

Course Curriculum BCA-Programme



Prestige Institute of Management & Research, Gwalior

NIRF | NAAC 'A' GRADE | AUTONOMOUS

Course Curriculum

LLM

2024-26



Prestige Institute of Management & Research, Gwalior

Airport Road, Opposite DD Nagar, Gwalior (M.P.) INDIA

FIRST YEAR

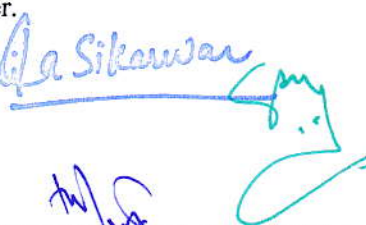
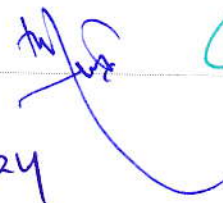

LL.M. I SEMESTER

The candidate shall be examined by the university in the following subject/ paper

Paper Code	Nomenclature of Paper	Credits	External Exam		Internal/Sessional Exam		Practical/ Viva Voce		Total Marks	IA+EA
			Max.	Min.	Max.	Min.	Max.	Min.		
LLM 101	Judicial Process	4	60	22	40	14			100	40+60
LLM 102	Legal Education, Research Methods and Legal Writing	4	60	22	40	14			100	40+60
LLMB 103	Corporate Governance	4	60	22	40	14			100	40+60
LLMC 103	Criminal Justice System in India									
LLMB 104	Banking and Finance	4	60	22	40	14			100	40+60
LLMC 104	Law relating to Narcotic Drugs and Psychotropic Substances									
LLMB 105	Human Rights Perspectives of Corporate Law	3	60	22	40	14			100	40+60
LLMC 105	International Perspectives of Socio-Economic Crimes									
		19							500	

The Percentage of marks required for Passing in LL.M. I Semester, examination is as follows:

1. 36% i.e. 36 in each of the above five subjects (Including Internal and External Marks)
2. 50% i.e. 250 marks in aggregate of the entire above subject/ paper.
3. Both Internal & External exams need to be passed separately.
4. Evaluation will be done by both Internal & External examiner.

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LL.M. COMMON PAPER – I
SUBJECT: JUDICIAL PROCESS

Paper Code: LLM 101

Credit: 04

OBJECTIVES OF THE COURSE

The Constitution, a living document is said to be always in the making. The judicial process of constitutional interpretation involves a technique of adapting the law to meet changing social mores. This course aims to study the nature of the judicial process and the role of the judges as policymakers and as participants in evolving political principles of governance in the comparative aspects. Another objective of this paper is the study a comparative view of how the Judiciary manages itself for its effective productive results.

After undergoing the study, the student will be able to understand the following:

1. *Nature of Judicial Process and its techniques.*
2. *Role of Judges as Policymakers and as participants in evolving political principles of governance.*
3. *Comparative aspects of Judicial Management and Administration.*
4. *Legal progression and creativity through legal reasoning under statutory and codified systems.*

COURSE OUTCOMES

After completing the course, the students will be able-

C01: To Understand the judicial creativity in the process of social ordering.
C02: To elucidate the Recognize the role of the judges as policy makers.
C03: To elaborate the Under the role of Judge in Democracy.
C04: To demonstrate the intricacies of judicial creativity and judicial lawmaking. Compare and Analysis the different methods of Judicial and Case management systems.

COURSE OUTLINE

MODULE I – NATURE AND DIMENSIONS OF JUDICIAL PROCESS

- a. Judicial process: Inquiry- Law, Justice, Ethics and Morality.
- b. Components of Legal Reasoning- Deductive, Inductive, Analogy and dialectical reasoning
- c. The tools and techniques- Judicial Polemics, Judicial Axiology.
- d. Methods of interpretation- Constitutional Interpretation, Statutory Interpretation in Civil and Common Law Countries.

[Signatures: Aggarwal, del, PPH, Ravi, Harina, P. S. Sharma, Jay]

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- e. Concept of Judicial Review, Judicial Activism and Judicial Self Restraint.
- f. Judicial Accountability, Transparency and Independence- Bangalore Principles

MODULE II - JUDICIAL PROCESS IN INDIA

- a. Structure of Judicial System in India- Alternative adjudication- Nyaya Panchayats
- b. Judicial Process and PIL/ Social Action Litigation and Development.
- c. Judicial Policy Making- Evolution of Doctrines and Principles-Brandies Brief, Jurimetrics.
- d. The doctrine of Prospective overruling- Colorable legislation- Harmonious interpretation.
- e. The doctrine of Basic Structure Theory and Recent its Developments

MODULE III - JUDICIAL PROCESS IN USA & UK

- a. Judicial Structure in USA- Jury System
- b. Due Process of Law- Judicial Review and American Democracy- the classic debate.
- c. Independence of Judiciary as an aspect of Separation of Powers.
- d. Parliamentary Sovereignty and Judicial Supremacy- English Version of Judicial Review Interpretation of Statutes and Constitution by Judiciary.
- e. Common-Law and Doctrine of Precedent.
- f. Fusion of Powers Vs. Separation of Power.
- g. Constitutional Amendment position in USA & UK

MODULE IV - JUDICIAL MANAGEMENT & JUDICIAL ADMINISTRATION

- a. Case Management System in UK, USA, Australia and India- Master of Roaster in India.
- b. Lord Woolf's Report on "Case Management" (UK)- Australian Law Reform Commission on "Judicial and case Management"
- c. National Case Management System (NCMS) in India- E-Courts- Court Manager.
- d. Selection and Appointment of Judges- Transfer- manpower and Planning including finance.
- e. JIA- Mounting arrears and the reasons.
- f. Workload- Patterns of Court Management- Law Commission Recommendation.

