and Personal Liberty, Object and scope of Art 21
- b. Six fundamental freedoms under Art.19
- c. Reasonable Restrictions Art 19 (2) to (6); Test to determine the Reasonableness of Restrictions; whether restriction includes deprivation and prohibition.
- d. Rights of accused; Doctrine of Ex-post -facto law; Doctrine of Double Jeopardy

MODULE IV

Institutions on Security laws (contact hours-5)

- a. India and other jurisdictions
- b. Constitutionality, other human rights issues
- c. Declaration of terrorist-UNSC, UAPA Amendment Act 2019
- d. Wrongful prosecutions, pendency, delay in national security cases.

Books & References:

1. D.D. Basu, Commentaries on Constitutional Law of India, Vol. A to E
2. DJ De: Constitution of India
3. G.O.Koppell, The Emergency, The Courts and Indian Democracy 8 JILI 287 (1966).
4. Granville Austin: The Indian Constitution: Cornerstone of a Nation
5. H.M. Seervai, Constitutional Law of India Vol. I &II
6. H.M.Seervai, The Emergency, Future Safeguards and the Habeas Corpus, 1978.
7. International Commission of Jurists, Status of Emergency and Human Rights , 1984
8. M. Hidayatullah (Ed.), Constitution of India.

9. M.P.Jain, Indian Constitutional Law.
10. Mahendra P. Singh: V. N. Shukla's Constitution of India
11. MC Kagzi: Constitutional Law Vol. I & II
12. N.C.Chatterji and Parameshwar Rao, Emergency and the Law, 1966.
13. Pande G S Constitutional law of India
14. Pylee M.V Our constitution government & politics
15. Saharay H K Constitution of India
16. Subba Rao G C V Indian constitutional law
17. Subhash C Jain, The Constitution of India
18. Tope T K Constitutional law of India
19. V.N.Shukla , Constitution of India

CO PO MAPPING

Course Code	Course	Course Outcomes	PO1	PO2	PO3	PO4	PO5	PO6	PO7	PO8	PO9	PS01	PS02
LWH648	National Security Laws and Fundamental Rights	CO1	3	3	2	3	1	1	-	-	2	3	3
		CO2	3	3	1	1	1	-	-	-	1	2	2
		CO3	3	3	3	2	2	-	2	3	-	3	2
		CO4	3	3	3	2	2	-	2	3	-	3	2

Course Title/ Code		INTERNATIONAL CRIMINAL LAW (LWH649)
Course Type:		Elective (Departmental)
L-T-P Structure		(2-0-0)
Course Outcomes (COs)		Mapping (EMPLOYABILITY/ Skill Development/ Entrepreneurship)
CO1	Understand the concept, sources and nature of international criminal law	EMPLOYABILITY
CO2	Explain the typology of international crimes including, Genocide aggression, crimes against humanity and war crimes.	EMPLOYABILITY
CO3	Evaluate the jurisdiction and working of international criminal court and tribunals	Skill development
CO4	Identify the actor for fixing criminal liability and responsibility of international crimes	Skill development
Prerequisites if any		

MODULE I

Introduction (Contact Hours – 8)

- Evolution of International Criminal Law
- The concept and sources of International Criminal Law
- Paris Conference and Treaty of Versailles
- International Military Tribunals – Nuremberg and Tokyo

MODULE II

International Crimes (Contact Hours – 8)

- Crime of Aggression
- Crimes against humanity – murder, torture, slavery, apartheid etc.

- c. War crimes and Geneva conventions
- d. Genocide

MODULE III

Criminal Responsibility (Contact Hours – 8)

- a. State Responsibility
- b. Individual Criminal Responsibility
- c. Superior Responsibility
- d. Defences

MODULE IV

International Justice System (Contact Hours – 8)

- a. International Criminal Court- Analysis of structure, procedure and cases
- b. Obligation of State Parties and Non-Party States to International Criminal Court
- c. Hybrid Courts
- d. Ad-hoc Tribunals

