



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

**PROGRAMME BOOKLET**

**LLM 1 year (LWP01)  
(Academic Session: 2023-2024)  
(Syllabus: Scheme 2023-24)**

**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**

**(2023-24)**

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:

<b>S. No.</b>	<b>Title of the Course</b>	<b>Credits assigned</b>	<b>Semester</b>
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
	<b>TOTAL CREDITS</b>	<b>25</b>	

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	LWH617/LWH641/LWH617	Alternate Dispute Regulation: Theory and Practice/Principles of Criminal Law/ Alternate Dispute Regulation: Theory and Practice	ELECTIVE	2
5	LWH618/LWH642/LWH631	Ad-Hoc Arbitration/Criminal Justice Administration/Corporate Governance and Principles of Companies Act	ELECTIVE	2
		<b>TOTAL (L-T-P/CONTACT HOURS/CREDITS)</b>		<b>13</b>
SEMESTER - II				
S.NO	Subject Code	SUBJECT NAME		Credits
1	LWH615/LWH623/LWH632/LWH644	Institutional Arbitration/Welfare State and Constitution/Corporate Finance/ Socio-Economic Offences	ELECTIVE	2
2	LWH619/LWH624/ LWH633/LWH647	Mediation and Conciliation/Indian Federalism/ Insolvency and Bankruptcy Law/ Gender in Criminal Law	ELECTIVE	2
3	LWH620/LWH625/LWH634/LWH648	International Commercial Arbitration/Judicial Process/Corporate Mergers and Acquisitions/National Security Laws and Fundamental Rights	ELECTIVE	2
4	LWH650/LWH626/LWH635/LWH649	Negotiation Skills/Deconstructing Discrimination Laws/Competition Law/International Criminal Law	ELECTIVE	2
5	LWH604	DISSERTATION		4
		<b>TOTAL (L-T-P/CONTACT HOURS/CREDITS)</b>		<b>12</b>
		<b>TOTAL CREDITS</b>		<b>25</b>

**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
LWH617	Alternate Dispute Resolution: Theory and Practice	CORPORATE LAW				
LWH641	Principles of Criminal Law	CRIMINAL LAW				
LWH642	Criminal Justice Administration	CRIMINAL LAW				
LWH617	Alternate Dispute Resolution: Theory and Practice	COMMERCIAL ARBITRATION				
LWH618	Ad-Hoc Arbitration	COMMERCIAL ARBITRATION				
<b>Semester Credits(L-T-P/Credits)</b>			<b>13</b>	<b>0</b>	<b>0</b>	<b>13</b>



**SEMESTER-I**  
**COMPULSORY PAPERS**

<b>Course Title/ Code</b>	<b>Research Methods and Legal Writing (LWH601)</b>	
<b>Course Type:</b>	Core (Departmental)	
<b>L-T-P Structure</b>	(3-0-0)	
<b>Objectives</b>	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.	
<b>Course Outcomes (COs)</b>		<b>Mapping (Employability/ Skill Development/ Entrepreneurship)</b>
<b>CO1</b>	Distinguish the methods and techniques of legal research from that of social sciences research	Skill Development
<b>CO2</b>	Apply the techniques of legal research to legal communication and writings	Skill Development
<b>CO3</b>	Develop the proposal for conducting research to write good quality – PG level dissertation	Skill Development
<b>CO4</b>	Apply the research techniques to prepare class lectures/ lessons based on principles, theories, legislations and cases?	Skill Development
<b>Prerequisites if any</b>		

**SECTION A**

**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

## **SECTION B**

### **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

## **SECTION C**

### **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

## **SECTION D**

### **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

### **Text Books:**

1. C. R. Kothari — Research Methodology (Methods and Techniques (2<sup>nd</sup> edn., New Age International Publishers),1990
2. G.P. Tripathi, *Legal Research and Research Methodology*, Central Law Publications, 2019

3. Legal Research and Methodology— Indian Law Institute, New Delhi
4. Rattan Singh, *Legal Research Methodology*, Lexis Nexis, 2nd Edn., 2016
5. 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 Graw Hill Book Company, London.

### Reference Books

1. Dennis P. Forcese and Stephen Richer (ed.), *Stages of Social Research and Legal Writing: Contemporary Perspectives* (New Jersey: Prentice Hall Inc., Englewood Cliffs, 1970).
2. Dr. H.N.Tawari *Legal Research Methodology* — Allahabad Law Agency.
3. Erwin C. Surrency B. Fielf and J. Cn, *4 Guide to Legal Research* (1959)
4. Harvard Law Review Association, *The Bluebook: Uniform system of Citation* (Harvard Law Review, Harvard).
5. Janathan Anderson, *Thesis and Assignment Writing* (Wiley Eastern Ltd., New Delhi).
6. Johan Galtung, *Theory and Methods of Social Research* (London: George Allen & Unwin Ltd., 1970).
7. *Legal Research and Methodology*— Indian Law Institute, New Delhi
8. Leon Festinger (ed.), *Research Methods in Behavioral Sciences* (Holt, Rinehart and Winston, New York, 1953).

### 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

<b>Course Title/ Code</b>	<b>Comparative Systems of Governance (LWH602)</b>	
<b>Course Type:</b>	Core (Departmental)	
<b>L-T-P Structure</b>	(3-0-0)	
<b>Objectives</b>	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 endeavors at global unification of law.	
<b>Course Outcomes (COs)</b>		<b>Mapping (Employability/ Skill Development/ Entrepreneurship)</b>
<b>CO1</b>	Distinguish and describe public law vis-a-vis private law in global context;	EMPLOYABILITY
<b>CO2</b>	Differentiate common law system from that of civil law system by reference to important characteristics of each ;	EMPLOYABILITY
<b>CO3</b>	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
<b>CO4</b>	Explain the principles of comparative criminal law and analyse their working in Indian criminal justice delivery system;	EMPLOYABILITY
<b>Prerequisites if any</b>		

### SECTION A

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

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

### SECTION B

#### **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

## SECTION C

### **Constitutionalism (Contact Hours – 8)**

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

## SECTION D

### **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 Books:**

1. SK Bose, A handbook on Comparative Public Law (Mind Your Law-2023)
2. Elizabeth Giussani, Constitutional and Administrative Law (Sweet and Maxwell, 2008).
3. Zachery Elkins, Tom Ginsburg, James Melton, The Endurance of National Constitutions(Cambridge University Press, 2009).
4. J.D.M Derrett, An Introduction to Legal Systems(3<sup>rd</sup> Edition, Universal Law)
5. Neal Devins and Louis Fisher, The Democratic Constitution (Oxford University Press, 2010)
6. J Baylis, S. Smith, *Globalization of World Politics: An Introduction to International Relations*
7. Mahendra Kumar, *International Relations*
8. Prakash Chandra, *International Relations*(Vikas Publishing House)
9. V.N. Khanna (201 Christopher Forsyth, Mark Elliott, Swati Jhaveri, Effective Judicial Review: A Cornerstone of Good Governance (Oxford University Press, 2010).
10. D.D. Basu, Comparative Constitutional Law ( 2nd ed., Wadhwa Nagpur).

11. David Strauss, *The Living Constitution* (Oxford University Press, 2010)
12. Dr. Subhash C Kashyap, *Framing of Indian Constitution* (Universal Law, 2004)
13. Erwin Chemerinsky, *Constitutional Law, Principles and Policies* (3rd ed., Aspen, 2006)
14. M.V. Pylee, *Constitution of the World* (Universal, 2006)
15. Mahendra P. Singh, *Comparative Constitutional Law* (Eastern Book Company, 1989).
16. S.N Ray, *Judicial Review and Fundamental Rights* (Eastern Law House, 1974).
17. Sudhir Krishna Swamy, *Democracy and constitutionalism in India – A Study of the Basic Structure Doctrine* (Oxford University Press, 2009)
19. Sunil Khilnani, Vikram Raghavan, Arun Thiruvengadam, *Comparative Constitutionalism in South Asia* (Oxford University Press, 2013).
20. Vikram David Amar, Mark Tushnet, *Global Perspectives on Constitutional Law* (Oxford University Press, 2009).

## ARTICLES

1. Penn State Law Review 1073-1098 (Spring 2011).
2. Daryl Levinson and Richard H. Pildes “Separation of Parties, Not Powers” 119(8) Harvard Law Review 2311-2386 (2006).
3. David King, “Formalizing Local Constitutional Standards of Review and the Implications for Federalism” 97 (7) Virginia Law Review 1685-1726 (November 2011).
- 5) *International Relations*. Delhi :Vikas Publishing House ( 5<sup>th</sup> Edition)
4. Chris Brown and Ainley Kirsten (2009) *Understanding International Relations*, New York: Palgrave Macmillan ( 4<sup>th</sup> edition)
5. 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).
6. Anne Smith, “Internationalization and Constitutional Borrowing in Drafting Bills of Rights”, ‘ 60(4) International and Comparative Law Quarterly 867-894 (2011/October).
7. Bruce Ackerman, “The New Separation of Powers” 113 (3) Harv. L. Rev. 634-729 (2000)
8. 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)
9. Chhavi Agarwal, “Rule of Law: Reflection upon we the People and Beyond” 252 (1) Madras Law Journal 8-16 (2010)

## CO PO MAPPING

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

<b>Course Title/ Code</b>	<b>Law and Justice in Globalizing World (LWH603)</b>	
<b>Course Type:</b>	Core (Departmental)	
<b>L-T-P Structure</b>	(3-0-0)	
<b>Objectives</b>	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.	
<b>Course Outcomes (COs)</b>		<b>Mapping (EMPLOYABILITY/Skill Development/Entrepreneurship)</b>
<b>CO1</b>	Describe the nature and factors of globalization; current and its historical perspective	EMPLOYABILITY
<b>CO2</b>	Apply the analytical tools to analyze the impact of globalization on sovereignty of state, federalism and human rights jurisprudence	EMPLOYABILITY
<b>CO3</b>	Interpret the concept of global justice and give opinion in any social and economic conflict situations	EMPLOYABILITY
<b>CO4</b>	List out the role and working of international institutions towards achieving global justice	EMPLOYABILITY
<b>Prerequisites if any</b>		

### SECTION A

#### Legal Globalization- An Introduction (Contact Hours- 8)

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

### SECTION B



### **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)

### **SECTION C**

### **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;

### **SECTION D**

### **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](http://www2.ohchr.org/english/law/pdf/cescr.pdf); [www2.ohchr.org/english/law/docs/A.RES.63.117\\_en.pdf](http://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	-	-
		CO3	3	3	2	3	-	2	2	-	-	-	-

		<b>CO4</b>	3	3	3	3	-	1	2	-	-	-	-
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**CORPORATE LAW SPECIALIZATION**

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

**SECTION A**

**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

**SECTION B**

### **Shareholders and Stakeholders (8 class hours)**

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

## **SECTION C**

### **Board and Management (8 class hours)**

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

## **SECTION D**

### **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
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**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	<b>CO1</b>	3	3	2	3	2	3	-	-	3	-	-
		<b>CO2</b>	3	3	2	3	3	3	2	1	3	-	-
		<b>CO3</b>	3	3	2	3	3	3	-	-	-	-	-
		<b>CO4</b>	3	3	2	3	3	-	-	1	3	-	-
		<b>CO5</b>	3	3	2	3	3	-	-	-	3	-	-



<b>Course Title/ Code</b>	Alternative Dispute Resolution: Theory and Practice <b>(LWH618)</b>	
<b>Course Type:</b>	Core (Departmental)	
<b>L-T-P Structure</b>	(2-0-0)	
<b>Course Outcomes (COs)</b>		<b>Mapping (EMPLOYABILITY/Skill Development/Entrepreneurship)</b>
<b>CO1</b>	To compare and analyse the various methods of Alternative Dispute Resolution;	EMPLOYABILITY
<b>CO2</b>	To Identify the most appropriate ADR method based on the merits of the client's case;	EMPLOYABILITY
<b>CO3</b>	To develop the capability to help in matters of Legal Aid;	Skill development
<b>CO4</b>	To Familiarize with the domestic and international arbitration and mediation regime, assess its benefits and encourage parties to opt for the best-suited alternative for their respective case.	Skill development
<b>Prerequisites if any</b>		

### Section A- Introduction to ADR

- a. Overview of ADR processes: Meaning, Philosophy and Need.
- b. Types of ADR mechanism
- c. Current Trends and Working of ADR in India.
- d. ADR Application in Commercial Disputes, land disputes, family disputes, and consumer disputes.
- e. Dispute resolution at grass root levels: Lok Adalats, Legal Aid, Panchayats.

### Section B- Mediation, Conciliation and Negotiation

#### Mediation

- a. Mediation: Meaning and importance
- b. Models and Approaches of Mediation
- c. Role of Mediator

- d. Mediation Laws in India

#### Conciliation

- a. Conciliation: Meaning, Nature and Modes of Conciliation
- b. Law Relating to Conciliation
- c. Duties and Responsibilities of Conciliator

#### Negotiation

- a. Negotiation: Meaning and importance
- b. Different Strategies of Negotiation: Models/ Types of Negotiation
- c. Duties and Responsibilities of Negotiator

### **Section C- Arbitration**

- a. Introduction to Arbitration: Concept and Features, Need of Arbitration, Types of Arbitration
- b. Arbitration Agreement: Essential Elements, Doctrine of Competence-Competence & Severability
- c. Arbitral Tribunals: Appointment of Arbitrators, Eligibility and qualifications of Arbitrators, Powers and functions: Competency and Jurisdiction of Arbitrators
- d. Termination of Proceedings: Arbitral Award, Enforcement and Challenge

### **Section D – International Perspective**

- a. Overview of International Commercial Arbitration: Concept and Nature
- b. UNCITRAL Model Law on International Commercial Arbitration
- c. Comparative Study of Mediation Laws
- d. Comparative Study of Conciliation Laws

### **TEXTBOOKS**

1. Anupam Kurlwal, *An Introduction to Alternative Dispute Resolution System*, Central Law Publications, 3<sup>rd</sup> Edition, 2017
2. S.C. Tripathi, *Alternative Dispute Resolution (ADR)*, Central Law Publications, 2<sup>nd</sup> Edition, 2016
3. Anirban Chakraborty, *Law & Practice of Alternative Dispute Resolution in India – A Detailed Analysis*, Lexis Nexis, 1<sup>st</sup> Edition, 2016
4. Saurabh Bindal & R. V. Prabhat, *Arbitration and Conciliation - A Commentary*, Eastern Book Company, 1 December 2021
5. Justice S.M. Jhunjhunwala, *Law of Arbitration and Conciliation*, Snow White Publication, 8<sup>th</sup> Edition, 2021
6. Anuroop Omkar and Kritika Krishnamurthy, *The Art of Negotiation and Mediation – A Wishbone, Funny Bone and a Backbone*.
7. Avtar Singh, *Law of Arbitration and Conciliation*, Eastern Book Company, 2013
8. Sriram Panchu, *Mediation Practices & Law*, Lexis Nexis Butterworth, 1<sup>st</sup> ed. (2011).
9. Jay E. Grenig, *International Commercial Arbitration*, West Thomson Reuters, 1<sup>st</sup> ed.(2014).