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RECOMMENDED READING:

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2. Aharon Barak, The Judge in a Democracy (Princeton University Press, 2008).

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2. S. P. Sathe, "India: From Positivism to Structuralism" in Jeffrey Goldsworthy, *Interpreting Constitutions: A Comparative Study* (OUP, 2006)
3. Upendra Baxi, "The Avatars of Indian Judicial Activism: Explorations in the Geographies of [In] justice" in S.K. Verma and Kusum (ed.), *Fifty Years of the Supreme Court of India: Its Grasp and Reach* (OUP, 2001).
4. David A. Nelson, "The Nature of Judicial Process Revisited" 22 N. Ky. L. ReVs. 563 (1994 – 1995).
5. Thomas R. Meoy, "Logic Vs. Value Judgment in Legal and Ethical Thought" 23 Vand. L. ReVs. 1277 (1969 – 1970).

FURTHER READING:

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2. Upendra Baxi, *Courage, Craft and Contention: The Indian Supreme Court in the Eighties* (1985)
3. Shimon Street and Christopher Forsyth, *The Culture of Judicial Independence: Conceptual Foundations and Practical Challenges* (Martinus Nijhoff Publishers, 2011).
4. Rupert Cross, J W Harris, *Precedent in English Law* (Clarendon Law Series, 1991).
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2. Dr Justice B.S. Chauhan, *The Legislative Aspect of the Judiciary: Judicial Activism and Judicial Restraint*, Tamil Nadu State Judicial Academy Journal.
3. M. P. Singh, "Securing the Independence of the Judiciary-The Indian Experience", Indiana Law Review.
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CASES FOR GUIDANCE

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2. The State of Madras Vs. Srimathi Champakam Dorairajan 1951 AIR 226.
3. Indira Nehru Gandhi vs Shri Raj Narain & Others 1975 AIR 2299.
4. D.M. Jabalpur Vs. S. Shukla (1976) 2 SCC 521.
5. Mohd. Ahmed Khan Vs. Shah Bano Begum AIR 1985 SC 945.
6. Olga Tellis Vs. Bombay Municipal Corporation 1985 SCC (3) 545.
7. I.R Coelho and State of Tamil Nadu AIR 2007 SC 861
8. Aruna Ramachandra Shanbaug Vs. UOI (2011) 4 SCC 454.
9. Lily Thomas and Union of India (2013) 7 SCC 653.
10. Hussainara Khatoon (I) Vs. Union of India.
11. M.C. Mehta Vs. Union of India A.I.R. 1987 S.C. 1086
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16. Francis Coralie Mullin Vs. Administrator, Union Territory of Delhi A.I.R. 1981 S.C. 746
17. Vishaka Vs. State of Rajsthan (AIR 1997 SC 3011)
18. M.C. Mehta Vs. The state of T.N., AIR 1997 S C 699
19. Sunil Batra Vs. Delhi Administration 1980 Cr.L.J. 1099.
20. Bhim Singh Vs. State of Jammu and Kashmir, 1985 (4) SCC 677

Patla Sikanwar

Rajans Aul

P.P.H.I.

Harina Patla Sikanwar¹⁶

2/8/2020

Harina

LL.M. COMMON PAPER – II

SUBJECT: LEGAL EDUCATION, RESEARCH METHODS AND LEGAL WRITING

Paper Code: LLM 102

Credit: 04

OBJECTIVES OF THE COURSE

Globalization has called upon the law to execute numerous responsibilities in society and lawyers are expected to act as change agents and social engineers in governance and development. If the law is a tool for social engineering and social control, it should be studied in the social context. This means integrating law subjects with social and behavioural sciences. This would enable the lawyer to solve problems in socially acceptable ways and assist in developing public welfare. A post-graduate student of law should get an insight into the objectives of legal education. The LL.M. course is intended to produce lawyers with better competence and expertise, the student must familiarize himself with the different systems of legal education. The pedagogy and andragogy method both at the LL.B. level and LL.M level has to be exposed to develop his skills in research and legal writing. The growth of legal science in India depends on the nature and career of legal research. The syllabus is designed to develop skills in research and writing in a systematic manner that brings an obligation to imbue future generations with an understanding of and appreciation for the rule of law, judicial system, and the role of the profession.

COURSE OUTCOMES

After undergoing the study, the student will be able

CO1: To Understand the aim, objectives and teaching methods.
CO2: To elucidate the legal research
CO3: To elaborate the formulation of research problem & research design
CO4: To demonstrate the research method and ethics

COURSE OUTLINE

MODULE I - LEGAL EDUCATION AND PEDAGOGY

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- a. Aims and objectives of legal education and social change.
- b. Agencies of legal education - Legal education and the special role of BCI - Challenges in Legal Education System
- c. Methods of Teaching, Evaluation and Supervision
- d. Ideas of Social Justice and Justice Education- Shift from Legal Education to Justice Education-Clinical Legal Education
- e. Application of ICTs in Legal Education- Electronic Books- E-Journals- Electronic Legal Data Bases

MODULE- II OVERVIEW OF LEGAL RESEARCH

- a. Research: Meaning and Nature; Purpose and objective(s) of Research; Scientific Research.
- b. Nature and Importance of Legal Research; Sources; Scope and Limitations. Object and Purposes of Research; Distinction between the research object and research purpose. Kinds of research are based on their nature and characteristics.
- c. Research Methods and Research Methodology.
- d. Legal research; Socio-legal Research and Inter-Disciplinary Research.