Reference Material

1. Bassioni, M., C. (ed.) The Legislative History of International Criminal Court, Ardsley, Transnational Publishers, 2003.
2. Cassese, A. International Criminal Law, Oxford, Oxford University Press, 2008.
3. International Criminal Law: Cases and Commentary (Paperback) By (author) Antonio Cassese, By (author) Guido Acquaviva, By Mary De Ming Fan, Alex Whiting
4. James Crawford and Martti Koskeniemi (eds), Cambridge Companion to International Law (Cambridge University Press, 2012); or
5. Martin Dixon, Textbook on International Law, 7th ed (Oxford University Press, 2013) (paying particular attention to chapters 1 (nature of international law), 2 (sources of international law), 4 (international law and national law), and 6 (jurisdiction));
6. Philippe Sands, From Nuremberg to the Hague: The Future of International Criminal Justice, Cambridge University Press, 2003
7. Robert Cryer, et al., International Criminal Law and Procedure, Cambridge, Cambridge University Press, 2010.
8. Schabas, W., An Introduction to International Criminal Court, Cambridge, Cambridge University Press, 2010.

9. 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.
10. Vaughan Lowe, International Law (Clarendon Press, 2007).

CO PO MAPPING

Course	Course	Course Outcomes	PO1	PO2	PO3	PO4	PO5	PO6	PO7	PO8	PO9	PS01	PS02
LWH649	International Criminal Law	CO1	3	-	2	1	1	2	-	2	-	2	1
		CO2	2	1	2	2	2	2	1	2	-	1	1
		CO3	2	1	1	2	2	2	1	2	1	1	-
		CO4	3	2	2	2	2	2	1	1	1	1	-

COMMERCIAL ARBITRATION SPECIALIZATION

Course Title/ Code	Commercial Arbitration: Practice and Procedure – II (LWH613)	
Course Type:	Core (Departmental)	
Course Nature:	Hard	
L-T-P-O Structure	(2-0-0-0)	
Course Outcomes (COs)		Mapping (EMPLOYABILITY/Skill Development/Entrepreneurship)
CO1	Conduct the arbitration proceedings, as an arbitrator and/or as counsel in a commercial dispute.	EMPLOYABILITY
CO2	Interpret and understand the substantive dispute and represent the parties in arbitration proceedings.	EMPLOYABILITY
CO3	Advise and counsel the client on the procedure of arbitration with respect to the dispute, evidence, testimony, oral hearings and awards in a commercial dispute.	Skill development
CO4	Offer pre-arbitration and post-arbitration counseling, aid and advise to the client.	Skill development
Prerequisites if any		

MODULE I

Arbitration Awards (Contact Hours 10)

- a. Form and Content (S. 31 &32);
- b. Award on Agreed Terms (S.30);
- c. Time Limit for passing an Award (S.29A);
- d. Cost that could be awarded (S.31A)
- e. Types of awards (S. 33);
- f. Effect of a valid Award (S.35);
- g. Award and third Parties.

MODULE II

Challenge of Arbitral Awards (Contact Hours 10)

- a. Enforcement of a valid Award (S.36);
- b. Challenging an Award (S.34):
 - i. Incapacity of the Parties;
 - ii. Invalidity of the agreement;
 - iii. Invalid notice of arbitration;
 - iv. Inability to present the case;
 - v. Award beyond the terms contemplated;
 - vi. Proceedings contrary to the agreement;
 - vii. Subject matter incapable of settlement;
 - viii. In violation of public policy of India:
 - a. Fraudulently procured;
 - b. In violation of confidentiality;
 - c. In contravention of fundamental policy of Indian Law;
 - d. In conflict with the most basic notions of morality or justice;
 - e. Not amounting to a review on merit of the dispute.
 - ix. If vitiated by patent illegality appearing on the face of the record [S.34(2A)];
 - x. But not on the ground of erroneous application of law [S.34(2A)];
 - xi. Nor by reappreciation of evidence [S.34(2A)];
- c. Recourse to National Courts; International Awards;
- d. To be made within 3 months of the disposal of a request made u/Sec. 33;
- e. Evidence available [S.34(1)]
- f. Time limit for disposing of the challenge petition.

MODULE III

Enforcement of Arbitration Award (Contact Hours 10)

- a. Enforcement of Awards (S.36);
- b. Limited Appeals (S.37).

