

Chanakya National Law University, Patna
LL.M. (Group – E: Criminal Law) 2023-24; SEMESTER - I

Course Title: Collective Violence

Course Overview

Collective violence is a subject which has received only scant attention in the traditional courses in criminal law and criminology, notwithstanding the fact that collective violence is prevailing in different forms in the society. Whether it is agrarian violence, or the atrocities against untouchables, communal riots, electoral violence, police violence (encounters), political violence by militant and extremist groups, gender-based violence or violence involved in terrorism, they are all manifestations of different forms collective violence. It is not very helpful in such contexts, to mouth the generalities such as "criminalization" of politics. Closer and deeper scientific investigation of these phenomena is crucial and indispensable to understand both the aetiology and the prognosis of collective violence. The course as part of LL.M. (Criminal Law) programme explores various forms of collective violence mentioned above and focusses on the broader social understanding and functioning of the substantive and procedural criminal law dealing with it. Each specific form of collective violence will be examined with a view to identify the causative factors, the state's response, role of law and legal system as a whole in its prevention of such violence, compensation and rehabilitation of victims of violence, social, economic and political costs of collective violence. The increasing role of the police and paramilitary forces will also, in this context, be an object of study. The emphasis of the course will be on developing overall democratic understanding and responses to meet this problem.

Learning Outcomes

After completing the course, the students will be able to:

1. Understand the nature of collective violence;
2. Comprehend and describe the theoretical perspectives of collective violence;
3. Apply the knowledge acquired in the course, in analysing the real-world phenomenon of group violence;
4. Identify the causative factors leading to different forms of collective violence; and
5. Critically analyse the legislative measures and policy initiatives of the government to deal with the problems of collective violence.

The following syllabus prepared with this perspective will be spread over a period of one semester.

List of Topics/ Modules

| Topic/ Module | Contents/ Concepts | Sessions / Lectures |
|-------------------------------|---|---------------------|
| Module I: Introduction | <ul style="list-style-type: none">• Notions of "Force", "Coercion", "Violence"• Distinctions: "Symbolic" Violence, "Institutionalised' Violence, "Structural Violence"• Legal Order as a Coercive Normative Order• Force: Monopoly of Modern Law | 1-12 |

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| | <ul style="list-style-type: none"> • "Constitutional" and "Criminal" Speech: Speech as Incitement to Violence • "Collective Political Violence" and Legal Order • Notion of Legal and Extra-legal "Repression" | |
| Module II: Approaches to Violence in India | <ul style="list-style-type: none"> • Religiously Sanctioned Structural Violence: Caste and Gender Based • Ahimsa in Hindu, Jain, Buddhist, Christian, and Islamic traditions in India • Gandhiji's Approach to Non-violence • Discourse on Political Violence and Terrorism during Colonial Struggle • Attitudes towards Legal Order as Possessed of Legitimate Monopoly over Violence during the Colonial Period | 13-24 |
| Module III: Agrarian Violence and Repression | <ul style="list-style-type: none"> • The Nature and Scope of Agrarian Violence in the 18th-19th Centuries India • Colonial Legal Order as a Causative Factor of Collective Political (Agrarian) Violence • Infrastructural Development <i>versus</i> Rights of Farmers | 25-36 |
| Module IV: Violence against the Scheduled Castes | <ul style="list-style-type: none"> • Notion of Atrocities • Incidence of Atrocities • Uses of Criminal Law to Combat Atrocities or Contain Aftermath of Atrocities | 37-48 |

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| Module V: Communal Violence | <ul style="list-style-type: none"> • Incidence and Courses of Communal Violence • Findings of Various Commissions of Enquiry • The Role of Police and Para-military Systems in dealing with Communal Violence • Operation of Criminal Justice System in relation to Communal Violence | 49-60 |
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Selected Readings

Recommended/Reference Text Books and Resources:

U. Baxi, "Dissent, Development and Violence" in R. Meagher (ed.) Law and Social Change: IndoAmerican Reflections 92 (1988)