UNIT- III FORMULATION OF RESEARCH PROBLEM & RESEARCH DESIGN

- a. Defining Research Problem; elements and characteristics. Steps of Formulation of Research Problem: Realization of Problem, Identification of Problem, Analysis and determination of the problem, Statement of problem.
- b. Analysis of Problem: Constituents and variable: determination of independent and dependent variable, relevant variable, internal and external variables; Major and Minor variables.
- c. Kinds of Research Problems: Uni-variable Problem, Bi-Variable, Multi- variable, Research Variables: Dependent, Independent, Control, Selection of Problem for academic Research: Generalization and Impact of the Problem.
- d. Meaning, Nature and Importance of Research Design. Kinds of Research Design- Substantive and Procedural Design, Qualitative and quantitative, doctrinal and non-doctrinal.
- e. Research Steps: Research Objects, Review of Literature, Hypothesis and Research Questions. Formulation and testing of Hypothesis,
- f. Determination of Universe of Study; Sampling: Types of sampling, Methods of Sampling, Sample size.

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- g. Data: Data selection (Inductive, Deductive and Abductive Reasoning) Tools and Techniques of Data Collection (Reliability, Validity and Standardization); Data Analysis and Interpretation of Data.

UNIT- IV RESEARCH METHODS, ETHICS AND REFERENCE

- a. Classification of Research data: Qualitative and Quantitative Data, Observable and Measurable data. Primary and Secondary Data, Doctrinal and Empirical Research. Legal Reasoning, Inductive, Deductive and Abductive Reasoning.
- b. Effectiveness and analysis of Empirical and non-empirical research
- c. Research attributes and ethics; fundamental ethical principles; types of ethical violations; confidentiality and privacy; intellectual property and ethics; researcher's independence and accountability; research misconduct; plagiarism; Academic Integrity; ethical codes and institutional policies.
- d. Importance of References and Citation, Mode of Citation; Standard Citation Modes; Footnote and Endnote, Reference, Bibliography and Webliography.

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2. Beveridge WIR-Art of Scientific investigation.
3. Black & Champion-Research Methodology.
4. C. M. Coroll and Frederic Coroll: Methods of Sociological Research.
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3. Doing legal research: A guide for social scientists and mental health professionals, Morris Roberta, Sales Bruce D, Shuman Daniel W. Sage Publication, London.
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Handwritten signatures and initials: Bangar, Deep, P. Singh, Harina, P. S. Sikanwar

Handwritten notes and signatures: Jan 21/12/2021, Harina, P. S. Sikanwar

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Taba Sikarwar

Rasim Singh

P. Singh

Harina Taba Sikarwar

For Harina Singh

LL.M. SPECIALIZED CORE PAPER – I
SUBJECT: CORPORATE GOVERNANCE

PAPER CODE: LLMB 103

CREDITS: 04

OBJECTIVES OF THE COURSE

The term 'Corporate Governance encompasses a healthy and viable relationship between the corporation and its board of directors/ Principals, management and stakeholders. In recent years, the regulate others and legislate others have deepened their focus on the way businesses ought to be run. They are striving to create a legal prototype for new corporate governance which is beneficial for both the stakeholders and regulate others. This course strives to cover the essential legal framework to strengthen corporate governance of a corporation and also touches upon issues such as conflicts of interest, the legal framework within the country and international corporate governance. After undergoing the study, the student will be able-

CO1: To Understand the principles and concepts of corporate management law that governs various commercial transactions

CO2: To elucidate the Equip the students to analyse the principle of corporate management and strategies adopted by corporates towards achieving their objectives

CO3: To demonstrate the Grasp knowledge of the Institutions and stakeholders that play a major role in corporate structuring.

CO4: To elaborate the Enable the students to answer some vital questions regarding the law of corporate management, governance and legal perspectives about the same.

LEARNING OUTCOMES

1. Refine their understanding of shareholder rights, audit committee, investor funds, its composition and responsibilities.
2. Adopt and implement best practices for effective corporate management. Adhere to sound principles of corporate governance.
3. Critically evaluate and analyses the significance and importance of corporate governance.

COURSE OUTLINE

MODULE I - INTRODUCTION

- a. Origin and History of Corporate Management and Governance-Evolution of corporate governance.
- b. Principles of corporate Governance-Theories of corporate governance.

Dr. Anurag

Prof. P.P.H.

Prof. P.P.H.

Prof. P.P.H.

Prof. P.P.H.

Prof. P.P.H.

Prof. P.P.H.

Prof. P.P.H.

- c. Globalization and corporate Governance-Correlation between corporate governance and corporate responsibility
- d. Organization for Economic Co-operation and Development (OECD) and BIS Principles - Implementation and pitfalls.
- e. International environment to Improve Corporate Governance - The US Sarbanes-Oxley Act of 2002 (SOX) – Overview of Dodd-Frank Wall Street Reform and Consumer Protection Act 2010 to corporate governance - The Cadbury Report (1992) – Overview of The UK Corporate Responsibility Act 2002.