MODULE IV

Recognition or enforcement of foreign arbitral awards(Contact Hours 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

Reference Material

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. Avtar Singh, Law of Arbitration and Conciliation, Eastern Book Company, 2013(10th Edition)
3. B S Patil, *The Law of Arbitration and Conciliation* (2008) Fifth Edition :
4. Chawla, S.L. *Law Of Arbitration and Conciliation*, Eastern Law House (2004)
5. CR Datta, *Law of Arbitration and Conciliation (Including Commercial Arbitration)*, (2007), LexisNexis,
6. David St. John, Judith Gill, Mathew Gearing, *Russell on Arbitration*, Sweet & Maxwell, 23rd ed. 2013.
7. Halsbury's *Annotated Statutes of India Volume 1 – Arbitration*, LexisNexis, (2008),
8. Jay E. Grenig, International Commercial Arbitration, West Thomson Reuters, 1st ed.(2014).
9. Joharis, *Commentary on Arbitration and Conciliation Act, 1996* in 2 vols. Kamal Law House, (2008).
10. Justice Dr. B.P. Saraf& Justice S M Jhunhunwala, *Law of Arbitration and Conciliation* Snowwhite: (2009)
11. Justice P S Narayana, *The Arbitration and Conciliation Act, 1996* (2008):
12. Justice R.S. Bachawat, Anirudh Wadhwa, Anirudh Krishnan, Law of Arbitration and Conciliation with Exhaustive Coverage ofational Commercial Arbitration & ADR, Lexis Nexis Butterworth, 5th ed. (2013).
13. Kroll, Laukas A Mistelis, Viscasilas, V. Rogers, International Arbitration and International Commereil Law, Kluwer International (2011)
14. O. P. Malhotra & Indu Malhotra, *The Law and Practice of Arbitration and Conciliation*, 3rd ed. (2014).
15. P C Markanda, *Law Relating to Arbitration and Conciliation* LexisNexis (2009) Seventh Edition

16. S.B. Malik Justice, *Commentary on the Arbitration and Conciliation Act*, Universal Law Pub,(2009), Fourth Edition, 1571 p,

CO PO Mapping

Courses Code	Courses	Course Outcomes	PO1	PO2	PO3	PO4	PO5	PO6	PO7	PO8	PO9	PSO1	PSO2
LWH613	Commercial Arbitration: Practice and Procedure II	CO1	3	1	3	2	1	1	-	2	-	3	3
		CO2	3	2	3	2	2	2	-	2	-	3	3
		CO3	3	1	3	2	2	1	-	-	2	3	3
		CO4	3	2	3	2	1	2	-	-	2	3	3

Course Title/ Code	International Commercial Arbitration: Principles and Practice (LWH614)	
Course Type:	Elective (Departmental)	
L-T-P Structure	(2-0-0)	
Course Outcomes (COs)		Mapping (EMPLOYABILITY/Skill Development/Entrepreneurship)
CO1	Understand the basic principles and the context in which international commercial arbitration operates	EMPLOYABILITY
CO2	Appreciate the interplay between the plethora of different laws that apply to international commercial arbitration proceedings	EMPLOYABILITY
CO3	Dissect the basic components of an arbitration clause, appreciate the importance of each component, and use that understanding to effectively draft/design pathology-free arbitration clauses	Skill development
Prerequisites if any		

MODULE I

Basic Principles of International Commercial Arbitration (Contact Hours – 8)

- a. Definition, juridical nature, historical development, and essential characteristics
- b. Institutional and regulatory infrastructure
- c. Distinction between international, foreign, and domestic arbitration

MODULE II

Applicable Laws (I) (Contact Hours – 8)

- a. Substantive law of the contract
- b. Law of the seat of arbitration

- i. Concept and legal significance of 'Seat'
- ii. 'Seat', 'Venue' and 'Place' of arbitration distinguished

MODULE III

Applicable Laws (II) (Contact Hours – 8)

- a. Law governing the arbitration agreement
 - i. Various approaches to determination
 - ii. Differentiating the Indian and English law positions
- b. Other applicable rules and guidelines

MODULE IV

Arbitration Agreement (Contact Hours – 8)

- a. Drafting effective arbitration agreements
 - i. Essential ingredients
 - ii. Multi-tiered dispute resolution clauses
- b. Pathological Clauses