U. Baxi (ed.), Law and Poverty: Critical Essays, (1988)

A.R. Desai, (ed.) Peasant Struggles in India, (1979)

A.R. Desai, Agrarian Struggles in India: After Independence (1986)

A.R. Desai, Violation of democratic Rights in India (1986)

D.A. Dhangare, Peasant Movement in India: 1920-1950 (1983)

Ranjit Guha, Elementary Aspects of Peasant Insurgency in Colonial India (1983)

Ranjit Guba, (ed.) Subaltern Studies Vol. 1-6 (1983-1988)

T. Honderich, Violence for Equality (1980)

Mark Juergensmeyer, "The Logic of Religious Violence: The Case of Punjab" 22 Contributions to Indian Sociology 65 (1988)

Rajni Kothari, State Against Democracy (1987)

G. Shah, Ethnic Minorities and Nation Building: Indian Experience (1984)

K.S. Shukla, "Sociology of Deviant Behaviour," in 3 ICSSR Survey of Sociology and Social Anthropology 1969-1979 (1986)

Instructor Details

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|--------------------------------|---|
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Chanakya National Law University, Patna
LL.M. 2023-24; SEMESTER- I

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| Comparative Criminal Procedure. |
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Course Overview

The Code of Criminal Procedure provides the machinery for the detection of crime, apprehension of suspected criminals, collection of evidence, determination of the guilt or innocence of the suspected person, and the imposition of suitable punishment on the guilty. It is further aimed at trying to provide a balance between the needs of the investigating and adjudicatory bodies to detect crime, maintain law and order and the rights of the accused.

With the increasing complaints regarding abuse of powers of arrest by the police, custodial torture and death, denial of bail, etc., the course particularly focuses on investigation, arrest, bail and principles of fair trial.

The provision relating to plea bargaining has been included to critically examine its operation under the criminal law which may be oppressive unless all the stakeholders are equally positioned.

Module one deals with Comparative criminal justice administration in countries like England and France.

Module two focuses on Importance of Criminal Procedure.

Module three deals with Investigation

Module four covers Procedure for Investigation

Module five covers Bail- Ss. 436 - 439 of the Cr PC.

Module six deals with Pre-Trial Proceedings

Module seven covers Trial .

Module Eight focuses on Rights of Accused and Victims

Module Nine deals with Appeals, Inherent Powers of the High Court –

Learning Outcomes .Though the emphasis of this course would be on administration of criminal justice system in India but the students would also be familiarised with aspects of criminal justice system in countries like England , France et.

1.On completion of the course, students will be able to understand in a better way the Administration of criminal justice system in other countries like England and France.

2. Analyse crucial aspects relating to investigation and trial of offences (like initiation of criminal cases, powers and duties of police during investigation of offences, stages of criminal trial, functions, duties, and powers of criminal courts)

3. Critically analyse issues in administration of criminal justice (like protection of human rights of accused, victims, principles of fair trial)

List of Topics/ Modules

| Topic/ Module | Contents/ Concepts | Sessions / Lectures |
|------------------|--|---------------------|
| Module I: | This would be introductory module where evolution of certain principles which evolved in these countries would be discussed and how far these principles , rules etc have been adopted in India. | 1-5 |

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| Module II: | <p>A general overall view of investigation will be given to the students with special emphasis on the essentials of F.I.R and its evidentiary value, police officer's powers to investigate cognizable cases, procedure for investigation, police officer's powers to require attendance of witnesses, examination of witnesses by the police, recording of confessions and statements and report of police officer on completion of investigation</p> | 6-14 |
| Module III: | <p>How the investigation of cases are carried out. What are the statutory provisions related to investigation. Powers of the [police officers and limitation on such powers.</p> | 15-21 |
| Module IV: | <p>Arrest – procedure and rights of arrested person</p> | 22-29 |

