



**DEPARTMENT OF JURIDICAL SCIENCES**  
**SYLLABUS FOR 2 YEARS**  
**LL.M (CORPORATE LAW)**  
**2024**

## **LLM IN CORPORATE LAW**

### **SEMESTER I**

Sr. No.	Subject Code	SUBJECT	PERIODS			CREDIT
			L	T	P	
THEORY						
1	PLO1001	Research Methodology	3	1	0	4
2	PLO1002	Comparative Constitutional Law and Jurisprudence	3	1	0	4
3	PLO1003	Cross Border Mergers	3	1	0	4
4	PLO1004	Laws of Acquisition	3	1	0	4
5	PLO1005	Corporate Law I	3	1	0	4
SESSIONAL						
6	JSC1501	Universal Human Values	0	0	2	0
7	JSC1502	Project & Seminar I	0	0	2	0
8	JSC1503	Skill Development I	0	0	2	0
TOTAL CREDIT			20			

## **LLM IN CORPORATE LAW**

### **SEMESTER II**

Sr. No.	Subject Code	SUBJECT	PERIODS			CREDIT
			L	T	P	
THEORY						
1	PLO2001	Competition Law I	3	1	0	4
2	PLO2002	Intellectual Property Rights I	3	1	0	4
3	PLO2003	Laws of Infrastructure Development I	3	1	0	4
4	PLO2004	Investment Laws	3	1	0	4
5	PLO2005	Corporate Law II	3	1	0	4
SESSIONAL						
6	PLO2501	Project & Seminar II	0	0	2	0
7	PLO2502	Skill Development II	0	0	2	0
TOTAL CREDIT			20			

## **LLM IN CORPORATE LAW**

### **SEMESTER III**

Sr. No.	Subject Code	SUBJECT	PERIODS			CREDIT
			L	T	P	
THEORY						
1	PLO3001	Competition Law II	3	1	0	4
2	PLO3002	Intellectual Property Rights II	3	1	0	4
3	PLO3003	Laws of Infrastructure Development II	3	1	0	4
4	PLO3004	Corporate Governance	3	1	0	4
5	PLO3005	Anti-Competitive Agreements	3	1	0	4
SESSIONAL						
6	PLO3501	Project & Seminar III	0	0	2	0
7	PLO3502	Skill Development III	0	0	2	0
TOTAL CREDIT			20			

## **LLM IN CORPORATE LAW**

### **SEMESTER IV**

Sr. No.	Subject Code	SUBJECT	PERIODS			CREDIT
			L	T	P	
THEORY						
1	PLO4001	Competition Law in India	3	1	0	4
2	PLO4002	Abuse of Dominance	3	1	0	4
3	PLO4003	Law and Justice in aGlobalizing World	3	1	0	4
4	PLO4004	Insolvency Law	3	1	0	4
5	PLO4101	Dissertation	3	1	0	4
SESSIONAL						
6	PLO4501	Project & Seminar IV	0	0	2	0
7	PLO4502	Skill Development IV	0	0	2	0
TOTAL CREDIT			20			

**TOTAL CREDIT - 200**

## **LLM IN CORPORATE LAW**

### **SEMESTER I**

Sr. No.	Subject Code	SUBJECT	PERIODS			CREDIT
			L	T	P	
THEORY						
1	PLO1001	Research Methodology	3	1	0	4
2	PLO1002	Comparative Constitutional Law and Jurisprudence	3	1	0	4
3	PLO1003	Cross Border Mergers	3	1	0	4
4	PLO1004	Laws of Acquisition	3	1	0	4
5	PLO1005	Corporate Law I	3	1	0	4
SESSIONAL						
6	JSC1501	Universal Human Values	0	0	2	0
7	JSC1502	Project & Seminar I	0	0	2	0
8	JSC1503	Skill Development I	0	0	2	0
TOTAL CREDIT			20			

### **RESEARCH METHODOLOGY**

#### **PLO1001 (4 Credits)**

#### **Learning Objectives:**

The main objective of this course is to acquaint the student of law with the scientific method of social science research. This course is expected to provide the knowledge of the technique of selection, collection and interpretation of primary and secondary data in socio legal research.

Emphasis would be laid on practical training in conducting research in this course. By the end of the course the students are expected to develop a scientific approach to socio legal problems. They should be able to design and execute small scale research problems. The practical skill in conducting research will be evaluated on their performance in field research and workshops/seminars.

<b>Course Code</b>	PLO1001			
<b>Course Title</b>	Research Methodology			
<b>Category</b>	Professional			
<b>LTP &amp; Credits</b>	L	T	P	Credits
	3	1	0	4
<b>Total Contact Hours</b>	48			

CO NO	COURSE OUTCOME
CO1	Students will learn about the skill of drafting a research proposal.
CO2	Student will learn about creating an original problem existed in the statute or society.
CO3	Students will be able to analyze the problem through literature review.
CO4	Student will learn about evaluating others work related to his problem.
CO5	Student will learn how to develop research paper.
CO6	Student will understand regarding references, bibliography and footnoting.
CO7	Student will be able to apply their proposition regarding the identified problem.
CO8	Student will be able to create funding proposal and to bring grant from agencies.

### Module I: Introduction

- The science of research and scientific methodology
- Interrelation between speculation, fact and theory, building some fallacies of scientific methodology with reference to socio legal research
- Inter-disciplinary research and legal research models
- Arm chair research vis-a-vis empirical research
- Legal research-common law and civil law legal systems

### Module II: Research Design

- Workable Hypothesis-formulation and evaluation
- Major steps in research design

### Module III: Research Techniques

- Sampling
- Survey and Case Study method
- Scaling and Content Analysis

### Module IV: Research Tools And Data Processing

- Observation
- Interview and schedule
- Questionnaire
- Socio-metrics and jurimetrics
- Data processing (deductions and Inductions) analysis and interpretation of data
- Online Legal Research – Use of Electronic Databases

### Module V: Legal Writing

- Report/Article writing & legal research
- Use of definitions, maxims, concepts, principles, doctrines in legal research
- Plagiarism & its consequences.
- Citation methodology
- Book review and case comments

**CO-PO MAPPING OF RESEARCH METHODOLOGY:**

	Programme Outcomes (PO)											
	PO1	PO2	PO3	PO4	PO5	PO6	PO7	PO8	PO9	PO10	PO11	PO12
<b>CO1</b>	3	2	1	2	2	1	3	2	1	2	2	3
<b>CO2</b>	3	1	1	1	2	1	2	1	2	2	1	2
<b>CO3</b>	3	1	1	2	1	1	1	2	1	1	2	2
<b>CO4</b>	2	1	1	3	2	1	3	2	1	2	2	3
<b>CO5</b>	1	2	1	3	2	1	3	2	2	3	2	3
<b>CO6</b>	3	2	1	2	2	1	3	2	1	2	2	3
<b>CO7</b>	2	2	1	2	2	3	1	2	2	2	2	3
<b>CO8</b>	3	2	1	2	2	1	3	2	1	2	2	3

**Suggested Reading**

1. Robert Watt- Concise book on Legal Research, Federation Press, 1993.
2. Good and Hatt- Methods in Social Research, Research Methodology, International Edition, 1992.
3. Earl Babbie- The Practice of Social Research, 13<sup>th</sup> Edition, 1990
4. Stott D.-Legal Research
5. Robert Watt and Francis Johns- Concise Legal Research
6. S.K. Verma&Afzal Wani- Legal Research Methodology

**COMPARATIVE CONSTITUTIONAL LAW AND JURISPRUDENCE****PLO1002 (4 Credits)****OBJECTIVE:**

1. To aware students related to constitutional provisions followed by different countries.
2. To aware students related to comparing methods between different nations constitutions.

<b>Course Code</b>	PLO1002			
<b>Course Title</b>	Comparative Constitutional Law and Jurisprudence			
<b>Category</b>	Professional			
<b>LTP &amp; Credits</b>	L	T	P	Credits
	3	1	0	4
<b>Total Contact Hours</b>	48			

**CO NO COURSE OUTCOME**

- CO1** Students will learn about various kinds of constitutional provisions followed by different nations.
- CO2** Student will learn about finding out original difficulties existed in the various provisions related different constitutions.
- CO3** Students will be able to understand the work of different constitutional bodies across the world.
- CO4** Student will learn about the different constitutional rights guaranteed by different nation's constitutions.
- CO5** Student will learn about various case laws that have developed across the world.
- CO6** Student will understand various concept related to constitution those followed by different nations.
- CO7** Student will be able to create research paper on various rights guaranteed by different constitution.
- CO8** Student will be able to understand the reason behind breaking of different constitutions in nations.

**Module I:**

- What is Comparative Constitutional Law? The Concept of the Comparative Constitutional Law, Importance of the Study of Comparative Constitutional Law, Functions & Aims of Comparative Constitutional Law, Sources of the Comparative Constitutional Law.
- The Comparative Constitutional Law: Province Determined, Definition, Nature, Scope and Classification of Different Forms of the Constitutions of the USA, UK, Canada and Australia. Concept of Constitution – Constitutional Law – General Constitutional Objectives.
- The Constitution and its relationship with Statehood, Territoriality and Citizenship

✓ **Cases:**

1. Cheate V. The Queen (1993) 177 C.L.R. 541 (Austl.)
2. Edwards V. Attorney-General for Canada, [1930] A.C. 124 (P.C. 1929)-Persons Case
3. Jacobson V. Massachusetts, 197 U.S. 11, 31-33 & n.1 (1905)
4. Kindler V. Canada [1991] 2 S.C.R. 779
5. Law Society of Upper Canada V. Skapinker, [1984] 1 S.C.R. 357, 366
6. McCulloch V. Maryland, 17 U.S. (4 Wheat.) 316 (1819)
7. Muller V. Oregon, 208 U.S. 412, 419-20, n.1 (1908)
8. Printz V. United States 521 US 897 (1997)
9. R. V. Big M Drug Mart Ltd., [1985] 1 S.C.R. 295, 343-44 (Can.)
10. Roe V. Wade, 410 U.S. 113 (1973)
11. Roper V. Simmons 543 US 551 (2005)

**Module II:**

- The Constitutional Design, Drafting & Gender, Constitutional Drafting and External Influence, Panoramic Constitution Approaches, the Comparatives Dilemma, Constitutional Endurance.
- Forms of Government: Federal and Unitary
- Federal – USA, India, Australia, Canada, Switzerland etc.
- Unitary – UK, France

✓ **Cases:**

1. Goodyear India V. State of Haryana, AIR 1990 SC 781
2. Indira Nehru Gandhi V. Raj Narayan, AIR 1975 SC 2299
3. KeshavanandaBharati V. State of Kerala, AIR 1973 SC 1461
4. Minerva Mills Ltd. V. Union of India, AIR 1980 SC 1789
5. Nakara V. Union of India, AIR 1983 SC 130
6. Official Liquidator V. Dayanand, (2008) 10 SCC 1
7. P.A. Inamdar V. State of Maharashtra, (2005) 6 SCC 537

**Module III:**

- Constitutionalism, Legal Pluralism and International Regimes. The Twilight of Comparative Liberal-Democratic Constitutionalism.
- The Contemporary Constitutionalism as the Law of the Peoples.
- Constitutionalism and Rule of Law: Rights Regime and their Protection
- General Principles of the Separation of Powers in the Westminster System. The Doctrine of the New Separation of Powers; Democratic Legitimacy, Functional Specialization, Fundamental Rights and the New Separations

✓ **Cases:**

1. Griffin V. County School Board, Prince Edward County,
2. Griswold V. Connecticut, 381U.S. 479

3. Hammer V. Dagenhart, 247 U.S. 251 (1918)
4. Holden V. Hardy, 169 U.S. 366 (1898)
5. I.C. GolakNath V. State of Punjab, AIR 1967 SC 1643
6. 6.I.R. Coelho (Dead) By Lrs V. State of Tamil Nadu & Others, (2007) 2 SCC
7. KeshavanandBharati V. State of Kerala, AIR 1973 SC 1461
8. Kokkinakis V. Greece
9. Korematsu V. United States, 323 U.S. 214 (1944)
10. Lawrence V. Texas: The Right that Dare Not Speak Its Name, 117 Harv. L. Rev. 1893 (2004)
11. LeylaSahin V. Turkey
12. 12.Lochner V. New York, 198 U.S. 45 (1905)
13. Malloy V. Hogan, 378 U.S. 1(1964)
14. Maneka Gandhi V. Union of India, AIR 1978 SC 593
15. Marbury V. Madison, 5 U.S. 137 (1903)
16. Milk Board V. Clearview Dairy Farm Inc., 69 B.C.L.R. 220 (Sup. Ct. 1986) 42.Miranda V. State of Arizona, 384 U.S. 436 (1966)
17. Murrays Lessee V. Hoboken Land and Improvement Co.

#### Module IV:

- The Judiciary, Law and the Comparative Constitutional Adjudication & Courts. The Judicial Engagement with Comparative Constitutional Law Perspective. Docket Control and Institutional Success of Constitutional Courts.
- The Supremacy of the Constitutions, Rule of Law & Due Process, Comparative Form of Judicial Review and the Rise of Weak-Form of Judicial Review, Independence of Judiciary, Judicial Activism, Constitutional Provision for the Protection of the Judiciary. Enforcement of Socio-Economic Rights, Governance in Transition to Democracy and Free Speech in a Global World.

#### ✓ Cases:

1. A.P. Pollution Control Boards V. Prof. MV Nayudu, AIR 1999 SC 822
2. Anwar Ali Sarkar V. State of West Bengal, AIR 1952 SC 75
3. ArunaRamchandraShanbaug V. Union of India and Others, JT 2011 (3) SC 300
4. Barrios Altos V. Peru, IACHR Ser. C No. 75 (14 March 2001), para 189
5. BhagwanDass V. State (NCT) of Delhi, 2011 (5) 498
6. Bombay Hawkers Union V. B.M.C., (1985) 3 SCC 528
7. Budayeva V. Russia, [2008] ECHR
8. Center for PIL V. Union of India, 1995 Sppl. (3) SCC 382
9. Cerc V. Union of India, AIR 1995 SC 922
10. Charles Shobhraj V. Delhi Admin., (1978) 4 SCC 104
11. D.K. Basu V. State of West Bengal, (1997) 1 SCC 4116
12. Dandridge V. Williams, 397 U.S. 471 (1970)

#### Module V:

- Constitutional Law and Millennium Development Goals – Globalization and Constitutional Law
- Amending Powers – Limits

#### ✓ Cases:

1. Marbury V. Madison, 5 US (1 Cranch) 137 (1803)
2. City of Boerne V. Flores, 521 US 507 (1997)
3. Cook V. Cook (1938) 162 C.L.R. 3760
4. Union of India V. Gopal, AIR 1978 SC 684
5. State of Karnataka V. Union of India, (1977) SCC 608.



6. M.S.M. Sharma V. Sri Krishna Sinha, AIR 1959 SC 395
7. Jatish Chandra Ghose V. Harisadhan Mukherjee, AIR 1961 SC 613
8. TejKiran V. Sajiva, AIR 1970 SC 1573

### **Module VI: Fundamentals of the American Constitution**

- Political Structure
  - Legislature
  - Executive
  - Judiciary
- Separation of Powers
- Amendment of the Constitution
- Judicial Review
- Commerce Clause, Supremacy Clause, Takings Clause, Equality Clause, First Amendment - Establishment Clause & Free Speech
- Judicial Set up- Powers and jurisdiction of the courts
- State Action-Need of a change in light of globalization
- Contemporary Issues - Abortion, Substantive Due Process, Flag Burning, Right to Die, Rights of unpopular minorities

#### **✓ Cases:**

1. Marbury v. Madison, 5 US 137 (1803)
2. Bowers v. Hardwick, 478 US 186 (1986)
3. Romer v. Evans, 517 US 620 (1996)
4. Boy Scouts of America v. Dale, 530 US 640 (2000)
5. Cruzan v. Missouri Dept. of Health, 497 US 261 (1990)
6. Washington v. Gluckhberg, 521 US 702 (1997)
7. Lee v. Weisman, 505 US 577 (1992)
8. Roe v. Wade, 410 US 113 (1973)
9. New York Times v. O'Sullivan, 376 US 254 (1964)
10. Printz v. US, 512 US 898 (1997)
11. Liquormart, Inc. v. Rhode Island, 517 US 484 (1996)
12. Brown vs. Board of Education, (1954) 347 US 483 •
13. Kelo vs. City of New London, 125 S.Ct 2655 (2005)
14. Elk Grove United School District vs. Newdow, 542 US 2, (2004)
15. Roper vs. Simmons, 125 SC 1183 (2005)
16. McConnell vs: Federal Election Commission, 540 US 93 (2003)

### **Module VII: Fundamentals of the United Kingdom Constitution**

- Political Structure
  - Legislature
  - Executive
  - Judiciary
- Westminster form of Governance
- Parliamentary Sovereignty
- Judicial Review
- Recent changes in light of Community Laws
  - Human Rights Act, 1998
  - Declaration of Incompatibility
- Separation of Judiciary from the Parliament

**Cases:**

1. X v. Sec. of State for Home Dept., [2004] UKHL 56
2. R (Quintvalle) vs. Secretary' of State of Health [2002] 2 WLR 550
3. M VHome Office (1994) 1 AC 377
4. Council of Civil Senice Union vs. Minister of Civil Services (1985) AC 374
5. Anisminic Ltd. Vs. Compensation Tribunal'-(1969) 2 AC 14.