Reference Material

1. Anirudh Wadhwa, Anirudh Krishnan, Justice RS Bachawat's Law of Arbitration and Conciliation, Lexis Nexis, (2018) (6th Edition)
2. David St. John, Judith Gill, Mathew Gearing, Russell on Arbitration, Sweet & Maxwell, (2018) (24th Edition)
3. Gary Born, International Commercial Arbitration, Wolters Kluwer (2014) (2nd Edition)
4. Indu Malhotra, OP Malhotra on The Law and Practice of Arbitration and Conciliation (2020) (4th Edition)
5. Julian Lew, Loukas Mistelis, Stefan Kroll, Comparative International Commercial Arbitration, Wolters Kluwer, (2003)
6. Nigel Blackaby, Constantine Partasides, Redfern and Hunter on International Arbitration, Oxford University Press, (2015) (6th Edition)

CO PO Mapping

Course Code	Course	Course Outcomes	PO1	PO2	PO3	PO4	PO5	PO6	PO7	PO8	PO9	PS01	PS02
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LWH 614	International Commercial Arbitration: Principles and Practice	C01	3	2	3	2	1	2	-	2	-	3	3
		C02	3	1	3	2	2	1	-	2	-	3	3
		C03	3	2	3	2	2	2	-	-	2	3	3
		C04	3	1	3	2	1	1	-	-	2	3	3

Course Title/ Code	Institutional Arbitration (LWH615)	
Course Type:	Core (Departmental)	
Course Nature:	Hard	
L-T-P-O Structure	(2-0-0)	
Course Outcomes (COs)		Mapping (EMPLOYABILITY/Skill Development/Entrepreneurship)
CO1	Understand the relative advantages and disadvantages of ad-hoc arbitration and institutional arbitration	EMPLOYABILITY
CO2	Get an insight into the broad procedure under institutional rules, especially with respect to initiating an arbitration, emergency/interim relief, appointment and challenge of arbitrators, determination of fees, powers of the arbitral tribunal, hearings, evidence, costs, scrutiny and delivery of awards	EMPLOYABILITY
CO3	Interpret and discern the differences between the rules of various arbitral institutions	Skill development
CO4	Appreciate the role played by the institution in the administration and efficient conduct of the arbitration module	Skill development
Prerequisites if any		

MODULE I

Modes of Arbitration (Contact Hours – 8)

- Overview
- Defining ad-hoc arbitration
- Defining institutional arbitration
- Challenging the traditional ad-hoc/institutional arbitration dichotomy
- Merits of institutional arbitration and reasons for its popularity

MODULE II

Introduction to Institutional Arbitration (Contact Hours – 8)

- a. Historical perspective
- b. Growth and recent developments
- c. Interplay with *lex arbitri*
- d. Institutional rules and conflict with party autonomy
- e. Processes involved in the “administration” of disputes Module

MODULE III

Arbitration Procedure: A Comparative Perspective (Contact Hours – 8)

- a. Initiating an arbitration
- b. Appointment of the arbitral tribunal
- c. Fees and expenses
 - i. Ad valorem versus hourly rates
 - ii. Tribunals fee
 - iii. Institutional fee
- d. Emergency arbitrator and interim measures of protection
- e. Pleadings and Evidence
- f. Hearings
 - i. Expedited procedures
 - ii. Documents-only arbitration
- g. Award and Costs
 - i. Basis for awarding costs
 - ii. Scrutiny of awards

MODULE IV

Institutional Arbitration in India (Contact Hours – 8)

- a. Statutory recognition

- b. Growth and geographical spread of institutions
- c. Recent developments
 - i. 246th Report of the Law Commission of India
 - ii. 2015 and 2019 amendments to the Arbitration and Conciliation Act, 1996
 - iii. High Level Committee to Review the Institutionalisation of Arbitration Mechanism in India
 - iv. New Delhi International Arbitration Centre

Reference Material

1. Brooks Daly, Evgeniya Goriatcheva, Hugh Meighen, A Guide to the PCA Arbitration Rules, Oxford University Press, (2016)
2. Jason Fry, Simon Greenberg, Francesca Mazza, The Secretariat's Guide to ICC Arbitration, ICC Publication 729, (2012)
3. John Choong, Mark Mangan, Nicholas Lingard, A Guide to the SIAC Arbitration Rules, Oxford University Press, (2018) (2nd Edition)
4. Law Commission of India, Report No.246 on Amendments to the Arbitration and Conciliation Act, 1996 (2014)
5. Martin F Gusy, James M Hosking, Franz T Schwarz, A Guide to the ICDR International Arbitration Rules, Oxford University Press, (2011)
6. Oliver Armas, Samaa Haridi, Gabriella Morello, Comparison of International Arbitration Rules, Juris Publishing, (2020) (5th Edition)
7. Peter Turner, Reza Mohtashami, A Guide to the LCIA Arbitration Rules, Oxford University Press, (2009)
8. Report of the High Level Committee to Review the Institutionalisation of Arbitration Mechanism in India, Ministry of Law & Justice, Government of India (2017)
9. Rolf A Schütze, Institutional Arbitration-A Commentary, Hart Publishing (2013)