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| | Search and seizure(sections 165, 166 read with section 100) | |
| Module V: | <p>Criminal offences are further classified under the Cr.P.C. into bailable and nonbailable offences. In case of bailable offences, an accused is entitled to bail as a matter of right on furnishing of surety. In case of non-bailable offences, bail is a matter of discretion with the courts and the discretion becomes narrower depending upon the severity of the punishment that an offence entails. How this discretion is to be exercised and what are the principles governing grant of bail in such cases is discussed in the cases given below. The concept of anticipatory bail and the principles governing its grant are also a subject matter of study . Further, principles governing cancellation of bail will also be discussed here.</p> | 30 -35 |

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| Module VI: | Cognizance of Offences, Committal Proceedings, Framing of Charges | 36-40 |
| Module VII: | Differences among warrant, summons, and summary trials, Production of Witnesses - Summons and warrants, S.321- Withdrawal of Prosecution | 41-46 |
| | | |
| Module VIII: | Features of Fair Trial – Ss.273, 300, 303-304, 313, 316, 317, 319, 321, 327, 406, 409; Articles 20 (1) (3), 22(1), 39A of the Constitution, Rights of Victims – Ss.357, 357A, 357B, 357C, 372, Proviso, Witness Protection - Guidelines for Protection of Vulnerable Witnesses. | 46-55 |
| Module IX | Appeals, Inherent Powers of the High Court – | 56-60 |

Recommended/Reference Text Books and Resources:**Text Books .**

1. Criminal Procedure . Matthew Lippman. Sage Publication.
2. The Code of Criminal Procedure. K D Gaur.

References

- Constitution of India. Articles on Comparative Criminal Procedure.
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Web Resources

<http://www>. <http://www>.

Instructor Details

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Chanakya National Law University, Patna
Academic Session: 2023-24
LL. M.

Semester- I

Course Title: Comparative Public Law

Course Overview

Constitutional Law and administrative Law together make Public Law. Public Law was first defined by Romans as “res publica” which meant Public Good. Public Law regulates the relationship between individual and the State. However with changing dimensions of the State the ambit of Public Law needs to be revisited. This course highlights the various aspects of Public Law which has become significant due to the concept of “Welfare State”. It enlightens the students about the various systems of governance which have evolved worldwide. The course further provides a comparative approach which enables the students to make a critical analysis of the various systems. It provides a comparative analysis of the structure of government, legislative process and the role of the judiciary to have better understanding of the Indian polity.

Learning Outcomes

The students may be benefitted by studying the comparative public law knowing in depth understanding of constitutional law and administrative law, criminal law and international law prevailing in major legal systems of the world and what the defects or shortcomings in Indian system may be rectified and will be helpful for a change in the existing approach for making a better legally binding society and good governance.

| Topic/ Module | Contents/ Concepts | Sessions / Lectures |
|--------------------------|--|--------------------------------|
| Module I | Module I Public Law 1. Meaning and definition of Public Law 2. Concept of Public Law | 6 Lectures |

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| | <p>3.Public Law – International Law, Constitutional Law, Administrative Law and Criminal Law</p> <p>4.Distinction between Public Law and Private Law</p> <p>5. Nature, Significance and of Comparative Public La</p> | |
| Module II | <p>Basic principles of organisation of government and forms of governments</p> <p>1. Presidential and Parliamentary forms of government</p> <p>2. Federal and Unitary governments</p> <p>3. Concept of Quasi-Federalism</p> | 6 Lectures |
| Module III | <p>Concept of Constitution</p> <p>1. Meaning and Idea of Constitution, Nature and objectives</p> <p>2. Constitution as Fundamental La</p> | 6 Lectures |
| Module IV | <p>Constitutionalism</p> <p>1. Concept, Distinction between Constitution and Constitutionalism</p> <p>2.Essential features of Constitutionalism -Written Constitution, Separation of Powers,</p> <p>3.Fundamental Rights, Independence of Judiciary and Judicial Review</p> | 6 Lectures |
| Module V | <p>Constitutional foundations of powers</p> <p>1. Supremacy of Legislature in Law Making</p> <p>2. Rule of law</p> <p>3. Dicey’s Concept of Rule of Law</p> <p>4. Modern Concept of Rule of Law</p> <p>5. Social and economic rights as part of rule of law</p> | 6 Lectures |
| Module VI | <p>Separation of powers</p> <p>1. Concept of Separation of Powers</p> <p>2. Checks and Balances</p> <p>3. Separation of Powers or Separation of Functions</p> <p>4. French concept of separation of powers and Administrative courts</p> | 8 Lectures |
| Module VII | <p>Courts</p> <p>1. Writ Jurisdiction</p> <p>2. Protecting public interests through litigation.</p> <p>3. Locus standi and the nature of the judicial power.</p> | 6 Lectures |