**Module VIII: Major Systems and Methods of Judicial Review in the Contemporary World**

- Political and Judicial Review
- Centralized and Decentralized Judicial Review
- Incidents and Principles of Judicial Review (Reference will be made to the constitutions of France and Germany)
- Judicial Activism
- Judicial Review of Constituent powers of the State
- Contemporary problems of Judicial review
- Judicial bias
- Judicial overreach and resultant conflict
- Limits of Judicial review
- Concept of Judicial self-restraint
- Binding nature of judicial Review

**Cases:**

1. Marbury vs. Madison, 5 US 137il 803)
2. Dred Scott v Sanford, 60 US 393 (1857)
3. Plessyvs. Ferguson, 5 US 537 (1896)
4. Brown vs. Board of Education, 347 US (1954)
5. Keshvanand Bharti vs. State of Kerala (1913) 4 SCC 225
6. L. Chandra Kumar vs. Union of India (1997) 3 SCC 225
7. M. Nagarqj vs. Union of India (2006) 8 SCC 261
8. I.R. Coelho vs. State of T.N. (2007) 2 SCC 1
9. Ashok Kumar vs. Union of India (2003) 6 SCC 1
10. Anisminic Ltd vs. Foreign Compensation Commission, (1969) 2 AC 147
11. Associate Provincial Picture Houses Ltd vs. Wednesbury Corporation (1948) 1 KB 223
12. Council of Civil Sendees Union vs. Minister of Civil Services, (1985) AC 374
13. R v Ottew (2001) 2 ALL ER 154
14. R (on application of Mahmood) vs. Secretary of State for the Home Department (2001) 1 WLR 840
15. Rose (2) EM'(I) vs. State for Health (I) Human Fertilization and Embryology Authority, Lawtel, 26\* July 2002

**Module IX: Judicial Process in Contemporary World**

- Court Structure
- Appointment of Judges
- Removal of Judges
- Accountability of Judges
- Judicial Standards

**Cases:**

1. S.P. Gupta vs. Union Of India, 1981 Supp SCC 739
2. S C Advocate-on-Record Association v Union of India, (1993) 4 SCC 44
3. Presidential Reference, In re (1998) 7 SCC 739
4. Sub-Committee on Judicial Accountability vs. Union of India, (1991) 4 SCC 699
5. Sarojini Ramaswami vs. Union of India, (1992) 4 SCC 506

**Module X: Recent Developments in Constitutional Law and Conflicts of Interests**

- European Union Constitution: Leading towards EU Federation.
- Human Rights
- Terrorism and Armed Conflicts
- Constitution in globalised world

✓ **Cases:**

1. Guantanamo Detainee Case 355 F.Supp 2<sup>nd</sup> 443 (D.D.C, 2005)
2. PUCL v. VOI, AIR 2004 SC 456; (2204) 9 SCC 580
3. Gherebi vs. Bush, 374 F727 (9\* Cir, 2004)
4. Hamdi Case 542 US 507 (2004)
5. Karamatsuvs. WS, 323 US 214 (1944)
6. R. v. Gray, (1900) 2 Q.B. 36,40
7. C. Ravichandran Iyer v. Justice A. M. Bhattacharjee, (1995) 5 SCC 457
8. R. v. Minister of Labour ex p National Trade Defence Assn., (1931) 47 TLR 364
9. Ambard v. AG of Trinidad & Tobago, 1936 AC 322-355 (PC)
10. Re: Vinay Chandra Mishra, AIR 1995 SC 2348
11. Bathina Ramakrishna Reddy v. State of Madras, 1952 SCR 425
12. Perspective Publications (P) Ltd. v. State of Maharashtra, (1969) 2 SCR 779
13. Article 143 of the Constitution of India, In Re, AIR 1965 SC 745, 791
14. Dr. Subramanian Swamy v. Rama Krishna Hegde, 2000 (10) SCC 331
15. Dr. S. C. Saxena v. Hon'ble the Chief Justice of India, 1996 (5) SC 216

**Module XI: State and Religion in Contemporary Constitutionalism.**

- Concept of Secularism
- Religion and State in USA Constitution.
- Religion and State in British Constitution
- Religion and State in Indian Constitution
- Religion and State in South Asian States.

**Suggested Readings**

1. D.D.Basu, Comparative Constitutional Law (2nd ed., Wadhwa Nagpur, 2008).
2. D.D.Basu, Comparative Federalism (Lexis Nexis, 2007).
3. DD Basu, Introduction to the Constitution of India (Lexis-Nexis-Butterworth-Wadhwa, 1.2008).
4. Erwin Chemerinsky, Constitutional Law, Principles and Policies (3rd ed., Aspen, 2006).
5. Granville Austin, The Indian Constitution: Cornerstone of a Nation (OUP, 2008).
6. M.P. Singh, Comparative Constitutional Law (Eastern Book Company, 2011).
7. M. P. Jain, Indian Constitutional Law, (Wadhwa & Wadhwa, Nagpur, 2002)
8. Khilani, Raghvan, Thiruvengadan, Comparative Constitutionalism in South Asia, (Oxford Publishers 2013)
9. H. M. Seervai, A Critical Commentary on Constitutional Law of India, (Universal Law Publishing, Delhi, 1997)
10. V. Dicey, Law of the Constitution, (Universal Law Publishing, Delhi, 2001)
11. Durga Das Basu, Human Rights in Constitutional Law, (Wadhwa & Wadhwa, Nagpur, 2003).
12. V Ramaraj, 'Four Modules of Due Process', 2 Int 7 J. Const. L. 492
13. Allen, T.R.S (2001) 'Constitutional Justice: A liberal theory of Rule of Law' (Oxford University Press: Oxford)
14. Peele, G (2002), The US Supreme Court, Politicians in Disguise? Politics Review, April 8,2002.
15. Mark Tushnet, Why the Constitution Matters (Yale University Press, 2010)
16. Methods of Comparative Law (Edward Elgar Publishing, 2012).
17. Lawrence H Tribe, Constitutional Choices, (Universal Law Publishing, Delhi, 2003)

18. "Free Speech'Adjudication in US and UK", 54ICLQ
19. William N. Eskridge, Jr. "United States: Lawrence v. Texas and the imperative of comparative constitutionalism " 2 Int J Constitutional Law 555
20. Flag Burning, 43 Brandeis L. J. 597.
21. Wade, Constitutional Fundamentals. Hamlyn Lectures (Stevens & Sons, London, 1989
22. Khilani, Raghvan, Thiruvengadan, Comparative Constitutionalism in South Asia, (oxford Publishers 2013)
23. Mark ElUot^United Kingdom: Parliamentary Sovereignty underpressure". 2 Int J Constitutional<sup>1</sup> Law 545
24. Recent House of Lords Decision on Terrorism Act - Right to Torture is violative of constitutional norms.
25. Benjamin Cardozo, The Nature of Judicial Process, 1921 Yale University Press (Regnery Publishing, 2005)
26. Herbert Wechsler, Principles Politics and Fundamental Law (Harvard University Press, 1961)
27. A.G. Noorani, Constitutional Questions and Citizen's Rights, Oxford University Press, 2006
28. Upendra Baxi, TowardsaSociology of Law (\9&6)
29. D. Conrad, Basic Structure of the Constitutional Principles, 3 Law and Justice, 99 (1996)
30. Khilani, Raghvan, Thiruvengadan, Comparative Constitutionalism in South Asia, (oxford Publishers 2013)
31. Rajeev Dhawan and Alice Jacob, Selection and Appointment of Supreme Court Judge, (1970) ILI
32. M.P. Singh, 'Merit' in the Appointment of Judges, (1999) 8 SCC (J) 1
- 28.M.P.Singh, Securing Independence of Judiciary - Indian Experience, 10 Indiana International and Comparative Law Rev 245 (2000)
- 29.H.M. Seervai, Constitutional Law of India, vol.3 (4\* Ed, 1991 -96) p
- 30.Justice P. Jagmohan Reddy, We hcive a Republic: Can we keep it? Sri Venkateshwara University, Tirupati
- 31.K.S. Hegde, Crisis In Indian Judiciary, Sindhu Publication, 1973
- 32.Raoul Burger, Impeachment: The Constitutional Problems, Harvard University Press, 1973
- 33.Setalvad, My Life, Law and Other Things, N.M. Tripathi Pvt Ltd, 1971
- 34.Benjamin N. Cardozo, The Nature of Judicial Process, Yale University Press, 1921
- 35.Sedely, Sir S. (1994) Governments, Constitutions and Judges (eds.) Administrative Law and Government Action (Oxford University Press).
- 36.Khilani, Raghvan, Thiruvengadan, Comparative Constitutionalism in South Asia, (oxford Publishers 2013)
- 37.Dieter Grimm, 'Integration by Constitution', 3 Int J Constitutional Law 193
- 38.J. H. H. Weiler, 'On the power of the word: Europe's Constitutional iconography' 3 Int J Constitutional Law 173
- 39.Neil walker, 'Europe's constitutional momentum and the search for polity legitimacy' 3 Int J Constitutional Law 239
- 40.Andras Sajó, 'Constitution without the constitution moment: A view from the new member states' 3 Int J Constitutional Law 239
- 41.Michel Rosenfeld, 'The European treaty - constitution and constitutional identity: A view from America', 3 Int J Constitutional Law 3 1 6 .
- 42.Gianluigi Palombella, 'Whose Europe? After the constitution: A goal based citizenship', I Int J Constitutional Law 357
- 43.Otto Pfersmann, 'The new version of the old constitution', 3 Int J Constitutional Law 283
- 44.PaulCraig, 'European Governance: Executive and administrative powers under the new constitutional settlement', 3 Int J Constitutional Law 407
- 45.George A. Bermann, 'Executive Power in the new European Constitution', 3 Int J Constitutional Law 440
- 46.Damian Chalmers, 'Judicial Authority and the constitutional treaty', 3 Int J Constitutional Law 448
- 47.Mattias Kumm and Victor Ferreres Cornelia, 'The Primacy Clause of the Constitutional treaty and die future of constitutional conflict in me European Union', 3 Int J Constitutional Law 448
- 48.Franz C. Mayer, 'Competence-reloaded? The vertical division of powers in the EU and the new European constitution', 3 Int J Constitutional Law 493

49. Gerven, 'Remedies for infringement of fundamental rights', Vol. 10 European Public Law Issue 2 P- 261  
 50. William F. Chinnock, Mark P. Painter, 'The Law of Contempt of Court in Ohio' [34 U. Tol. L. Rev. 309]  
 51. Bobde, 'Scandalising the Court', (2003) 8 SCC (Jour) 32  
 52. T. R. Andhyarujina 'Scandalising the Court - Is it obsolete?', (2003) 4 SCC (Jour) 12  
 53. Samuel Issacharoff and Richard H. Pildes, 'Emergency contexts without emergency powers: The United States Constitutional approach to rights during wartime', 3 Int J Constitutional Law 334  
 54. Stone Geoffrey, 'Free speech in World War II: When are you going to indict the seditionists' 3 Int J Constitutional Law 334  
 55. Gordon Silverstein, 'Globalization and the rule of law: "A Machine that runs of itself?"' 1 Int J Constitutional Law 427  
 56. Comparative Constitutionalism in South Asia, edited by Sunil Khilnani, Vikram Raghvan, Arun K. Thiruvengadam, Oxford University Press- 2013

### Project Topics

1. Interrelationship of Fundamental Rights
2. Legitimacy of the Constitution
3. Legitimacy and Obedience
4. Paradoxes of Constitutional borrowing
5. Interpretation techniques used for International Human Rights Documents
6. Contemporary and Constitutional Issues
7. Meta Constitution
8. The European Constitution and European Identity
9. Multicultural Citizenship and Constitutional norms
10. Doctrine of standing - Comparative perspectives
11. Due Process and Procedure Established by Law
12. Constitutional Amendments – Legitimacy
13. Judicial Activism
14. State and Religion
15. Secularism.

### CO-PO MAPPING OF COMPARATIVE CONSTITUTIONAL LAW AND JURISPRUDENCE:

	Programme Outcomes (PO)											
	PO1	PO2	PO3	PO4	PO5	PO6	PO7	PO8	PO9	PO10	PO11	PO12
CO1	3	2	1	2	2	3	3	2	1	2	2	3
CO2	3	2	2	1	2	2	2	1	2	2	1	3
CO3	3	1	1	2	1	1	1	2	1	1	2	2
CO4	3	1	2	3	2	1	3	2	1	2	2	3
CO5	1	2	1	3	2	1	3	2	2	3	2	3
CO6	3	2	2	2	2	1	3	2	1	2	2	3
CO7	2	2	1	2	2	3	1	2	2	2	2	3
CO8	3	2	1	2	2	1	3	2	1	2	2	3

**CROSS BORDER MERGERS**  
**PLO1003 (4 Credits)**

<b>Course Code</b>	PLO1003			
<b>Course Title</b>	Cross Border Mergers			
<b>Category</b>	Professional			
<b>LTP &amp; Credits</b>	<b>L</b>	<b>T</b>	<b>P</b>	<b>Credits</b>
	3	1	0	4
<b>Total Contact Hours</b>	48			

**CO NO      COURSE OUTCOME**

**CO1** Students will learn about various kinds of legal provisions of merger law practiced in India and outside India too.

**CO2** Student will learn about finding out original difficulties existed in the various provisions related merger laws.

**CO3** Students will be able to understand the work of the shareholders in merger or combination.

**CO4** Student will learn about the different conditions while one merger is prohibited by law.

**CO5** Student will learn about various case laws that have developed across the world related to merger law.

**CO6** Student will understand how RBI works with merger laws.

**CO7** Student will be able to create research paper on merger laws applicability across the world.

**CO8** Student will be able to understand the reason behind breaking of different merger or combination.

**Module I:**

- General introduction and aims, content and structure of the course;
- Rationale for M&A: business, commercial & legal;
- Transaction structures & terminology;
- Business sales & asset sales;

**Module II:**

- Successor liability;
- Schemes of arrangement;
- Mergers, demergers & corporate restructuring;
- Procedures & compliances; role of the court in approving a scheme

**Module III:**

- Schemes of arrangement (contd...), including squeeze outs & reduction of capital;
- Analysis of the interests of minority shareholders;
- Fairness in process & price

**Module IV:**

- Takeovers – nature and types of regulation;
- Friendly & hostile takeovers;
- Voluntary & mandatory offers – launching an open offer;
- Creeping acquisitions

**Module V:**

- Persons acting in concert; indirect acquisitions;
- Issues arising in the offer process; payment obligations;
- Takeover defences;
- Corporate governance issues in M&A.

**Module VI:**

- Special transactions: leveraged buyouts & management buyouts;
- Deal-making: essence of due diligence, documentation;
- Legal aspects of valuation

**Module VII:**

- Combinations under Competition Act, 2002.
- Section 5, 6 of Competition Act
- Section 20 of Competition Act
- Mergers under Sherman Act
- Merger Review by FTC.

**Module VIII:**

- RBI Regulation on Cross Border Mergers

**Module IX:**

- FEMA rules on Cross Border Mergers.

**Suggested Readings:**

1. K.R. Sampath, Law and Procedure For Mergers, Amalgamations, Takeovers & Corporate Restructure. Mumbai
2. J.Fred Weston, Chung, Kwang S. and Hoag, Susan E., Mergers, Restructuring and Corporate Control
3. Ramanujam's Mergers Et Al – Issues, Implications & Case Laws in Corporate Restructuring
4. Dr. J.C.Verma, Corporate Mergers, Amalgamations & Takeovers, Concept, Practice & Procedure
5. Sridharan & Pandian, Guide to Takeovers & Mergers- Complete Guide to Corporate Restructuring, Takeovers and Mergers, Amalgamation & Acquisitions
6. Ernst & Young, Master Guide to Mergers & Acquisitions in India – Tax and Regulation
7. Ravi & Puliani Mahesh, Manual of Companies Act & Corporate Laws: Including SEBI Rules, Regulations, Puliani,
8. Companies Act, 1956 & 2013
9. Avtar Singh, Company Law
10. Ramaiyya, Guide to Companies Act, 1956
11. Vinod Dhall, Competition Law today, concepts, issues, and the law in practice, 1<sup>st</sup> Edition, Oxford University Press, India, 2007, Pages 150 -170.
12. Ramappa T., Competition law India, Policy Issues, and Developments. 1<sup>st</sup> Edition, New Delhi, Oxford, 2006, pages 180 -195.
13. Elhauge Einer, Geradin Damien, Global Competition Law and Economics, 1<sup>st</sup> Edition, USA. Hart Publishing, 2007.
14. Dr Souvik Chatterji, Competition Law in India and interface with sectoral regulators, Thomson Reuters South Asia Publication, 1<sup>st</sup> Edition, 2018

**CO-PO MAPPING OF CROSS BORDER MERGERS:**

	Programme Outcomes (PO)											
	PO1	PO2	PO3	PO4	PO5	PO6	PO7	PO8	PO9	PO10	PO11	PO12
<b>CO1</b>	1	3	2	3	2	3	3	2	3	2	2	3
<b>CO2</b>	3	2	2	1	2	2	2	1	2	2	1	3
<b>CO3</b>	3	1	1	2	1	3	2	2	1	1	2	2
<b>CO4</b>	3	1	2	3	2	1	3	1	1	2	2	2
<b>CO5</b>	1	1	2	1	2	2	3	2	2	3	2	3
<b>CO6</b>	3	2	2	2	2	1	3	1	1	2	2	3
<b>CO7</b>	2	2	1	3	2	3	1	2	2	2	2	3
<b>CO8</b>	3	2	1	2	2	1	3	2	1	2	2	3

**LAW OF ACQUISITION**  
**PLO1004 (4 Credits)**

<b>Course Code</b>	PLO1004			
<b>Course Title</b>	Law of Acquisition			
<b>Category</b>	Professional			
<b>LTP &amp; Credits</b>	<b>L</b>	<b>T</b>	<b>P</b>	<b>Credits</b>
	3	1	0	4
<b>Total Contact Hours</b>	48			

**CO NO      COURSE OUTCOME**

**CO1** Students will learn about various kinds of legal provisions of acquisition law practiced in India and outside India too.

**CO2** Student will learn about finding out original difficulties existed in the various provisions related acquisition laws.

**CO3** Students will be able to understand the work of the shareholders in acquisition.

**CO4** Student will learn about the different conditions while one acquisition is prohibited by law.

**CO5** Student will learn about various case laws that have developed across the world related to acquisition law.

**CO6** Student will understand how RBI works with acquisition laws.

**CO7** Student will be able to create research paper on applicability of acquisition laws across the world.

**CO8** Student will be able to understand the reason behind breaking of different acquisition.

**Module I:**

- Acquisitions under section 391 -394 of Indian Companies Act
- Procedure for acquiring of Companies

**Module II:**

- Acquisitions under section 5, 6 of Indian Competition Act
- Mandatory combination regime in India Combination review.



**Module III:**

- FEMA Regulation 2000 and SEBI Takeover Code 1994
- Foreign Direct Investment Scheme of RBI
- Regulation of consolidation of shares and debentures by SEBI.