#### **REFERENCE BOOKS**

1. Shashank Garg, *Alternative Dispute Resolution: The Indian Perspective*, Oxford University Press, 2018
2. P. C. Rao & William Sheffield, *Alternative Disputes Resolution - What it is and how it works*, Universal Publishers, 2015
3. Sriram Panchu, *Mediation Practice and Law - The Path to Successful Dispute Resolution*, Lexis Nexis, 2nd Edition, 2015
4. J. G. Merrills, *International Dispute Settlement*, Cambridge University Press, 5<sup>th</sup> Edition, 2011.
5. Sundra Rajoo, *Law Practice and Procedure of Arbitration in India*, Thomson Reuters, 1<sup>st</sup> Edition, April 21
6. Mediation Training Manual of India, Mediation and Conciliation Project Committee, Supreme Court of India

## DIGITAL LEARNING

1. Conflict Resolution for Beginners ([www.linkedin.com/learning/conflict-resolution-for-beginners](http://www.linkedin.com/learning/conflict-resolution-for-beginners) )
2. Negotiation Foundations ([www.linkedin.com/learning/negotiation-foundations](http://www.linkedin.com/learning/negotiation-foundations))
3. Negotiation Skills ([www.linkedin.com/learning/negotiation-skills](http://www.linkedin.com/learning/negotiation-skills))
4. Negotiating with Agility([www.linkedin.com/learning/negotiating-with-agility](http://www.linkedin.com/learning/negotiating-with-agility))
5. Negotiation, Mediation and Conflict Resolution Specialization (<https://www.coursera.org/specializations/negotiation-mediation-conflict-resolution>)
6. Introduction to Negotiation: A Strategic Playbook for Becoming a Principled and Persuasive Negotiator (<https://www.coursera.org/learn/negotiation>)
7. Negotiation skills: Negotiate and resolve conflict (<https://www.coursera.org/learn/negotiation-skills-conflict>)

### CO PO MAPPING

Course Code	Course	Course Outcomes	PO1	PO2	PO3	PO4	PO5	PO6	PO7	PO8	PO9	PSO1	PSO2
LWH618	Alternative Dispute Resolution- Theory and Practice	CO1	3	1	-	1	1	2	-	2	-	-	-
		CO2	2	2	-	3	3	2	1	-	1	-	-
		CO3	2	-	1	3	3	-	2	2		-	-
		CO4	3	-	-	2	3	3	1	-	1	-	-

### CRIMINAL LAW SPECIALIZATION

<b>Course Title/ Code</b>	<b>Principles of Criminal Law (LWH641)</b>
<b>Course Type:</b>	Elective (Departmental)

<b>Course Nature:</b>	Hard	
<b>L-T-P-O Structure</b>	(2-0-0)	
<b>Objectives</b>	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.	
<b>Course Outcomes (COs)</b>		<b>Mapping (EMPLOYABILITY/Skill Development/Entrepreneurship)</b>
<b>CO1</b>	Explain the established principles of liability and their evolution under criminal law.	EMPLOYABILITY
<b>CO2</b>	Apply the substantive elements of vicarious and inchoate liability in the situation of deviant conduct.	Skill development
<b>CO3</b>	Advice and counsel the client regarding the applicability of general defences to a particular criminal activity.	Skill development
<b>CO4</b>	Present and publish on the contemporary criminal law issues in the context of social, political, and cultural conditions.	Skill development
<b>Prerequisites if any</b>		

### SECTION A

#### 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

### SECTION B

#### 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

## SECTION C

### 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

## SECTION D

### 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

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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



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

### SECTION A

#### Introduction to Criminal Justice Administration (Contact Hours – 8)

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

### SECTION B

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

- a. Profile of Crimes in India: Rate of crime, proportion of different crimes- age, sex, education, economic status of offenders, conviction rate
- b. 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.

### **SECTION C**

#### **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.

### **SECTION D**

#### **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 Farajih, 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 ARBITRATION LAW SPECIALIZATION

<b>Course Title/ Code</b>	Alternative Dispute Resolution: Theory and Practice <b>(LWH618)</b>	
<b>Course Type:</b>	Core (Departmental)	
<b>L-T-P Structure</b>	(2-0-0)	
<b>Course Outcomes (COs)</b>		<b>Mapping (EMPLOYABILITY/Skill Development/Entrepreneurship)</b>
<b>CO1</b>	To compare and analyse the various methods of Alternative Dispute Resolution;	EMPLOYABILITY
<b>CO2</b>	To Identify the most appropriate ADR method based on the merits of the client's case;	EMPLOYABILITY
<b>CO3</b>	To develop the capability to help in matters of Legal Aid;	Skill development
<b>CO4</b>	To Familiarize with the domestic and international arbitration and mediation regime, assess its benefits and encourage parties to opt for the best-suited alternative for their respective case.	Skill development
<b>Prerequisites if any</b>		

### Section A- Introduction to ADR

- f. Overview of ADR processes: Meaning, Philosophy and Need.
- g. Types of ADR mechanism
- h. Current Trends and Working of ADR in India.
- i. ADR Application in Commercial Disputes, land disputes, family disputes, and consumer disputes.
- j. Dispute resolution at grass root levels: Lok Adalats, Legal Aid, Panchayats.

### Section B- Mediation, Conciliation and Negotiation

#### Mediation

- e. Mediation: Meaning and importance

- f. Models and Approaches of Mediation
- g. Role of Mediator
- h. Mediation Laws in India

#### Conciliation

- d. Conciliation: Meaning, Nature and Modes of Conciliation
- e. Law Relating to Conciliation
- f. Duties and Responsibilities of Conciliator

#### Negotiation

- d. Negotiation: Meaning and importance
- e. Different Strategies of Negotiation: Models/ Types of Negotiation
- f. Duties and Responsibilities of Negotiator

### **Section C- Arbitration**

- e. Introduction to Arbitration: Concept and Features, Need of Arbitration, Types of Arbitration
- f. Arbitration Agreement: Essential Elements, Doctrine of Competence-Competence & Severability
- g. Arbitral Tribunals: Appointment of Arbitrators, Eligibility and qualifications of Arbitrators, Powers and functions: Competency and Jurisdiction of Arbitrators
- h. Termination of Proceedings: Arbitral Award, Enforcement and Challenge

### **Section D – International Perspective**

- e. Overview of International Commercial Arbitration: Concept and Nature
- f. UNCITRAL Model Law on International Commercial Arbitration
- g. Comparative Study of Mediation Laws
- h. Comparative Study of Conciliation Laws

### **TEXTBOOKS**

1. Anupam Kurlwal, *An Introduction to Alternative Dispute Resolution System*, Central Law Publications, 3<sup>rd</sup> Edition, 2017
2. S.C. Tripathi, *Alternative Dispute Resolution (ADR)*, Central Law Publications, 2<sup>nd</sup> Edition, 2016
3. Anirban Chakraborty, *Law & Practice of Alternative Dispute Resolution in India – A Detailed Analysis*, Lexis Nexis, 1<sup>st</sup> Edition, 2016
4. Saurabh Bindal & R. V. Prabhat, *Arbitration and Conciliation - A Commentary*, Eastern Book Company, 1 December 2021
5. Justice S.M. Jhunjhunwala, *Law of Arbitration and Conciliation*, Snow White Publication, 8<sup>th</sup> Edition, 2021
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7. Avtar Singh, *Law of Arbitration and Conciliation*, Eastern Book Company, 2013
8. Sriram Panchu, *Mediation Practices & Law*, Lexis Nexis Butterworth, 1<sup>st</sup> ed. (2011).
9. Jay E. Grenig, *International Commercial Arbitration*, West Thomson Reuters, 1<sup>st</sup> ed.(2014).

### **REFERENCE BOOKS**

1. Shashank Garg, *Alternative Dispute Resolution: The Indian Perspective*, Oxford University Press, 2018
2. P. C. Rao & William Sheffield, *Alternative Disputes Resolution - What it is and how it works*, Universal Publishers, 2015
3. Sriram Panchu, *Mediation Practice and Law - The Path to Successful Dispute Resolution*, Lexis Nexis, 2<sup>nd</sup> Edition, 2015
4. J. G. Merrills, *International Dispute Settlement*, Cambridge University Press, 5<sup>th</sup> Edition, 2011.
5. Sundra Rajoo, *Law Practice and Procedure of Arbitration in India*, Thomson Reuters, 1<sup>st</sup> Edition, April 21
6. Mediation Training Manual of India, Mediation and Conciliation Project Committee, Supreme Court of India

### **DIGITAL LEARNING**

1. Conflict Resolution for Beginners ([www.linkedin.com/learning/conflict-resolution-for-beginners](http://www.linkedin.com/learning/conflict-resolution-for-beginners) )
2. Negotiation Foundations ([www.linkedin.com/learning/negotiation-foundations](http://www.linkedin.com/learning/negotiation-foundations))
3. Negotiation Skills ([www.linkedin.com/learning/negotiation-skills](http://www.linkedin.com/learning/negotiation-skills))

4. Negotiating with Agility([www.linkedin.com/learning/negotiating-with-agility](http://www.linkedin.com/learning/negotiating-with-agility))
5. Negotiation, Mediation and Conflict Resolution Specialization (<https://www.coursera.org/specializations/negotiation-mediation-conflict-resolution>)
6. Introduction to Negotiation: A Strategic Playbook for Becoming a Principled and Persuasive Negotiator (<https://www.coursera.org/learn/negotiation>)
7. Negotiation skills: Negotiate and resolve conflict (<https://www.coursera.org/learn/negotiation-skills-conflict>)

**CO PO Mapping**

Course Code	Course	Course Outcomes	PO1	PO2	PO3	PO4	PO5	PO6	PO7	PO8	PO9	PS01	PS02
LWH618	Alternative Dispute Resolution- Theory and Practice	CO1	3	1	-	1	1	2	-	2	-	-	-
		CO2	2	2	-	3	3	2	1	-	1	-	-
		CO3	2	-	1	3	3	-	2	2		-	-
		CO4	3	-	-	2	3	3	1	-	1	-	-

<b>Course Title/ Code</b>	Ad-hoc Arbitration <b>(LWH618)</b>
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<b>Course Type:</b>	Core (Departmental)	
<b>Course Nature:</b>	Hard	
<b>L-T-P-O Structure</b>	(2-0-0)	
<b>Course Outcomes (COs)</b>		<b>Mapping (EMPLOYABILITY/ Skill Development/ Entrepreneurship)</b>
<b>CO1</b>	Appreciate the significance of arbitration in context of the Arbitration & Conciliation Act, 1996.	EMPLOYABILITY
<b>CO2</b>	Interpret and draft arbitration agreements.	EMPLOYABILITY
<b>CO3</b>	Conduct arbitral proceedings (from serving notice all the way till enforcement).	Skill development
<b>CO4</b>	Represent parties in arbitration proceedings	Skill development
<b>Prerequisites if any</b>		

### Section A

#### Introduction to Alternative Dispute Resolution

- a. Requirement and Importance of Alternative Dispute Resolution Mechanisms
- b. Mediation, Conciliation, Negotiation, Arbitration (ad-hoc & institutional)
- c. Similarities & Differences in above methods
- d. Overview of Arbitration and Conciliation Act, 1996
- e. Doctrine of Competence-Competence
- f. Doctrine of Separability
- g. Arbitrability - Party Autonomy

#### Arbitration Agreement (Sections 7 to 9, A&C Act, 1996)



- a. Drafting & types of arbitration agreement
- b. Referral to arbitration
- c. Interim measures by Court
- d. Choice of Law

## **Section B**

### **Arbitral Tribunal** *(Sections 10 to 15, A&C Act, 1996)*

- a. Number of arbitrators
- b. Appointment of arbitrators / Establishment of tribunal
- c. Power and Duties
- d. Grounds for challenge (independence and impartiality)
- e. Challenge procedure (independence - impartiality - conflict of interest)
- f. Termination and substitution of arbitrator

## **Section C**

### **Conduct of Arbitral Proceedings** *(Section 18 to 27, A&C Act, 1996)*

- a. Equal treatment
- b. Rules of procedure.
- c. Place of arbitration (Seat & Venue)
- d. Commencement of proceedings
- e. Language.
- f. Statements of claim, defence, hearing, written proceedings.
- g. Experts

## **Section D**

### **Award** *(Sections 28 to 36, A&C Act, 1996)*

- a. Making of Award, Form etc.
- b. Termination of Proceedings
- c. Set Aside Proceedings - Judicial Review

d. Finality and enforcement

**TEXT BOOKS**

1. Saurabh Bindal & R. V. Prabhat, *Arbitration and Conciliation - A Commentary*, Eastern Book Company, 1 December 2021
2. Dushyant Dave & Fali Nariman, *Arbitration in India*, Kluwer Law International, February 2021
3. Justice S.M. Jhunjhunwala, *Law of Arbitration and Conciliation*, Snow White Publication, 8<sup>th</sup> Edition, 2021