MODULE II - CORPORATE SECURITIES

- a. Shareholders-Role of Shareholders-Shareholder Rights-Responsibilities of Shareholders – Protection to the shareholders.
- b. Debentures-Role of Debenture Holders-Debenture Holders Rights-Responsibilities of Debenture Holders-Protection to the Debenture holders.
- c. Other Stakeholders role, rights and Responsibilities-Relationship of Shareholders and Other Stakeholders-Comparative analysis of Shareholders and Debenture holders.
- d. Share Holder Democracy- Rule of Majority

MODULE III – MANAGEMENT AND ADMINISTRATION

- a. Director and Key Managerial Personnel, Managerial remuneration
- b. Board of Directors-Structure of the Board-Role, Authority and independence of the Board - Difference between Board and Management.
- c. Duties, Rights of Directors-Fiduciary Responsibilities-Role of the board in Shareholder's protection through disclosure and transparency.

MODULE IV – LEGAL FRAMEWORK RELATING TO AUDIT

- a. The Audit Committee and corporate Governance-Defining Audit and Audit Others- Significance of accounting and auditing for governance.
- b. Roles Duties, & Responsibilities of Auditors-Responsibilities of the Audit Firm - Role of institutional Investors-Investor's Problems and Protection-Classification of Investor Protection-Impact of Investor Protection
- c. The Concept of Corporate Social Responsibility; Role of Stakeholders in CSR; International Aspects of Corporate Social Responsibility; Action vs. intentions corporate commitment, voluntary vs. mandatory stakeholders' activism.

Akash *deep* *P.P.L.* *harina* *Pallavi Sikarwar*

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Arjun Singh *P.P. Singh* *Harina* *Pallavi Sikarwar*

Geetika *Harina* *Pallavi Sikarwar*

6. Arindam Das, *Corporate Governance in India*
7. Dipak R. Basu and Victoria Miroshnik, *Corporate Governance and Effectiveness- Why Companies Win or Lose*
8. Franklin N. Ngwu, Onyeka Osuji, Chris Ogbechie, and David Williamson, *Enhancing Board Effectiveness- Institutional, Regulatory and Functional Perspectives for Developing and Emerging Markets*
9. Lars Engwall, *Corporate Governance in Action- Regulators, Market Actors and Scrutinizers*
10. Ralf Müller, *Governance and Governmentality for Projects- Enablers, Practices, and Consequences*

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Harina *Talika Sikawan*

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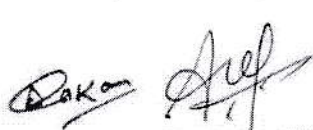
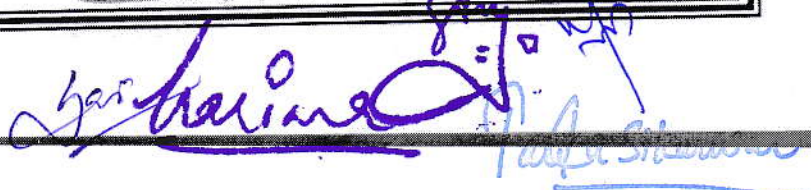
LL.M. SPECIALIZED CORE PAPER – I**SUBJECT: CRIMINAL JUSTICE SYSTEM IN INDIA****PAPER CODE: LLMC 103****CREDITS: 04****OBJECTIVES OF THE COURSE:**

Criminal Justice refers to the agencies of government charged with enforcing the law, adjudicating crime, and correcting criminal conduct. The criminal justice system is essentially an instrument of social control: society considers some behavior so dangerous and destructive that it either strictly controls their occurrence or outlaws them outright. It is the job of the agencies of justice to prevent these behaviors by apprehending and punishing transgressors or deterring their future occurrence. Although society maintains other forms of social control, such as the family, school, and church, they are designed to deal with moral, not legal, misbehavior. Only the criminal justice system has the power to control crime and punish criminals. The central purpose of the Criminal Justice System is to deliver an efficient, effective, accountable and fair justice process for the public. After undergoing the study, the student will be able:

- | |
|--|
| CO1: To Understand the jurisprudential basis of crime, the criminal justice system and administration in India. |
| CO2: To elucidate the correctional system and alternatives to imprisonment within the realm of criminal justice administration. |
| CO3: To demonstrate role played by different functionaries in the criminal justice administration to meet the challenges of modern India. |
| CO4: To elaborate the need for reforms and new challenges in the wake of growing importance and realization of victim's rights and the necessity to involve all the stakeholders for ensuring justice to all. |

LEARNING OUTCOME

1. Demonstrate knowledge of the major areas of the criminal justice system: policing, courts, corrections and the history of those components.
2. Trace the relationship between the criminal justice complex and the socioeconomic elements of Indian society.
3. Trace the various types of crime and criminals, the numerous theories of crime causation, and the relationship between crime and its various correlates.
4. Trace the various social movements over the years, and how they have impacted the criminal justice system.
5. Analyze scholarly research, governmental crime statistics, and public policy.