**Suggested Readings:**

1. Vinod Dhall, Competition Law today, concepts, issues, and the law in practice, 1<sup>st</sup> Edition, Oxford University Press, India, 2007, Pages 150 -170.
2. .Ramappa T., Competition law India, Policy Issues, and Developments. 1<sup>st</sup> Edition, NewDelhi, Oxford, 2006, pages 180 -195.
3. Elhauge Einer, Geradin Damien, Global Competition Law and Economics, 1<sup>st</sup> Edition, USA. Hart Publishing, 2007.
4. Dr Souvik Chatterji, Competition Law in India and interface with sectoral regulators, Thomson Reuters South Asia Publication, 1<sup>st</sup> Edition, 2018
5. Krishan Keshav, Investment and Competition Law, Singhal Law Publications, 2017

**CO-PO MAPPING OF LAW OF ACQUISITION:**

	Programme Outcomes (PO)											
	PO1	PO2	PO3	PO4	PO5	PO6	PO7	PO8	PO9	PO10	PO11	PO12
<b>CO1</b>	3	1	2	3	2	3	3	2	3	2	2	3
<b>CO2</b>	3	2	2	1	2	2	2	1	2	2	1	3
<b>CO3</b>	3	1	1	2	1	3	2	2	1	1	2	2
<b>CO4</b>	3	1	2	3	2	1	3	1	1	2	2	2
<b>CO5</b>	1	1	2	1	2	2	3	2	2	3	2	3
<b>CO6</b>	3	2	2	2	2	1	3	1	1	2	2	3
<b>CO7</b>	2	2	1	3	2	3	1	2	2	2	2	3
<b>CO8</b>	3	2	1	2	2	1	3	2	1	2	2	3

**CORPORATE LAW I**  
**PLO1005 (4 Credits)**

<b>Course Code</b>	PLO 1005			
<b>Course Title</b>	Corporate Law I			
<b>Category</b>	Professional			
<b>LTP &amp; Credits</b>	L	T	P	Credits
	3	1	0	4
<b>Total Contact Hours</b>	48			

**CO NO COURSE OUTCOME**

**CO1** Students will learn about various kinds of legal provisions of company law practiced in India and outside India too.

**CO2** Student will learn about finding out original difficulties existed in the various provisions related company laws.

**CO3** Students will be able to understand the work of the shareholders in a company.

**CO4** Student will learn about the different conditions while some practices of a company is prohibited by law.

**CO5** Student will learn about various case laws that have developed across the world related to company law.

**CO6** Student will understand how NCLAT works with company laws.

**CO7** Student will be able to create research paper on applicability of company law across the world.

**CO8** Student will be able to understand the reason behind breaking of companies.

### **Module I: Company as a Medium of Business**

- ☐ History of Company Legislation – UK
- ☐ Corporate personality – Concept
- ☐ Nature and Features of a Corporate Body
- ☐ Theories of corporate personality.
- ☐ Lifting of corporate veil
- ☐ Classification of company
- ☐ Company as distinguished from other forms of business

### **Module II: Pre-Incorporation Phase**

- ☐ Promoters - Promotion of company
- ☐ Promoters: Position, Duties and Liabilities
- ☐ Pre-incorporation contracts

### **Module III: Incorporation of a Company**

- ☐ Memorandum of Association
- ☐ Doctrine of Ultra Vires
- ☐ Articles of Associations
- ☐ Doctrine of Indoor Management
- ☐ Doctrine of Constructive Notice
- ☐ Incorporation and its consequences on Corporate Transactions
- Certificate of Incorporation
- Certificate of Commencement

### **Module IV: Raising of Capital**

- Prospectus –
- Meaning, Issue and Contents.
- Kinds of Prospectus – Abridge Prospectus, Statement in lieu of Prospectus; Shelf prospectus.
- Liability of misstatements in Prospectus
- Shares / Share Capital –
- Meaning and Nature
- Kinds of Shares
- Issue of shares – IPO, FPO, Rights issue, Bonus Issue
- Allotment, Transfer, Forfeiture, Surrender of shares
- Membership of company: modes of acquisition, eligibility; liability; Rights;
- Cessation of Membership;
- Alteration & Reduction of share capital.
- Debenture / Debt Capital –
- Meaning & characteristics
- Kinds of Debentures
- Debenture Trustees, Debenture Trust Deed, Debenture Stock
- Dividend – declaration; payment; interim dividend

**Module V: Corporate Management (Directors)**

- Directors
- Concept and Definition
- Kinds of Directors
- Powers and Duties of Directors
- Qualification, Appointment, Removal.

**Module VI: Corporate Management (Meetings)**

- Meetings
- Meaning
- Kinds of Meeting
- Voting

**Suggested Readings:**

1. Ramaiyya, Guide to Companies Act, 1956
2. Charlesworth & Morse, Company Law
3. Gower & Davies, Principles of Modern Company Law
4. K. Majumdar, Dr. G. K. Kapoor Company Law & Practice, Taxman
5. Pennington, Company Law
6. Palmer, Company Law
7. K. Majumdar, Dr. G. K. Kapoor Company Law & Practice, Taxman
8. Avtar Singh, Company Law
9. Nicholas Bourne, Principles of Company Law
10. Companies Act, 1956
11. Securities and Exchange Board of India Act, 1992
12. (Issue of Capital and Disclosure Requirements) Regulations, 2009
13. Depositories Act, 1996
14. Securities Contract Regulation Act, 1956

**CO-PO MAPPING OF CORPORATE LAW I:**

	Programme Outcomes (PO)											
	PO1	PO2	PO3	PO4	PO5	PO6	PO7	PO8	PO9	PO10	PO11	PO12
<b>CO1</b>	2	1	2	3	2	3	3	2	3	2	2	3
<b>CO2</b>	3	2	2	1	2	2	2	1	2	2	1	3
<b>CO3</b>	3	1	1	2	1	3	2	2	1	1	2	2
<b>CO4</b>	3	1	2	3	2	1	3	1	1	2	2	2
<b>CO5</b>	1	1	2	1	2	2	3	2	2	3	2	3
<b>CO6</b>	3	2	2	2	2	1	3	1	1	2	2	3
<b>CO7</b>	2	2	1	3	2	3	1	2	2	2	2	3
<b>CO8</b>	3	2	1	2	2	1	3	2	1	2	2	3

## **LLM IN CORPORATE LAW**

### **SEMESTER II**

Sr. No.	Subject Code	SUBJECT	PERIODS			CREDIT
			L	T	P	
THEORY						
1	PLO2001	Competition Law I	3	1	0	4
2	PLO2002	Intellectual Property Rights I	3	1	0	4
3	PLO2003	Laws of Infrastructure Development I	3	1	0	4
4	PLO2004	Investment Laws	3	1	0	4
5	PLO2005	Corporate Law II	3	1	0	4
SESSIONAL						
6	PLO2501	Project & Seminar II	0	0	2	0
7	PLO2502	Skill Development II	0	0	2	0
TOTAL CREDIT			20			

### **COMPETITION LAW I**

#### **PLO2001 (4 Credits)**

<b>Course Code</b>	PLO2001			
<b>Course Title</b>	Competition Law I			
<b>Category</b>	Professional			
<b>LTP &amp; Credits</b>	<b>L</b>	<b>T</b>	<b>P</b>	<b>Credits</b>
	3	1	0	4
<b>Total Contact Hours</b>	48			

#### **CO NO      COURSE OUTCOME**

**CO1** Students will learn about various kinds of legal provisions of competition law practiced in India and outside India too.

**CO2** Student will learn about finding out original difficulties existed in the various provisions related competition law.

**CO3** Students will be able to understand the work of the enterprises in a fair competitive market.

**CO4** Student will learn about the different conditions while some practices of enterprise/ enterprises is/are prohibited by law.

**CO5** Student will learn about various case laws that have developed across the world related to competition law.

**CO6** Student will understand how NCLAT, CCI works with competition law.

**CO7** Student will be able to create research paper on applicability of competition law across the world.

**CO8** Student will be able to understand the reason behind development of competition law in India.

**Module I: Introduction**

- ☐ Basic Concepts – Customer and Consumer – Market – Types of Market - Perfect Market, Monopoly, Oligopoly and Monopsony - Cartel - Predatory Pricing - Resale Price Maintenance - Competition – Models of Competition - Competition Policy - Competition Law - Goals of Competition Law.
- ☐ Anti-trust issues in India
- ☐ Background of MRTP Act, 1969
- ☐ Requirement of new competition regime in India.
- ☐ Enactment of the new Competition Act in India.

**Recommended Readings:**

1. Ramappa T., Competition law India, Policy Issues, and Developments, New Delhi, Oxford, 2006, pages 1 to 25.
2. Vinod Dhall, Competition Law today, concepts, issues, and the law in practice, 1<sup>st</sup> Edition, Oxford University Press, India, pages 1- 20.
3. Abir Roy and Jayant Kumar, Competition Law in India, Eastern Law House, 2008.
4. Peritz Rudolph J.R., Competition Policy in America: History, Rhetoric, Law. 1<sup>st</sup> Edition, New York: Oxford University Press, 2000.
5. Dr. Souvik Chatterji, Competition Law in India and Cartels in India and USA, 2<sup>nd</sup> Edition, 2017, Allahabad Law Agency, Law Publishers India, ISBN -978 – 81 -909484 -9-4.

**Case Laws:**

1. Sarabhai Chemicals P. Ltd. and another, in re, (1979) 49 Comp. Cas 145 MRTPC. (Case on RTP)
2. International Salt Co. v. United States, 332 US 392 (1947). (Case on tying arrangement)

**Module II: History and Development of Competition Law**

- ☐ History and Development of Competition Law -History and Development of Competition Law in India - Constitutional vision of social justice - Sachar
- ☐ Committee, MRTP Act - Salient features and its amendment in 1991 - Liberalization and Globalization - Raghavan Committee Report -Competition Act 2002 - An Overview of Competition Law in India - Important Definitions under the Competition Act, 2002

**Module III: Anti-Competitive Agreements**

- ☐ Definitions
- ☐ What are anticompetitive agreements?
- ☐ Different types of anti-competitive agreements.
- ☐ Treatment of such agreements under MRTP Act and Competition Act.
- ☐ Relevant market.
- ☐ Relevant product and geographical market.
- ☐ Entry barriers
- ☐ Cartels.
- ☐ Punishments under the Competition Act, 2002, as amended by the Competition (Amendment) Act, 2007.

**Recommended Readings:**

1. Competition law India, Policy Issues, and Developments. 1<sup>st</sup> Edition, New Delhi, Oxford, 2006, pages 60 to 100.
2. Vinod Dhall, Competition Law today, concepts, issues, and the law in practice, 1<sup>st</sup> Edition, Oxford University Press, India, 2007, pages 60 -90.
3. Peritz Rudolph J.R., Competition Policy in America: History, Rhetoric, Law. 1<sup>st</sup> Edition, New York: Oxford University Press, 2000.
4. Dr. Souvik Chatterji, Competition Law in India and Cartels in India and USA, 2<sup>nd</sup> Edition, 2017, Allahabad Law Agency, Law Publishers India, ISBN -978 – 81 -909484 -9-4.

**Articles:**

1. “Efficacy of Jefferson Parish Hospital Case in preventing Exclusive Contracts and Exclusive Dealings”,

Dr. Souvik Chatterji, Company Cases, Volume 178 (1), Part 7 1, 10<sup>th</sup> May 2013, Company Law Institute of India Pvt. Ltd., A Journal For Finance & Legal Professionals and Corporate Executives, pages 13 to 15

#### **Case Laws:**

1. Brown Shoe Co. Inc. v. US, 370 US 294 (1962). (Case on anti-competitive effect of two merging companies.)
  2. Haridas Exports v. All India Float Glass Manufacturers Association, (2002) 6 SCC. (Case on predatory pricing)
  3. DG (IR) v. Suotomo Corporation, Tokyo, Japan and others, 2004 CTJ 26 (MRTP) (Case on cartel)
  4. Albion Water Ltd v. Water Services Regulation Authority, CA 1665, (2008) Bus LR (Case on Anti-competitive effect of acquisition of local bus company)
  5. Attheraces Ltd v. British Horseracing Board Ltd, (2007) Bus LR, CA D77 (Anti-competitive activity)
  6. Qantas Airways and Orangester Investments Holdings, re, 2007 SG CCS 2 (Case related to examination of economic benefit of a transaction)
  7. Price Fixing in Bus Services from Singapore to Malaysia and Southern Thailand, re, 2009 SG CCS 2 (Case on price-fixing)
- Volkswagen AG v. Commission of the European Communities, 2007 Bus LR 35 (Case on anti-competitive activity)

#### **Module IV: Abuse of Dominant Position**

- Introduction
- Dominance
- Abuse of Dominance
- Predatory pricing
- Abuse of dominance in US and Europe
- Abuse of dominance under MRTP Act and Competition Act.

#### **Recommended Readings:**

1. Peritz Rudolph J.R., Competition Policy in America: History, Rhetoric, Law. , New York: Oxford University Press, 2000.
2. Vinod Dhall, Competition Law today, concepts, issues, and the law in practice, Oxford University Press, India, 2007, Pages 130 -150.
3. Ramappa T., Competition law India, Policy Issues, and Developments. 1<sup>st</sup> Edition, New Delhi, Oxford, 2006, pages 140 -160.
4. Avtar Singh, Competition Law, 1<sup>st</sup> Edition, 2012.
5. Dr Souvik Chatterji, Competition Law in India and interface with sectoral regulators, Thomson Reuters South Asia Publication, 1<sup>st</sup> Edition, 2018

#### **Articles:**

1. “The DLF case is a landmark decision regarding abuse of dominance and relevant market in India”, Dr Souvik Chatterji, Competition Law Insight, 29th April, 2014, Opinion, Relevance and abuse, Registered in England under no. 1072954, registered office: Mortimer House, 37-41
2. Mortimer Street, London W1T 3JH, Volume 13, In brief 5, <http://www.competitionlawinsight.com/competition-issues/abuse-of-dominance/relevance-and-abuse--1.htm?origin=internalSearch>

#### **Case Laws:**

1. Hoffman La Roche & Co. v. Commission of the European Communities, Case 85/76. (Case on abuse of dominance)
2. Uta Pie Co. v. Continental Baking and others, 386 US 685 (1967) (Case on abuse of dominance)

#### **Module V: Regulation of Combinations**

- ☐ Combinations: Merger, Acquisition, Amalgamation and Takeover - Horizontal, Vertical and Conglomerate Mergers - Combinations covered under the Competition Act, 2002
- ☐ Regulations – Penalties - Regulation of Combinations

**Module VI: Enforcement Mechanisms**

□ Enforcement Mechanisms under the Competition Act, 2002 - Competition Commission of India - Constitution of the CCI - Powers and Functions- Jurisdiction of the CCI – adjudication and appeals - Director General – Competition Appellate Tribunal- Enforcement Mechanisms under.

**Module VII: Competition Advocacy and Emerging Trends in Competition Law**

□ Competition Advocacy in India and other foreign jurisdictions - Intellectual Property Rights and Competition Law - International Trade Law and Competition Law – International Competition Law

**Bare Acts:**

- The Sherman Anti-Trust Act, 1890
- The Clayton Act, 1914
- The Robinson-Patman Act, 1936
- Federal Trade Commission Act, 1914
- Celler-Kefauver Antimerger Act, 1950
- Competition Act, 2002 (India)
- Competition Act, 1998 (UK)
- Enterprise Act, 2002 (UK)
- MRTP Act, 1969 (India)
- Consumer Protection Act, 1986

**Suggested Readings:**

1. Vinod Dhall (ed.), Competition Law Today, Oxford University Press
2. S.M. Dugar, Commentary on MRTP Law, Competition Law & Consumer Protection Law 4th Edn. - 2006, Wadhwa, Nagpur
3. P. Satyanarayana Prasad, Competition Law and Cartels, Amicus Books, ICFAI University Press, 2007
4. Ramappa, Competition Law in India, Oxford University Press, 2006.
5. S.M. Dugar, Commentary on MRTP Law, Competition Law & Consumer Protection Law Wadhwa Nagpur (4th ed. 2006)
6. Abir Roy & Jayant Kumar, Competition Law in India, Eastern Law House, New Delhi, 2008.
7. Richard Whish, Competition Law, Oxford University Press, 2008
8. Mark Furse, Competition Law of the EC and UK, 6th Edn. – 2008, Oxford University Press
9. Suresh T. Vishwanathan, Law and Practice of Competition Act, Bharat
10. T. Ramappa, Competition Law in India, Oxford University Press, 2006

**CO-PO MAPPING OF COMPETITION LAW I:**

	Programme Outcomes (PO)											
	PO1	PO2	PO3	PO4	PO5	PO6	PO7	PO8	PO9	PO10	PO11	PO12
<b>CO1</b>	3	1	2	3	2	3	3	2	3	2	2	3
<b>CO2</b>	3	2	2	1	2	2	2	1	2	2	1	3
<b>CO3</b>	3	1	1	2	1	3	2	2	1	1	2	2
<b>CO4</b>	3	1	2	3	2	1	3	1	1	2	2	2
<b>CO5</b>	1	1	2	1	2	2	3	2	2	3	2	3
<b>CO6</b>	3	2	2	2	2	1	3	1	1	2	2	3
<b>CO7</b>	2	2	1	3	2	3	1	2	2	2	2	3
<b>CO8</b>	3	2	1	2	2	1	3	2	1	2	2	3

**INTELLECTUAL PROPERTY RIGHTS I**  
**PLO2002 (4 Credits)**

<b>Course Code</b>	PLO2002			
<b>Course Title</b>	Intellectual Property Rights I			
<b>Category</b>	Professional			
<b>LTP &amp; Credits</b>	<b>L</b>	<b>T</b>	<b>P</b>	<b>Credits</b>
	3	1	0	4
<b>Total Contact Hours</b>	48			

**CO NO      COURSE OUTCOME**

**CO1** Students will learn about various kinds of legal provisions of intellectual property law practiced in India and outside India too.

**CO2** Student will learn about finding out original difficulties existed in the various provisions related intellectual property law.

**CO3** Students will be able to understand the work of the intellectual property law in a fair competitive market.

**CO4** Student will learn about the different conditions while some practices of intellectual property right holder/holders is/are prohibited by law.

**CO5** Student will learn about various case laws that have developed across the world related to intellectual property law.

**CO6** Student will understand how various permission granting and adjudicatory forum work with intellectual property law.