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| Module VIII | Judicial Review 1. Independence of Judiciary 2. Concept and Origin of Judicial Review 3. Limitations on Judicial Review 4. Judicial Accountability | 10 lectures |
| Module IX | Constitutional Amendments 1. Various Methods of Amendment 2. Limitations on Amending Power: Comparative Perspective 3. Theory of Basic Structure | 6 Lectures |

Recommended/Reference Text Books and Resources:

Text Books /References

Reference Books

1. D.D. Basu, Comparative Constitutional Law (2nd ed., Wadhwa Nagpur).
2. David Strauss, The Living Constitution (Oxford University Press, 2010).
3. Dr. Subhash C Kashyap, Framing of Indian Constitution (Universal Law, 2004).
4. Elizabeth Giussani, Constitutional and Administrative Law (Sweet and Maxwell, 2008).
5. Erwin Chemerinsky, Constitutional Law, Principles and Policies (3rd ed., Aspen, 2006).
6. M.V. Pylee, Constitution of the World (Universal, 2006).
7. Mahendra P. Singh, Comparative Constitutional Law (Eastern Book Company, 1989).
8. Neal Devins and Louis Fisher, The Democratic Constitution (Oxford University Press, 2010).
9. S.N Ray, Judicial Review and Fundamental Rights (Eastern Law House, 1974).
10. Sudhir Krishna Swamy, Democracy and constitutionalism in India – A Study of the Basic Structure Doctrine (Oxford University Press, 2009).
11. A. Lakshminath, Judicial Process and Precedent (Fourth Edition, EBC, 2016).
12. A. Lakshminath, Vijay Ghormade and Mukund Sarda, Comparative and Select Legal Systems (Hind Law House, 2011).
13. O.P. Gauba, Social and Political Philosophy (Fifth Edition, Mayur Books, 2018).

Articles

1. AmanUllah and Uzair Samee, “Basic Structure of Constitution: Impact of Kesavananda Bharati on Constitutional Status of Fundamental Rights”, Vol. 26 (2) South Asian Studies 299-309 (July-December 2011).
2. Anne Smith, “Internationalization and Constitutional Borrowing in Drafting Bills of Rights”, 60(4) International and Comparative Law Quarterly 867-894 (2011 October).
3. Bruce Ackerman, “The New Separation of Powers” 113 (3) Harv. L. Rev. 634-729 (2000)
4. Bryan Clark and Amanda Leiter, “Regulatory hide and seek: What agencies can (and can’t) do to limit judicial review” 52(5) Boston College Law Review 1687-1732 (2011 November)