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COURSE OUTLINE**MODULE – I: CRIMINAL LAW AND PHILOSOPHY OF CRIMINAL JUSTICE SYSTEM**

- a. Meaning, Nature, Scope – Characteristic features of crime – Essential elements of crime – Classification of Crime – Theories of crime
- b. Causations leading to crime – Reactions to crime – Prevention of crime
- c. Principles of criminal law – Criminal law and its role
- d. The Constitution and Criminal Justice System – Challenges of Criminal Justice System – Reform Strategy
- e. Stages of criminal justice process – Judicial Approach in Criminal Justice System

MODULE –II CRIMINAL JUSTICE SYSTEM AND CONSTITUTION OF CRIMINAL COURTS

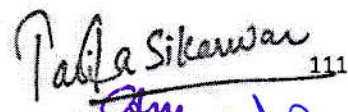
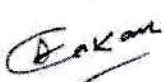
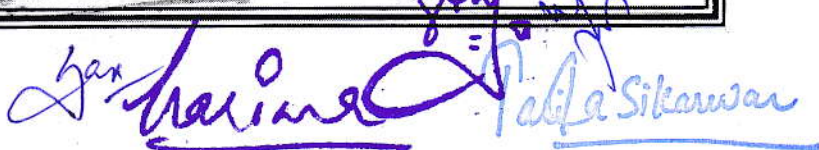
- a. Investigative agency – Police – Prosecution – Defence Counsel – Courts – History of the Prosecution of India – Nature, Scope and Role of Prosecution
- b. Constitutional Provision of Role of Prosecution – Powers and Duties of Prosecutor – Role of Judiciary
- c. Organization of Criminal Courts and Criminal Justice System
- d. Accused and his Rights – Rights of Female Accused / Female Prisoners
- e. Law and procedure relating to Criminal Appeals, Revisions, Writ Petition and Special Leave Petitions
- f. Restorative Justice in a social context – Human rights and Restorative Justice

MODULE – III: POLICE ADMINISTRATION IN CRIMINAL JUSTICE SYSTEM

- a. Development of the police force – Hierarchical structure of police force – Principles and functions of policing – Duties of civil police – Rural policing in India – Problems in police service
- b. Custodial torture – Police Public cooperation – Judicial opinions on the police force – Modernization of police force – Role of police in International Issues
- c. Role of police in the administration of criminal justice system – Directions of the Supreme Court relating to police reforms.

MODULE– IV: VICTIMOLOGY AND PENOLOGY: PRISON REFORMS

- a. Definition, nature and scope of victims and victimology
- b. Theories of victimology – Victim of crime and victim of Abuse

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- c. Consequences of victimology – victim Redressal Programme – International Recognition of Victims' Rights
- d. Definition, objectives and scope of penology – Concept, definition, nature, forms and purposes of punishments
- e. Sentencing process – Mitigating & Extenuating circumstances in the decision making of the sentence – Plea Bargaining – Alternatives to punishment.
- f. Therapeutic / Humanitarian approach to Prisoners – Measures to Reform criminals – Probation – Parole

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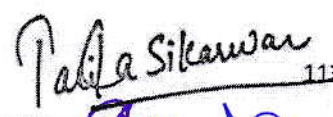
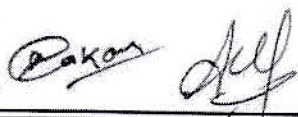
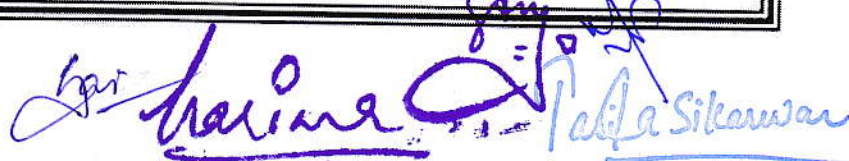
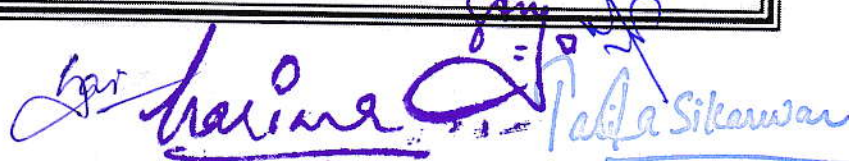
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LL.M. SPECIALIZED CORE PAPER – II

SUBJECT: BANKING AND FINANCE

PAPER CODE: LLMB 104

CREDITS: 04

OBJECTIVES OF THE COURSE

The emerging changes in India, particularly after the initiation of the planning process as an instrument of rapid economic development had affected the banking structure, policies, patterns and practices and also the financial enterprises. Bank and the banking system evolved into a vital socio-economical institution in the modern age and backbone of any country. A significant development in the banking system is diversification in banks financing. The commercial banks entered into the field of wide-ranging financial assistance to industry, both large and small scale, requiring the need for social control of the banking system eventually leading to the nationalization of banks.

The evolutionary process continues with the global phenomenon of liberalization. This has witnessed the entry of Foreign Banking Companies in the Indian market leading to deviation in the banking policy. Moreover, new means such as E-Banking and E-Commerce has made it essential that the Indian legal system adopts a new modus operandi to cope with the modern scenario. This course is designed to acquaint the students with the conceptual and operational parameters of banking law, the judicial interpretation and emerging dimensions of the banking system. After undergoing the study, the student will be able:

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|---|
| CO1: To understand the conceptual and legal parameters including the judicial interpretation of banking law. |
| CO2: To examine the current and potential future contours of the International Banking System with that of the banking system in India. |
| CO3: To Articulate and analyses the roles of national governments and regulators in the regulation of banking and financial institutions and the economy. |
| CO4: To analyze the New emerging dimensions in the banking system including e-commerce and e-banking. |

LEARNING OUTCOMES

1. Have a comprehensive understanding of conceptual and legal parameters including the judicial interpretation of banking law.
2. Examine the current and potential future contours of the International Banking System with that of the banking system in India.
3. Articulate and analyses the roles of national governments and regulators in the regulation of banking and financial institutions and the economy.
4. Analyze the New emerging dimensions in the banking system including e-commerce and e-banking.