**CO7** Student will be able to create research paper on applicability of intellectual property law across the world.

**CO8** Student will be able to understand the reason behind development of intellectual property law in India.

**Module I: Introduction**

- The meaning of Intellectual Property
- Nature of Intellectual Property Rights (IPR) and need for their protection
- Forms of Intellectual Property: Copyright, Trademarks, Patents and Designs
- New forms as Plant Varieties and Geographical Indications

**Module II: IPR & International Perspectives**

- ☐ Salient International Conventions and Treaties on IPR
- ☐ Role of WIPO in promotion of IPR
- ☐ WTO-TRIPS as global binding charter of IPR and its impact on national legislation
- ☐ Dispute Settlement System in WTO.
- ☐ the Berne Convention, Universal Copyright, Convention, the Paris Convention, Trips, the World Intellectual Property Rights Organization (WIPO) and the UNESCO

**Module III: Copyright**

- ☐ Nature and Scope of Copyright
- ☐ Term of Copyright
- ☐ Computer software special position under copyright, law and patent law
- ☐ Infringement of copyright and Remedies
- ☐ International Copyright Order



**Module IV: Law of copyright in India**

- ☐ Historical evolution of the copyright law
- ☐ Meaning of copyright
- ☐ Copyright in literacy, dramatic and musical works
- ☐ Copyright in sound records and cinematograph films
- ☐ Ownership of copyright
- ☐ Assignment and licence
- ☐ Copyright authorities
- ☐ Infringement of Copy right and remedies including Anton Pillor injunctive relief in India

**Module V: Patent**

- ☐ Concepts and Historical view of the patents
- ☐ Patentable and Non Patentable Inventions
- ☐ Procedure for obtaining patent
- ☐ Procedure for filling patents: patent co-operation treaty
- ☐ Prior publication or anticipation
- ☐ Compulsory license
- ☐ Infringement; defences
- ☐ Injunctions and related remedies
- ☐ Emerging issues in patent such as patent in the field of Biotechnology, Human Genome
- ☐ Infringement of Patent and Remedies
- ☐ Patent Cooperation Treaty (PCT)
- ☐ Protection of Plant Varieties, and Farmers' Right
- ☐ UPOV convention, principle of benefit sharing.

**Bare Acts:**

- The Patents Act, 1970.
- The Copyright Act, 1957.
- The Protection of Plant Varieties and Farmers Rights Act, 2001.
- The Biodiversity Act, 2002.

**Suggested Readings:**

1. Cornish W.R. Intellectual Property, Patents, Trade Marks, Copy Right and Allied Right, Asia Law House, Hyderabad.
2. Vikas Vashishth, Law and practice of Intellectual Property, Bharat Law House Delhi.
3. P. Narayanan, Intellectual Property Law, (ed) Eastern Law House, Calcutta
4. Bibeck Debroy (ed). Intellectual Property Right, Rajiv Gandhi Foundation, Delhi
5. U.I.F. Anderfelt, International Patent Legislation and Developing Countries
6. W.R. Cornish, Intellectual Property (3rd ed) Sweet and Maxwell
7. K. Thairani, copyright: The Indian Experience.
8. Ahuja, V.K.; Law relating to Intellectual Property Rights; LexisNexis
9. Bhandari, M. K.; An Introduction to Intellectual Property Rights; Central Law Publication

**CO-PO MAPPING OF INTELLECTUAL PROPERTY RIGHTS I:**

	Programme Outcomes (PO)											
	PO1	PO2	PO3	PO4	PO5	PO6	PO7	PO8	PO9	PO10	PO11	PO12
<b>CO1</b>	3	1	2	3	2	3	3	2	3	2	2	3
<b>CO2</b>	3	2	2	1	2	2	2	1	2	2	1	3
<b>CO3</b>	3	1	1	2	1	3	2	2	1	1	2	2
<b>CO4</b>	3	1	2	3	2	1	3	1	1	2	2	2
<b>CO5</b>	1	1	2	1	2	2	3	2	2	3	2	3
<b>CO6</b>	3	2	2	2	2	1	3	1	1	2	2	3
<b>CO7</b>	2	2	1	3	2	3	1	2	2	2	2	3
<b>CO8</b>	3	2	1	2	2	1	3	2	1	2	2	3

**LAWS OF INFRASTRUCTURE DEVELOPMENT I**  
**PLO2003 (4 Credits)**

<b>Course Code</b>	PLO2003			
<b>Course Title</b>	Laws of Infrastructure Development I			
<b>Category</b>	Professional			
<b>LTP &amp; Credits</b>	L	T	P	Credits
	3	1	0	4
<b>Total Contact Hours</b>	48			

**CO NO COURSE OUTCOME**

**CO1** Students will learn about various kinds of legal provisions of laws of infrastructure development practiced in India and outside India too.

**CO2** Student will learn about finding out original difficulties existed in the various provisions related laws of infrastructure development.

**CO3** Students will be able to understand the work of the laws of infrastructure development in the real estate market.

**CO4** Student will learn about the different conditions while some practices of against laws of infrastructure development is/are prohibited by law.

**CO5** Student will learn about various case laws that have developed across the world related to laws of infrastructure development.

**CO6** Student will understand how various permission granting and adjudicatory forum work with laws of infrastructure development.

**CO7** Student will be able to create research paper on applicability of laws of infrastructure development across the India.

**CO8** Student will be able to understand the reason behind development of laws of infrastructure development in India.

**Module I: Introduction of Infrastructure Development**

- Introduction of infrastructure development
- The different infrastructure sectors.

**Recommended Readings**

1. Piyush Joshi, Law relating to infrastructure projects, LexisNexis Butterworth Publications, 2003 – pages 5 to 15.
2. Article. Siddharth Paradkar and Anirudh Reddy, TAMP as market regulator, July 2013, Infrastructure Today.

**Module II: Economic Infrastructure**

- The economic dynamics that are relevant in respect of specific sectors like Telecommunication, Energy, Airport Sector – 7

**Recommended Readings**

1. Piyush Joshi, Law relating to infrastructure projects, LexisNexis Butterworth Publications, 2003. Pages 20 to 40.

**Case Law**

1. Association of Industrial Electricity Users v. State of Andhra Pradesh (2002) 3 SCC 711.
2. Oil and Natural Gas Commission v. The Association of Natural Gas Consuming Industries of Gujarat AIR 1990 SC 1851.
3. India Thermal Power Ltd. V. State of MP, (2000) 3 SCC 379.
4. Duncan Industries Ltd. v. State of UP (2000) 1 SCC 633.

**Module III: Special Economic Zones**

- Background of SEZ.
- Objectives of SEZ Policy.
- SEZs in sensitive areas.
- Exemption of taxes, duties in SEZs.
- The Rehabilitation and Resettlement Bill, 2007.
- Roads and SEZs in sensitive areas.
- The Land Acquisition (Amendment) Bill, 2007.

**Recommended Readings:**

1. Pranay Chaturvedi and Ankur Dalal, Law of Special Economic Zone, National and International Perspective, Eastern Law House, Kolkata, New Delhi. Pages 30 to 100.
2. Hitendra Mehta, Taxmann's Law & Practice Relating to Special Economic Zones, Published by Taxmann Allied Services (P) Ltd., New Delhi, India, 2007. Pages 25 to 150.
3. Arundhati Roy, Power Politics, Published by South End Press, USA, 2<sup>nd</sup> Edition, 2002.
4. Dr. Souvik Chatterji, Laws of Infrastructure Development in India, Published by YS Books International Limited, India, 1<sup>st</sup> Edition, Volumes 1 and 2, 2014. Pages 35 to 100.

**Module IV: Port Sector**

- Brief history of Ports in India.
- Landlord ports, tool ports, services ports.
- The Indian Ports Act, 1908.
- The Major Ports Trust Act, 1963

**Recommended Readings**

1. Piyush Joshi, Law relating to Infrastructure Projects, 2<sup>nd</sup> Edition. Lexis Nexis Butterworth Publication, 2003. Pages 80 to 90.
2. Dr. Souvik Chatterji, Laws of Infrastructure Development in India, Published by YS Books International Limited, India, 1<sup>st</sup> Edition, Volumes 1 and 2, 2014. Pages 110 to 130.
3. Article: Siddharth Paradkar and Anirudh Reddy, TAMP as market regulator, July 2013, Infrastructure Today.

**Module V: The Transport Sector, National Highways, Railways and Airports**

- Legal framework and issues relating to financing of road projects.
- Privatization of Airports and Issues relating to regulation of Airports.
- The Policy of Airport Infrastructure, 1997
- The Airport Economic Regulatory Authority Bill, 2007.
- Infrastructure Development relating to Indian Railways.

**Recommended Readings**

1. Piyush Joshi, Law relating to Infrastructure Projects, 2<sup>nd</sup> Edition. Lexis NexisButterworth Publication, 2003. Pages 60 to 80.
2. Ellis J. Juan, “Privatizing Airports –option & case studies”, Public Policy for theprivate sector, the World Bank, June 1996.
3. David Bentley, The World Airport Privatization Study, Euromoney InstitutionalInvestor in 2002.
4. Arundhati Roy, Power Politics, Published by South End Press, USA, 2<sup>nd</sup> Edition,2002.
5. Dr. Souvik Chatterji, Laws of Infrastructure Development in India, Published by YSBooks International Limited, India, 1<sup>st</sup> Edition, Volumes 1 and 2, 2014. Pages 40 to 65.

**Case Law**

1. State of UP v. Devi Dayal Singh, (2000) 3 SCC 5.

**Suggested Readings**

1. Graham Vinter, Project Finance: A Legal Guide, 2<sup>nd</sup> Edition, Sweet & Maxwell,London, 1998.
2. India Infrastructure Report, Department of Economic Affairs,Government of India,NewDelhi, 1996.
3. Ellis J. Juan, “Privatizing Airports –option & case studies”, Public Policy for theprivate sector, the World Bank, June 1996.
4. Arundhati Roy, Power Politics, Published by South End Press, USA, 2<sup>nd</sup> Edition,2002.
5. Rafiq Dossani, Telecommunications Reform in India, 2002.
6. Raj Singh Niranjana, Guide to Electricity Laws in India, Universal Law PublishingCompany Pvt. Ltd, 2004.
7. David Bentley, The World Airport Privatization Study by David Bentley,Euromoney Institutional Investor, 2002.
8. Piyush Joshi, Law relating to Infrastructure Projects, 2<sup>nd</sup> Edition. 2003. Lexis NexisButterworths Publication. 9.David Gilles & Roger Marshall, Telecommunications Law, Butterworths, 1997.
9. Dr. Souvik Chatterji, Laws of Infrastructure Development in India, Published by YSBooks International Limited, India, 1<sup>st</sup> Edition, Volumes 1 and 2, 2014

**CO-PO MAPPING OF LAWS OF INFRASTRUCTURE DEVELOPMENT I:**

	Programme Outcomes (PO)											
	PO1	PO2	PO3	PO4	PO5	PO6	PO7	PO8	PO9	PO10	PO11	PO12
<b>CO1</b>	3	1	2	3	2	3	3	2	3	2	2	3
<b>CO2</b>	3	2	2	1	2	2	2	1	2	2	1	3
<b>CO3</b>	3	1	1	2	1	3	2	2	1	1	2	2
<b>CO4</b>	3	1	2	3	2	1	3	1	1	2	2	2
<b>CO5</b>	1	1	2	1	2	2	3	2	2	3	2	3
<b>CO6</b>	3	2	2	2	2	1	3	1	1	2	2	3
<b>CO7</b>	2	2	1	3	2	3	1	2	2	2	2	3
<b>CO8</b>	3	2	1	2	2	1	3	2	1	2	2	3

**INVESTMENT LAWS**  
**PLO2004 (4 Credits)**

<b>Course Code</b>	PLO2004			
<b>Course Title</b>	Investment Laws			
<b>Category</b>	Professional			
<b>LTP &amp; Credits</b>	<b>L</b>	<b>T</b>	<b>P</b>	<b>Credits</b>
	3	1	0	4
<b>Total Contact Hours</b>	48			

**CO NO                      COURSE OUTCOME**

**CO1** Students will learn about various kinds of legal provisions of investment laws development practiced in India and outside India too.

**CO2** Student will learn about finding out original difficulties existed in the various provisions related investment laws development.

**CO3** Students will be able to understand the work of the investment laws development in the banking market.

**CO4** Student will learn about the different conditions while some practices against investment laws is/are prohibited by law.

**CO5** Student will learn about various case laws that have developed across the world related to investment laws.

**CO6** Student will understand how various permission granting and adjudicatory forum work with investment laws.

**CO7** Student will be able to create research paper on applicability of investment laws across the India.

**CO8** Student will be able to understand the reason behind development of investment laws in India.

**Module I: Securities**

☐ The concept and kinds: Government Securities, Securities issued by banks, Secured issued by corporations, Securities in mutual fund and Collective investment schemes, Depository receipts.

**Module II: Government Securities**

- ☐ Bonds issued by government and semi government institutions
- ☐ Role of Central Bank (the RBI in India)
- ☐ Impact of issuance of bonds on economy
- ☐ Government loan from the general public, External borrowing, World Bank, I.M.F, Asian Development Bank, Direct from foreign government and Treasury deposits
- ☐ Government loan: the constitutional dilemma and limitations
- ☐ Dilution of powers of Central Bank.

**Module III: Securities issued by Banks**

- ☐ Bank notes, issue of bank notes
- ☐ Changing functions of banks form direct lending and borrowing to modern system, Bank draft, travelers' cheques, credit cards, smart cards, nature of deposits, current, saving and fixed deposits, interest warrants.

**Module IV: Corporate Securities**

- ☐ Shares, Debentures, Company deposits, Control over corporate securities,
- Central government,

- National Company Law Tribunal
- SEBI guide lines on capital issues
- RBI; Protection of investor,
  - a) Administrative regulation,
  - b) Disclosure regulation,
  - c) Protection by criminal sanction
- ☐ Basic features of the Securities Contracts(Regulation) Act, 1956 – recognition of stock exchange, option in securities- listing of securities, guidelines for listing of shares, debentures etc.

### **Module V: Securities and Exchange Board of India Act, 1992**

- ☐ Basic features of the Securities and Exchange Board of India Act, 1992
- ☐ Establishment of SEBI
- ☐ Sanctions and Powers of SEBI
- ☐ Powers of the Central Government under the Act
- ☐ Guidelines for disclosure and investors protection
- ☐ SEBI Appellate Tribunal and Appeals.

### **Module VI: Collective Investment**

- ☐ Unit Trust of India, Venture capital, Mutual fund, Control over issue and management of UTI.

### **Module VII: Depositories**

- ☐ Denationalized securities
- ☐ Recognition of securities
- ☐ Types of depository receipts: IDR, ADR, GDR and Euro receipts
- ☐ SEBI guidelines on depositories.

### **Module VIII: Investment In Non-Banking Financial Institutions**

- ☐ Control by usury laws
- ☐ Control by RBI
- ☐ Regulation on non-banking financial and Private–financial companies
- ☐ Law Relating to NBFCs
- ☐ AP Protection of Depositors Act, 1999.

### **Module IX: Foreign Exchange management in India**

- ☐ Concept of foreign exchange management and administration of exchange control.

### **Suggested Readings**

1. Avatar Singh, Company Law, Eastern Book Company, Lucknow.
2. Ramai, A Guide to Companies Act, Wadhwa Publications.
3. Anantha Raman, Lectures on Company Law, Wadhwa and Company
4. Majumdar, Company Law, Taxman Publications.
5. Gupta, S.N., The Banking Law in Theory and Practice, (1999) Universal, New Delhi.
6. Tannan, M.L., Tannan's Banking Law and Practice in India, (2000) India Law House, New Delhi
7. Bhandari, M.C., Guide to Company Law Procedures, (1996) Wadhwa and Co., New Delhi.

**CO-PO MAPPING OF INVESTMENT LAWS:**

	Programme Outcomes (PO)											
	PO1	PO2	PO3	PO4	PO5	PO6	PO7	PO8	PO9	PO10	PO11	PO12
<b>CO1</b>	3	1	2	3	2	3	3	2	3	2	2	3
<b>CO2</b>	3	2	2	1	2	2	2	1	2	2	1	3
<b>CO3</b>	3	1	1	2	1	3	2	2	1	1	2	2
<b>CO4</b>	3	1	2	3	2	1	3	1	1	2	2	2
<b>CO5</b>	1	1	2	1	2	2	3	2	2	3	2	3
<b>CO6</b>	3	2	2	2	2	1	3	1	1	2	2	3
<b>CO7</b>	2	2	1	3	2	3	1	2	2	2	2	3
<b>CO8</b>	3	2	1	2	2	1	3	2	1	2	2	3

**CORPORATE LAW II**  
**PLO2004 (4 Credits)**

<b>Course Code</b>	PLO2005			
<b>Course Title</b>	Corporate Law II			
<b>Category</b>	Professional			
<b>LTP &amp; Credits</b>	L	T	P	Credits
	3	1	0	4
<b>Total Contact Hours</b>	48			

**CO NO                      COURSE OUTCOME**

**CO1** Students will learn about various kinds of legal provisions of company law practiced in India and outside India too.

**CO2** Student will learn about finding out original difficulties existed in the various provisions related company laws.