CO PO MAPPING

Course Code	Course	Course Outcomes	PO1	PO2	PO3	PO4	PO5	PO6	PO7	PO8	PO9	PS01	PS02
LWH615	Institutional Arbitration	CO1	3	2	3	2	2	2	-	2	-	3	3
		CO2	3	1	3	2	2	1	-	2	-	3	3
		CO3	3	1	3	2	1	1	-	-	2	3	3
		CO4	3	2	3	2	2	2	-	-	2	3	3

Course Title/ Code	Construction Arbitration (LWH616)	
Course Type:	Elective (Departmental)	
L-T-P Structure	(2-0-0)	
Course Outcomes (COs)		Mapping (EMPLOYABILITY/Skill Development/Entrepreneurship)
CO1	Familiarize with the fundamental concepts of construction arbitration	EMPLOYABILITY
CO2	Understand the working of Society of Construction Law	EMPLOYABILITY
CO3	Identify the consequences of delay and nature of claims in construction disputes	EMPLOYABILITY
CO4	Quantification of Damages	SKILL DEVELOPMENT
Prerequisites if any		

MODULE I

Construction Arbitration: General (Contact Hours – 8)

- a. All about SCL India
- b. Distinguishing factors
- c. Use of standard Forms
 - i. 2017 FIDC Forms
 - ii. CPWD Forms
 - iii. Role of DRB's
- d. Consequences of Delay & Nature of Claims
- e. Time: the essence of contracts
- f. Disruption and heads of Claims
- g. Liquidated damages

MODULE II

Experts and Cross examination (Contact Hours – 8)

- a. Importance of Experts
- b. Importance of Delay Analysis Reports
- c. Preparation of Quantum Analysis Report

MODULE III

SCL Delay and Disruption Protocol for India. (Contact Hours – 8)

- a. Salient Features of the Protocol
- b. How to best use the Protocol
- c. Suitability of the Protocol
- d. Customizing the protocol for small and medium Projects.

MODULE IV

Mediating Construction Disputes (Contact Hours – 8)

- a. Impact of Singapore Convention
- b. Salient features of mediation Practice
- c. Mixed-Mode dispute resolution

Reference Material

1. Andy Hewitt, Construction Claims and Responses: Effective Writing and Presentation [6 May 2016]
2. Douglas S. Stephenson, *Arbitration Practice in Construction Contracts* (2001)
3. James Pickavance, *A Practical Guide to Construction Adjudication* [Paperback –11 Dec 2015]
4. Jay E. Grenig, *International Commercial Arbitration*, West Thomson Reuters, 1st ed.(2014).
5. Kroll, Laukas, A Mistelis, Viscasilas, & V. Rogers, *International Arbitration and International Commercial Law*, Kluwer International (2011)
6. Peter Coulson, QC., *Coulson on Construction Adjudication* [Hardcover –26 Mar 2015]
7. Professor John Uff QC., *Construction Law* [Paperback – 23 May 2017]
8. Will Hughes, Ronan Champion & John Murdoch, *Construction Contracts: Law and Management* [Paperback – 20 Apr 2015]

CO PO MAPPING

Course Code	Course	Course Outcomes	PO1	PO2	PO3	PO4	PO5	PO6	PO7	PO8	PO9	PS01	PS02
LWH616	Construction Arbitration	CO1	3	1	3	2	1	1	-	-	2	3	3
		CO2	3	2	3	2	-	2	-	-	2	3	3
		CO3	3	1	3	2	-	1	-	-	-	3	3
		CO4	3	2	3	2	1	2	-	2	-	3	3

Course Title/ Code	Dissertation (LWH124)
Course Type:	Core (Departmental)
L-T-P Structure	(0-0-4)
Objectives	Students will learn the execution of research methodology and research techniques to complete the dissertation in a chosen area of research.