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COURSE OUTLINE

MODULE I - INTRODUCTION

- a. Evolution of Banking and its history in India
- b. Banking - The different types of Banks viz. Central Bank, Commercial Bank, Co-operative Banks, Specialized Banks, Regional Rural Banks (RRBs), NABARD, Financial Institutions and their respective functions.
- c. Growth and development of Non-Banking Financial Companies and Capital Market
- d. Nationalization- Evaluation- private ownership, nationalization and Disinvestment. Priority lending, Promotion of underprivileged classes.
- e. Reforms in Indian Banking Law Recommendations of Committees.
- f. Automation and legal aspects, automatic teller machine and use of the internet, use of the expert system, smart Card, Credit cards.

MODULE II - REGULATION OF BANKS

- a. Organizational structure and Functions of Reserve Bank of India
- b. Credit control, Exchange control, Bank rate policy formulation, Regulations of the monetary mechanism of the economy.
- c. RBI's control over banking and non-banking financial companies. Banking Ombudsman scheme- Purpose, Extent, Definitions, Establishment and Powers; Procedure for Redresses of Grievance; Arbitration and Conciliation Procedure.
- d. Banking Regulation Act, 1949- Control over Management, Prohibition of certain activities about Banking Companies, Acquisition of the undertakings of Banking Companies

MODULE III - THE PAYMENT AND SETTLEMENT SYSTEMS ACT, 2007

- a. Object and scope - Payment and Settlement Systems Act, 2007
- b. Authorization of the payment system
- c. Regulation and supervision by Reserve bank
- d. Settlement of disputes, offences and penalties

MODULE IV- DEBT RECOVERY, SECURITIZATION AND RECONSTRUCTION

- a. The Recovery of Debt Due to Banks and Financial Institutions Act, 1993. Recovery of Debts Determined by Tribunal and Miscellaneous Provisions.

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- b. Securitization - Regulation of Securitization and Reconstruction of Financial Assets of Banks and Financial Institutions.
- c. Enforcement of Security Interest – under SARFAESI Act 2002 and the Security Interest (Enforcement) Rules, 2002.
- d. Insolvency and Bankruptcy Code – Salient features, Regulatory and Judicial Perspective.

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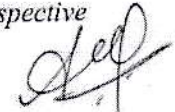

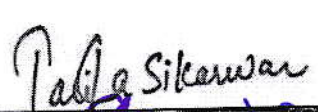
LL.M. SPECIALIZED CORE PAPER – II**SUBJECT: LAW RELATING TO NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES****PAPER CODE: LLMC 104****CREDITS: 04****OBJECTIVES OF THE COURSE:**

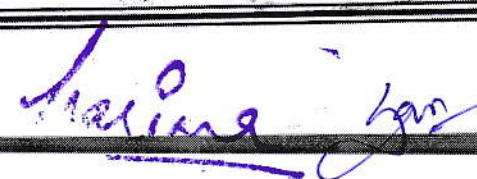

Drug abuse is a social evil. Narcotics and other dependence producing substances have been used in the world in one form or another since times immemorial. Likewise trading in these substances has been carried on over a considerable period. Narcotics came into widespread use in Western medical practice during the latter part of the 19th century. They had in their crude form, been known for the so-called beneficial effects for centuries and had been extensively used, both therapeutically and non – therapeutically, for their calming, intoxicating and presumed curative properties. However, the introduction of these drugs shortly led to their abuse. The course is designed to understand the need for wider Drug Trafficking Laws from a national and global perspective and how these policies affirmatively affect society. The notion of International Conventions and their legislative intent is embarked on carefully with a wider prospect of future analysis. After undergoing the study, the student will be able:

- | |
|--|
| CO1: To identify major drugs of abuse with their legal status, psychopharmacological effects, & sociological implications of drug use and drug policy |
| CO2: To describe the political, programmatic, and policy elements are known as the "war on drugs" and current related debates |
| CO3: To find and summarize relevant information about current events bearing on policy debates over drugs |
| CO4: To Synthesize information from multiple sources and points of view into a coherent policy perspective |

LEARNING OUTCOME

1. Able to discuss the history of drug abuse and subsequent policies in India.
2. Identify major drugs of abuse with their legal status, psychopharmacological effects, & sociological implications of drug use and drug policy
3. Describe the political, programmatic, and policy elements are known as the "war on drugs" and current related debates
4. Find and summarize relevant information about current events bearing on policy debates over drugs
5. Synthesize information from multiple sources and points of view into a coherent policy perspective





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COURSE OUTLINE**MODULE – I: DRUGS – NARCOTICS – PSYCHOTROPIC SUBSTANCES – DRUG TRAFFICKING- NACRO TERRORISM**