5. Chhavi Agarwal, "Rule of Law: Reflection upon we the People and Beyond" 252 (1) Madras Law Journal 8-16 (2010)
6. Daniel B. Rodriguez, "Change that matters: Essay on State Constitutional Development", 115(4) Penn State Law Review 1073-1098 (Spring 2011).
7. Daryl Levinson and Richard H. Pildes "Separation of Parties, Not Powers" 119(8) Harvard Law Review 2311-2386 (2006).
8. David King, "Formalizing Local Constitutional Standards of Review and the Implications for Federalism" 97 (7) Virginia Law Review 1685-1726 (November 2011). * Suggested Readings are not exhaustive. Need to be supplemented with additional readings.
9. David Staruss, "Do we Have a Living Constitution" 59 (4) Drake Law Review 973-984 (2011 Summer)
10. Devi Prasad Singh, "Sovereignty, Judicial Review and Separation of Power", 7(5) Supreme Court Cases 1-13 (2012 September)
11. Glen Staszewski, "Political Reasons, Deliberative Democracy and Administrative Law", 97(3) Iowa Law Review 849-912 (2012 March):
12. Ishwara Bhat, "Why and how Federalism matters in Elimination of Disparities and Promotion of Equal Opportunities for Positive Rights", 54(3) Journal of the Indian Law Institute 324-363 (July-Sept 2012).
13. Jessica Bulman, "Federalism as a safeguard of the Separation of Powers", 112(3) Columbia Law Review 459-506 (2012 April) Jonathan Siegel, "Institutional case for Judicial Review" 97(4) Iowa Law Review 1147-1200 (2012 May).
14. K.K. Venugopal, "Separation of Power and the Supreme Court of India", Vol. 2 No. 2 Journal of Law and Social Policy 64-82 (July 2008).
15. Linda Bosniak, "Persons and Citizens in Constitutional Thought" 8 (1) International Journal of Constitutional Law 9-29 (January 2010).
16. Mark Tushnet, "The Possibilities of Comparative Constitutional Law", 108 Yale.L.J. 1225 (1999).
18. Nathan Chapman, "Due Process as Separation of Powers", 121(7) Yale Law Journal 1672-1807 (2012 May).
17. Quinn Rosenkranz, "Subjects of the Constitution" 62 (5) Stanford Law Review 1209-1292 (May 2010)
18. Rajvir Sharma, "Judiciary as Change Agent: Some insights into the Changing role of Judiciary in India", 58(2) Indian Journal of Public Administration 264-286 (2012 April-June).
19. Rebecca Brown, "Assisted Living for the Constitution" 59 (4) Drake Law Review 985-1000 (2011 Summer).
20. Schapiro, "Judicial Federalism and the Challenges of State Constitutional Contestation", 115(4) Penn State Law Review 983-1006 (2011 Spring).
23. Tom Ginsburg, Eric Posner, "Sub Constitutionalism" 62 (6) Stanford Law Review 1583-1628 (June 2010).

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|----------------------------|-------------------|
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Chanakya National Law University, Patna

Academic Session: 2023-24

LL. M.

Semester- I

Course Title: Constitutionalism: Pluralism & Federalism

Group A: Constitutional Law and Administrative Law – : Credits : 5

Course Overview

Democracy is the social arrangement that fully respects the richness of human personality and by respecting it helps to unfold it. Democratic values is understanding the skills and attitudes of people which would be the primary responsibility of education. Education is not the only source for establishing a democratic culture; family, media and other institutions contribute to this process as well. Democracy values furnishes the political framework within which reason can thrive most generously and imaginatively on the widest scale, least hampered by the accident of personal antecedents and most regardful of the intrinsic qualities of men. At the same time, democracy involves hardship - the hardship of the unceasing responsibility of every citizen. Where there is an attitude of apathy and indifference to the issue affecting the welfare of the society, where the entire people do not take a continuous and considered part in public life, there can be no democracy in any meaningful sense of the term. Democratic Values is a beckoning goal and it cannot exist without freedom to dissent, without the right and opportunity to express a view different from the opposite to the view of those in power and thus make people aware of the pros and cons of vital issues affecting their welfare. Free trade in ideas and the absence of suppression of dissent which are so vital for the functioning of democracy, constitute basic traits of liberty. Mere knowledge of democratic values is not deemed sufficient for ensuring that the people will grow up to become an active participant in the democratic processes. What is important is that the people understand the meaning of democratic values in terms of social justice and equality. It is also important that they understand the real-world issues to meaningfully participate in discussions and decision making. But most importantly the students/researcher should learn to respect democratic values.