LLM Mapping of COs with POs and PSOs

SEMESTER I

Courses Code	Courses	Course Outcomes	CO Statement	PO1	PO2	PO3	PO4	PO5	PO6	PO7	PO8	PO9	PSO1	PSO2
LWH601	Research Methods and Legal Writing	CO1	Distinguish the methods and techniques of legal research from that of social sciences research	-	3	2	3	-	3	-	1	-	2	2
		CO2	Apply the techniques of legal research to legal communication and writings	-	3	2	3	-	3	-	1	-	2	2
		CO3	Develop the proposal for conducting research to write good quality – PG level dissertation	-	3	2	3	-	3	2	1	3	2	2
		CO4	Apply the research techniques to prepare class lectures/ lessons based on principles,	-	3	2	3	-	3	2	1	-	-	2

			theories, legislations and cases?											
LWH602	Comparative Systems of Governance	C01	Distinguish and describe public law vis-a-vis private law in global context;	3	3	2	3	-	3	-	1	3	-	-
		C02	Differentiate common law system from that of civil law system by reference to important characteristics of each ;	3	3	2	3	-	3	-	1	3	-	-
		C03	Describe and apply the basic theories of constitutionalism including rule of law, separation of powers and judicial review and test it for Indian legal system;	3	3	2	3	-	3	2	1	3	-	-
		C04	Explain the principles of comparative criminal law and analyse their working in Indian	3	3	2	3	-	3	2	1	3	-	-

			criminal justice delivery system;											
LWH603	Law and Justice in a Globalizing World	C01	Describe the nature and factors of globalization; current and its historical perspective	3	3	2	3	1	3	-	1	3	-	-
		C02	Apply the analytical tools to analyze the impact of globalization on sovereignty of state, federalism and human rights jurisprudence	3	3	2	3	2	2	-	1	3	-	-
		C03	Interpret the concept of global justice and give opinion in any social and economic conflict situations	3	3	2	3	-	2	2	-	-	-	-
		C04	List out the role and working of international institutions towards achieving global justice	3	3	3	3	-	1	2	-	-	-	-

LWH611	Commercial Arbitration: Theory and Doctrine	C01	Are you able to develop the discretion to use ADR mechanisms to resolve disputes?	3	3	2	3	2	3	-	-	3	-	-
		C02	Are you able to interpret the arbitration agreements with respect to the intent of the parties, seat of arbitration, applicable law and other relevant clauses?	3	3	2	3	3	-	-	1	3	-	-
		C03	Are you able to represent the parties in arbitration and appeal proceedings?	3	3	2	3	-	-	2	1	3	-	-
		C04	Are you able to act as an arbitrator to resolve the disputes?	3	3	-	-	-	3	2	1	3	-	-
LWH612	Commercial Arbitration: Practice and	C01	Conduct the arbitration proceedings, as an arbitrator	3	3	2	3	3	3	-	1	3	-	-

	Procedure I		and/or as counsel in a commercial dispute.											
		C02	Interpret and understand the substantive dispute and represent the parties in arbitration proceedings.	3	3	2	3	3	3	-	1	3	-	-
		C03	advise and counsel the client on the procedure of arbitration with respect to the dispute, evidence, testimony, oral hearings and awards in a commercial dispute.	3	3	2	3	-	-	2	-	3	-	-
		C04	offer pre-arbitration and post-arbitration counseling, aid and advise to the client.	3	3	2	3	3	3	2	-	3	-	-
LWH631	Corporate Governance and Principles of	C01	Describe the basic theories of incorporation and corporate	3	3	2	3	2	3	-	-	3	-	-

	Companies Act		governance?											
		C02	Identify the legal framework through various provisions relating to corporate governance?	3	3	2	3	3	3	2	1	3	-	-
		C03	Counsel and advise the clients on rights of shareholders under companies Act and other laws?	3	3	2	3	3	3	-	-	-	-	-
		C04	Advise companies on the structuring of the Board and its various committees?	3	3	2	3	3	-	-	1	3	-	-
		C05	Identify the duties of auditors and represent the parties in the court on matters relating to financial governance?	3	3	2	3	3	-	-	-	3	-	-
LWH641	Principles of Criminal Law	C01	Explain the established principles of liability and their	3	1	1	3	2	-	-	1	3	2	2