**REFERENCE BOOKS**

1. Chirag Balyan & Yashraj Samant, *Commercial Arbitration - International Trends and Practices*, Thomson Reuters, 1<sup>st</sup> Edition, July 21
2. Gary B. Born, *International Arbitration: Law and Practice*, 3<sup>rd</sup> Edition, June 2021
3. Sundra Rajoo, *Law Practice and Procedure of Arbitration in India*, Thomson Reuters, 1<sup>st</sup> Edition, April 21

**JOURNALS**

1. *Indian Journal of Arbitration Law* ([www.ijal.in](http://www.ijal.in)), NLU, Jodhpur
2. *Indian Arbitration Law Review* ([www.indianarbitrationlawreview.com](http://www.indianarbitrationlawreview.com)), NLIU, Bhopal
3. *Indian Review of International Arbitration* ([www.iriarb.com](http://www.iriarb.com)), MNLU, Mumbai

**RELEVANT WEBSITES/BLOGS**

1. [www.rmlnluseal.home.blog](http://www.rmlnluseal.home.blog)
2. [www.mappingadr.in](http://www.mappingadr.in)
3. [www.indianarbitrationlaw.com](http://www.indianarbitrationlaw.com)

**DIGITAL LEARNING**

1. International Law in Action: The Arbitration of International Disputes ([www.coursera.org/learn/arbitration-international-disputes](https://www.coursera.org/learn/arbitration-international-disputes))

**CO PO MAPPING**

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

<b>Course Title/ Code</b>	<b>Civil Liberties (LWH622)</b>	
<b>Course Type:</b>	Core (Departmental)	
<b>Course Nature:</b>	Hard	
<b>L-T-P-O Structure</b>	(2-0-0)	
<b>Objectives</b>	The Fundamental law of the land is its Constitution and it deals with the framework of governance of a country, functions of institutions such as legislative, executive and judicial. The study of Constitutional law includes analysis of provisions, interpretation and suggestive modifications required to keep pace with the changing circumstances. The most magnificent part of the Constitution deals with Fundamental Rights and their enforcement. This course deals with the evolutionary aspect of fundamental rights, relaxation of the rule of locus standi, enforcement of rights through writs and the expanding power of judicial review and activism through writ jurisdiction. The Course is aimed at understanding and analyzing the role of judiciary in enforcing the fundamental rights and applying the writ jurisdiction of the High Courts and the Supreme Court.	
<b>Course Outcomes (COs)</b>		<b>Mapping (Employability/ Skill Development/ Entrepreneurship)</b>
<b>CO1</b>	Identify and understand the importance of writs in the enforcement of Fundamental Rights under the Indian Constitution.	Skill development
<b>CO2</b>	Examine the role of judiciary in enforcing rights and relaxing principles of application of law.	Skill development
<b>CO3</b>	Analyze the contemporary cases in the light of expanding writ jurisdiction of the High Courts and the Supreme Court.	Skill development
<b>CO4</b>	Criticize and interpret various decisions of the judiciary in pursuance of the law of writs in India and their relationship with the other existing Laws.	Skill development

<b>CO5</b>	Identify and understand the importance of writs in the enforcement of Fundamental Rights under the Indian Constitution.	Skill development
<b>Prerequisites if any</b>		

### **Section A: Civil Liberties and Fundamental Rights**

Concept of Civil Liberties

Fundamental Rights and Natural Rights

Definition of 'State' under Article 12 of the Constitution of India

Rights against Non-State Actors

Is there need to enlarge the definition of State?

Fundamental Rights: Limitations, Suspension and Amendability

Remedies against Violation/Threat to Violation of Fundamental Rights

### **Section B: Relationship with Directive Principles of State Policy**

Significance of Directive Principles of State Policy

Interrelationship between Directive Principles and Fundamental Rights

The question of direct and indirect enforcement

Emerging Regime of New Rights and Remedies under the Garb of Fundamental Rights

Constitutional Torts

### **Section C: Enforcement of Fundamental Rights**

Writ jurisdiction of the Supreme Court and the High Courts

Mandamus

Certiorari

Quo warranto

Prohibition

Habeas Corpus

## **Section D: Power of Judicial Review**

The Concept of Judicial Review – Origin and Its Democratic Legitimacy

Judicial Review of Legislation

Judicial Review of Administrative Actions

Subordinate Courts and Judicial Review of Administrative Actions – Is there a need to invoke Article 32 (3)?

Limits on Judicial Review

Judicial Activism as an Extension of Power of Judicial Review

Public Interest Litigation and relaxation of Rule of Locus Standi

### **Suggested Readings:**

1. Glanville Austin, Indian Constitution-Cornerstone of the Nations, Oxford University Press, 1999
2. H.M Seervai, Constitutional Law of India, Universal Law Publishing, 4th Edition, 2015
3. M.P. Jain, Indian Constitutional Law, Lexis Nexis, 2013
4. P.M. Bakshi, The Constitution of India, Universal Law Publishing Co., 2014
5. V.N. Shukla, Constitution of India, Eastern Book Agency, 2014
6. 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).
7. Devi Prasad Singh, “Sovereignty, Judicial Review and Separation of Power”, 7(5) Supreme Court Cases J-13 (September 2012)
8. Jonathan Siegel, “Institutional case for Judicial Review” 97(4) Iowa Law Review 1147-1200 (2012 May).
9. Karthiga Sridhargopal, “Writ of Mandamus” 241 (4) Madras Law Journal 71-79 (2009).
10. Rajeev Dhavan, The Supreme Court of India - A Socio -Legal Critique of its Juristic Techniques, (1977), Tripathi, Bombay.
11. S.N Ray, Judicial Review and Fundamental Rights (Eastern Law House, 1974).
12. S.P.Sathe, Judicial Activism in India: Transgressing borders and Enforcing Limits, Oxford New Delhi. (2002).

13. U.Baxi, The Indian Supreme Court and Politics (1980), Eastern,Lucknow.

**Weblinks:**

<https://www.youtube.com/watch?v=rfcg0I946JQ>

**Relationship between the Course Outcomes (COs) and Program Outcomes (POs)**

Course	Course Code	Course Outcome	PO1	PO2	PO3	PO4	PO5	PO6	PO7	PO8	PO9
Civil Liberties	LWH622	CO1	3	3	2	3	3	3	-	-	-
		CO2	3	3	3	2	3	3	1	-	3
		CO3	3	-	1	3	3	3	3	-	-
		CO4	3	3	-	3	3	2	3	3	3

**CONSTITUTIONAL LAW SPECIALIZATION**

<b>Course Title/ Code</b>	<b>Constitutional Theory (LWH621)</b>
<b>Course Type:</b>	Core (Departmental)
<b>Course Nature:</b>	Hard
<b>L-T-P-O Structure</b>	(2-0-0)
<b>Objectives</b>	Constitutionalism essentially means a limited government. Where the government functions according to certain principles, it is said to be abiding by constitutionalism. Must it be a democracy or can it be an autocracy also. In ancient India, the king was supposed to act according to dharma. He was not absolute in the sense in which John Austin defined sovereignty. Constitutionalism may therefore be determined by a written constitution or by religion or tradition or by mere practice or convention as in England. In a plural society, where different religious as well as linguistic groups have to live together, various rules of accommodation and mutual recognition are incorporated in the Constitution. The purpose of this course is to provide exposure to the students to various models of pluralism and forms of constitutional governments and federal structures.

<b>Course Outcomes (COs)</b>		<b>Mapping (EMPLOYABILITY/ Skill Development/ Entrepreneurship)</b>
<b>CO1</b>	Identify the basic postulates of the Constitution and its relationship with the concept of Constitutionalism.	Skill development
<b>CO2</b>	Explain and understand the concept of rule of law, legal dynamics and reasoning associated with the functions of democratic Government.	Skill development
<b>CO3</b>	Analyze and interpret the concept of federalism and its various types and patterns applicable as per the required circumstances of a nation.	Skill development
<b>CO4</b>	Analyze and evaluate the case studies emerging out of recent developments brought about by the application of provisions relating to constitutional theory.	Skill development
<b>CO5</b>	Identify the basic postulates of the Constitution and its relationship with the concept of Constitutionalism.	Skill development
<b>Prerequisites if any</b>		

### **Section A: Constitutionalism and Rule of Law**

Authoritarianism - Dictatorship

Democracy - Communism

Limited Government - concept - Limitations on government power

What is the Constitution?

Written Constitutions: U.S.A. Canada Australia Sweden South Africa and India

Constitution as Supreme Law

Distinction between Constitution and Constitutionalism

Rule of Law: Concept and new horizons

Marxist concept of constitutionalism

## **Section B: Constitutional Principles**

Separation of powers: Montesquieu

Fundamental Rights: Human rights

Judicial Review: European Court of Human Rights

Human Rights: International conventions

Systems of Government: Presidential and Parliamentary

Forms of Government: Federal and Modularly

## **Section C: Federalism**

What is a federal government?

Difference, between confederation and federation

Conditions requisite for a true Federalism

Patterns of Federal Government - U.S.A., Australia, Canada, India

Judicial review - for federal umpiring

New trends in federalism: Co-operative Federalism

India: Central Control v. State Autonomy

Political factors influencing Federalism

Plural aspects of Indian Federalism: Jammu & Kashmir, Delhi

Dynamics of Federalism

## **Section D: Pluralism**

What is a pluralistic society?

Ethnic, linguistic, cultural, political Pluralism



Individual rights - Freedom of speech and expression, Freedom of religion, Rights of the religious and linguistic minorities, discrimination for backward classes, equality and right to special protection for women, rights of Scheduled Tribes, Protection against exploitation

Non-State law (NSLS) and State Law Systems

Problem of a Uniform Code v/s Personal Laws Vertical Federalism

**Suggested Readings:**

1. Bodenheimer, Jurisprudence - the Philosophy and Method of the Law (1997), Universal, Delhi
2. Bruce Ackerman, "The New Separation of Powers" 113 (3) Harv. L. Rev. 634-729 (2000)
3. 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)
4. Chhavi Agarwal, "Rule of Law: Reflection upon we the People and Beyond" 252 (1) Madras Law Journal 8-16 (2010)
5. Devi Prasad Singh, "Sovereignty, Judicial Review and Separation of Power", 7(5) Supreme Court Cases J-13 (September 2012)
6. Ishwara Bhat, "Why and how Federalism matters in Elimination of Disparities and Promotion of Equal Opportunities for Positive Rights", 54(3) Journal of the Indian Law Institute 324-363 (July-Sept 2012).
7. J. Stone, Legal System and Lawyers' Reasonings (1999), Universal, Delhi
8. John Rawls, A Theory of Justice (2000), Universal, Delhi
9. Julius Stone, The Province and Function of Law, Part II, Chs. 1. 8-16 (2000), Universal, New Delhi.
10. K.K. Venugopal, "Separation of Power and the Supreme Court of India", Vol. 2 (2) Journal of Law and Social Policy 64-82 (July 2008).
11. S.N Ray, Judicial Review and Fundamental Rights (Eastern Law House, 1974).
12. Upendra Baxi, "Law, Democracy and Human Rights"- 5 Lokayan Bulletin 4 (1987)
13. V.M. Dandekar "Unitary Elements in a Federal Constitution" 22 E.P.W. 1865 (1988)

**Weblinks:**

<https://www.youtube.com/watch?v=rfcg0I946JQ>

<https://www.youtube.com/watch?v=3sgAwVpCOOI>

**Relationship between the Course Outcomes (COs) and Program Outcomes (POs)**

Course	Course Code	Course Outcome	PO1	PO2	PO3	PO4	PO5	PO6	PO7	PO8	PO9	PO10
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Constitutional Theory	LWH621	CO1	3	3	3	3	1	1	-	-	-	3
		CO2	3	1	3	2	3	3	3	1	3	3
		CO3	3	-	3	3	3	2	3	-	-	3
		CO4	3	2	3	-	2	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				
LWH650	Negotiation Skills	COMMERCIAL ARBITRATION				
LWH620	International Commercial Arbitration	COMMERCIAL ARBITRATION				
LWH615	Institutional Arbitration	COMMERCIAL ARBITRATION				
LWH619	Mediation and Conciliation	COMMERCIAL ARBITRATION				
LWH604	Dissertation			0	0	
<b>Semester Credits(L-T-P/Credits)</b>			<b>12</b>	<b>0</b>	<b>0</b>	<b>12</b>

**SEMESTER II****COMMERCIAL LAW SPECIALIZATION**

<b>Course Title/ Code</b>	<b>Corporate Finance – I (LWH632)</b>	
<b>Course Type:</b>	Core (Departmental)	
<b>Course Nature:</b>	Hard	
<b>L-T-P-O Structure</b>	(2-0-0)	
<b>Objectives</b>	<p>The objective of this paper is</p> <p>(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;</p> <p>(ii) To acquaint the students with the normative, philosophical and economic contours of various statutory rules relating to corporate finance;</p> <p>(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.</p>	
	<b>Course Outcomes (COs)</b>	<b>Mapping (EMPLOYABILITY/ Skill Development/ Entrepreneurship)</b>
<b>CO1</b>	suggest the client company on type, source and conditions of capital for the venture	Skill development
<b>CO2</b>	advise on the nuances of debt equity ratio	Skill development
<b>CO3</b>	counsel on capital restructuring with respect to conditions and methods	Skill development
<b>CO4</b>	identify and propose the ways and measures of investor protection to a company	Skill development
<b>CO5</b>	give opinion on the legal framework applicable to raising external capital	Skill development
<b>Prerequisites if any</b>		

**SECTION A**

**Introduction to the Corporate Finance (Contact Hours – 12)**

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

## SECTION B

### Conservation of Corporate Finance (Contact Hours – 12)

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

## SECTION C

### Investor Protection (Contact Hours – 12)

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

## SECTION D

### Corporate Fund Raising and Regulations (Contact Hours – 12)

- a. Administrative Regulation on Corporate Finance
- b. Role of SEBI

## 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. Kulkarni, *Corporate Finance* (1961)
13. Y.D. Kulshreshtha, *Government Regulation of Financial management of Private Corporate Sector in India* (1986)

**CO PO MAPPING**

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

<b>Course Title/ Code</b>	<b>Insolvency and Bankruptcy Law (LWH633)</b>
<b>Course Type:</b>	Core (Departmental)
<b>Course Nature:</b>	Hard
<b>L-T-P-O Structure</b>	(2-0-0)
<b>Objectives</b>	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.