Learning Outcomes

1. To understand the concept of federalism such as creation of new states, allocation and share of resources, federal comity, etc. To understand the need for widening the definition in the wake of liberalization. To understand privatization and its impact on affirmative action. To critically analyze the law regarding empowerment of women. To understand the various challenges arising out of right to freedom.

| Topic/ Module | Contents/ Concepts | Sessions / Lectures |
|------------------|---|------------------------|
| Module I: | Constitutionalism Authoritarianism - Dictatorship, Democracy-Communism, Limited Government-concept limitations on governmental | 15 Lectures |

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| | power, what is a Constitution? Development of a democratic Government in England-Historical evolution of Constitutional government, Conventions of Constitutionalism-law and conventions, Written Constitutions: U.S.A., Canada, Australia, Sweden, South Africa and India, Separation of Powers: Montesquieu, Rule of Law: Concept and new horizons, Marxist concept of constitutionalism, Dictatorship of the proletariat, Communist State from Stalin to Gorbachov, Fundamental Rights : Human Rights, Judicial Review : European Court of Human Rights, Human Rights : International conventions, Limits & doctrine of domestic jurisdiction in international law. | |
| Module II: | Federalism What is a federal government? Difference between confederation and federation, Conditions requisite for federalism, Patterns of federal government-USA, Australia, Canada, India, Judicial review-for federal umpiring, New trends in federalism: Co-operative federalism, India Central Control v. State Autonomy, Political factors influencing federalism, Plural aspects of Indian Federalism : Jammu & Kashmir, Punjab, Assam, Dynamics of federalism. | 15 Lectures |
| Module III: | Pluralism What is a pluralistic society? Ethnic, linguistic, cultural, political pluralism, Individual rights right to dissent, Freedom of speech and expression, Freedom of the Press, Freedom of association, Rights to separateness, Rights of the religious and linguistic minorities, Compensatory discrimination for backward classes, Scheduled Tribes, Distinct identity-protection against exploitation, Uniform Civil Code-Non-State Law(NSLS) and State Law Systems - Problem of a Uniform v. Personal laws - vertical federalism. | 15 Lectures |
| Module IV: | Equality in Plural Society Right to equality and reasonable classification, Prohibition of discrimination on ground of religion, caste, sex, language, Abolition of untouchability, Secularism-Constitutional principles, Tribal Groups and Equality. Pluralism and International Concerns: International Declaration of Human Rights, Conventions against genocide, Protection of religious, ethnic and linguistic minorities, State intervention for protection of human rights, Right of self-determination. | 15 Lectures |

Evaluation Criteria

| Components | Marks Allotted |
|--------------------------|----------------|
| Attendance | 5 |
| Project Report | 20 |
| Presentation | 5 |
| End-Semester Examination | 70 |

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| Total Marks | 100 |
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Select Bibliography:

1. Upendra Baxi, Law, Democracy and Human Right, 5 Lokayan Bulletin 4 (1987).
2. V.M.Dandekar. Unitary Elements in a Federal Constitution, 22 E.P.W 1865, 1988
3. Rajeev Dhavan, The Press and the Constitutional Guarantee of Free Speech and Expression, 28 JILI 299 (1986)
4. M.A.Fazal, Drafting a British Bill of Rights, 27 JILI 423, 1985
5. M.P.Jain, Indian Constitutional Law (1994), Wadhwa
6. H.M.Seervai, Constitutional Law of India, (1993)
7. Constitutional Law By Uday Raj Roy
8. Constituent Assembly Debate
9. Democracy and Constitutionalism in India : A Study of the Basic Structure Doctrine By Sudhir Krishnaswamy
10. Constitutionalism & Constitution of India By S. Deka

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Chanakya National Law University, Patna

LLM 2023-24; SEMESTER- 1

Course Title: Corporate Laws and Management (Optional Paper Group C)
(This Paper will be taught with updated sections of Companies Act, 2013 as and where applicable to the Companies Act, 1956)

Course Overview

The curriculum is designed to focus on the practice of corporate law in management of corporate houses in India. Current issues and challenges and how the law helps to overcome these.