**CO3** Students will be able to understand the work of the shareholders in a company.

**CO4** Student will learn about the different conditions while some practices of a company is prohibited by law.

**CO5** Student will learn about various case laws that have developed across the world related to company law.

**CO6** Student will understand how NCLAT works with company laws.

**CO7** Student will be able to create research paper on applicability of company law across the world.

**CO8** Student will be able to understand the reason behind breaking of companies.

**Module I: Corporate Abuses and Remedies**

- Majority rule and Minority rights
- Protection against Oppression
- Protection against Mismanagement
- Shareholder's Representative Action and Derivative Action
- Investigation Powers
- Role of Central Government

**Module II: Corporate Breakdown**

- Meaning of Winding up
- Modes of Winding up
  - Winding up by the Tribunal
  - Analysis of grounds of non-commencement of business, inability to pay debts, and on the grounds of just and equitable clause
  - Voluntary Winding up
    - i) By Members
    - ii) By Creditors
- Contributories
- Liquidators-Appointment, Powers and functions

**Module III: Securities And Exchange Board of India (SEBI)**

- Establishment and Jurisdiction
- Role of SEBI in Capital Market
- Powers and Functions
- Securities Appellate Tribunal-Establishment and Scope of Jurisdiction

**Module IV: Capital Market – Basics.**

- Introduction to Capital Market
- Securities Contract Regulation Act, 1956
  - Concept of Corporatization and Demutualization
  - Stock Exchanges
  - Conditions of Listing and Delisting
- Credit Rating Agencies – Concept, Scope
- Concept of Dematerialization and Depositories

**Module V: Corporate Reconstruction and Restructuring**

- Mergers
- Amalgamation
- Acquisition
- Takeover
- Demergers

**Module VI: Corporate Governance and Corporate Social Responsibility**

- Corporate Governance – Basics and Concept
  - Corporate Governance – The need for Regulation
  - Principles of Corporate Governance
  - Corporate Governance Voluntary Guidelines 2009
- Corporate Social Responsibility
  - Meaning, Concept and Relevance
  - Position in India
  - Challenges faced in the evolution
  - CSR Voluntary Guidelines 2009
  - National Voluntary Guidelines on Social, Environmental & Economic Responsibilities of Business 2011

**Suggested Readings:**

1. Ramaiyya, Guide to Companies Act, 1956
2. Charlesworth & Morse, Company Law



3. Gower & Davies, Principles of Modern Company Law
4. C.R.Dutta on The Company Law, by Kamal Gupta
5. Pennington, Company Law
6. Palmer, Company Law
7. K. Majumdar, Dr. G. K. Kapoor Company Law & Practice, Taxman
8. Avtar Singh, Company Law
9. Nicholas Bourne, Principles of Company Law
10. K.R. Sampath, Law and Procedure For Mergers, Amalgamations, Takeovers & Corporate Restructure. Mumbai
11. J.Fred Weston, Chung, Kwang S. and Hoag, Susan E., Mergers, Restructuring and Corporate **Control**
12. Company Law, The Institute of Company Secretaries of India- Paper 5
13. 150 Leading Cases, Company Law, Chris Shpherd
14. Ramanujam's Mergers Et Al – Issues, Implications & Case Laws in Corporate Restructuring,
15. Dr. J.C.Verma, Corporate Mergers, Amalgamations & Takeovers, Concept, Practice & Procedure
16. Sridharan & Pandian, Guide to Takeovers & Mergers- Complete Guide to Corporate Restructuring, Takeovers and Mergers, Amalgamation & Acquisitions
17. Len Sealy & Sarah Worthington, Cases and Materials in Company Law. Oxford University Press
18. Ernst & Young, Master Guide to Mergers & Acquisitions in India – Tax and Regulation
19. Corporate governance: principles and paradigms
20. Corporate governance: the current crisis and the way out
21. Ravi & Puliani Mahesh, Manual of Companies Act & Corporate Laws: Including SEBI Rules, Regulations, Puliani,
22. Companies Act, 1956 & 2013.
23. Kumar Mangalam Birla Committee
24. Naresh Chandra Committee
25. N.R. Narayan Murthy Committee
26. Irani Committee

### CO-PO MAPPING OF CORPORATE LAW II:

	Programme Outcomes (PO)											
	PO1	PO2	PO3	PO4	PO5	PO6	PO7	PO8	PO9	PO10	PO11	PO12
<b>CO1</b>	2	1	2	3	2	3	3	2	3	2	2	3
<b>CO2</b>	3	2	2	1	2	2	2	1	2	2	1	3
<b>CO3</b>	3	1	1	2	1	3	2	2	1	1	2	2
<b>CO4</b>	3	1	2	3	2	1	3	1	1	2	2	2
<b>CO5</b>	1	1	2	1	2	2	3	2	2	3	2	3
<b>CO6</b>	3	2	2	2	2	1	3	1	1	2	2	3
<b>CO7</b>	2	2	1	3	2	3	1	2	2	2	2	3
<b>CO8</b>	3	2	1	2	2	1	3	2	1	2	2	3

## **LLM IN CORPORATE LAW**

### **SEMESTER III**

Sr. No.	Subject Code	SUBJECT	PERIODS			CREDIT
			L	T	P	
THEORY						
1	PLO3001	Competition Law II	3	1	0	4
2	PLO3002	Intellectual Property Rights II	3	1	0	4
3	PLO3003	Laws of Infrastructure Development II	3	1	0	4
4	PLO3004	Corporate Governance	3	1	0	4
5	PLO3005	Anti-Competitive Agreements	3	1	0	4
SESSIONAL						
6	PLO3501	Project & Seminar III	0	0	2	0
7	PLO3502	Skill Development III	0	0	2	0
TOTAL CREDIT			20			

### **COMPETITION LAW II**

#### **PLO3001 (4 Credits)**

Course Code	PLO3001			
Course Title	Competition Law II			
Category	Professional			
LTP & Credits	L	T	P	Credits
	3	1	0	4
Total Contact Hours	48			

#### **CO NO      COURSE OUTCOME**

**CO1** Students will learn about various kinds of legal provisions of competition law practiced in India and outside India too.

**CO2** Student will learn about finding out original difficulties existed in the various provisions related competition law.

**CO3** Students will be able to understand the work of the enterprises in a fair competitive market.

**CO4** Student will learn about the different conditions while some practices of enterprise/ enterprises is/are prohibited by law.

**CO5** Student will learn about various case laws that have developed across the world related to competition law.

**CO6** Student will understand how NCLAT, CCI works with competition law.

**CO7** Student will be able to create research paper on applicability of competition law across the world.

**CO8** Student will be able to understand the reason behind development of competition law in India.

**Module 1: Combinations**

- Definition: Combination.
- Introduction.
- Combination under the Companies Act, 1956.
- Need for control of Mergers and Acquisitions.
- Regulation of combinations under Competition Act, 2002.
- Control of anti-competitive combinations.
- Control of combinations in US and Europe.

**Recommended Readings:**

1. Peritz Rudolph J.R., Competition Policy in America: History, Rhetoric, Law. 1<sup>st</sup> Edition, New York: Oxford University Press, 2000.
2. Vinod Dhall, Competition Law today, concepts, issues, and the law in practice, 1<sup>st</sup> Edition, Oxford University Press, India, 2007, Pages 150 -170.
3. Ramappa T., Competition law India, Policy Issues, and Developments. 1<sup>st</sup> Edition, New Delhi, Oxford, 2006, pages 180 -19
4. SM Dugar and UP Mathur, Guide to Competition Law, Volume II, 5<sup>th</sup> Edition, 2010, Lexis Nexis, Butterworths Wadha, Nagpur.

**Articles:**

1. “Examining the Efficacy of Mandatory Merger Notification in India,” Dr. Souvik Chatterji, Law Reforms, Lex Witness, India’s First Magazine on Legal and Corporate Affairs, Volume 4, Issue 12, July 2013, page 44, 45.
2. “Indian Competition Act: Thresholds of Combination”, Consolidated Commercial Digest, Dr Souvik Chatterji, Volume 30, Part 7, December 1, 2011, Company Law Institute of India Pvt. Ltd., A Journal For Finance & Legal Professionals and Corporate Executives, ISSN 0972-6039, pages 510 to 513.

**Module II: Extra-Territorial Jurisdiction**

- The effects doctrine.
- Lack of extra-territorial jurisdiction under MRTTP Act.
- Extra-territorial jurisdiction under Competition Act, 2002.

**Recommended Readings:**

1. Vinod Dhall, Competition Law today, concepts, issues, and the law in practice, 1<sup>st</sup> Edition, Oxford University Press, India, 2007, Pages 185 -195.
2. Ramappa T., Competition law India, Policy Issues, and Developments. 1<sup>st</sup> Edition, New Delhi, Oxford, 2006, pages 185 -195.
3. SM Dugar and UP Mathur, Guide to Competition Law, Volume II, 5<sup>th</sup> Edition, 2010, Lexis Nexis, Butterworths Wadha, Nagpur.

**Articles:**

1. “ANSAC case was a trend setter in Competition Law in India”, Dr. Souvik Chatterji, Company cases, Volume 172, Part 1, 8<sup>th</sup> June, 2012, Company Law Institute of India Pvt. Ltd., A Journal For Finance & Legal Professionals and Corporate Executives, pages 14 to 16.

**Case Laws:**

1. Haridas Exports v. All India Float Glass Manufacturers Association, (2002) 6 SCC.(Case on predatory pricing and extra-territorial jurisdiction)

**Module III: Corporate Leniency**

- Definition of corporate leniency
- Corporate Leniency in India.
- Corporate Leniency in US.

**Recommended Readings:**

1. Vinod Dhall, Competition Law today, concepts, issues, and the law in practice, 1<sup>st</sup> Edition, Oxford University Press, India, 2007, Pages 150 -170.
2. Ramappa T., Competition law India, Policy Issues, and Developments. 1<sup>st</sup> Edition, NewDelhi, Oxford, 2006, pages 180 -195.
3. Elhauge Einer, Geradin Damien, Global Competition Law and Economics, 1<sup>st</sup> Edition, USA. Hart Publishing, 2007.
4. Dr Souvik Chatterji, Competition Law in India and interface with sectoral regulators, Thomson Reuters South Asia Publication, 1<sup>st</sup> Edition, 2018

**Module IV: Competition Commission of India**

- Composition of CCI.
- Appointment of members of CCI and their removal.
- Independence of CCI.
- Powers of CCI
- Jurisdiction of CCI.
- Overlap of jurisdiction of CCI with sectoral regulators.

**Reading Materials:**

1. Vinod Dhall, Competition Law today, concepts, issues, and the law in practice, 1<sup>st</sup> Edition, Oxford University Press, India, 2007, Pages 180 -190.
2. Ramappa T., Competition law India, Policy Issues, and Developments. 1<sup>st</sup> Edition, NewDelhi, Oxford, 2006, pages 260 -275.
3. Abir Roy and Jayant Kumar, Competition Law in India, Eastern Law House, 2008.
4. Dr Souvik Chatterji, Competition Law in India and interface with sectoral regulators, Thomson Reuters South Asia Publication, 1<sup>st</sup> Edition, 2018

**Case Laws:**

1. State of Bihar v. Subodh Gopal, AIR 1968 SC 281. (Case on jurisdiction)
2. Kadar Bhai v. Haribhai, AIR 1974 Guj 170. (Case on jurisdiction)

**Module V: Enforcement**

- Mechanism of enforcement of competition law in India.
- Procedure of enforcement of competition law in India.

**Recommended Readings:**

1. Vinod Dhall, Competition Law today, concepts, issues, and the law in practice, 1<sup>st</sup> Edition, Oxford University Press, India, 2007, Pages 180 -190.
2. Ramappa T., Competition law India, Policy Issues, and Developments. 1<sup>st</sup> Edition, NewDelhi, Oxford, 2006, pages 260 -275.

**Articles:**

1. "Finding the Yardstick, measuring relevant market in India", Dr Souvik Chatterji, Competition Law Insight, 30<sup>th</sup> July, 2013, Registered in England under no. 1072954, registered office: Mortimer House, 37-41 Mortimer Street, London W1T 3JH, pages13 -15,  
<http://www.competitionlawinsight.com/competitionissues/finding-the-yardstick> 69394.htm

**Case Laws:**

1. Haridas Exports v. All India Float Glass Manufacturers Association, (2002) 6 SCC(Case on enforcement)

**Reading Materials:**

1. Vinod Dhall, Competition Law today, concepts, issues, and the law in practice, 1<sup>st</sup> Edition, Oxford University Press, India, 2007.
2. Ramappa T., Competition law India, Policy Issues, and Developments. 1<sup>st</sup> Edition, New Delhi, Oxford, 2006.
3. Peritz Rudolph J.R., Competition Policy in America: History, Rhetoric, Law. 1<sup>st</sup> Edition, New York: Oxford University Press, 2000.
4. Smith Martin, Competition Law Enforcement & Procedure, London: Butterworths, 2001.
5. Elhauge Einer, Geradin Damien, Global Competition Law and Economics, 1<sup>st</sup> Edition, USA. Hart Publishing, 2007.
6. Graham Cosmo, Competition, Regulation and the New Economy, 1<sup>st</sup> Edition, New York: Oxford and Portland Oregon, 2004.
7. Dr. Souvik Chatterji, Competition Law in India and Cartels in India and USA, 1<sup>st</sup> Edition, 2014, 2<sup>nd</sup> Edition, 2017, Allahabad Law Agency, Law Publishers India, ISBN -978 – 81 -909484 -9 -4.

**PROJECT TOPICS**

1. Anti-competitive agreements in India.
2. MRTP Act, 1969, an overview.
3. Cartels in India.
4. Predatory pricing in India.
5. MRTPC and CCI.
6. Abuse of dominance in India.
7. Abuse of dominance in US.
8. Vitamins cartel in US.
9. EC regulation on anti-competitive agreements.
10. Corporate leniency in India.
11. Corporate leniency in US.
12. Combination in India.
13. Merger review in India.
14. Remedies relating to combinations.
15. Extra-territorial jurisdiction of CCI.
16. Tied –selling in India.
17. Bid-rigging in India.
18. Price-fixing in India.
19. Market-allocation in India.
20. CCI and sectoral regulators.
21. Corporate leniency in India.
22. Per Se Illegality
23. Rule of reason test.
24. Mandatory notification regime.
25. Voluntary notification regime
26. Effects doctrine.
27. Importance of market share in determination of dominance.
28. Competition advocacy.
29. Merger review in India and South Africa.
30. Dominance in India and USA.
31. Appreciable adverse effect on competition.
32. Procompetitive factors in India.

33. Anti-competitive factors in India.
34. Horizontal agreements.
35. Vertical agreements.
36. Independence of CCI.
37. Overlap of jurisdiction of CCI with TRAI.
38. Overlap of jurisdiction of CCI with CERC.
39. Overlap of jurisdiction of CCI with AERA.
40. Utility of Areeda-turner rule.
41. Merits of predatory pricing.
42. Demerits of predatory pricing.
43. Bid-rigging in Brazil.
44. Bid-rigging in South Africa.
45. Abuse of dominant position in Brazil.
46. Abuse of dominant position in South Africa.
47. Corporate Leniency in USA.
48. Corporate Leniency in India.
49. Role of first informant in cartel investigation.

#### CO-PO MAPPING OF COMPETITION LAW II:

	Programme Outcomes (PO)											
	PO1	PO2	PO3	PO4	PO5	PO6	PO7	PO8	PO9	PO10	PO11	PO12
CO1	3	1	2	3	2	3	3	2	3	2	2	3
CO2	3	2	2	1	2	2	2	1	2	2	1	3
CO3	3	1	1	2	1	3	2	2	1	1	2	2
CO4	3	1	2	3	2	1	3	1	1	2	2	2
CO5	1	1	2	1	2	2	3	2	2	3	2	3
CO6	3	2	2	2	2	1	3	1	1	2	2	3
CO7	2	2	1	3	2	3	1	2	2	2	2	3
CO8	3	2	1	2	2	1	3	2	1	2	2	3

#### **INTELLECTUAL PROPERTY RIGHTS II** **PLO3002 (4 Credits)**

<b>Course Code</b>	PLO3002			
<b>Course Title</b>	Intellectual Property Rights II			
<b>Category</b>	Professional			
<b>LTP &amp; Credits</b>	L	T	P	Credits
	3	1	0	4
<b>Total Contact Hours</b>	48			

#### CO NO      COURSE OUTCOME

**CO1** Students will learn about various kinds of legal provisions of intellectual property law practiced in India and outside India too.

**CO2** Student will learn about finding out original difficulties existed in the various provisions related intellectual property law.

**CO3** Students will be able to understand the work of the intellectual property law in a fair competitive market.

**CO4** Student will learn about the different conditions while some practices of intellectual property right holder/holders is/are prohibited by law.

**CO5** Student will learn about various case laws that have developed across the world related to intellectual property law.

**CO6** Student will understand how various permission granting and adjudicatory forum work with intellectual property law.

**CO7** Student will be able to create research paper on applicability of intellectual property law across the world.

**CO8** Student will be able to understand the reason behind development of intellectual property law in India.

### **Module I: Trademarks**

- The rationale of protection of Trademarks as an aspect of commercial and of consumer rights, Dilution Theories of trade mark
- Definition and concept of Trademarks
- Registration of trademark- authorities under the Trademark Act
- Passing off and infringement
- Remedies

### **Module II: Design**

- The Designs Act, 2000
- ✓ Definition and characteristics of Design
- Law in India
- ✓ Protection and rights of design holders
- ✓ Copyright in design
- ✓ Registration
- ✓ Remedies for infringement.
- Trademark and Domain Name Interface

### **Module III: Miscellaneous**

- Geographical indication,
- Plant varieties
- ✓ Traditional knowledge
- ✓ Bio piracy,
- Patentability of Biotechnology and micro organize
- New plant culture and breeds Act

### **Bare Acts:**

- The Trademarks Act, 1999.
- The Designs Act, 2000.
- The Geographical Indications of Goods (Registration and Protection), 1999.
- The Biodiversity Act, 2002.

### **Suggested Readings:**

1. Cornish W.R. Intellectual Property, Patents, Trade Marks, Copy Right and Allied Right, Asia Law House, Hyderabad.
2. Vikas Vashishth, Law and practice of Intellectual Property, Bharat Law House Delhi.
3. P. Narayanan, Intellectual Property Law, (ed) Eastern Law House, Calcutta
4. Bibeck Debroy (ed). Intellectual Property Right, Rajiv Gandhi Foundation, Delhi

5. U.I.F. Anderfelt, International Patent Legislation and Developing Countries
6. W.R. Cornish, Intellectual Property (3rd ed) Sweet and Maxwell
7. K. Thairani, copyright: The Indian Experience.
8. Ahuja, V.K.; Law relating to Intellectual Property Rights; LexisNexis
9. Bhandari, M. K.; An Introduction to Intellectual Property Rights; Central LawPublication

### CO-PO MAPPING OF INTELLECTUAL PROPERTY RIGHTS II:

	Programme Outcomes (PO)											
	PO1	PO2	PO3	PO4	PO5	PO6	PO7	PO8	PO9	PO10	PO11	PO12
<b>CO1</b>	3	1	2	3	2	3	3	2	3	2	2	3
<b>CO2</b>	3	2	2	1	2	2	2	1	2	2	1	3
<b>CO3</b>	3	1	1	2	1	3	2	2	1	1	2	2
<b>CO4</b>	3	1	2	3	2	1	3	1	1	2	2	2
<b>CO5</b>	1	1	2	1	2	2	3	2	2	3	2	3
<b>CO6</b>	3	2	2	2	2	1	3	1	1	2	2	3
<b>CO7</b>	2	2	1	3	2	3	1	2	2	2	2	3
<b>CO8</b>	3	2	1	2	2	1	3	2	1	2	2	3

### **LAWS OF INFRASTRUCTURE DEVELOPMENT II** **PLO3003 (4 Credits)**

<b>Course Code</b>	PLO3003			
<b>Course Title</b>	Laws of Infrastructure Development II			
<b>Category</b>	Professional			
<b>LTP &amp; Credits</b>	L	T	P	Credits
	3	1	0	4
<b>Total Contact Hours</b>	48			

### CO NO COURSE OUTCOME

**CO1** Students will learn about various kinds of legal provisions of laws of infrastructure development practiced in India and outside India too.