<b>Course Outcomes (COs)</b>		<b>Mapping (EMPLOYABILITY/Skill Development/Entrepreneurship)</b>
<b>CO1</b>	Apply the provisions of relevant laws to corporate debt restructuring	Skill development
<b>CO2</b>	Explain the Insolvency Resolution Process	Skill development
<b>CO3</b>	Differentiate between Corporate Insolvency and Individual Bankruptcy	Skill development
<b>CO4</b>	Review the provisions with respect to Cross- Border Insolvency	Skill development
<b>Prerequisites if any</b>		

### **SECTION A**

#### **The fundamentals of debt contracting (Contact Hours – 8)**

- a. Insolvency – Concepts and Evolution
- b. Introduction to Insolvency and Bankruptcy Code
- c. Corporate Insolvency Resolution Process
- d. Insolvency Resolution of Corporate Persons

### **SECTION B**

#### **The Bankruptcy Process (Contact Hours – 8)**

- a. Resolution Strategies
- b. Fast Track Corporation Insolvency Resolution Process
- c. Liquidation of Corporate Person
- d. Voluntary Liquidation of Companies

## SECTION C

### 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

## SECTION D

### 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**

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

<b>Course Title/ Code</b>	<b>Corporate Mergers and Acquisitions (LWH634)</b>	
<b>Course Type:</b>	Core (Departmental)	
<b>Course Nature:</b>	Hard	
<b>L-T-P-O Structure</b>	(2-0-0)	
<b>Objectives</b>	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.	
<b>Course Outcomes (COs)</b>		<b>Mapping (EMPLOYABILITY/ Skill Development/ Entrepreneurship)</b>
<b>CO1</b>	Differentiate between different modes of corporate restructuring;	Skill development
<b>CO2</b>	Find and apply the laws governing corporate restructuring;	Skill development
<b>CO3</b>	Give advise to the companies on the regulatory mechanisms regarding takeovers;	Skill development
<b>CO4</b>	Represent the parties in the court of law on matter of mergers and acquisitions;.	Skill development
<b>Prerequisites if any</b>		

### SECTION A

#### **Introduction to Corporate Restructuring (Contact Hours – 6)**

- a. Corporate Restructuring: Meaning, need and scope
- b. Theory, Reasons and Factors responsible for corporate restructuring
- c. Financial restructuring: Buy-back of shares, reduction, and reorganization of capital

### SECTION B

#### **Regulations of Mergers & Acquisitions (Contact Hours – 14)**

- a. Legal regime in India
- b. 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

### SECTION C

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

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

## **SECTION D**

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

- a. Taxation and Stamp duty aspects of mergers
- b. Taxation aspect of takeovers
- c. Interest of small investors and minorities in mergers and acquisitions
- d. Competition law aspects of mergers and acquisitions

### **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" 31<sup>st</sup> *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	<b>CO1</b>	3	3	3	3	3	-	-	-	3	-	-
		<b>CO2</b>	3	3	3	3	3	3	-	-	-	-	-
		<b>CO3</b>	3	3	3	3	3	-	-	-	3	-	-
		<b>CO4</b>	3	3	3	3	3	3	-	-	-	-	-

<b>Course Title/ Code</b>	<b>Competition Law (LWH635)</b>	
<b>Course Type:</b>	Core (Departmental)	
<b>Course Nature:</b>	Hard	
<b>L-T-P-O Structure</b>	(2-0-0)	
<b>Objectives</b>	Students will be able to understand the basic economic concepts of Competition, Law and jurisprudence developed through case law.	
<b>Course Outcomes (COs)</b>		<b>Mapping (EMPLOYABILITY/Skill Development/Entrepreneurship)</b>
<b>CO1</b>	Appreciate the economic and fundamental principles underlying competition law.	Skill development
<b>CO2</b>	Apply the law to different forms of competition issues and offer counseling on competition compliance and probable violations by enterprises;	Skill development
<b>CO3</b>	Identify the practical aspects and enforcement mechanisms of competition law in various jurisdictions and its relevance in the Indian context	Skill development
<b>CO4</b>	Contribute to the development of law on competition in India through opinions and reflections	Skill development
<b>Prerequisites if any</b>		

#### SECTION A (Contact Hours 6)

##### **Fundamentals of Competition Law**

- a. Basic economic and legal principles
- b. Models of competitive market and goals of competition law
- c. Evolution of Competition Law in India
- d. Competition Act, 2002 – Overview and Definitions, comparison with MRTP Act,

#### SECTION B (Contact Hours – 8)

##### **Anti-Competitive Agreement**

- a. Horizontal Agreements

- b. Vertical Agreements
- c. Exceptions
- d. Treatment of anti-competitive agreements in USA, EU and India - Comparison

#### SECTION C (Contact Hours – 8)

##### **Abuse of Dominant position & Combinations**

- a. Dominant Position
- b. Abusive Practices
- c. Protection of consumers
- d. Treatment of abuse of dominant position in USA, EU and India - Comparison
- e. Combinations (Mergers and Acquisitions)

#### SECTION D (Contact Hours – 8)

##### **Competition Enforcement Mechanism and Emerging Trends**

- a. Competition Commission of India
    - i. Structure and function of CCI; regulatory role
    - ii. Inquiry Procedure
  - b. Appellate Mechanism
- i. NCLAT - Composition, Functions, Powers and Procedure; Award Compensation;
- ii. Supreme Court
- c. Interface of Competition Law and IPR

##### **Text Books**

- Versha Vahini, 'Competition Law', 2016 (Lexis Nexis India)
- Vinod Dhall, 'Competition Law Today: Concepts, Issues and the Law in Practice', 2019 (Oxford University Press)
- Avtar Singh, 'Competition Law', Eastern Book Company, 2021/2020 edition - available in Amazon
- 'Taxmann's Competition Laws Manual with Case Laws Digest', Taxmann, 9th Edition 2022
- 'Taxmann's Indian Competition Law, Adv. Gautam Shahi, Dr. Sudhanshu Kumar, Taxmann, 1<sup>st</sup> Edition, 2021
- P. Satyanarayana Prasad, 'Competition Law and Cartels', Amicus Books, ICFAI University Press, 2007

- Neha Vyas, 'Competition Law', Eastern Book Company, 1<sup>st</sup> Edition, 2021
- Intellectual Property Rights and Competition Policy- Published by CUTS International, June 2008
- T. Ramappa, 'Competition Law in India: Policy, Issues and Development', 3<sup>rd</sup> Edition, Oxford University Press

### **Reference Books**

- A.E. Rodrigues, Ashok Menon, *The limits of Competition Policy, the shortcomings of Economics* 2018
- Dr. R.K. Singh, *Restriction Trade Practices and Public Interest* 2017
- K.S. Anantaraman, *Lectures on Company Law and MRTP* 2016
- Report of the Monopolies Inquiries Commission, Govt. of India 1965 (Dr. Hazari Report)
- S.M. Dugar's *MRTP Law, Competition Law and Consumer Protection* 2018
- Sachar Committee Report, High Powered Committee on MRTP Act & Company Act, 1980
- Suzanne Rab, *Indian Competition Law- An International Perspective* 2015
- Taxmann's *competition Law and Practice*
- Richard Whish, David Bailey, 'Competition Law', Oxford University Press, 9<sup>th</sup> Edition, 2018

### **Case Laws**

- CCI v. Steel Authority of India Ltd. (2010)10 SCC 744
- CCI v. Co-Ordination Committee of Artists and Technicians of W.B. Film and Television, civil appeal no. 6691 of 2014
- Builders Association of India v. Cement Manufacturers, Case No. 29/2010
- Shamsher Kataria v. Honda Sael Cars India Ltd., 2014 Comp LR 1 (CCI)
- Rajasthan Cylinders and Containers Limited v. Union of India, Civil Appeal No. 3546 of 2014 decided on 1.10.2018 (SC)
- All India Tyres Dealers Federation v. Tyres Manufacturers, 2013 COMP LR 92 (CCI)
- Association of Malayalam Movie Artists v. Competition Commission of India Competition Appeal (AT) No. 05 of 2017
- *In re* Delhi Jal Board and Grasim Industries Ltd, Ref. C. No. 03 & 04 of 2013
- Belaire Apartment Owners' Association v. DLF Ltd & HUDA, 2011 Comp LR 0239(CCI)
- Surinder Singh Barmi v. Board for Control of Cricket in India (BCCI) [2013]113 CLA579 (CCI)
- MCX Stock Exchange v. National Stock Exchange Ltd., 2011 Comp LR 129 (CCI)
- National Stock Exchange Ltd. v. MCX Stock Exchange 2014 Comp LR 304
- Indian Exhibition Industry Association v. Ministry of Commerce and Industry and Indian Trade Promotion Organisation, 2014 Comp LR 87
- Etihad Airways and Jet Airways Combination Order, CCI, Order dated 12.11.2013
- Wal-Mart and FlipKart Combination Order, CCI, Order dated 4.8.2016
- Telefonaktiebolaget LM Ericsson (PUBL) v. Competition Commission of India, 2016 OnLine Del 1951



CO PO Mapping

Course Code	Course	Course Outcomes	PO1	PO2	PO3	PO4	PO5	PO6	PO7	PO8	PO9	PSO1	PSO2
LWH635	Competition Law	C01	3	-	3	3	3	-	-	-	-	-	-
		C02	3	3	3	3	3	3	-	3	-	-	-
		C03	3	-	3	-	-	3	-	-	3	-	-
		C04	3	-	3	3	-	3	-	3	-	-	-

## CRIMINAL LAW SPECIALIZATION

<b>Course Title/ Code</b>	<b>Socio-Economic Offences (LWH644)</b>	
<b>Course Type:</b>	Elective (Departmental)	
<b>L-T-P Structure</b>	(2-0-0)	
<b>Objectives</b>	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.	
<b>Course Outcomes (COs)</b>		<b>Mapping (EMPLOYABILITY/Skill Development/Entrepreneurship)</b>
<b>CO1</b>	Describe the evolution of socio-economic offenses and their relationship with white-collar crimes and other professional crimes etc.	EMPLOYABILITY
<b>CO2</b>	To identify and interpret the relevant domestic legislation and international instruments dealing with human trafficking and illicit drug trafficking.	Skill development
<b>CO3</b>	Advise the clients on the appropriateness of the forums /courts in matters of corruption.	Skill development
<b>CO4</b>	Able to apply the provisions of Money Laundering Act,2002 to relevant case laws in a real life given situation.	Skill development
<b>Prerequisites if any</b>		

### Section –A

#### 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. 47<sup>th</sup> Law Commission Report, 1972 – The Trial and Punishment of Social and Economic Offences.

## Section –B

### 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
  - *Krishnamurthy @ Tailor Krishnan v. Public Prosecutor, Madras, AIR 1967 SC 567; 1967 SCR (1) 586*
  - *Chitan J. Vaswani&Anr v. State of West Bengal & Anr., AIR 1975 SC 2473; 1976 SCR (2) 300*
  - *Vishal Jeet v. Union of India & Ors, (1990) 3 SCC 318; AIR 1990 SC 1412*
  - *Gaurav Jain v. Union of India & Ors, 1997 (8) SCC 114*

### 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
- *Karnail Singh vs. State of Haryana, (2009) 8 SCC 539*
  - *Vijay Singh Chandubha Jadeja vs. State of Gujarat (2011) 1 SCC 609*
  - *Harjit Singh vs. State of Punjab (2011) 4 SCC 441*
  - *Indian Harm Reduction Network vs. Union of 2India 2012 Bom C R (Cri) 121*
  - *Union of India vs. Mohanlal & Anr, (2016) 3 SCC 379*

## Section C

### The Prevention of Corruption Act, 1988

- a. Need of the Act (read with Santhanam Committee Report)

The Prevention of Corruption Act, 1988

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

- *Kalicharan Mahapatra v. State of Orissa, AIR 1998 SC 2595*
- *Kanwarjit Singh Kakkar v. State of Punjab, (2011) 6 S.C.R. 895*
- *Abhay Singh Chautala v. C.B.I, (2011) 7 SCC 141*

### **The Prevention of Money-Laundering Act, 2002**

- a. Need for combating Money-Laundering
- b. Magnitude of Money-Laundering, its steps and various methods
- The Prevention of Money-Laundering Act, 2002:
  - c. Definition of 'Money Laundering', Section 3 & 2(1)(p)
  - c. Punishment for Money Laundering (Section 4)
  - c. Enforcement: Attachment (Section 5) Survey, Search, & Seizure (Sections 16, 17 & 18)
  - c. Power to arrest (Section 19)
  - *B. Ramaraju v. Union of India, W.P. No. 10765 of High Court of A.P. 2011 (164) Company Case 149*

### **Section D**

### **The Food Safety and Standards Act, 2006**

- a. Definition of 'food', 'Adulterant', 'contaminant', 'food business', 'misbranded food'
- b. Authorities under the Act: Food Safety and Standards Authorities of India & State Food Safety and Standards Authorities: Establishment and functions
- c. Food Safety Officer- Power, Function and liabilities, Food Analyst
- d. General Principles to be followed for food safety under the Act (Section 18)
- e. Licensing and Registration of food business (Section 31)
- f. Purchaser may have food analyzed (Section 40)

- g. Provisions related to offence and penalties (Sections 48 to 67)
- h. Adjudication and Appeal procedures (Sections 68 & 76)
  - *M. Mohammed v. Union of India*, W.A.No.1491 of 2014
  - *M/S Nestle India Limited v. The Food Safety and Standards Authority of India*, W. P (L) No. 1688 of 2015