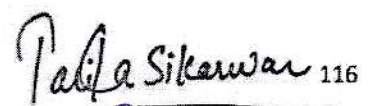
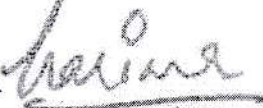
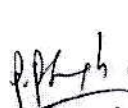
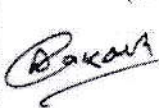
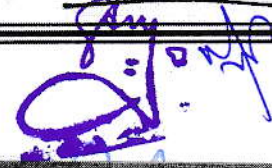
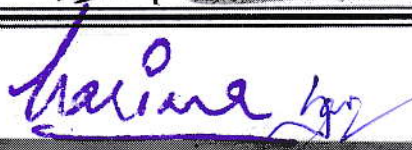
- a. Drugs – Narcotics – Psychotropic substances – Drug Dependence and Addiction – Primary drug abuse
- b. Trafficking in drugs – Drug addiction as a victimless crime – Drug-related crimes
- c. Ana graphic and social characteristics of Drug Users – Drugs: Their use and effects
- d. Counter Measures for dealing with drug trafficking – Political Scenario – Cross Border issues.
- e. Drugs and development: The global impact of drug use and trafficking on social and economic development
- f. Associated Crimes – Mandate of the United Nations Office on Drugs and Crime (UNODC)

MODULE – II: INTERNATIONAL LEGAL REGIME & HUMAN RIGHTS

- a. Historical development of International Law on drug control
- b. Transnational Crime Convention – International Narcotics Control Board (INCB) – SAARC Convention on drug policies.
- c. US – India bilateral agreement on anti-narcotic cooperation – WHO – Health of the Victims – Drug Control Policy.
- d. Access to essential and control drugs – Rehabilitation of drug addicts – Anti-drug Justice as Social Justice.
- e. Human Rights Abuses Committed Under the International Drug Control Regime – Punitive Drug Laws and Public Health Crisis
- f. International Guidelines on Human Rights and Drug Policy – Implementation of alternatives to uphold international human rights standards.

MODULE – III: INDIAN REGULATORY SYSTEM AND ENFORCEMENT MECHANISM

- a. Narcotic Drugs and Psychotropic Substances (NDPS) Act: Its Legislative Intent
- b. National drug control framework – National Crime Records Bureau (NCRB) – United Nations Office on Drugs and Crime (UNODC)
- c. Criminal Justice System – Crime Control Institutions – National Coordination Scheme
- d. Drug Laws Enforcement: Judicial Response – Identifying and Tracing the forfeitable properties
- e. International Narcotic Control Strategy Report – Special Narcotic Courts
- f. The doctrine of Onus Probandi – Punitive or Reformatory – Reformation of Narcotic Legislation (NDPS Act).

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MODULE – IV: VICTIMOLOGY AND SOCIAL JUSTICE

- a. Drug Abuse as a Social Problem – Anagraphic and Social Characteristics of Drug Users
- b. Victim's perception – Sociological factors – Marginalized and Underprivileged – Juvenile
- c. Psycho neuro immunological mechanisms – Rehabilitation Measures – Towards Social Justice.
- d. Sustainable Solutions for Drugs Prevention
- e. National Action plan for Drug Demand Reduction – Social Impact of Drug Abuse.
- f. The Role of Community in Combating Drug Addiction – Regulatory Systems – Law Reform Initiatives – Social justice.

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Dokan *Deep*

P. P. H. Narina
Narina

Palika Sikewar
Palika Sikewar

LL.M. GENERIC ELECTIVE PAPER – I
SUBJECT: HUMAN RIGHTS PERSPECTIVES OF CORPORATE LAW
PAPER CODE: LLMB 105
CREDITS: 03

OBJECTIVES OF THE COURSE

Businesses are important for the growth of the Economy. The corporate world provides investment, jobs and services however the business does not always do good to people. In the wake of globalization, there is an increased threat of human rights abuses by corporations at the global as well as domestic level. If a corporation harms human rights, there are options to enforce one's rights. However, the intersection between corporate law and human rights in India is still relatively constricted. After undergoing the study, the students will be able to –

- | |
|---|
| CO1: To Understand the most relevant Acts and regulations applicable in India that seek to protect the human right of the corporate sector. |
| CO2: To elucidate the measures to be taken by the corporate personnel to safeguard the human rights of its employees. |
| CO3: To demonstrate the promote equality, health and safety, social welfare of corporate employees etc. |
| CO4: To elaborate the evaluate and analyses the significance and importance of human rights in the life of consumers of the corporate world. |

LEARNING OUTCOMES

1. Enhance their thoughts on the correlation between corporate law and human rights.
2. Adopt an appropriate mechanism for effective resolution of the dispute.
3. Implement best practices for the protection of human rights within the corporate world.
4. Adhere to sound principles of human rights preservation within the corporate sector.
5. Critically evaluate and analyses the significance and importance of human rights in the life of consumers of the corporate world.

COURSE OUTLINE

MODULE I – INTRODUCTION- CORPORATIONS AND HUMAN RIGHTS

- a. Meaning, Scope and Kinds of Corporation
- b. How Corporations can impact Human Rights?