			evolution under criminal law.											
		C02	Apply the substantive elements of vicarious and inchoate liability in the situation of deviant conduct.	3	2	2	3	3	2	2	1	3	3	3
		C03	Advice and counsel the client regarding the applicability of general defences to a particular criminal activity.	3	3	2	3	3	-	-	-	-	3	3
		C04	Present and publish on the contemporary criminal law issues in the context of social, political, and cultural conditions.	3	3	3	3	-	-	3	-	-	3	3
LWH642	Criminal Justice Administration	C01	Describe the role and functions of relevant authorities under criminal justice system.	3	1	-	-	2	3	2	1	2	2	2

		C02	Counsel and advise the client on the process of investigation including arrest and bail.	3	3	1	3	3	2	-	-	3	-	2
		C03	Represent the client and advance arguments during the trial on the matters involving rights, evidence and sentencing.	3	3	-	-	3	2	-	-	3	-	2
		C04	Conduct research and publish opinions on the contemporary issues including Institutional and non-institutional Reforms in CJA	3	3	3	3	3	2	3	1	3	3	3
Total				48	60	39	57	17	47	20	15	45	6	8
SEMESTER II														
Courses Code	Courses	Course Outcomes	CO Statement	PO1	PO2	PO3	PO4	PO5	PO6	PO7	PO8	PO9	PSO1	PSO2
LWH613	Commercial Arbitration: Practice and Procedure II	C01	Conduct the arbitration proceedings, as an arbitrator and/or as counsel	3	1	3	2	1	1	-	2	-	3	3

			in a commercial dispute.											
		C02	Interpret and understand the substantive dispute and represent the parties in arbitration proceedings.	3	2	3	2	2	2	-	2	-	3	3
		C03	Advise and counsel the client on the procedure of arbitration with respect to the dispute, evidence, testimony, oral hearings and awards in a commercial dispute.	3	1	3	2	2	1	-	-	2	3	3
		C04	Offer pre-arbitration and post-arbitration counseling, aid and advise to the client.	3	2	3	2	1	2	-	-	2	3	3
LWH614	International Commercial Arbitration:	C01	Understand the basic principles and the context in which	3	2	3	2	1	2	-	2	-	3	3

	Principles and Practice		international commercial arbitration operates											
		C02	Appreciate the interplay between the plethora of different laws that apply to international commercial arbitration proceedings	3	1	3	2	2	1	-	2	-	3	3
		C03	Dissect the basic components of an arbitration clause, appreciate the importance of each component, and use that understanding to effectively draft/design pathology-free arbitration clauses	3	2	3	2	2	2	-	-	2	3	3
		C04	Understand and apply the principles of the New York Convention	3	1	3	2	1	1	-	-	2	3	3

LWH615	Institutional Arbitration	C01	Understand the relative advantages and disadvantages of ad-hoc arbitration and institutional arbitration	3	2	3	2	2	2	-	2	-	3	3
		C02	Get an insight into the broad procedure under institutional rules, especially with respect to initiating an arbitration, emergency/interim relief, appointment and challenge of arbitrators, determination of fees, powers of the arbitral tribunal, hearings, evidence, costs, scrutiny and delivery of awards	3	1	3	2	2	1	-	2	-	3	3
		C03	Interpret and discern the differences between the rules of various arbitral institutions	3	1	3	2	1	1	-	-	2	3	3

		C04	Appreciate the role played by the institution in the administration and efficient conduct of the arbitration module	3	2	3	2	2	2	-	-	2	3	3
LWH616	Construction Arbitration	C01	Familiarize with the fundamental concepts of construction arbitration	3	1	3	2	1	1	-	-	2	3	3
		C02	Understand the working of Society of Construction Law	3	2	3	2	-	2	-	-	2	3	3
		C03	Identify the consequences of delay and nature of claims in construction disputes	3	1	3	2	-	1	-	-	-	3	3
		C04	Quantification of Damages	3	2	3	2	1	2	-	2	-	3	3
LWH632	Corporate Finance	C01	suggest the client company on type, source and conditions of capital for the venture	3	1	1	3	2	3	2	1	3	-	-
		C02	advise on the nuances of debt	3	2	2	3	3	2	-	-	3	-	-