**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* (3<sup>rd</sup> 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* (3<sup>rd</sup> 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

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

### **SECTION A (Contact Hours – 10)**

#### **Gender Mainstreaming and Law**

- 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

### **SECTION B (Contact Hours – 10)**

#### **Gender Identity and Equality**

- 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

## **SECTION C (Contact Hours – 10)**

### **Sexuality and Morality in Laws**

- 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 Process II 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	3	3	3	3	3	-	-	3	3		
		CO2	3	3	3	3	3	-	-	3	3		
		CO3	3	3	3	3	3	3	3	-	-		
		CO4	3	3	3	3	3	-	-	3	3		



<b>Course Title/ Code</b>	<b>NATIONAL SECURITY LAWS &amp; FUNDAMENTAL RIGHTS (LWH648)</b>	
<b>Course Type:</b>	Elective (Departmental)	
<b>L-T-P Structure</b>	(2-0-0)	
<b>Objectives</b>	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.	
<b>Course Outcomes (COs)</b>		<b>Mapping (EMPLOYABILITY/Skill Development/Entrepreneurship)</b>
<b>CO1</b>	Demonstrate an advanced and integrated understanding of National Security Law in India	EMPLOYABILITY
<b>CO2</b>	Critically evaluate the Security Challenges ,Public Order vis-a-vis Fundamental Rights in the context of contemporary legal issues.	EMPLOYABILITY
<b>CO3</b>	Demonstrate intellectual and practical skills needed to understand the national security system in India	EMPLOYABILITY
<b>CO4</b>	Identify research area with reference to Fundamental Rights evaluate and synthesise relevant factual, legal and policy issues using legislation, case law and secondary source materials	Skill development
<b>Prerequisites if any</b>		

## SECTION A

### Basics of National Security Laws (Contact H ours- 5)

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

## SECTION B

### **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

### **SECTION C**

#### **Right to Freedom, Information, Right to Life & Personal Liberty –Art (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;
- d. whether restriction includes deprivation and prohibition.
- e. Rights of accused; Doctrine of Ex-post -facto law; Doctrine of Double Jeopardy

### **SECTION D**

#### **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. G.O.Koppell, The Emergency, The Courts and Indian Democracy 8 JILI 287 (1966).

2. H.M.Seervai, The Emergency, Future Safeguards and the Habeas Corpus, 1978.
3. International Commission of Jurists, Status of Emergency and Human Rights , 1984
4. N.C.Chatterji and Parameshwar Rao, Emergency and the Law, 1966.
5. H.M. Seervai, Constitutional Law of India Vol. I &II
6. V.N.Shukla , Constitution of India
7. Subhash C Jain, The Constitution of India
8. D.D. Basu, Commentaries on Constitutional Law of India, Vol. A to E
9. M. Hidayatullah (Ed.), Constitution of India.
10. M.P.Jain, Indian Constitutional Law.
11. Subba Rao G C V Indian constitutional law
12. Pande G S Constitutional law of India
13. Saharay H K Constitution of India
14. Pylee M.V Our constitution government & politics
15. Tope T K Constitutional law of India
16. Mahendra P. Singh: V. N. Shukla's Constitution of India
17. MC Kagzi: Constitutional Law Vol. I & II
18. DJ De: Constitution of India
19. Granville Austin: The Indian Constitution: Cornerstone of a Nation

#### 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	-	3	-	-	-	-			
		CO2	3	3	-	-	-	-	-	-			
		CO3	3	3	3	-	-	-	-	3			
		CO4	3	3	3	-	-	-	-	3			

<b>Course Title/ Code</b>	<b>INTERNATIONAL CRIMINAL LAW (LWH649)</b>	
<b>Course Type:</b>	Elective (Departmental)	
<b>L-T-P Structure</b>	(2-0-0)	
<b>Course Outcomes (COs)</b>		<b>Mapping (EMPLOYABILITY/ Skill Development/ Entrepreneurship)</b>
<b>CO1</b>	To describe the concept, sources and nature of international criminal law.	EMPLOYABILITY
<b>CO2</b>	To explain the typology of international crimes including genocide, crimes against humanity, war crimes and crimes of aggression.	EMPLOYABILITY
<b>CO3</b>	To evaluate the jurisdiction and working of international criminal court and tribunals.	Skill development
<b>CO4</b>	To practice international criminal law, identify actors of criminal liability and responsibility of international crimes	Skill development
<b>Prerequisites if any</b>		

**SECTION A: INTRODUCTION TO INTERNATIONAL LAW**

- a. Introduction to ICL,
- b. Historical background of International Criminal Law,
- c. The concept, origin and sources of International Criminal Law,
- d. Key themes in contemporary international criminal law

**SECTION B: INTERNATIONAL CRIMES**

- a. An Overview of International crimes,
- b. categories- Genocide, UN Convention on Genocide
- c. crimes against humanity,
- d. war crimes,
- e. crimes of aggression,
- f. Elements of international crimes

**SECTION C: INTERNATIONAL TRIBUNALS, TRIALS AND INTERNATIONAL CRIMINAL COURT**

- a. International Military Tribunals
- b. The Nuremberg Trial, Tokyo Trial,
- c. International Criminal Tribunal for the Former Yugoslavia,
- d. International Criminal Tribunal of Rwanda,
- e. The International Criminal Court: Key features,
- f. working of the ICC, Legal process, organization of the ICC

#### SECTION D: THE ROME STATUTE AND INDIVIDUAL CRIMINAL RESPONSIBILITY

- a. Objectives of Rome Statute,
- b. Background, establishment, ratifications, jurisdiction.
- c. Criminal Liability standard,
- d. Individual criminal responsibility,
- e. Some high profile cases of the ICC, Case Reading.

#### Tutorial activities 1 Hr/Week

1. Students to prepare case briefs of some high profile international cases
2. Analysis of international crimes and application of international law
3. Debates, group discussions and presentations
4. Talk shows and panel discussions
5. Case Analysis

#### Text Books

1. Dr. SK Bose, International Criminal Law: A Toolkit for Law Students, Mind Your Law Publications-Edition 2023
2. William A Schabas, The Cambridge Companion to international Law
3. Gerhard Werle and Florian Jeßberger, Principles of International Criminal Law

#### Reference Books

1. Robert Cryer, et al., International Criminal Law and Procedure, Cambridge, Cambridge University Press, 2010.
2. Philippe Sands, From Nuremberg to the Hague: The Future of International Criminal Justice, Cambridge University Press, 2003
3. Bassioni, M., C. (ed.) .The Legislative History of International Criminal Court, Ardsley, Transnational Publishers, 2003.
4. Cassese, A. International Criminal Law, Oxford, Oxford University Press, 2008.
5. Schabas, W., An Introduction to International Criminal Court, Cambridge, Cambridge University Press, 2010.
6. 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.

7. 7. International Criminal Law: Cases and Commentary (Paperback) By (author) Antonio Cassese, By (author) Guido Acquaviva, By Mary De Ming Fan, Alex Whiting
8. 8. 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));
9. 9. James Crawford and Martti Koskeniemi (edtn), Cambridge Companion to International Law (Cambridge University Press, 2012);
10. 10. Vaughan Lowe, International Law (Clarendon Press, 2007).

#### Journals

1. International Criminal Law Review-Publisher-Brill & Nijhoff
2. European Journal of Crime, Criminal Law and Criminal Justice
3. Journal of International Criminal Justice, Oxford University Press-2003
4. International Organization Law Review-publication-Leiden

#### Important Cases

1. **Thomas Lubanga Dyilo (Democratic Republic of Congo):** Lubanga was convicted for enlisting and conscripting children under the age of 15 and using them in hostilities.
2. **Jean-Pierre Bemba Gombo (Central African Republic):** Bemba was convicted for crimes against humanity and war crimes, including murder, rape, and pillaging.
3. **Germain Katanga (Democratic Republic of Congo):** Katanga was convicted for being an accessory to war crimes, including murder and pillage.
4. **Mathieu Ngudjolo Chui (Democratic Republic of Congo):** Ngudjolo Chui was acquitted of charges of war crimes and crimes against humanity due to insufficient evidence.
5. **Uhuru Muigai Kenyatta (Kenya):** Charges against Kenyatta, which included crimes against humanity, were dropped due to a lack of evidence and other factors.
6. **William Samoei Ruto (Kenya):** Charges against Ruto, which included crimes against humanity, were dropped due to a lack of evidence and other factors.
7. **Laurent Gbagbo (Ivory Coast):** Gbagbo was acquitted of crimes against humanity charges related to post-election violence in Ivory Coast.
8. **Charles Blé Goudé (Ivory Coast):** Blé Goudé was acquitted of crimes against humanity charges related to post-election violence in Ivory Coast.
9. **Bosco Ntaganda (Democratic Republic of Congo):** Ntaganda was convicted for war crimes and crimes against humanity, including murder, rape, sexual slavery, and using child soldiers.
10. **Al Hassan Ag Abdoul Aziz Ag Mohamed Ag Mahmoud (Mali):** Al Hassan was convicted for crimes against humanity, including forced marriage and sexual slavery.

11. **Dominic Ongwen (Uganda):** Ongwen was convicted for war crimes and crimes against humanity, including murder, sexual slavery, and forced marriage.
12. **Gbagbo and Blé Goudé (Ivory Coast):** This case was a joint case against Laurent Gbagbo and Charles Blé Goudé for their alleged role in post-election violence in Ivory Coast.
13. **Hermann Göring (Germany):** One of the highest-ranking Nazi officials, Göring was sentenced to death for war crimes and crimes against humanity. He committed suicide before his execution.
14. **Rudolf Hess (Germany):** Hitler's Deputy Führer, Hess was sentenced to life imprisonment for conspiracy and crimes against peace. He remained imprisoned until he committed suicide in 1987.
15. **Joachim von Ribbentrop (Germany):** The Foreign Minister of Nazi Germany, Ribbentrop was sentenced to death for crimes against peace and war crimes.
16. **Albert Speer (Germany):** Hitler's chief architect and later Minister of Armaments and War Production, Speer was sentenced to 20 years imprisonment for war crimes and crimes against humanity.
17. **Julius Streicher (Germany):** The founder and publisher of the virulently anti-Semitic newspaper Der Stürmer, Streicher was sentenced to death for crimes against humanity.
18. **Hideki Tojo (Japan):** Prime Minister of Japan and Chief of the Imperial Japanese Army, Tojo was sentenced to death for war crimes, crimes against peace, and crimes against humanity.
19. **Iwane Matsui (Japan):** A general in the Imperial Japanese Army, Matsui was sentenced to death for crimes against humanity related to the Nanking Massacre.
20. **Heitaro Kimura (Japan):** Lieutenant General in the Imperial Japanese Army, Kimura was sentenced to death for war crimes and crimes against humanity in relation to his actions in China.
21. **Akira Muto (Japan):** Admiral in the Imperial Japanese Navy, Muto was sentenced to life imprisonment for war crimes.
22. **Shigenori Togo (Japan):** Minister of Foreign Affairs for Japan, Togo was sentenced to 20 years imprisonment for war crimes and crimes against peace.

#### CO PO MAPPING

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

**COMMERCIAL ARBITRATION LAW SPECIALIZATION**

<b>Course Title/ Code</b>	<b>Institutional Arbitration (LWH615)</b>	
<b>Course Type:</b>	Core (Departmental)	
<b>Course Nature:</b>	Hard	
<b>L-T-P-O Structure</b>	(2-0-0-0)	
<b>Course Outcomes (COs)</b>		<b>Mapping (EMPLOYABILITY/Skill Development/Entrepreneurship)</b>
<b>CO1</b>	To understand the concept of institutional arbitration and its emergence in the arbitration field.	EMPLOYABILITY
<b>CO2</b>	To Interpret and discern the differences between the rules of various arbitral institutions.	EMPLOYABILITY
<b>CO3</b>	Get an insight into the broad procedure under institutional rules and the functionality of the tribunals.	Skill development
<b>CO4</b>	To examine the role played by the institution in the administration and efficient conduct of the arbitration module.	Skill development
<b>Prerequisites if any</b>		

**SECTION A**

**Modes of Arbitration (Contact Hours – 8)**

- a. Overview
- b. Defining ad-hoc arbitration
- c. Defining institutional arbitration
- d. Challenging the traditional ad-hoc/institutional arbitration dichotomy
- e. Merits of institutional arbitration and reasons for its popularity

**SECTION B**



### **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

### **SECTION C**

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

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

### **SECTION D**

#### **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)

### Other Suggested Readings:

1. [https://ijtr.nic.in/ebook\\_arbitration.pdf](https://ijtr.nic.in/ebook_arbitration.pdf)
2. <https://nalsarpro.org/Portals/23/Paper%203-Law%20of%20Arbitration%20and%20Conciliation%20in%20India.pdf>
3. [https://fsi-live.s3.us-west-1.amazonaws.com/s3fs-public/No\\_103\\_Sarma\\_India\\_Arbitration\\_India\\_509.pdf](https://fsi-live.s3.us-west-1.amazonaws.com/s3fs-public/No_103_Sarma_India_Arbitration_India_509.pdf)
4. <https://legalaffairs.gov.in/sites/default/files/Report-HLC.pdf>
5. <https://www.bricslawjournal.com/jour/article/view/841>

### CO PO Mapping

<b>Courses Code</b>	<b>Courses</b>	<b>Course Outcomes</b>	<b>PO1</b>	<b>PO2</b>	<b>PO3</b>	<b>PO4</b>	<b>PO5</b>	<b>PO6</b>	<b>PO7</b>	<b>PO8</b>	<b>PO9</b>	<b>PSO1</b>	<b>PSO2</b>
LWH615	Institutional Arbitration	<b>CO1</b>	3	3	-	3	3	-	-	-	3		
		<b>CO2</b>	3	3	-	3	-	-	-	-	3		
		<b>CO3</b>	3	-	3	-	3	-	3	-	-		
		<b>CO4</b>	-	-	-	3	-	3	-	3	-		