**CO2** Student will learn about finding out original difficulties existed in the various provisions related laws of infrastructure development.

**CO3** Students will be able to understand the work of the laws of infrastructure development in the real estate market.

**CO4** Student will learn about the different conditions while some practices of against laws of infrastructure development is/are prohibited by law.

**CO5** Student will learn about various case laws that have developed across the world related to laws of infrastructure development.

**CO6** Student will understand how various permission granting and adjudicatory forum work with laws of infrastructure development.

**CO7** Student will be able to create research paper on applicability of laws of infrastructure development across the India.

**CO8** Student will be able to understand the reason behind development of laws of infrastructure development in India.



**Module I: Telecommunications**

- Telegraph, telecommunication services and wireless communications.
- The Telecom Disputes Settlement and Appellate Tribunal.
- The National Telecom Policy, 1994 and 1999.

**Recommended Readings**

1. Rafiq Dossani, Telecommunications Reform in India, 2002.
2. Bare Act, The TRAI Act, 1997 and the TRAI Act, 2000.
3. David Gilles & Roger Marshall, Telecommunications Law, Butterworths, 1997.
4. Piyush Joshi, Law Relating to Infrastructure Projects, 2<sup>nd</sup> Edition, LexisNexisButterworth Publications, 2003, Pages 120 to 140.

**Article**

1. Dr. Souvik Chatterji, Overlap of Jurisdiction of TRAI and CCI, Consolidated Commercial Digest, Volume 30, Part 4, October 15, 2011, Company Law Institute of India Pvt. Ltd, A Journal for Finance and Legal Professionals, Corporate Executives.

**Case Law**

1. Delhi Science Forum v. Union of India CWP (PIL) No. 4510 of 1999.
2. Consumer Online Foundation v. Tata Sky Ltd. and Others, CCI, Case No. 2/2009.

**Suggested Readings**

1. Graham Vinter, Project Finance: A Legal Guide, 2<sup>nd</sup> Edition, Sweet & Maxwell, London, 1998.
2. India Infrastructure Report, Department of Economic Affairs, Government of India, New Delhi, 1996.
3. Ellis J. Juan, "Privatizing Airports –option & case studies", Public Policy for the private sector, the World Bank, June 1996.
4. Arundhati Roy, Power Politics, Published by South End Press, USA, 2<sup>nd</sup> Edition, 2002.
5. Rafiq Dossani, Telecommunications Reform in India, 2002.
6. Raj Singh Niranjana, Guide to Electricity Laws in India, Universal Law Publishing Company Pvt. Ltd, 2004.
7. David Bentley, The World Airport Privatization Study by David Bentley, Euromoney Institutional Investor, 2002.
8. Piyush Joshi, Law relating to Infrastructure Projects, 2<sup>nd</sup> Edition. 2003. Lexis Nexis Butterworths Publication Investigations and Public Law (1999)
9. Saleem Sheikh & William Rees, Corporate. 9. David Gilles & Roger Marshall, Telecommunications Law, Butterworths, 1997.
10. Dr. Souvik Chatterji, Laws of Infrastructure Development in India, Published by YS Books International Limited, India, 1<sup>st</sup> Edition, Volumes 1 and 2, 2014

**Module II: Natural Gas Sector**

- Natural Gas Industry.
- The Legal Framework.
- The New Exploration and Licensing Policy (NELP).
- The Oilfields Regulation and Development Act, 1948.
- Production Sharing Contracts.
- Regulation of Gas Pipelines in US and UK.

**Recommended Readings**

1. Piyush Joshi, Law relating to Infrastructure Projects, 2<sup>nd</sup> Edition. Lexis Nexis Butterworth Publication, 2003. Pages 50 to 80.
2. Dr. Souvik Chatterji, Laws of Infrastructure Development in India, Published by YS Books International Limited, India, 1<sup>st</sup> Edition, Volumes 1 and 2, 2014. Pages 70 to 100.

3. Dr Souvik Chatterji, Competition Law in India and interface with sectoral regulators, Thomson Reuters South Asia Publication, 1<sup>st</sup> Edition, 2018

### Module III: The Energy Sector

- The development projects under the Sector and the regulation of the sector by the regulatory body.
- Licensing framework.
- Consumer Issues under the Sector.

### Recommended Readings:

1. Raj Singh Niranjana, Guide to Electricity Laws in India, Universal Law Publishing Company Pvt. Ltd, 2004.
2. Piyush Joshi, Law relating to Infrastructure Projects, LexisNexis Butterworth Publications. 2003. Pages 60 to 80.
3. Dr. Souvik Chatterji, Laws of Infrastructure Development in India, Published by YS Books International Limited, India, 1<sup>st</sup> Edition, Volumes 1 and 2, 2014. Pages 70 to 100.
4. Dr Souvik Chatterji, Competition Law in India and interface with sectoral regulators, Thomson Reuters South Asia Publication, 1<sup>st</sup> Edition, 2018

### Case Law.

1. India Thermal Power Ltd. V. State of MP, (2000) 3 SCC 379.
2. Duncan Industries Ltd. v. State of UP (2000) 1 SCC 633.

### Module IV: Development of Health Sector

- Public-private Partnerships in development of India's Health Sector.

### Recommended Readings

1. Slim Haddad, D. Narayana, Safeguarding the Health Sector in Times of Macroeconomic Instability, Africa World Press. IDRC 2008.

### Suggested Readings

1. Graham Vinter, Project Finance: A Legal Guide, 2<sup>nd</sup> Edition, Sweet & Maxwell, London, 1998.
2. India Infrastructure Report, Department of Economic Affairs, Government of India, New Delhi, 1996.
3. Ellis J. Juan, "Privatizing Airports –option & case studies", Public Policy for the private sector, the World Bank, June 1996.
4. Arundhati Roy, Power Politics, Published by South End Press, USA, 2<sup>nd</sup> Edition, 2002.
5. Rafiq Dossani, Telecommunications Reform in India, 2002.
6. Raj Singh Niranjana, Guide to Electricity Laws in India, Universal Law Publishing Company Pvt. Ltd, 2004.
7. David Bentley, The World Airport Privatization Study by David Bentley, Euromoney Institutional Investor, 2002.
8. Piyush Joshi, Law relating to Infrastructure Projects, 2<sup>nd</sup> Edition. 2003. Lexis Nexis Butterworths Publication.
9. David Gilles & Roger Marshall, Telecommunications Law, Butterworths, 1997.
10. Dr. Souvik Chatterji, Laws of Infrastructure Development in India, Published by YS Books International Limited, India, 1<sup>st</sup> Edition, Volumes 1 and 2, 2014.
11. Dr Souvik Chatterji, Competition Law in India and interface with sectoral regulators, Thomson Reuters South Asia Publication, 1<sup>st</sup> Edition, 2018

### Project Topics

1. TRAI, 1997 Act and TRAI, 2000 Act.
2. Telecom Policy 1994.

3. Telecom Policy 1999.
4. TRAI and TDSAT.
5. TRAI and CCI.
6. CERC and Indian Electricity Act, 2003.
7. SERCs in India.
8. Appellate Tribunal in Electricity Sector.
9. The NHAI Act.
10. Roadways and BOT Projects.
11. SEZs in India.
12. The SEZ Policy.
13. The SEZ Act.
14. The SEZ and Land Acquisition (Amendment) Bill, 2007.
15. The SEZ and Rehabilitation and Resettlement Bill, 2007.
16. The AERA Bill, 2007.
17. AERA and CCI.
18. Developments in the Airport Sector.
19. The Natural Gas Sector.
20. NELP and Indian Natural Gas Sector.
21. Landlord Ports.
22. Tool Ports.
23. The major Port in India.
24. The Indian Ports Act, 1908.
25. The Clinical Establishment (Regulation and Registration) Bill, 2007

### CO-PO MAPPING OF LAWS OF INFRASTRUCTURE DEVELOPMENT II:

	Programme Outcomes (PO)											
	PO1	PO2	PO3	PO4	PO5	PO6	PO7	PO8	PO9	PO10	PO11	PO12
<b>CO1</b>	3	1	2	3	2	3	3	2	3	2	2	3
<b>CO2</b>	3	2	2	1	2	2	2	1	2	2	1	3
<b>CO3</b>	3	1	1	2	1	3	2	2	1	1	2	2
<b>CO4</b>	3	1	2	3	2	1	3	1	1	2	2	2
<b>CO5</b>	1	1	2	1	2	2	3	2	2	3	2	3
<b>CO6</b>	3	2	2	2	2	1	3	1	1	2	2	3
<b>CO7</b>	2	2	1	3	2	3	1	2	2	2	2	3
<b>CO8</b>	3	2	1	2	2	1	3	2	1	2	2	3

### **CORPORATE GOVERNANCE** **PLO3004 (4 Credits)**

<b>Course Code</b>	PLO3004			
<b>Course Title</b>	Corporate Governance			
<b>Category</b>	Professional			
<b>LTP &amp; Credits</b>	<b>L</b>	<b>T</b>	<b>P</b>	<b>Credits</b>
	3	1	0	4
<b>Total Contact Hours</b>	48			

**CO NO      COURSE OUTCOME**

**CO1** Students will learn about various kinds of legal provisions of company law practiced in India and outside India too.

**CO2** Student will learn about finding out original difficulties existed in the various provisions related company laws.

**CO3** Students will be able to understand the work of the shareholders in a company.

**CO4** Student will learn about the different conditions while some practices of company is prohibited by law.

**CO5** Student will learn about various case laws that have developed across the world related to company law.

**CO6** Student will understand how NCLAT works with company laws.

**CO7** Student will be able to create research paper on applicability of company law across the world.

**CO8** Student will be able to understand the reason behind breaking of companies.

**Module I: Concept & Evolution of Corporate Governance**

- Economics of Organization and Information
- Theories of the Corporation that have a shaping influence upon
- Corporate Governance Practices
- Evolution of Corporate Governance
- Ancient and Modern Concept
- Concept of Corporate Governance
- Generation of Value from Performance
- Principles of Corporate Governance
- Beneficiaries of Corporate Governance
- Shareholder Activism and changing role of Institutional Investors
- Business Ethics vis-à-vis Corporate Governance
- Corporate Governance in various organizations
- Corporate Social Responsibilities and good corporate citizenship
- Impact of Information Technology and Non- stop Media Coverage giving unbridled access to company
- Information and violating privacy rights
- Understanding of the shareholder vs. stakeholder concept of governance

**Module II: Corporate and Board Management**

- Objective and scope: To provide a detailed insight into the concept, issues and practices that governs the corporate sector
- Corporate Business Ownership Structure
- Types of Directors
- Promoter/Nominee/Shareholder/Independent
- Rights, Duties and Responsibilities of Directors
- Role of Directors and Executives
- Responsibility for Leadership
- Harmony between Directors and Executives
- Training of Directors - need, objective, methodology
- Scope and Responsibilities and competencies for directors
- Executive Management Process
- Executive Remuneration
- Functional Committees of Board
- Rights and Relationship of Shareholders and Other Stakeholders
- Investor servicing and investor protection measures
- Good Secretarial practices and Standards for corporate disclosure

- Models of organizational behaviour and nature of managerial work
- Organizational cultures and controls
- Organizational Planning, Development and change
- Markets, Hierarchies and Networks
- Economics of Strategy
- Strategic Management
- Overview of Task of Strategic Management
- Theory of Multi-nationals, International Marketing and International Resource Management
- Attacks through hijacking of employees and customers
- Corporation and its Employees
- Customer Asset Management
- Recognition and Management of significant corporate risks; hedge funds (The work-life balance and corporate governance)
- Principles of Management Accounting and Audit
- Corporate Planning- Short term and Long term
- Disaster Management and Control

### **Module III: Legal and Regulatory Framework of Corporate Governance**

- Objective and Scope: To provide expert knowledge of the legal and regulatory framework in respect of corporate governance in India and abroad
- Need for Legislation of Corporate Governance
- Legislative Provisions of Corporate Governance in Companies Act 1956,
- Securities (Contracts and Regulations) Act, 1956 (SCRA),
- Depositories Act 1996,
- Securities and Exchange Board of India Act 1992,
- Listing Agreement
- Banking Regulation Act, 1949
- Other Corporate Laws
- Legal Provisions relating to Investor Protection
- Legislative Framework of Corporate Governance in US, UK and other developed countries including Common
- Wealth Association for Corporate Governance (CACG),
- Organization for Economic Cooperation and Development (OECD) etc.
- Listing Requirements- Indian and International perspective
- Management Information System (MIS) and Corporate Disclosure Requirements covering
- Accounting Standards and Secretarial Standards
- Statutory standards and procedures – National and international
- Securities and Exchange Board of India's (SEBI)
- Electronic Data Information Filing and Retrieval System (EDIFAR)

### **Module IV: Board Committees and Role of Professionals**

- Objective and Scope: To provide expert knowledge on the functioning of Board Committees
- ✓ Board Committees
- ✓ Audit Committee
- ✓ Remuneration Committee
- ✓ Shareholders' Grievance Committee
- ✓ other committees
- Need, Functions and Advantages of Committee Management
- Constitution and Scope of Board Committees

- Board Committees' Charter
- Terms of Reference and Accountability and Performance Appraisals
- Attendance and participation in committee meetings
- Independence of Members of Board Committees
- Disclosures in Annual Report
- Integrity of Financial Reporting Systems
- Role of Professionals in Board Committees
- Role of Company Secretaries in compliance of Corporate Governance

### Module V: Corporate Governance – Codes and Practices

- Major Expert Committees' Reports
- India (including Naresh Chandra Report) and Abroad
- Study of Codes of Corporate Governance
- Joint Ventures-National and International
- Case Studies on Corporate business ownership structure
- Core competency vis-à-vis diversified business
- Working of Transnational Corporations
- Public Vs Private Sector
- National and International
- Case Studies on Corporate Governance (Indian and overseas perspective)
- Best Practices of Corporate Governance
- Value Creation through Corporate Governance
- Corporate Governance Ratings (Rating mechanism in terms of firm disclosures)

### Suggested Readings:

1. Smith and Keenan's, Company Law (2002)
2. Andrew Lidbetter, Company
3. Governance & Corporate Control (2002)
4. Avtar Singh, Company Law, 2007
5. Eastern Book Company, Lucknow.
6. Gower's Principles of Company Law 8<sup>th</sup> Edition 2008, R. Cambray & Co. Pvt. Ltd.
7. Smith and Keenan's Company Law.
8. S. K. Verma & Suman Gupta, Corporate Governance and Corporate Law Reform in India (2005)
9. Companies Act, 1956
10. Suman Gupta: Shareholder's Democracy: Fact or Fiction. (1992)
11. Companies Act, 2013

### CO-PO MAPPING OF CORPORATE GOVERNANCE:

	Programme Outcomes (PO)											
	PO1	PO2	PO3	PO4	PO5	PO6	PO7	PO8	PO9	PO10	PO11	PO12
CO1	2	1	2	3	2	3	3	2	3	2	2	3
CO2	3	2	2	1	2	2	2	1	2	2	1	3
CO3	3	1	1	2	1	3	2	2	1	1	2	2
CO4	3	1	2	3	2	1	3	1	1	2	2	2
CO5	1	1	2	1	2	2	3	2	2	3	2	3
CO6	3	2	2	2	2	1	3	1	1	2	2	3
CO7	2	2	1	3	2	3	1	2	2	2	2	3
CO8	3	2	1	2	2	1	3	2	1	2	2	3

**ANTI-COMPETITIVE AGREEMENTS**  
**PLO3005 (4 Credits)**

<b>Course Code</b>	PLO3005			
<b>Course Title</b>	Anti-Competitive Agreements			
<b>Category</b>	Professional			
<b>LTP &amp; Credits</b>	L	T	P	Credits
	3	1	0	4
<b>Total Contact Hours</b>	48			

**CO NO      COURSE OUTCOME**

**CO1** Students will learn about various kinds of legal provisions of competition law practiced in India and outside India too.

**CO2** Student will learn about finding out original difficulties existed in the various provisions related competition law.

**CO3** Students will be able to understand the work of the enterprises in a fair competitive market.

**CO4** Student will learn about the different conditions while some practices of enterprise/ enterprises is/are prohibited by law.

**CO5** Student will learn about various case laws that have developed across the world related to competition law.

**CO6** Student will understand how NCLAT, CCI works with competition law.

**CO7** Student will be able to create research paper on applicability of competition law across the world.

**CO8** Student will be able to understand the reason behind development of competition law in India.

**Module I: Introduction**

- Anti-trust issues in India
- Background of MRTP Act, 1969

**Module II: The New Competition Regime In India**

- Requirement of new competition regime in India.
- Enactment of the new Competition Act in India.

**Recommended Readings:**

1. Ramappa T., Competition law India, Policy Issues, and Developments, New Delhi, Oxford, 2006, pages 1 to 25.
2. Vinod Dhall, Competition Law today, concepts, issues, and the law in practice, 1<sup>st</sup> Edition, Oxford University Press, India, pages 1- 20.
3. Abir Roy and Jayant Kumar, Competition Law in India, Eastern Law House, 2008.
4. Peritz Rudolph J.R., Competition Policy in America: History, Rhetoric, Law. 1<sup>st</sup> Edition, New York: Oxford University Press, 2000.
5. Dr. Souvik Chatterji, Competition Law in India and Cartels in India and USA, 2<sup>nd</sup> Edition, 2017, Allahabad Law Agency, Law Publishers India, ISBN -978 – 81 -909484 -9-4.
6. Dr Souvik Chatterji, Competition Law in India and interface with Sectoral Regulators, Thomson Reuters South Asia Publication, 1<sup>st</sup> Edition, 2018.

**Case Laws:**

1. Sarabhai Chemicals P. Ltd. and another, in re, (1979) 49 Comp. Cas 145 MRTPC. (Case on RTP)
2. International Salt Co. v. United States, 332 US 392 (1947). (Case on tying arrangement)

**Module III: Anti-Competitive Agreements**

- Definitions
- What are anticompetitive agreements?
- Different types of anti-competitive agreements.
- Treatment of such agreements under MRTP Act and Competition Act.
- Relevant market.
- Relevant product and geographical market.
- Entry barriers
- Cartels.
- Punishments under the Competition Act, 2002, as amended by the Competition(Amendment) Act, 2007.