Patika Sikarwar

Dr. K. S. Singh *Prof. M. K. Sharma* *Patika Sikarwar*
Sharma *for*

- c. Corporate Social Responsibility Initiatives (for employees and their human rights)
- d. Introduction to Human Rights and Constitutional perspective relating to it.
- e. International Human Rights system and its obligations.
- f. How are rights at the workplace abused?
 - Discrimination at workplace
 - Sexual Harassment
 - No freedom of association and collective bargaining
 - Low/ Unpaid wages
 - Unhealthy and unsafe working conditions
 - Child labour and Modern-day slavery

MODULE II - INTERNATIONAL APPROACH TO CORPORATE LAW AND HUMAN RIGHTS

- a. UN Guiding Principles on Business and Human Rights 2011 (UNGPR)
- b. Human Rights and Transnational Corporations and Other Business Enterprises 2017
- c. International Convention on the Protection of the Rights of All Migrant Workers and the Members of their Families, 1990
- d. Supreme Court and High Courts (civil and criminal jurisdiction)
- e. National Human Rights Commission (NHRC)
- f. National Commission for
 - Women Rights
 - Child Rights

MODULE III - REGULATORY FRAMEWORK AND JUDICIAL MECHANISM IN INDIA

- a. National Voluntary Guidelines on Social, Environmental & Economic Responsibilities of Business, 2018
- b. Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and relevant case studies
- c. National Action Plan on Business and Human Rights

MODULE IV - GRIEVANCE RESOLUTION IN INTERNATIONAL CASES

- a. Options available to individuals to enforce his/her rights
- b. How to bring the civil claim and criminal claim against corporations in?
 - National court
 - Foreign court

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- c. How to use International Corporate Grievance Mechanism and regulatory bodies to hold corporations accountable

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Handwritten signatures and notes:
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LL.M. GENERIC ELECTIVE PAPER –I**SUBJECT: INTERNATIONAL PERSPECTIVES OF SOCIO-ECONOMIC
CRIMES****PAPER CODE: LLMC105****CREDITS:03****OBJECTIVES OF THE COURSE:**

Economic crime is fraud in its various manifestations, is among the costliest of all criminal activities the proliferation of anonymous financial transactions is accompanied by a commensurate proliferation of opportunities for the betrayal of trust. There are several major forms of economic crime that confront society in the new millennium. The various categories of economic crimes are not mutually exclusive but are intended to illustrate the range and variety of economic crimes. Economic crime covers a wide range of offences, from financial crimes committed by banks, tax evasion, insurance fraud, illicit capital heavens, money laundering, crimes committed by public officials (like bribery, embezzlement, traffic of influences, etc.) among many others. This subject will highlight various parameters of economic crime from a national and international perspective.

After undergoing the study, the student will be able:

CO1: to explore the problem of domestic legislation when the – circumstances and proceedings of the crime take place outside the territorial jurisdiction of India.

CO2: to analyze the fact that, unlike other crimes, economic crimes may continue to increase in the coming years, adversely affecting economic, national and international security situations

CO3: to Interpret and appropriately apply the laws and procedures associated with identifying, acquiring, examining and presenting digital evidence

CO4: to understand some of the major problems faced in coping with an economic crime in the areas of detection, investigation, prosecution.

LEARNING OUTCOME

1. The subject will act as a springboard for future research and also be useful for new Developing Countries which may have to encounter a similar economic crime phenomenon.
2. Will explore the problem of domestic legislation when the – circumstances and proceedings of the crime take place outside the territorial jurisdiction of India.
3. Aims to analyze the fact that, unlike other crimes, economic crimes may continue to increase in the coming years, adversely affecting economic, national and international security situations.

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Prof. Dr. P. S. Sankar

Prof. Dr. P. S. Sankar

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Prof. Dr. P. S. Sankar

Pallavi Sikarwar

4. *Interpret and appropriately apply the laws and procedures associated with identifying, acquiring, examining and presenting digital evidence*
5. *Students will be introduced to the current research in economic crimes, This will encourage them to define research problems and develop effective solutions*

COURSE OUTLINE

MODULE – I: Economic Crime in a Globalizing Society

- a. Economic Crimes – Across the World – Typology, New Trends and Countermeasures
- b. Measuring the Impact of Economic Crime – Economic crime: A Comparative Analysis
- c. Prevention and control of Economic crime

MODULE – II: Bank Frauds, Debit and Credit Card Fraud – Prevention and Detection

- a. Banking sector fraud – Fraud risk management at Banks
- b. Banking Regulations (Including Codes & Ethics)
- c. Investigation – Implementation – Preventive security controls in the Indian banking industry
- d. Types and Techniques of Debit and Credit Card Frauds – Payment Systems: Domestic and International
- e. Debit and Credit Card Fraud Detection Techniques – Challenges in Debit and Credit Card Detection
- f. Regulation and governance – Countermeasures to combat card payment fraud

MODULE – III: Securities, Capital Markets and Frauds in Insurance Sector

- a. Types of insurance fraud – Detecting insurance fraud
- b. Risk Management in General and Life Insurance – Grievance Redressal Mechanism in General Insurance – Mechanism to Identify, Avoid, Prevent Frauds
- c. Vigilance Mechanism in General Insurance – Role & Significance of Information Technology in Insurance Frauds
- d. Functions of Capital Market – Structure of Capital Market – Difference between Capital Market and Money Market
- e. Role of SEBI in Capital Market – Legal and Regulatory Framework of Securities Markets
- f. Recent Developments in the Indian Capital Market

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MODULE – IV: Legal Processes and Regulatory Framework for Economic Crimes

- a. Legal Framework to prevent, control Economic Crimes
- b. Regulatory & Rating Agencies – Regulatory Authorities – Financial Intelligence – Investigation
- c. International Endeavors – Mutual Legal Assistance Treaty

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Pawan

Shaf

Prof. Harina

Palika Sikarwar

Palika Sikarwar

Harina

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