<b>Course Title/ Code</b>	International Commercial Arbitration (LWH620)	
<b>Course Type:</b>	Elective (Departmental)	
<b>L-T-P Structure</b>	(2-0-0)	
<b>Course Outcomes (COs)</b>		<b>Mapping (EMPLOYABILITY/Skill Development/Entrepreneurship)</b>
<b>CO1</b>	Understand the basic principles and the context in which international commercial arbitration operates.	EMPLOYABILITY
<b>CO2</b>	Appreciate the interplay between the plethora of different laws that apply to international commercial arbitration proceedings.	EMPLOYABILITY
<b>CO3</b>	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
	Understand and apply the principles of the New York Convention.	
<b>Prerequisites if any</b>		

**Section A** - Introduction

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

**Section B** - Applicability of Laws

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

**Section C** - Regulating International Commercial Arbitration

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

**Section D** - Recognition or enforcement of foreign arbitral awards

- Foreign Award- meaning
- The International Conventions for recognition and enforcement of arbitral awards
- Reciprocity and Commercial Reservation
- Indian law- Scope and Applicability
- Recognition and enforcement of annulled awards

**TEXT BOOKS**

1. Nigel Blackaby, Constantine Partasides, Redfern and Hunter on International Arbitration, Oxford University Press, (2015) (6th Edition)
2. Anirudh Wadhwa, Anirudh Krishnan, Justice RS Bachawat’s Law of Arbitration and Conciliation, Lexis Nexis, (2018) (6th Edition)
3. David St. John, Judith Gill, Mathew Gearing, Russell on Arbitration, Sweet & Maxwell, (2018) (24th Edition)
4. Indu Malhotra, OP Malhotra on The Law and Practice of Arbitration and Conciliation (2020) (4th Edition)

**REFERENCES**

1. Saurabh Bindal & R. V. Prabhat, Arbitration and Conciliation - A Commentary, Eastern Book Company, 1 December 2021
2. Dushyant Dave & Fali Nariman, Arbitration in India, Kluwer Law International, February 2021
3. Justice S.M. Jhunjhunwala, Law of Arbitration and Conciliation, Snow White Publication, 8th Edition, 2021
4. Chirag Balyan & Yashraj Samant, Commercial Arbitration - International Trends and Practices, Thomson Reuters, 1st Edition, July 21
5. Gary B. Born, International Arbitration: Law and Practice, 3rd Edition, June 2021
6. Sundra Rajoo, Law Practice and Procedure of Arbitration in India, Thomson Reuters, 1st Edition, April 21

**CO PO Mapping**

Course	Course	Course	PO1	PO2	PO3	PO4	PO5	PO6	PO7	PO8	PO9	PS01	PS02
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Code		Outcomes												
LWH 614	International Commercial Arbitration: Principles and Practice	<b>CO1</b>	3	-	3	3	3	-	-	3	-			
		<b>CO2</b>	3	-	3	3	3	-	-	3	-			
		<b>CO3</b>	3	-	3	3	3	3	-	-	-	-		
		<b>CO4</b>	3	-	3	3	3	-	-	-	-	-		

<b>Course Title/ Code</b>	<b>Mediation and Conciliation (LWH619)</b>	
<b>Course Type:</b>	Core (Departmental)	
<b>Course Nature:</b>	Hard	
<b>L-T-P-O Structure</b>	(2-0-0)	
<b>Course Outcomes (COs)</b>		<b>Mapping (EMPLOYABILITY/Skill Development/Entrepreneurship)</b>
<b>CO1</b>	Differentiate between, and understand, the intricacies of various alternative dispute resolution (ADR) methods, specially Mediation and Conciliation.	Employability
<b>CO2</b>	Identify the most appropriate ADR method (Mediation and Conciliation) based on the merits of the client's case.	Employability
<b>CO3</b>	Familiarize with the domestic and international mediation regime, recognize its benefits and encourage parties to opt for mediation over any other adversarial methods.	Skill development
<b>CO4</b>	Undertake matters falling within the purview of the Mediation Act, 2023.	Skill development
<b>Prerequisites if any</b>		

#### **Section A** - Mediation I

- Basic Concepts, Importance and Advantage
- Essential elements, Characteristics and Stages of Mediation
- Approaches to Mediation - Facilitative, Evaluative and Transformative Mediation
- Qualities, Skills and Role of the Mediator
- Conducting Effective Mediation – Decision Making and Problem-Solving Tactics
- Drafting Mediated Agreements and Enforcement

#### **Section B** - Mediation II

- Supreme Court's Module on Mediation
- Mediation Laws in India - Mediation Act 2023
- Civil and Commercial Mediation
- Family Mediation
- Victim-offender Mediation

#### **Section C** - International Mediation Ecosystem

- UNCITRAL Model Law on International Commercial Mediation and International Settlement Agreements Resulting from Mediation, 2018





LWH615	Institutional Arbitration	<b>C01</b>	3	-	3	-	3	-	-	-	-		
		<b>C02</b>	3	3	3	3	3	-	-	3	-		
		<b>C03</b>	3	3	3	3	3	-	-	3	-		
		<b>C04</b>	3	-	3	-	3	3	-	3	-		

<b>Course Title/ Code</b>	<b>Negotiation Skills</b>	
<b>Course Type:</b>	Elective (Departmental)	
<b>L-T-P Structure</b>	(2-0-0)	
Course Objective	The objective of the paper is to make students aware of negotiation on a daily basis. On a personal level, we negotiate with friends, family, landlords, car sellers and employers, among others. Negotiation is also the key to business success. No business can survive without profitable contracts. Within a company, negotiation skills can lead to your career advancement.	
<b>Course Outcomes (COs)</b>		<b>Mapping (EMPLOYABILITY/Skill Development/Entrepreneurship)</b>
<b>CO1</b>	To Demonstrate a comprehensive understanding of the historical context of equality and discrimination laws	Entrepreneurship
<b>CO2</b>	To critically analyse discrimination laws in various contexts, applying legal principles to assess and address contemporary issues and challenges.	Employability
<b>CO3</b>	To gain insight into the concept of discrimination and its implication and their relevance with other nations, delve into a comprehensive study.	Employability
<b>CO4</b>	Enhance communication skills to articulate legal arguments, navigate ethical discussions, and engage in advocacy for the promotion of equality and non-discrimination.	Skill Development
<b>Prerequisites if any</b>		

## Syllabus

### SECTION A

#### Introduction to Negotiation skills

1. Overview of Negotiation
2. Position Based and Interest Based Negotiation
3. A Dispute Resolution or Deal Making Negotiation?

4. Analyzing the Negotiation
5. Best Alternative to a Negotiated Agreement
6. Theories of Equality

## **SECTION B**

### **Negotiate: Use Key Tactics for Success**

1. Cross-Cultural Negotiations
2. Getting to Know the Other Side and Using Power in Negotiations
3. Psychological Tools: Introduction and Mythical Fixed Pie Assumption
4. Anchoring, Overconfidence, and Framing
5. Availability, Escalation, Reciprocation, Contrast Principle, and Big Picture Perspective

## **SECTION C**

### **Close: Create a Contract**

- About Contract Law
- Creating Contracts
- Business vs. Legal Objectives in Contracting

## **SECTION D**

### **Use of different skill set**

- Dispute Prevention
- ADR Concepts and Tools
- Arbitration
- Mediation
- Contract Performance Review and Evaluation

### **Reference Books**

- Negotiating for success: essential strategies and skills by George Siedel
- Understanding and Negotiating Commercial Contracts by Aditya Tripathi
- Contract Drafting and Negotiation for Entrepreneurs and Business Professionals by paul A. Swegel

### Online sources

- <https://link.springer.com/article/10.1023/A:1023068821218>
- <https://ascelibrary.org/doi/abs/10.1061/%28ASCE%29LA.1943-4170.0000060>
- <https://onlinelibrary.wiley.com/doi/abs/10.1111/joms.12069>
- [https://heinonline.org/HOL/NotSubscribed?collection=0&bad\\_coll=journals&send=1](https://heinonline.org/HOL/NotSubscribed?collection=0&bad_coll=journals&send=1)

### CO PO MAPPING

Course Code	Course	Course Outcomes	PO1	PO2	PO3	PO4	PO5	PO6	PO7	PO8	PO9	PS01	PS02
LWH650	Negotiation Skills	CO1	3	-	-	3	-	3	-	-	3		
		CO2	3	3	-	3	-	3	-	-	3		
		CO3	3	3	3	3	3	3	-	3	3		
		CO4	3	3	-	3	-	3	3	-	3		

### CONSTITUTIONAL LAW SPECIALIZATION

Course Title/ Code	DECONSTRUCTING DISCRIMINATION LAWS(LWH626)	
Course Type:	Core (Departmental)	
Course Nature:	Hard	
L-T-P-O Structure	(2-0-0)	
<b>Course Outcomes (COs)</b>		<b>Mapping (EMPLOYABILITY/Skill Development/Entrepreneurship)</b>
CO1	To Demonstrate a comprehensive understanding of the historical context of equality and discrimination laws	Entrepreneurship
CO2	To critically analyse discrimination laws in various contexts, applying legal principles to assess and address contemporary issues and challenges.	Employability

<b>CO3</b>	To gain insight into the concept of discrimination and its implication and their relevance with other nations, delve into a comprehensive study.	Employability
<b>CO4</b>	Enhance communication skills to articulate legal arguments, navigate ethical discussions, and engage in advocacy for the promotion of equality and non-discrimination.	Skill Development
<b>Objectives:</b>	The objective of the paper is to familiarize students with specific laws on equality, non-discriminations, contemporary issues, comparative study of these provisions with other nations.	

**Course Description:** This course provides an in-depth examination of discrimination and equality laws, exploring their historical context, evolution, and contemporary implications. Students will analyse key different approaches, comparing it to other nations, and gain considerable understanding on contemporary issues.

#### **SECTION A - Introduction to Discrimination and Equality Laws**

1. Overview of comparative Equality
2. Different approaches to Equality
3. History and development of source of law
4. Theories of Equality

#### **SECTION B – Discrimination Assessment**

1. Analysis of discrimination based on gender
2. Employment discrimination & Disparate in: United States, Europe, India
3. Comparative study of global employment discrimination with other nations

#### **SECTION C– Affirmative Actions**

1. Discrimination, Harassment and Remedies
2. Introduction and system of affirmative actions in US, France, India etc
3. Discussion on different issues like Burqa Ban, Religion, Adoption etc

#### **SECTION D - Contemporary Issues and Intersectionality**

1. Gender Parity

2. Marriage Equality
3. Equality and Hate speech
4. Religion, the State & Equality: Comparative Secularism and its relation with State

**CO-PO MAPPING**

Course	Course Code	Course Outcome	PO1	PO2	PO3	PO4	PO5	PO6	PO7	PO8	PO9	PS01	PS02
<b>Deconstructing Discrimination Laws</b>	<b>LWH626</b>	CO1	3	3	-	3	-	3	-	-	3		
		CO2	3	3	-	3	-	3	3	-	3		
		CO3	3	3	3	3	3	3	-	3	3		
		CO4	3	3	-	3	3	3	3	3	3		

<b>Course Title/ Code</b>	<b>INDIAN FEDERALISM (LWH628)</b>	
<b>Course Type:</b>	Core (Departmental)	
<b>Course Nature:</b>	Hard	
<b>L-T-P-O Structure</b>	(2-0-0)	
<b>Course Outcomes (COs)</b>		<b>Mapping (Employability/Skill Development/Entrepreneurship)</b>
<b>CO1</b>	To Understand the foundational concepts of federalism by analyzing the federal nature of the Indian Constitution.	Entrepreneurship
<b>CO2</b>	To Analyse the distribution of powers between the Centre and the States as delineated in the Indian Constitution.	Employability

<b>CO3</b>	To Evaluate the significance of amending powers within a federal structure in context of the Basic Structure doctrine.	Employability
<b>CO4</b>	To assess the impact of emergency powers on the federal structure.	Skill Development
<b>Objectives:</b>	The objective of the paper is to provide insight into concept of Federalism in India.	

## **SYLLABUS**

### **Section A**

- Federalism: Some basic concepts- Constitutionalism.
- Federalism as an aspect of Constitutionalism.
- Essential Characteristics of a federal constitution.
- Distinction between a federation and confederation.
- Federal Nature of Indian Constitution.

### **Section B**

- Distribution of Legislative Powers - Art 245, 246, 249 and 254.
- Rules of Judicial Interpretation of the three lists.
- Distribution of Administrative Powers-Centre-State Coordination
- Centre's directive to states under the Constitution.

### **Section C**

- Distribution of Financial Powers under the Constitution.
- Freedom of Trade, Commerce and Intercourse in India.
- Need for such a Power in a Federation.
- Art 301-305 and Similar provisions in Australian and US Constitution.

### **Section D**

- Federal Principles and Power of Amendment.

- Need for amending power in the Constitution.
- Procedure for amending the federal features under the Indian Constitution.
- Limitations upon the amending power-Doctrine of Basic Structure.
- Impact of emergency powers on the federal setup.
- Concept of Cooperative Federalism in India.

**RECOMMENDED READINGS**

- H.M. Seervai, Constitutional Law of India.
- M.P. Jain, Indian Constitutional Law
- D.D. Basu, Comparative Federalism
- K.C. Wheare, Federal Government
- Philip & Wade, Administrative and Constitutional Law
- V.N. Shukla, Constitutional Law of India
- Altaf Ahmad Mir, Emergency & Martial Law under the Indian Constitution
- Bora Laskin, Canadian Constitutional Law
- Shapiro Tresolini, American Constitutional Law.
- Wynes, Legislative Executive, Judicial Powers in Australia.