**Recommended Readings:**

1. Competition law India, Policy Issues, and Developments. 1<sup>st</sup> Edition, New Delhi, Oxford,2006, pages 60 to 100.
2. Vinod Dhall, Competition Law today, concepts, issues, and the law in practice, 1<sup>st</sup> Edition,Oxford University Press, India, 2007, pages 60 -90.
3. Peritz Rudolph J.R., Competition Policy in America: History, Rhetoric, Law. 1<sup>st</sup> Edition,New York: Oxford University Press, 2000.
4. Dr. Souvik Chatterji, Competition Law in India and Cartels in India and USA, 2ndEdition, 2017, Allahabad Law Agency, Law Publishers India, ISBN -978 – 81 -909484 -9-4.
5. Dr Souvik Chatterji, Competition Law in India and interface with Sectoral Regulators,Thomson Reuters South Asia Publication, 1<sup>st</sup> Edition, 2018.

**Articles:**

2. “Efficacy of Jefferson Parish Hospital Case in preventing Exclusive Contracts and ExclusiveDealings”, Dr. Souvik Chatterji, Company Cases, Volume 178 (1), Part 7 1, 10<sup>th</sup> May 2013,
3. Company Law Institute of India Pvt. Ltd., A Journal For Finance & Legal Professionals and Corporate Executives, pages 13 to 15.

**Case Laws:**

1. Brown Shoe Co. Inc. v. US, 370 US 294 (1962). (Case on anti-competitive effect of twomerging companies.
2. Haridas Exports v. All India Float Glass Manufacturers Association, (2002) 6 SCC. (Caseon predatory pricing)
3. DG (IR) v. Suotomo Corporation, Tokyo, Japan and others, 2004 CTJ 26 (MRTP) (Caseon cartel)
4. Albion Water Ltd v. Water Services Regulation Authority, CA 1665, (2008) Bus LR(Case on Anti-competitive effect of acquisition of local bus company)
5. Attheraces Ltd v. British Horseracing Board Ltd, (2007) Bus LR, CA D77 (Anti-competitive activity)
6. Quantas Airways and Orangester Investments Holdings, re, 2007 SG CCS 2 (Caserelated to examination of economic benefit of a transaction)
7. Price Fixing in Bus Services from Singapore to Malaysia and Southern Thailand, re, 2009SG CCS 2 (Case on price-fixing)
8. Volkswagen AG v. Commission of the European Communities, 2007 Bus LR 35 (Caseon anti-competitive activity)



**CO-PO MAPPING OF ANTI-COMPETITIVE AGREEMENT:**

	Programme Outcomes (PO)											
	PO1	PO2	PO3	PO4	PO5	PO6	PO7	PO8	PO9	PO10	PO11	PO12
<b>CO1</b>	3	1	2	3	2	3	3	2	3	2	2	3
<b>CO2</b>	3	2	2	1	2	2	2	1	2	2	1	3
<b>CO3</b>	3	1	1	2	1	3	2	2	1	1	2	2
<b>CO4</b>	3	1	2	3	2	1	3	1	1	2	2	2
<b>CO5</b>	1	1	2	1	2	2	3	2	2	3	2	3
<b>CO6</b>	3	2	2	2	2	1	3	1	1	2	2	3
<b>CO7</b>	2	2	1	3	2	3	1	2	2	2	2	3
<b>CO8</b>	3	2	1	2	2	1	3	2	1	2	2	3

## **LLM IN CORPORATE LAW**

### **SEMESTER IV**

Sr. No.	Subject Code	SUBJECT	PERIODS			CREDIT
			L	T	P	
THEORY						
1	PLO4001	Competition Law in India	3	1	0	4
2	PLO4002	Abuse of Dominance	3	1	0	4
3	PLO4003	Law and Justice in aGlobalizing World	3	1	0	4
4	PLO4004	Insolvency Law	3	1	0	4
5	PLO4101	Dissertation	3	1	0	4
SESSIONAL						
6	PLO4501	Project & Seminar IV	0	0	2	0
7	PLO4502	Skill Development IV	0	0	2	0
TOTAL CREDIT			20			

### **COMPETITION LAW IN INDIA**

#### **PLO4001 (4 Credits)**

<b>Course Code</b>	PLO4001			
<b>Course Title</b>	Competition Law in India			
<b>Category</b>	Professional			
<b>LTP &amp; Credits</b>	L	T	P	Credits
	3	1	0	4
<b>Total Contact Hours</b>	48			

#### **CO NO                      COURSE OUTCOME**

**CO1** Students will learn about various kinds of legal provisions of competition law practiced in India and outside India too.

**CO2** Student will learn about finding out original difficulties existed in the various provisions related competition law.

**CO3** Students will be able to understand the work of the enterprises in a fair competitive market.

**CO4** Student will learn about the different conditions while some practices of enterprise/ enterprises is/are prohibited by law.

**CO5** Student will learn about various case laws that have developed across the world related to competition law.

**CO6** Student will understand how NCLAT, CCI works with competition law.

**CO7** Student will be able to create research paper on applicability of competition law across the world.

**CO8** Student will be able to understand the reason behind development of competition law in India.

**Module I: Introduction to Competition Law in India**

- Basic Concepts – Customer and Consumer – Market – Types of Market - Perfect Market, Monopoly, Oligopoly and Monopsony - Cartel - Predatory Pricing - Resale Price Maintenance - Competition – Models of Competition - Competition Policy - Competition Law - Goals of Competition Law.
- Anti-trust issues in India
- Background of MRTP Act, 1969
- Requirement of new competition regime in India.
- Enactment of the new Competition Act in India.

**Recommended Readings:**

1. Ramappa T., Competition law India, Policy Issues, and Developments, New Delhi, Oxford, 2006, pages 1 to 25.
2. Vinod Dhall, Competition Law today, concepts, issues, and the law in practice, 1<sup>st</sup> Edition, Oxford University Press, India, pages 1- 20.
3. Abir Roy and Jayant Kumar, Competition Law in India, Eastern Law House, 2008.
4. Peritz Rudolph J.R., Competition Policy in America: History, Rhetoric, Law. 1<sup>st</sup> Edition, New York: Oxford University Press, 2000.
5. Dr. Souvik Chatterji, Competition Law in India and Cartels in India and USA, 2<sup>nd</sup> Edition, 2017, Allahabad Law Agency, Law Publishers India, ISBN -978 – 81 -909484 -9-4.

**Case Laws:**

1. Sarabhai Chemicals P. Ltd. and another, in re, (1979) 49 Comp. Cas 145 MRTPC. (Case on RTP)
2. International Salt Co. v. United States, 332 US 392 (1947). (Case on tying arrangement)

**Module II: History and Development of Competition Law in India**

- History and Development of Competition Law -History and Development of Competition Law in India - Constitutional vision of social justice - Sachar
- Committee, MRTP Act - Salient features and its amendment in 1991 - Liberalization and Globalization - Raghavan Committee Report -Competition Act 2002 - An Overview of Competition Law in India - Important Definitions under the Competition Act, 2002

**Module III: Anti-Competitive Agreements in India**

- Definitions
- What are anticompetitive agreements?
- Different types of anti-competitive agreements.
- Treatment of such agreements under MRTP Act and Competition Act.
- Relevant market.
- Relevant product and geographical market.
- Entry barriers
- Cartels.
- Punishments under the Competition Act, 2002, amended by the Competition (Amendment) Act, 2007.

**Recommended Readings:**

1. Competition law India, Policy Issues, and Developments. 1<sup>st</sup> Edition, New Delhi, Oxford, 2006, pages 60 to 100
2. Vinod Dhall, Competition Law today, concepts, issues, and the law in practice, 1<sup>st</sup> Edition, Oxford University Press, India, 2007, pages 60 -90.
3. Peritz Rudolph J.R., Competition Policy in America: History, Rhetoric, Law. 1<sup>st</sup> Edition, New York: Oxford University Press, 2000.
4. Dr. Souvik Chatterji, Competition Law in India and Cartels in India and USA, 2<sup>nd</sup> Edition, 2017, Allahabad Law Agency, Law Publishers India, ISBN -978 – 81 - 909484 -9 -4.

**Articles:**

1. “Efficacy of Jefferson Parish Hospital Case in preventing Exclusive Contracts and Exclusive Dealings”, Dr. Souvik Chatterji, Company Cases, Volume 178 (1), Part 7 1, 10<sup>th</sup> May 2013, Company Law Institute of India Pvt. Ltd., A Journal For Finance & Legal Professionals and Corporate Executives, pages 13 to 15.

**Case Laws:**

2. Brown Shoe Co. Inc. v. US, 370 US 294 (1962). (Case on anti-competitive effect of two merging companies.)
3. Haridas Exports v. All India Float Glass Manufacturers Association, (2002) 6 SCC. (Case on predatory pricing)
4. DG (IR) v. Suotomo Corporation, Tokyo, Japan and others, 2004 CTJ 26 (MRTP) (Case on cartel)
9. Albion Water Ltd v. Water Services Regulation Authority, CA 1665, (2008) Bus LR (Case on Anti-competitive effect of acquisition of local bus company)
10. Attheraces Ltd v. British Horseracing Board Ltd, (2007) Bus LR, CA D77 (Anti-competitive activity)
11. Quantas Airways and Orangester Investments Holdings, re, 2007 SG CCS 2 (Case related to examination of economic benefit of a transaction)
12. Price Fixing in Bus Services from Singapore to Malaysia and Southern Thailand, re, 2009 SG CCS 2 (Case on price-fixing)
- Volkswagen AG v. Commission of the European Communities, 2007 Bus LR 35 (Case on anti-competitive activity)

**Module IV: Abuse of Dominant Position in India**

- Introduction
- Dominance
- Abuse of Dominance
- Predatory pricing
- Abuse of dominance in US and Europe
- Abuse of dominance under MRTP Act and Competition Act.

**Recommended Readings:**

1. Peritz Rudolph J.R., Competition Policy in America: History, Rhetoric, Law. , New York: Oxford University Press, 2000.
2. Vinod Dhall, Competition Law today, concepts, issues, and the law in practice, Oxford University Press, India, 2007, Pages 130 -150.
3. Ramappa T., Competition law India, Policy Issues, and Developments. 1<sup>st</sup> Edition, New Delhi, Oxford, 2006, pages 140 -160.
4. Avtar Singh, Competition Law, 1<sup>st</sup> Edition, 2012.
5. Dr Souvik Chatterji, Competition Law in India and interface with sectoral regulators, Thomson Reuters South Asia Publication, 1<sup>st</sup> Edition, 2018

**Articles:**

1. “The DLF case is a landmark decision regarding abuse of dominance and relevant market in India”, Dr Souvik Chatterji, Competition Law Insight, 29th April, 2014, Opinion, Relevance and abuse, Registered in England under no. 1072954, registered office: Mortimer House, 37-41 Mortimer Street, London W1T 3JH, Volume 13, In brief 5, <http://www.competitionlawinsight.com/competition-issues/abuse-of-dominance/relevance-and-abuse--1.htm?origin=internalSearch>

**Case Laws:**

1. Hoffman La Roche & Co. v. Commission of the European Communities, Case 85/76. (Case on abuse of dominance)
2. Uta Pie Co. v. Continental Baking and others, 386 US 685 (1967) (Case on abuse of dominance)

**Module V: Regulation of Combinations in India**

- Combinations: Merger, Acquisition, Amalgamation and Takeover - Horizontal, Vertical and Conglomerate Mergers - Combinations covered under the Competition Act, 2002
- Regulations – Penalties - Regulation of Combinations

**Module VI: Enforcement Mechanisms in India**

- Enforcement Mechanisms under the Competition Act, 2002 - Competition Commission of India - Constitution of the CCI - Powers and Functions- Jurisdiction of the CCI – adjudication and appeals - Director General – Competition Appellate Tribunal-Enforcement Mechanisms under.

**Module VII: Securities And Exchange Board of India (SEBI)**

- Establishment and Jurisdiction
- Role of SEBI in Capital Market
- Powers and Functions
- Securities Appellate Tribunal-Establishment and Scope of Jurisdiction

**Module VIII: Competition Advocacy and Emerging Trends in Competition Law in India**

- Competition Advocacy in India and other foreign jurisdictions - Intellectual Property Rights and Competition Law - International Trade Law and Competition Law – International Competition Law

**Bare Acts:**

- The Sherman Anti-Trust Act, 1890
- The Clayton Act, 1914
- The Robinson-Patman Act, 1936
- Federal Trade Commission Act, 1914
- Celler-Kefauver Antimerger Act, 1950
- Competition Act, 2002 (India)
- Competition Act, 1998 (UK)
- Enterprise Act, 2002 (UK)
- MRTP Act, 1969 (India)
- Consumer Protection Act, 1986

**Suggested Readings:**

1. Vinod Dhall (ed.), Competition Law Today, Oxford University Press
2. S.M. Dugar, Commentary on MRTP Law, Competition Law & Consumer Protection Law 4th Edn. - 2006, Wadhwa, Nagpur
3. P. Satyanarayana Prasad, Competition Law and Cartels, Amicus Books, ICAI University Press, 2007
4. Ramappa, Competition Law in India, Oxford University Press, 2006.
5. S.M. Dugar, Commentary on MRTP Law, Competition Law & Consumer Protection Law Wadhwa Nagpur (4th ed. 2006)
6. Abir Roy & Jayant Kumar, Competition Law in India, Eastern Law House, New Delhi, 2008.
7. Richard Whish, Competition Law, Oxford University Press, 2008
8. Mark Furse, Competition Law of the EC and UK, 6th Edn. – 2008, Oxford University Press
9. Suresh T. Vishwanathan, Law and Practice of Competition Act, Bharat
10. T. Ramappa, Competition Law in India, Oxford University Press, 2006

**Module IX: Extra-Territorial Jurisdiction**

- The effects doctrine.
- Lack of extra-territorial jurisdiction under MRTP Act.
- Extra-territorial jurisdiction under Competition Act, 2002.

**Recommended Readings:**

1. Vinod Dhall, Competition Law today, concepts, issues, and the law in practice, 1<sup>st</sup> Edition, Oxford University Press, India, 2007, Pages 185 -195.
2. Ramappa T., Competition law India, Policy Issues, and Developments. 1<sup>st</sup> Edition, New Delhi, Oxford, 2006, pages 185 -195.
3. SM Dugar and UP Mathur, Guide to Competition Law, Volume II, 5<sup>th</sup> Edition, 2010, Lexis Nexis, Butterworths Wadha, Nagpur.

**Articles:**

1. “ANSAC case was a trend setter in Competition Law in India”, Dr. Souvik Chatterji, Company cases, Volume 172, Part 1, 8<sup>th</sup> June, 2012, Company Law Institute of India Pvt. Ltd., A Journal For Finance & Legal Professionals and Corporate Executives, pages 14 to 16.

**Case Laws:**

1. Haridas Exports v. All India Float Glass Manufacturers Association, (2002) 6 SCC. (Case on predatory pricing and extra-territorial jurisdiction)

**Module X: Competition Commission Of India**

- Composition of CCI.
- Appointment of members of CCI and their removal.
- Independence of CCI.
- Powers of CCI
- Jurisdiction of CCI.
- Overlap of jurisdiction of CCI with sectoral regulators.

**Reading Materials**

1. Vinod Dhall, Competition Law today, concepts, issues, and the law in practice, 1<sup>st</sup> Edition, Oxford University Press, India, 2007, Pages 180 -190.
2. Ramappa T., Competition law India, Policy Issues, and Developments. 1<sup>st</sup> Edition, New Delhi, Oxford, 2006, pages 260 -275.
3. Abir Roy and Jayant Kumar, Competition Law in India, Eastern Law House, 2008.
4. Dr Souvik Chatterji, Competition Law in India and interface with sectoral regulators, Thomson Reuters South Asia Publication, 1<sup>st</sup> Edition, 2018

**Case Laws:**

1. State of Bihar v. Subodh Gopal, AIR 1968 SC 281. (Case on jurisdiction)
2. Kadar Bhai v. Haribhai, AIR 1974 Guj 170. (Case on jurisdiction)

**Reading Materials:**

1. Vinod Dhall, Competition Law today, concepts, issues, and the law in practice, 1<sup>st</sup> Edition, Oxford University Press, India, 2007.
2. Ramappa T., Competition law India, Policy Issues, and Developments. 1<sup>st</sup> Edition, New Delhi, Oxford, 2006.
3. Peritz Rudolph J.R., Competition Policy in America: History, Rhetoric, Law. 1<sup>st</sup> Edition, New York: Oxford University Press, 2000.
4. Smith Martin, Competition Law Enforcement & Procedure, London: Butterworths, 2001.
5. Elhauge Einer, Geradin Damien, Global Competition Law and Economics, 1<sup>st</sup> Edition, USA. Hart Publishing, 2007.
6. Graham Cosmo, Competition, Regulation and the New Economy, 1<sup>st</sup> Edition, New York: Oxford and Portland Oregon, 2004.
7. Dr. Souvik Chatterji, Competition Law in India and Cartels in India and USA, 1<sup>st</sup> Edition, 2014, 2<sup>nd</sup> Edition, 2017, Allahabad Law Agency, Law Publishers India, ISBN -978 – 81 - 909484 -9 -4.

**Project Topics**

- Anti-competitive agreements in India.
- MRTP Act, 1969, an overview.
- Cartels in India.
- Predatory pricing in India.
- MRTPC and CCI.
- Abuse of dominance in India.
- Abuse of dominance in US.
- Vitamins cartel in US.
- EC regulation on anti-competitive agreements.
- Corporate leniency in India.
- Corporate leniency in US.
- Combination in India.
- Merger review in India.
- Remedies relating to combinations.
- Extra-territorial jurisdiction of CCI.
- Tied –selling in India.
- Bid-rigging in India.
- Price-fixing in India.
- Market-allocation in India.
- CCI and sectoral regulators.
- Corporate leniency in India.
- Per Se Illegality
- Rule of reason test.
- Mandatory notification regime.
- Voluntary notification regime
- Effects doctrine.
- Importance of market share in determination of dominance.
- Competition advocacy.
- Merger review in India and South Africa.
- Dominance in India and USA.
- Appreciable adverse effect on competition.
- Procompetitive factors in India.
- Anti-competitive factors in India.
- Horizontal agreements.
- Vertical agreements.
- Independence of CCI.
- Overlap of jurisdiction of CCI with TRAI.
- Overlap of jurisdiction of CCI with CERC.
- Overlap of jurisdiction of CCI with AERA.
- Utility of Areeda-turner rule.
- Merits of predatory pricing.
- Demerits of predatory pricing.
- Bid-rigging in Brazil.
- Bid-rigging in South Africa.
- Abuse of dominant position in Brazil.
- Abuse of dominant position in South Africa.
- Corporate Leniency in USA.
- Corporate Leniency in India.
- Role of first informant in cartel investigation.