			equity ratio											
		C03	counsel on capital restructuring with respect to conditions and methods	3	3	2	3	3	3	-	-	3	-	-
		C04	identify and propose the ways and measures of investor protection to a company	3	3	3	3	-	-	-	-	3	-	-
		C05	give opinion on the legal framework applicable to raising external capital	3	1	1	2	2	-	-	-	-	-	-
LWH633	Insolvency and Bankruptcy Law	C01	Apply the provisions of relevant laws to corporate debt restructuring	3	3	1	3	3	2	-	-	3	-	-
		C02	Counsel on bankruptcy procedure in cases of corporate insolvency	3	3	3	3	-	-	2	1	3	-	-
		C03	Take up cases relating to corporate insolvency in the court of law	3	3	3	3	3	2	-	-	3	-	-
LWH634	Corporate Mergers and	C01	Differentiate between different	3	3	2	3	3	-	-	-	3	-	-

	Acquisitions		modes of corporate restructuring;											
		CO2	Find and apply the laws governing corporate restructuring;	3	3	2	3	3	3	-	-	-	-	-
		CO3	Give advise to the companies on the regulatory mechanisms regarding takeovers;	3	3	2	3	1	-	-	1	3	-	-
		CO4	Represent the parties in the court of law on matter of mergers and acquisitions;.	3	3	2	3	2	2	-	-	-	-	-
LWH635	Competition Law	CO1	Explain the economic principles behind competition and relevant laws;	3	3	2	3	-	-	-	1	3	-	-
		CO2	Apply the law to different forms of competition issues;	3	3	3	3	3	1	2	1	3	-	-
		CO3	Counsel, advise and represent the parties on matters involving competition law violations;	3	3	2	3	2	-	-	-	3	-	-
		CO4	Write and publish	3	3	2	3	3	3	-	-	3	-	-

			research articles and opinions on contemporary issues in Competition law											
LWH644	Socio-Economic Offences	CO1	Describe the evolution of socio-economic offenses and their relationship with white-collar crimes and other professional crimes etc.	3	3	2	3	3	1	-	-	2	2	2
		CO2	To identify and interpret the relevant domestic legislation and international instruments dealing with human trafficking and illicit drug trafficking.	3	2	3	3	3	2	-	3	2	2	2
		CO3	Advise the clients on the appropriateness of the forums /courts in matters of corruption.	3	3	2	3	3	3	-	-	-	3	3
		CO4	Able to apply the provisions of Money	3	3	2	3	3	3	3	-	-	3	3

			Laundering Act,2002 to relevant case laws in a real life given situation.											
LWH647	Gender in Criminal Law	CO1	Demonstrate understanding of theoretical insights of approaches to gender and sexuality	2	3	2	3	2	-	-	2	3	2	2
		CO2	Discuss and deliberate on the issues of gender discrimination in India	3	3	3	2	3	-	-	3	3	2	2
		CO3	Critically examine the legal provisions of Criminal Law through a gender-sensitive lens	2	2	2	2	3	3	2	-	-	2	2
		CO4	Analyse the contemporary trend in recognition of the rights of LGBTQ+ people	2	3	3	3	2	3	2	-	-	2	2
LWH648	National Security Laws and Fundamental Rights	CO1	analyse the relationship between national security and fundamental rights	3	3	2	3	1	1	-	-	2	3	3

		CO2	Describe the evolution and abolition of various security legislation in India	3	3	1	1	1	-	-	-	1	2	2
		CO3	Explain the use and abuse of security legislations and various constitutional safeguards against arbitrary state actions in the name of national security	3	3	3	2	2	-	2	3	-	3	2
		CO4	Examine human rights concern, wrongful prosecutions, pendency, delay in national security cases	3	3	3	2	2	-	2	3	-	3	2
LWH649	International Criminal Law	CO1	Understand the concept, sources and nature of international criminal law	3	-	2	1	1	2	-	2	-	2	1
		CO2	Explain the typology of international crimes including,	2	1	2	2	2	2	1	2	-	1	1

			Genocide aggression, crimes against humanity and war crimes.											
		CO3	Evaluate the jurisdiction and working of international criminal court and tribunals	2	1	1	2	2	2	1	2	1	1	-
		CO4	Identify the actor for fixing criminal liability and responsibility of international crimes	3	2	2	2	2	2	1	1	1	1	-
Total				139	105	116	116	89	69	20	40	70	82	77