**MAPPING OF COURSE OUTCOMES AND PROGRAM OUTCOMES**

CO	PO1	PO2	PO3	PO4	PO5	PO6	PO7	PO8	PO9	PO10	PS01	PS02
CO1	3	-	3	-	3	3	-	3	-	-	-	-
CO2	3	-	3	-	3	3	-	3	-	-	-	-
CO3	3	-	3	-	3	-	-	-	-	-	-	-
CO4	3	-	3	-	3	-	-	-	-	-	-	-



<b>Course Title/ Code</b>	<b>Judicial Process (LWH625)</b>	
<b>Course Type:</b>	Core (Departmental)	
<b>Course Nature:</b>	Hard	
<b>L-T-P-O Structure</b>	(2-0-0)	
<b>Course Outcomes (COs)</b>		<b>Mapping (Employability/Skill Development/Entrepreneurship)</b>
<b>CO1</b>	Identify and understand concept of rule of law, legal dynamics and reasoning associated with the functions of judiciary in India.	Entrepreneurship
<b>CO2</b>	Explain and critically examine the power of Judicial review, judicial activism and balance against judicial overreach.	Employability
<b>CO3</b>	Interpret the extent of independence of judiciary and the political nature of the judicial process.	Employability
<b>CO4</b>	Analyze and evaluate the case studies emerging out of recent developments brought about by the application of provisions relating to judiciary in India.	Skill Development
<b>Objectives:</b>	Judiciary is the backbone of the enforcement of individual rights in India. This course has been designed to apprise the students of the extent of the power of the judiciary in the system of checks and balances in India. The methodology and the discretion adopted by the judiciary in redressal of disputes and in particular enforcing the rights have been discussed. Focus is laid on interpreting various case laws to analyse the development in the circumference of judicial powers and their accessibility by the common man.	

### Course Contents:

#### Section A: Nature of Judicial process

Judicial process as an instrument of social ordering.

Rule of Law: Doctrine of Independence of the Judiciary

Judicial process and creativity in law – common law model – legal reasoning and the growth of law – change and stability

Analysis of the doctrine of Stare Decisis in India

## **Section B: Dimensions of Judicial Process in Constitutional adjudication**

The tools and techniques of judicial review and judicial creativity

The Indian Debate on the role of the Judges

Notions of Judicial Review

Is Judicial Review the same as Judicial Activism?

Judicial Activism and Judicial Self Restraint

Judicial Activism and Creativity of the Indian Supreme Court; the new dimensions

## **Section C: Indian Judicial Process and The Political Process**

The “Independence” of Judiciary

‘Political’ nature of Judicial Process

Debates on the Role of Judges (Supersession, Commitment & Transfer)

Socio-Economic Background of the Indian Judiciary

Institutional liability of Courts: Scope and Limits

Problem of Accountability in judicial law: making

## **Section D: Judicial Process and Constitutional Amendments**

Evolution of the Concept of Basic Structure

Philosophy of the doctrine of Basic Structure

The Recent Developments: The “essence of rights” test and “rights test” to determine

Basic structure

Basic Structure and Constitutionalism.

**Suggested Readings:**

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. Bodenheimer, Jurisprudence - the Philosophy and Method of the Law (1997), Universal, Delhi
3. Cardozo, The Nature of Judicial Process (1995) Universal, New Delhi
4. Devi Prasad Singh, "Sovereignty, Judicial Review and Separation of Power", 7(5) Supreme Court Cases J-13 (September 2012)
5. Edward H. Levi, An Introduction to Legal Reasoning (1970), University of Chicago.
6. Henry J. Abraham, The Judicial Process (1998), Oxford.
7. J. Stone, Legal System and Lawyers' Reasonings (1999), Universal, Delhi
8. J. Stone, Precedent and the Law: Dynamics of Common Law Growth (1985) Butterworths
9. John Rawls, A Theory of Justice (2000), Universal, Delhi
10. Jonathan Siegel, "Institutional case for Judicial Review" 97(4) Iowa Law Review 1147-1200 (2012 May).
11. Julius Store, The Province and Function of Law, Part II, Chs. 1. 8-16 (2000), Universal, New Delhi.
12. K.K. Venugopal, "Separation of Power and the Supreme Court of India", Vol. 2 (2) Journal of Law and Social Policy 64-82 (July 2008).
13. Karthiga Sridhargopal, "Writ of Mandamus" 241 (4) Madras Law Journal 71-79 (2009).
14. Rajeev Dhavan, The Supreme Court of India - A Socio -Legal Critique of its Juristic Techniques, (1977), Tripathi, Bombay.
15. S.N Ray, Judicial Review and Fundamental Rights (Eastern Law House, 1974).
16. S.P.Sathe, Judicial Activism in India: Transgressing borders and Enforcing Limits, Oxford New Delhi. (2002).
17. U.Baxi, The Indian Supreme Court and Politics (1980), Eastern,Lucknow.
18. W.Friedmann, Legal Theory (1960), Stevens, London

**Weblinks:**

<https://www.youtube.com/watch?v=rfcg0l946JQ>

### Relationship between the Course Outcomes (COs) and Program Outcomes (POs)

Course	Course Code	Course Outcome	PO1	PO2	PO3	PO4	PO5	PO6	PO7	PO8	PO9	PO10
Judicial Process	LWH625	CO1	3	3	3	3	3	3	-	-	-	3
		CO2	3	3	3	3	3	3	3	-	3	3
		CO3	3	-	3	3	3	3	3	-	-	3
		CO4	3	3	3	3	3	3	3	3	3	3

<b>Course Title/ Code</b>	Welfare State and Constitutionalism (LWH623)	
<b>Course Type:</b>	Core (Departmental)	
<b>Course Nature:</b>	Hard	
<b>L-T-P-O Structure</b>	(2-0-0)	
<b>Course Outcomes (COs)</b>		<b>Mapping (Employability/Skill Development/Entrepreneurship)</b>
<b>CO1</b>	To describe the concept, sources and nature of the Welfare State and Constitutionalism	Employment
<b>CO2</b>	To analyze the difference between the present law and the underlying gaps in achieving the goals and objectives of the Welfare State and Constitutionalism	Employment
<b>CO3</b>	To evaluate the working of the laws, special provisions, role of government and the judiciary.	Employment
<b>CO4</b>	To implement and practice constitutionalism by employing a national and patriotic spirit by working towards the goal and objectives set by the constitution of India as responsible citizens, identifying enabling laws and the responsibility of the State, citizens and all stakeholders.	Skill development

<b>Objectives:</b>	The course has been designed to make the students understand the concept of Welfare State and Constitutionalism, observe and analyze the impact of constitutional provisions and special enabling laws for upliftment of weaker sections of society. A comprehensive analysis of all provisions and jurisprudence developed by various Courts shall be discussed. The topics are chosen carefully so that the students may be encouraged to pursue their interest in the area of Welfare State and Constitutionalism.	
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#### SECTION A: INTRODUCTION TO WELFARE STATE AND CONSTITUTIONALISM

- a. Introduction to Welfare State and Constitutionalism
- b. Historical background and evolution of Welfare State and Constitutionalism
- c. The concept, origin and sources of Welfare State and Constitutionalism
- d. Key themes in study of Welfare State and Constitutionalism

#### SECTION B: WELFARE STATE & CONSTITUTION OF INDIA

- a. An Overview of Welfare provisions enshrined in the Constitution of India
- b. Preamble and Directive Principles of State Policy
- c. Interpreting Fundamental rights and duties through the lens of welfare state
- d. Schedule 7 of the Constitution of India
- e. Role of Judiciary

#### SECTION C: WELFARE LAWS & SPECIAL PROVISIONS

- a. Role of United Nations
- b. International instruments and covenants like UDHR, ICESCR, ICCPR etc.
- c. Protection of Vulnerable groups and special provisions in India for minorities, SCs, STs, OBCs, children, elderly, people with disabilities, LGBTQ, refugees etc.
- d. Human Rights in India and the Role of NHRC
- e. Role of Legislature in creating and implementing special schemes and provisions for welfare of citizens

#### SECTION D: WELFARE STATE & CONTEMPORARY ISSUES

- a. Reservation in a welfare state
- b. Capital Punishment in India

- c. Gender equity
- d. Social, political and economic justice in India
- e. Panchayati Raj
- f. National integration and international peace
- g. Uniform Civil code

#### Tutorial activities 1 Hr/Week

1. Students to prepare case briefs on constitutional matters interpreting relevant constitutional provisions like Part III, Part IV and Schedule 7 etc.
2. Analysis of welfare provisions and special laws enacted by the State
3. Debates, group discussions and presentations
4. Seminars and panel discussions

#### **Text Books:**

1. The Oxford Handbook of the Welfare State- Oxford University Press, Edition 2010
2. Democracy and the State: Welfare, Secularism and Development in Contemporary India- by Niraja Gopala Jayal
3. Break The Myth Of Welfare State- by Sakirul Saikh
4. Concept of the welfare state and India- by Brij Gopal Gupta

#### **Reference Books:**

1. Sankhdher, M.M. Yogakshema the Indian model of welfare state. (Delhi: Deep and Deep publications pvt. Ltd.) 2003.
2. Sankhdher, M.M. the welfare state. (Delhi: Deep and Deep publications pvt. Ltd.) 2003.
3. Pandey, J.N. Constitutional Law of India. (Allahabad: Central Law Agency) 2008.
4. Harlow and Rawlings. Law and Administration. (Cambridge University Press) 2009.
5. Malhotra Kumar Vinay. Welfare State and Supreme Court in India. (Delhi: Deep and Deep Publications).

#### **E-LINKS :-**

1. A Constitutional Welfare State | National Affairs
2. Concept of Welfare State and Its Relevance in Indian Scenario (legalservicesindia.com)
3. [\(PDF\) Welfare States and Welfare State Theory \(researchgate.net\)](#)
4. [Lesson 17.pdf \(nios.ac.in\)](#)

### CO-PO MAPPING

Course	Course Code	Course Outcomes	PO1	PO2	PO3	PO4	PO5	PO6	PO7	PO8	Po9	PS01	PS02
WELFARE STATE & CONSTITUTIONALISM	LWH 623	CO1	3	3	3	3	3	3	_	3	3	_	_
		CO2	3	3	3	3	3	3	_	3	3	_	_
		CO3	3	3	3	3	3	3	_	3	3	_	_
		CO4	3	3	3	3	3	3	_	3	3	_	_

<b>Course Title/ Code</b>	<b>Dissertation (LWH124)</b>
<b>Course Type:</b>	Core (Departmental)
<b>L-T-P Structure</b>	(0-0-4)
<b>Objectives</b>	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**

<b>Courses Code</b>	<b>Courses</b>	<b>Course Outcomes</b>	<b>CO Statement</b>	<b>PO1</b>	<b>PO2</b>	<b>PO3</b>	<b>PO4</b>	<b>PO5</b>	<b>PO6</b>	<b>PO7</b>	<b>PO8</b>	<b>PO9</b>	<b>PSO1</b>	<b>PSO2</b>
LWH601	Research Methods and Legal Writing	<b>CO1</b>	Distinguish the methods and techniques of legal research from that of social sciences research	-	3	2	3	-	3	-	1	-	2	2
		<b>CO2</b>	Apply the techniques of legal research to legal communication and writings	-	3	2	3	-	3	-	1	-	2	2
		<b>CO3</b>	Develop the proposal for conducting research to write good quality – PG level dissertation	-	3	2	3	-	3	2	1	3	2	2
		<b>CO4</b>	Apply the research techniques to prepare class lectures/ lessons based on principles, theories, legislations and cases?	-	3	2	3	-	3	2	1	-	-	2
LWH602	Comparative Systems of Governance	<b>CO1</b>	Distinguish and describe public law vis-a-vis private law in global context;	3	3	2	3	-	3	-	1	3	-	-
		<b>CO2</b>	Differentiate common law system from that of	3	3	2	3	-	3	-	1	3	-	-



			civil law system by reference to important characteristics of each ;											
		<b>CO3</b>	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	-	-
		<b>CO4</b>	Explain the principles of comparative criminal law and analyse their working in Indian criminal justice delivery system;	3	3	2	3	-	3	2	1	3	-	-
LWH603	Law and Justice in a Globalizing World	<b>CO1</b>	Describe the nature and factors of globalization; current and its historical perspective	3	3	2	3	1	3	-	1	3	-	-
		<b>CO2</b>	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	-	-

		<b>CO3</b>	Interpret the concept of global justice and give opinion in any social and economic conflict situations	3	3	2	3	-	2	2	-	-	-	-
		<b>CO4</b>	List out the role and working of international institutions towards achieving global justice	3	3	3	3	-	1	2	-	-	-	-
LWH618	Alternative Dispute Resolution: Theory and Practice	<b>CO1</b>	To compare and analyse the various methods of Alternative Dispute Resolution;	3	1		1	1	2		2		-	-
		<b>CO2</b>	To Identify the most appropriate ADR method based on the merits of the client's case;	2	2	-	3	3	2	1	-	1	-	-
		<b>CO3</b>	To develop the capability to help in matters of Legal Aid;	2	-	1	3	3	-	2	2		-	-
		<b>CO4</b>	To Familiarize with the domestic and international arbitration and mediation regime, assess its benefits and encourage parties to opt for the best-suited alternative for their respective case.	3	-	-	2	3	3	1	-	1	-	-