**CO-PO MAPPING OF COMPETITION LAW IN INDIA:**

	Programme Outcomes (PO)											
	PO1	PO2	PO3	PO4	PO5	PO6	PO7	PO8	PO9	PO10	PO11	PO12
<b>CO1</b>	3	1	2	3	2	3	3	2	3	2	2	3
<b>CO2</b>	3	2	2	1	2	2	2	1	2	2	1	3
<b>CO3</b>	3	1	1	2	1	3	2	2	1	1	2	2
<b>CO4</b>	3	1	2	3	2	1	3	1	1	2	2	2
<b>CO5</b>	1	1	2	1	2	2	3	2	2	3	2	3
<b>CO6</b>	3	2	2	2	2	1	3	1	1	2	2	3
<b>CO7</b>	2	2	1	3	2	3	1	2	2	2	2	3
<b>CO8</b>	3	2	1	2	2	1	3	2	1	2	2	3

**ABUSE OF DOMINANCE**  
**PLO4002 (4 Credits)**

<b>Course Code</b>	PLO4002			
<b>Course Title</b>	Abuse of Dominance			
<b>Category</b>	Professional			
<b>LTP &amp; Credits</b>	L	T	P	Credits
	3	1	0	4
<b>Total Contact Hours</b>	48			

**CO NO COURSE OUTCOME**

**CO1** Students will learn about various kinds of legal provisions of competition law practiced in India and outside India too.

**CO2** Student will learn about finding out original difficulties existed in the various provisions related competition law.

**CO3** Students will be able to understand the work of the enterprises in a fair competitive market.

**CO4** Student will learn about the different conditions while some practices of enterprise/ enterprises is/are prohibited by law.

**CO5** Student will learn about various case laws that have developed across the world related to competition law.

**CO6** Student will understand how NCLAT, CCI works with competition law.

**CO7** Student will be able to create research paper on applicability of competition law across the world.

**CO8** Student will be able to understand the reason behind development of competition law in India.

**Module I: History and Development of Competition Law**

- History and Development of Competition Law
- Antitrust Law, Liberalization and Globalization
- Raghavan Committee Report
- Competition Act 2002
- Difference between MRTP Act and Competition Act
- Salient feature of Competition Act
- Important Definitions under the Competition Act, 2002.



**Cases:**

- Brahm Dutt v. Union of India, AIR 2005 SC 730
- CCI v. Steel Authority of India Ltd. & Anr, (2010)10SCC 744

**Module II: Abuse of Dominant Position**

- Dominant Position
- What is Dominant Position?
- Provision(s) regarding it
- Examples of Dominant Position
- Case laws illustrating it
- What constitutes an Abuse?
- Malicious Economic Practices

**Module III: Regulation of Abuse of Dominant Position**

- Enterprise
- Relevant Market
- Dominance in Relevant Market
- Abuse of dominance, Predatory Pricing.

**Case Laws:**

1. Belaïre Apartment Owners' Association v. DLF Ltd & HUDA, 2011 Comp LR0239(CCI),
2. Jagmohan Chhabra And Shalini Chhabra v. Unitech, 2011 Comp LR 31(CCI)
3. Surinder Singh v. Board of Control for Cricket in India, [2013] 113CLA579(CCI),
4. Dhanraj Pillay v. M/s Hockey India, 2013 Comp LR 543 (CCI)
5. MCX Stock Exchange v. National Stock Exchange Ltd., 2011 Comp LR 129 (CCI);
6. National Stock Exchange Ltd. v. MCX Stock Exchange 2014 Comp LR 304 (CompAT)
7. Indian Exhibition Industry Association v. Ministry of Commerce and Industry and Indian Trade Promotion Organisation, 2014 Comp LR 87 (CCI)
8. Indian Trade Promotion Organisation v. CCI & Ors, CompAT Decision.

**Module IV: Abuse of Dominant Position in India**

- Introduction
- Dominance
- Abuse of Dominance
- Predatory pricing
- Abuse of dominance in US and Europe
- Abuse of dominance under MRTP Act and Competition Act.

**Recommended Readings:**

1. Peritz Rudolph J.R., Competition Policy in America: History, Rhetoric, Law. , New York:Oxford University Press, 2000.
2. Vinod Dhall, Competition Law today, concepts, issues, and the law in practice, Oxford University Press, India, 2007, Pages 130 -150.
3. Ramappa T., Competition law India, Policy Issues, and Developments. 1<sup>st</sup> Edition, New Delhi, Oxford, 2006, pages 140 -160.
4. Avtar Singh, Competition Law, 1<sup>st</sup> Edition, 2012.
5. Dr Souvik Chatterji, Competition Law in India and interface with sectoral regulators, Thomson Reuters South Asia Publication, 1<sup>st</sup> Edition, 2018

**Articles:**

1. “The DLF case is a landmark decision regarding abuse of dominance and relevant market in India”, Dr Souvik Chatterji, Competition Law Insight, 29th April, 2014, Opinion, Relevance and abuse, Registered in England under no. 1072954, registered office: Mortimer House, 37-41 22 Mortimer Street, London W1T 3JH, Volume 13, In brief 5, <http://www.competitionlawinsight.com/competition-issues/abuse-of-dominance/relevance-and-abuse--1.htm?origin=internalSearch>

**Case Laws:**

1. Hoffman La Roche & Co. v. Commission of the European Communities, Case 85/76. (Case on abuse of dominance)
2. Uta Pie Co. v. Continental Baking and others, 386 US 685 (1967) (Case on abuse of dominance)

**CO-PO MAPPING OF ABUSE OF DOMINANCE:**

	Programme Outcomes (PO)											
	PO1	PO2	PO3	PO4	PO5	PO6	PO7	PO8	PO9	PO10	PO11	PO12
CO1	3	1	2	3	2	3	3	2	3	2	2	3
CO2	3	2	2	1	2	2	2	1	2	2	1	3
CO3	3	1	1	2	1	3	2	2	1	1	2	2
CO4	3	1	2	3	2	1	3	1	1	2	2	2
CO5	1	1	2	1	2	2	3	2	2	3	2	3
CO6	3	2	2	2	2	1	3	1	1	2	2	3
CO7	2	2	1	3	2	3	1	2	2	2	2	3
CO8	3	2	1	2	2	1	3	2	1	2	2	3

**LAW AND JUSTICE IN A GLOBALIZING WORLD****PLO4003 (4 Credits)**

<b>Course Code</b>	PLO4003			
<b>Course Title</b>	Law and Justice in a Globalizing World			
<b>Category</b>	Professional			
<b>LTP &amp; Credits</b>	L	T	P	Credits
	3	1	0	4
<b>Total Contact Hours</b>	48			

**CO NO****COURSE OUTCOME**

- CO1 Students will know about process of globalization and its effects.
- CO2 Student will be able to analyze the legal theories developed behind globalization.
- CO3 Students will be able to evaluate the rights of global human being.
- CO4 Student will be able to evaluate the justification in adapting new laws regarding globalization.
- CO5 Student will learn about developed justice system in globalized world.
- CO6 Student can analyze different developed theories related to globalization.
- CO7 Student will be able to apply their findings by writing paper in order to evaluate the lacunas related globalization policies.
- CO8 Student will be able to understand the effect of globalization in a free market.

**Module I: Globalization: Process and Its Effects**

- ☐ Concept of Globalization, Liberalization, Privatization
- ☐ Meaning and definition of Globalization
- ☐ Nature, scope and limits of Globalization
- ☐ Different kinds of Globalization
- ☐ History and evolution of Globalization
- ☐ Causes and consequences of Globalization
- ☐ Effect of globalization on economic, social, cultural and political aspects of life in twentyfirst century.

**Module II: Globalization and Legal Theory**

- ☐ Jurisprudence, globalization and the discipline of law
- ☐ Globalization and legal theory - the need for the study of concept of law from a globalperspective
- ☐ Basic concepts of law in western legal thought - A brief analysis of positivist, normativeand realist theories of law in western tradition
- ☐ The concept of justice and its relation to law in Western and Indian Legal thought withConcept of Dharma as a legal tradition.
- ☐ Normative Jurisprudence, the western heritage, classical utilitarianism, Benthamite andmodified Benthamite utilitarianism.
- ☐ Theories of Justice Rawls and Pogge.

**Module III: Globalization and Justice**

- ☐ Globalization and Universal Values
- ☐ Concept of Global Justice
- ☐ Cosmopolitanism
- ☐ Globalization and Social Justice/ Global Distributive Justice
- ☐ Impact of Globalization on Judicial Process and administration of Justice

**Module IV: Policy Issues**

- ☐ Globalization and Democracy
- ☐ Globalization and Federalism
- ☐ Globalization on Sovereignty of states
- ☐ Globalization impact on Welfare state
- ☐ Rule of Law-economic development-political development
- ☐ Globalization and Security
- ☐ Globalization and Environment

**Module V: Human Rights in the Context of Globalization**

- ☐ Human rights Theory and Perspectives
- ☐ Human Rights law as universal-criticism and rhetoric or Rights
- ☐ Human Rights and the challenges-pluralist theories and Sen's challenge
- ☐ Human Rights and Southern voice - Upendra Baxi.

**Module VI: Harmonization of Law**

- ☐ Public and Private International Law governance
- ☐ Regulation of International banks and money laundering
- ☐ Harmonization of private commercial law-lex mercatoria
- ☐ Harmonization of Intellectual Property law
- ☐ Jurisdictional Issues in the era of globalization.
- ☐ Globalization and Trade Law

**Module VII: Globalization And Free Market**

- ☐ Impact on welfare state
- ☐ Natural Resources
- ☐ Environment
- ☐ Displacement for Development
- ☐ Problem of Unemployment

**Suggested Readings:**

1. Amartya Sen, The idea of Justice, New Delhi: Allen Lane, 2009.
2. Andrew Kuper, Democracy Beyond Borders: Justice and Representations in Global Institutions (OUP, 2006).
3. Anthony McGrew, David Held (eds.), Governing Globalization: Power, Authority and Global Governance (Polity Press, 2002).
4. Boaventura de Sousa Santos, Cesar A. Rodriguez-Garavito (eds.), Law and Globalization from Below (Cambridge University Press, 2005).
5. David B. Goldman, Globalization and the Western Legal Tradition: Recurring Patterns of Law and Authority (Cambridge University Press, 2008).
6. David Held, A Globalizing World? Culture, Economics, Politics (2004).
7. David Kinley, Civilizing Globalization: Human Rights and the Global Economy (Cambridge University Press, 2009)
8. Jan Aart Scholte, Globalization – A critical introduction
9. Jarrod Wiener – Globalization and the harmonization of law
10. Michael Goodhart – Democracy as Human Rights – Freedom and Equality in the age of Globalization
11. Upendra Baxi, The Future of Human Rights, New Delhi: Oxford University Press, 2006.

**CO-PO MAPPING OF LAW AND JUSTICE IN A GLOBALIZING WORLD:**

	Programme Outcomes (PO)											
	PO1	PO2	PO3	PO4	PO5	PO6	PO7	PO8	PO9	PO10	PO11	PO12
<b>CO1</b>	2	2	2	1	2	1	3	2	1	2	2	3
<b>CO2</b>	2	1	2	1	2	1	2	1	2	2	1	2
<b>CO3</b>	3	2	1	2	1	2	2	2	2	2	2	2
<b>CO4</b>	3	3	2	3	2	2	2	2	1	3	2	3
<b>CO5</b>	3	3	1	3	3	3	2	2	2	1	2	2
<b>CO6</b>	2	2	2	2	2	2	3	2	1	2	2	2
<b>CO7</b>	2	2	3	2	2	3	1	2	2	2	2	3
<b>CO8</b>	3	2	1	2	2	1	3	2	2	3	2	3

**INSOLVENCY LAWS****PLO4004 (4 Credits)**

<b>Course Code</b>	PLO4004			
<b>Course Title</b>	Insolvency Laws			
<b>Category</b>	Professional			
<b>LTP &amp; Credits</b>	<b>L</b>	<b>T</b>	<b>P</b>	<b>Credits</b>
	3	1	0	4
<b>Total Contact Hours</b>	48			

**CO NO      COURSE OUTCOME**

**CO1** Students will learn about various kinds of legal provisions of insolvency laws practiced in India and outside India too.

**CO2** Student will learn about finding out original difficulties existed in the various provisions related insolvency laws.

**CO3** Students will be able to understand the work of the various types of insolvency laws.

**CO4** Student will learn about the different conditions while some practices of company or person deliberately done to identify them as insolvent which is prohibited by law.

**CO5** Student will learn about various case laws that have developed across the world related to insolvency laws.

**CO6** Student will understand how adjudicatory bodies work with insolvency laws

**CO7** Student will be able to create research paper on applicability of insolvency laws across the world.

**CO8** Student will be able to understand the reason for what a company or person gets insolvent.

**Module I: Introduction to Insolvency and Bankruptcy Regime in India**

- Insolvency and Bankruptcy: Social, Legal, Economic and Financial Perspectives
- Need for Insolvency and Bankruptcy Code: Exploring the rationale and objectives

**Module II: Authorities and Enforcement Mechanism in IBC 2016**

- Role of Adjudicating Authorities
- Role of the Insolvency and Bankruptcy Board of India (IBBI)
- Appellate Authorities and analysis of some important cases

**Module III: Corporate Insolvency Resolution Process (CIRP)**

- Initiating an application for Resolution and role of Interim Resolution Professional
- Committee of Creditors: Powers, Duties and Processes
- Information Memorandum and Resolution plan

**Module IV: Liquidation Process**

- Moving from Resolution to Liquidation
- Voluntary Liquidation

**Module V: Insolvency of Individuals and Partnership firmsModule VI: The Insolvency and Bankruptcy Code, 2016**

- ☐ Rules and Regulations under the Bankruptcy Code

**Module VII: The Companies Act, 2013**

- ☐ Chapter III Prospectus and Allotment of Securities
- ☐ Chapter IV Share Capital and Debentures
- ☐ Chapter V Acceptance of Deposits by Companies
- ☐ Chapter VI Registration of Charges
- ☐ Chapter VII Management and Administration
- ☐ Chapter IX Accounts of Companies
- ☐ Chapter XV Compromises, Arrangements and Amalgamations
- ☐ Chapter XVII Registered Valuers
- ☐ Chapter XVIII Removal of names of the companies from the register of companies
- ☐ Chapter XX Winding-up of the companies
- ☐ Chapter XXVII NCLT and NCLAT
- ☐ Chapter XXVIII Special Courts
- ☐ Chapter XXIX Punishments

**Module VIII: The Limited Liability Partnership Act, 2008**

- ☐ Nature of LLP
- ☐ Partners and their Relations
- ☐ Limitation of Liability
- ☐ Financial Disclosures

**Module IX: Finance and Accounts**

- ☐ Corporate Finance
- ☐ Financial Analysis
- ☐ Liquidity Management
- ☐ Tax Planning and GST)

**Module X: The Indian Contract Act, 1872**

- ☐ Contracts
- ☐ Voidable Contracts and Void Agreement
- ☐ Contingent Contracts
- ☐ Performance of Contract
- ☐ Novation, Rescission and Alteration of Contracts
- ☐ Agency
- ☐ Consequences of breach of Contract
- ☐ Indemnity and Guarantee
- ☐ Surety
- ☐ Bailment
- ☐ Pledge
- ☐ Set off

**Case Laws-**

- ☐ Important Decisions of Supreme Court and High Courts
- ☐ Decisions of NCLAT and NCLT relating to Corporate Insolvency Resolution
- ☐ Corporate Liquidation
- ☐ Voluntary Liquidation and Fast Track Resolution Process.

**Suggested Readings:**

- ☐ The Partnership Act, 1932;
- ☐ The Sale of Goods Act, 1930 (Sale, Condition and Warranty, Seller's Lien and Damages)
- ☐ The Transfer of Property Act, 1882;
- ☐ The Specific Relief Act, 1963;
- ☐ The Negotiable Instruments Act, 1881
- ☐ The Recovery of Debts due to Banks and Financial Institutions Act, 1993
- ☐ The Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interests Act, 2002
- ☐ Securities and Exchange Board of India (Issue of Capital and Disclosure Requirements) Regulations, 2009
- ☐ Securities and Exchange Board of India (Delisting of Equity Shares) Regulations, 2009
- ☐ Securities and Exchange Board of India (Substantial Acquisition of Shares and Takeovers) Regulations, 2011
- ☐ Securities and Exchange Board of India (Listing Obligations and Disclosure Requirements) Regulations, 2015
- ☐ The Arbitration and Conciliation Act, 1996
- ☐ The Limitation Act, 1963
- ☐ Constitution of India: Right to Constitutional Remedies; provisions of Union Judiciary; provisions of High Courts in the States

- ☐ Rights of Workmen under Labour Laws
- ☐ Economy
- ☐ Financial Markets
- ☐ Basic concepts of Valuation

**CO-PO MAPPING OF INSOLVENCY LAWS :**

<input type="checkbox"/>	Programme Outcomes (PO)											
	PO1	PO2	PO3	PO4	PO5	PO6	PO7	PO8	PO9	PO10	PO11	PO12
<b>CO1</b>	3	3	2	1	2	1	3	2	1	2	2	3
<b>CO2</b>	3	1	2	1	2	1	2	1	2	2	1	2
<b>CO3</b>	3	2	1	2	1	2	2	2	2	2	2	2
<b>CO4</b>	3	3	2	3	2	2	2	2	1	3	2	3
<b>CO5</b>	3	3	1	3	3	3	2	2	2	1	2	2
<b>CO6</b>	2	2	2	2	2	2	3	2	1	2	2	2
<b>CO7</b>	2	2	3	2	2	3	1	2	2	2	2	3
<b>CO8</b>	3	2	1	2	2	1	3	2	2	3	2	3