LWH618	Ad-Hoc Arbitration	<b>CO1</b>	Appreciate the significance of arbitration in context of the Arbitration & Conciliation Act, 1996.	2	1	2	2	2	1	-	2	2	-	-
		<b>CO2</b>	Interpret and draft arbitration agreements.	1	3	2	1	3	1	-	2	1	-	-
		<b>CO3</b>	Conduct arbitral proceedings (from serving notice all the way till enforcement).	3	2	3	2	3	2	-	3	3	-	-
		<b>CO4</b>	Represent parties in arbitration proceedings.	1	3	3	2	1	2	-	3	2	-	-
LWH631	Corporate Governance and Principles of Companies Act	<b>CO1</b>	Describe the basic theories of incorporation and corporate governance?	3	3	2	3	2	3	-	-	3	-	-
		<b>CO2</b>	Identify the legal framework through various provisions relating to corporate governance?	3	3	2	3	3	3	2	1	3	-	-
		<b>CO3</b>	Counsel and advice the clients on rights of shareholders under companies Act and other laws?	3	3	2	3	3	3	-	-	-	-	-
		<b>CO4</b>	Advise companies on the structuring of the Board and its various	3	3	2	3	3	-	-	1	3	-	-

			committees?											
		<b>CO5</b>	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	<b>CO1</b>	Explain the established principles of liability and their evolution under criminal law.	3	1	1	3	2	-	-	1	3	2	2
		<b>CO2</b>	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
		<b>CO3</b>	Advice and counsel the client regarding the applicability of general defences to a particular criminal activity.	3	3	2	3	3	-	-	-	-	3	3
		<b>CO4</b>	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	<b>CO1</b>	Describe the role and functions of relevant	3	1	-	-	2	3	2	1	2	2	2

			authorities under criminal justice system.											
		<b>CO2</b>	Counsel and advise the client on the process of investigation including arrest and bail.	3	3	1	3	3	2	-	-	3	-	2
		<b>CO3</b>	Represent the client and advance arguments during the trial on the matters involving rights, evidence and sentencing.	3	3	-	-	3	2	-	-	3	-	2
		<b>CO4</b>	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
LWH621	Constitutional Theory	<b>CO1</b>	Identify the basic postulates of the Constitution and its relationship with the concept of Constitutionalism.	3	3	3	3	1	1	-	-	-		
		<b>CO2</b>	Explain and understand the concept of rule of law,	3	1	3	2	3	3	3	1	3		

			legal dynamics and reasoning associated with the functions of democratic Government.										
		<b>CO3</b>	Analyze and interpret the concept of federalism and its various types and patterns applicable as per the required circumstances of a nation.	3	-	3	3	3	2	3	-	-	
		<b>CO4</b>	Analyze and evaluate the case studies emerging out of recent developments brought about by the application of provisions relating to constitutional theory.	3	2	3	-	2	3	3	2	-	
LWH622	Civil Liberties	<b>CO1</b>	Identify and understand the importance of writs in the enforcement of Fundamental Rights under the Indian Constitution.	3	3	2	3	3	3	-	-	-	
		<b>CO2</b>	Examine the role of	3	3	3	2	3	3	1	-	3	

			judiciary in enforcing rights and relaxing principles of application of law.											
		<b>CO3</b>	Analyze the contemporary cases in the light of expanding writ jurisdiction of the High Courts and the Supreme Court.	3	-	1	3	3	3		3	-	-	
		<b>CO4</b>	Criticize and interpret various decisions of the judiciary in pursuance of the law of writs in India and their relationship with the other existing Laws.	3	3	-	3	3	2		3	3	3	
<b>Total</b>				<b>48</b>	<b>60</b>	<b>39</b>	<b>57</b>	<b>17</b>	<b>47</b>	<b>20</b>	<b>15</b>	<b>45</b>	<b>6</b>	<b>8</b>
<b>SEMESTER II</b>														
<b>Courses Code</b>	<b>Courses</b>	<b>Course Outcomes</b>	<b>CO Statement</b>	<b>PO1</b>	<b>PO2</b>	<b>PO3</b>	<b>PO4</b>	<b>PO5</b>	<b>PO6</b>	<b>PO7</b>	<b>PO8</b>	<b>PO9</b>	<b>PSO1</b>	<b>PSO2</b>
LWH619	Mediation and Conciliation	<b>CO1</b>	Differentiate between, and understand, the intricacies of various alternative dispute resolution (ADR) methods, specially Mediation and	3	1	3	2	1	1	-	2	-	3	3

			Conciliation.											
		<b>CO2</b>	Identify the most appropriate ADR method (Mediation and Conciliation) based on the merits of the client's case.	3	2	3	2	2	2	-	2	-	3	3
		<b>CO3</b>	Familiarize with the domestic and international mediation regime, recognize its benefits and encourage parties to opt for mediation over any other adversarial methods.	3	1	3	2	2	1	-	-	2	3	3
		<b>CO4</b>	Undertake matters falling within the purview of the Mediation Act, 2023.	3	2	3	2	1	2	-	-	2	3	3
LWH620	International Commercial Arbitration	<b>CO1</b>	Understand the basic principles and the context in which international commercial arbitration operates.	3	-	3	3	3	-	-	3	-		
		<b>CO2</b>	Appreciate the interplay between the plethora of different laws that apply to international commercial arbitration proceedings.	3	-	3	3	3	-	-	3	-		



		<b>CO3</b>	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	-	3	3	3	3	-	-	-		
		<b>CO4</b>	Understand and apply the principles of the New York Convention.	3	-	3	3	3	-	-	-	-		
LWH615	Institutional Arbitration	<b>CO1</b>	To understand the concept of institutional arbitration and its emergence in the arbitration field.	3	3	-	3	3	-	-	-	3		
		<b>CO2</b>	To Interpret and discern the differences between the rules of various arbitral institutions.	3	3	-	3	-	-	-	-	3		
		<b>CO3</b>	Get an insight into the broad procedure under institutional rules and the functionality of the tribunals.	3	-	3	-	3	-	3	-	-		
		<b>CO4</b>	To examine the role played by the institution in the administration and efficient conduct of the	-	-	-	3	-	3	-	3	-		

			arbitration module.											
LWH650	Negotiation Skills	<b>CO1</b>	To Demonstrate a comprehensive understanding of the historical context of equality and discrimination laws	3	-	-	3	-	3	-	-	3		
		<b>CO2</b>	To critically analyse discrimination laws in various contexts, applying legal principles to assess and address contemporary issues and challenges.	3	3	-	3	-	3	-	-	3		
		<b>CO3</b>	To gain insight into the concept of discrimination and its implication and their relevance with other nations, delve into a comprehensive study.	3	3	3	3	3	3	-	3	3		
		<b>CO4</b>	Enhance communication skills to articulate legal arguments, navigate ethical discussions, and engage in advocacy for the promotion of equality and non-discrimination.	3	3	-	3	-	3	3	-	3		
LWH632	Corporate	<b>CO1</b>	suggest the client	3	3	-	3	3	-	3	3	-	3	3

	Finance		company on type, source and conditions of capital for the venture											
		<b>CO2</b>	advise on the nuances of debt equity ratio	3	3	-	3	3	-	3	3	-	3	3
		<b>CO3</b>	counsel on capital restructuring with respect to conditions and methods	3	3	-	3	3	-	3	3	-	3	3
		<b>CO4</b>	identify and propose the ways and measures of investor protection to a company	3	3	-	3	-	-	3	3	-	3	3
		<b>CO5</b>	give opinion on the legal framework applicable to raising external capital	3	3	-	3	3	-	3	3	-	3	3
LWH633	Insolvency and Bankruptcy Law	<b>CO1</b>	Apply the provisions of relevant laws to corporate debt restructuring	3	3	3	3	3	3	-	-	3	-	-
		<b>CO2</b>	Explain the Insolvency Resolution Process	3	3	-	3	-	3	3	-	3	-	-
		<b>CO3</b>	Differentiate between Corporate Insolvency and Individual Bankruptcy	3	3	-	3	-	3	-	-	3	-	-
		<b>CO4</b>	Review the provisions	3	3	-	3	-	3	3	3	3	-	-

			with respect to Cross-Border Insolvency												
LWH634	Corporate Mergers and Acquisitions	<b>CO1</b>	Differentiate between different modes of corporate restructuring;	3	3	3	3	3	-	-	-	3	-	-	
		<b>CO2</b>	Find and apply the laws governing corporate restructuring;	3	3	3	3	3	3	-	-	-	-	-	-
		<b>CO3</b>	Give advise to the companies on the regulatory mechanisms regarding takeovers;	3	3	3	3	3	-	-	-	3	-	-	-
		<b>CO4</b>	Represent the parties in the court of law on matter of mergers and acquisitions	3	3	3	3	3	3	-	-	-	-	-	-
LWH635	Competition Law	<b>CO1</b>	Appreciate the economic and fundamental principles underlying competition law	3	-	3	3	3	-	-	-	-	-	-	
		<b>CO2</b>	Apply the law to different forms of competition issues and offer counselling on competition compliance and probable violations by enterprises	3	3	3	3	3	3	-	3	-	-	-	-
		<b>CO3</b>	Identify the practical aspects and	3	-	3	-	-	3	-	-	3	-	-	-

			enforcement mechanisms of competition law in various jurisdictions and its relevance in the Indian context											
		<b>CO4</b>	Contribute to the development of law on competition in India through opinions and reflections	3	-	3	3	-	3	-	3	-	-	-
LWH644	Socio-Economic Offences	<b>CO1</b>	Describe the evolution of socio-economic offenses and their relationship with white-collar crimes and other professional crimes etc.	3	3		3	3		-	-			
		<b>CO2</b>	To identify and interpret the relevant domestic legislation and international instruments dealing with human trafficking and illicit drug trafficking.	3		3	3	3		-	3			
		<b>CO3</b>	Advise the clients on the appropriateness of the forums /courts in matters of corruption.	3	3		3	3	3	-	-	-		

		<b>CO4</b>	Able to apply the provisions of Money Laundering Act,2002 to relevant case laws in a real-life given situation.	3	3		3	3	3	3	-	-		
LWH647	Gender in Criminal Law	<b>CO1</b>	Demonstrate understanding of theoretical insights of approaches to gender and sexuality	3	3	3	3	3	-	-	3	3		
		<b>CO2</b>	Discuss and deliberate on the issues of gender discrimination in India	3	3	3	3	3	-	-	3	3		
		<b>CO3</b>	Critically examine the legal provisions of Criminal Law through a gender-sensitive lens	3	3	3	3	3	3	3	-	-		
		<b>CO4</b>	Analyse the contemporary trend in recognition of the rights of LGBTQ+ people	3	3	3	3	3	3	3	-	-		
LWH648	National Security Laws and Fundamental Rights	<b>CO1</b>	Demonstrate an advanced and integrated understanding of National Security Law in India	3	3		3			-	-			
		<b>CO2</b>	Critically evaluate the Security	3	3					-	-	-		

			Challenges ,Public Order vis-a-vis Fundamental Rights in the context of contemporary legal issues.											
		<b>CO3</b>	Demonstrate intellectual and practical skills needed to understand the national security system in India	3	3	3			-		3	-		
		<b>CO4</b>	Identify research area with reference to Fundamental Rights evaluate and synthesise relevant factual, legal and policy issues using legislation, case law and secondary source materials	3	3	3			-		3	-		
LWH649	International Criminal Law	<b>CO1</b>	To describe the concept, sources and nature of international criminal law.	3	3	3	3	3	3	-	3	3		
		<b>CO2</b>	To explain the typology of international crimes including genocide,	3	3	3	3	3	3	-	3	3		

			crimes against humanity, war crimes and crimes of aggression.											
		<b>CO3</b>	To evaluate the jurisdiction and working of international criminal court and tribunals.	3	3	3	3	3	3	–	3	3		
		<b>CO4</b>	To practice international criminal law, identify actors of criminal liability and responsibility of international crimes	3	3	3	3	3	3	–	3	3		
LWH626	<b>Deconstructing Discrimination Laws</b>	<b>CO1</b>	To Demonstrate a comprehensive understanding of the historical context of equality and discrimination laws	3	3	-	3	-	3	-	-	3		
		<b>CO2</b>	To critically analyse discrimination laws in various contexts, applying legal principles to assess and address contemporary issues and challenges.	3	3	-	3	-	3	3	-	3		
		<b>CO3</b>	To gain insight into the concept of discrimination and its implication and their relevance with other	3	3	3	3	3	3	-	3	3		



			nations, delve into a comprehensive study.											
		<b>CO4</b>	Enhance communication skills to articulate legal arguments, navigate ethical discussions, and engage in advocacy for the promotion of equality and non-discrimination.	3	3	-	3	3	3	3	3	3		
LWH628	Indian Federalism	<b>CO1</b>	To Understand the foundational concepts of federalism by analyzing the federal nature of the Indian Constitution.	3	-	3	-	3	3	-	3	-		
		<b>CO2</b>	To Analyze the distribution of powers between the Centre and the States as delineated in the Indian Constitution.	3	-	3	-	3	3	-	3	-		
		<b>CO3</b>	To Evaluate the significance of amending powers within a federal structure in context of the Basic Structure doctrine.	3	-	3	-	3	-	-	-	-		
		<b>CO4</b>	To assess the impact of emergency powers on the federal	3	-	3	-	3	-	-	-	-		

			structure.												
LWH625	Judicial Process	<b>CO1</b>	Identify and understand concept of rule of law, legal dynamics and reasoning associated with the functions of judiciary in India.	3	3	3	3	3	3	-	-	-			
		<b>CO2</b>	Explain and critically examine the power of Judicial review, judicial activism and balance against judicial overreach.	3	3	3	3	3	3	3	-	3			
		<b>CO3</b>	Interpret the extent of independence of judiciary and the political nature of the judicial process.	3	-	3	3	3	3	3	3	-	-		
		<b>CO4</b>	Analyze and evaluate the case studies emerging out of recent developments brought about by the application of provisions relating to judiciary in India.	3	3	3	3	3	3	3	3	3	3		
LWH623	Welfare State and Constitutionalism	<b>CO1</b>	To describe the concept, sources and nature of the Welfare State and Constitutionalism	3	3	3	3	3	3	-	3	3			
		<b>CO2</b>	To analyze the	3	3	3	3	3	3	-	3	3			

			difference between the present law and the underlying gaps in achieving the goals and objectives of the Welfare State and Constitutionalism											
		<b>CO3</b>	To evaluate the working of the laws, special provisions, role of government and the judiciary.	3	3	3	3	3	3	–	3	3		
		<b>CO4</b>	To implement and practice constitutionalism by employing a national and patriotic spirit by working towards the goal and objectives set by the constitution of India as responsible citizens, identifying enabling laws and the responsibility of the State, citizens and all stakeholders.	3	3	3	3	3	3	–	3	3		
<b>Total</b>				<b>139</b>	<b>105</b>	<b>116</b>	<b>116</b>	<b>89</b>	<b>69</b>	<b>20</b>	<b>40</b>	<b>70</b>	<b>82</b>	<b>77</b>