Module one deals with **Corporate Incorporation and Management**

Module two focuses on **Oppression & Mismanagement and Investigation**

Module three deals with **Corporate Liquidation**

Module four covers **Corporate Governance and Social Responsibility**

The essential notion of a capitalist society ... is voluntary cooperation, voluntary exchange. The essential notion of a socialist society is force.

-Milton Friedman

Learning Outcomes

The course aims to prepare students to understand the working of corporate laws in real time. How the business laws and management principles merge leading to outcomes desirable example ease of doing business etc.

On completion of the course, students will be able to:

1. Understand the application of corporate law in various areas of management.
2. Analyse various newspaper articles dealing with current scenario of corporate law.
3. Critically analyse cases where mistakes and errors have been committed and detected by corporate law making it meaningful.
4. Compare various business laws in relation with corporate law.
5. Contrast management issues with legal issues to improve the law and practice of management.

List of Topics/ Modules

| Topic/ Module | Contents/ Concepts | Sessions / Lectures |
|---|---|---------------------|
| <p>Module I: - I: Corporate Incorporation and Management</p> | <ul style="list-style-type: none"> • Unit 1 <ul style="list-style-type: none"> • Introduction (i) Certificate of Incorporation (ii) Memorandum and Articles of Association (iii) Doctrine of Ultra Vires (iv) Doctrine of Indoor • Unit 2 <ul style="list-style-type: none"> (i) Directors: Appointment, Removal, Position, Powers and Duties of Directors. (ii) Audit Committee: Its Role. (iii) Company Secretary: Qualification, Appointment and Duties (iv) Officer who is in default: Definition of Officer who is in default (v) Liability of independent directors. • Unit 3 <ul style="list-style-type: none"> (i) Types of Meetings (ii) Procedure of calling meeting (iii) Company's resolutions and its kinds | <p>1-16</p> |
| <p>Module II: 2 : Oppression & Mismanagement and Investigation</p> <p>1.</p> <p>2.</p> | <ul style="list-style-type: none"> • (Sections 397 to 408; (i) Rule in Foss v. Harbottle (ii) Prevention of Oppression (iii) Prevention of Mismanagement (iv) Role & Powers of the Company Law Board (v) Role & Powers of Central Government <ul style="list-style-type: none"> • (Sections 235 to 251) | <p>17-22</p> |

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| | (i) Company Investigation . | |
| Module III: Corporate Liquidation 1. (i). Winding up of Companies (ii). Mode of winding up of the companies (iii). Compulsory Winding up under the Order of the Tribunal (iv). Voluntary winding up (v). Contributories (vi). Payment of liabilities | <ul style="list-style-type: none"> • Liquidation (i). Winding up of Companies (ii). Mode of winding up of the companies (iii). Compulsory Winding up under the Order of the Tribunal (iv). Voluntary winding up (v). Contributories (vi). Payment of liabilities | 23-30 |
| Module IV: Corporate Governance and Social Responsibility (Dr, Pooja Shrivastava) | <ul style="list-style-type: none"> • Corporate Governance (i) Importance of Corporate Governance (ii) Different system of Corporate Governance (iii) Impact of Legal Traditions and the Rule of Law on Corporate Governance (iv) Legal Reforms of Corporate Governance in India (v) Reports of the various Committees on Corporate Governance (vi) Emerging Trend based on the recommendation of the Committees in the Companies Act 1956 and the Listing Agreement with Special reference to Clause 49. | 31-45 |
| | <ul style="list-style-type: none"> • Social Responsibility (i) Corporate Social and Environmental Responsibility | |

Evaluation Criteria

| Components | Description | Weightage in % |
|--------------------------|---|----------------|
| Attendance | 75% compulsory attendance there after 1 marks for 75-79%, 2 marks for 80-84%, 3 marks for 85-89%, 4 marks for 90-94% and 5 Marks for above 95%. | 5 |
| Project Report | As per allotted topic (no change is allowed) | 20 |
| Presentation | Of the allotted topic | 5 |
| End-Semester Examination | Essay types questions with 2 case discussions. | 70 |

Recommended/Reference Text Books and Resources:

Text Books

Text Books:

1. Saleem Sheikh & William Rees, *Corporate Governance & Corporate Control*, Cavendish Publishing Ltd., 1995
2. Taxmann, *Companies Act 2013*
3. Taxmann, *A Comparative Study of Companies Act 2013 and Companies Act 1956*

References

1. Charles Wild & Stuart Weinstein Smith and Keenan, *Company Law*, Pearson Longman, 2009
2. Institute of Company Secretaries of India, *Companies Act 2013*, CCH Wolter Kluwer Business, 2013
3. Lexis Nexis, *Corporate Laws 2013* (Palmtop Edition)
4. C.A. Kamal Garg, *Bharat's Corporate and Allied Laws*, 2013
5. Brian R. Chetings - *Company Law Theory Structure and Operation*.
6. C.M. Schmithoff - *Palmer's. Company Law*;
7. Pennington's - *Principles of Company Law*
8. L.C.B Grower's - *Principles of Modern Company Law*
9. A. Ramaiya - *A guide to the Companies Act*
10. Brenda Hannigan - *Company Law*
11. John Lowry, Alan Dignan - *Company Law*;
12. Gower's *Principles of Company Law* 8th Edition 2008, R. Cambray & Co. Pvt. Ltd.
13. Smith and Keenan's, *Company Law* (2002).
14. Avtar Singh, *Company Law*, 16th Edition, 2015.
15. J. Sarkar, S. Sarkar, *Corporate Governance in India*, 2012, Sage Publications India.
16. A.C Fernando, *Corporate Governance: Principles, Policies and Practices*, 2nd Edition 2011. 17. R.I. Rob Tricker, *Corporate Governance: Principles, Policies and Practices*, 3rd Edition 2015.
18. S. K. Verma & Suman Gupta, *Corporate Governance and Corporate Law Reform in India*. (2005)

19. Sanjay Anand, *Essentials of Corporate Governance*, 2008

Web Resources

<http://www.et.play.com>

<http://www.nclt.in>

<http://www.mca.gov.in/Ministry/pdf/CompaniesAct2013.pdf>

<http://www.mca.gov.in>

Instructor Details

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Signature

Chanakya National Law University, Patna

LL.M. 2023-24; SEMESTER- I

Course Title: Indian Constitutional Law: The New Challenges

Course Overview

The Constitution of India constitutes the ‘fundamental law’ of the land expression of which has several significant implications. It is under this fundamental law that all laws are made and executed, all governmental authorities act and the validity of their functioning adjudged. No legislature can make a law and no governmental agency can act contrary to the Constitution. No act, be it executive or legislative or judicial or quasi-judicial or any administrative agency, can stand if contrary to the Constitution. The Constitution thus conditions the whole governmental process in India. The Judiciary is obligated to see that the provisions of the Constitution are not violated by any governmental organ. This function of the Judiciary entitles it to be called as the ‘Guardian’ of the Constitution and it can declare an Act of the legislature or an administrative action contrary to the Constitution, *ultra vires*. Thus, the very study of the Indian Constitutional Law implies several challenges. One of the salient features of the Constitution of India is that it is not static or rigid, but flexible; and flexibility gives rise to change or amendments; change being the principle of development. In its development, it faces new challenges at every phase it passes; and it is more when it comes across the establishment of a ‘*modern information technology State*’. This course outlines some of the important contemporary challenges leading the scholars through a pool of questions seeking answers.

Module 1. Definition and development of the concept of ‘State’ and its contemporary role.

Module 2. Definition of ‘law’: A revisit of the philosophical schools of law

Module 3. Right to Equality and status of Affirmative Action

Module 4. Distribution of Powers in the Indian Federal Structure and its challenges

- Law making Powers
- Taxing Provisions and GST Act
- Sharing of resources among the Center and the States

Module 5. Freedom of Speech and Expression, Freedom of Press in the Scientific Era.

Module 6. Emerging Trends of Rights and Remedies

Module 7. Understanding of Secularism and its challenges

Module 8. Separation of Power: A Misnomer in India?

Module 9. The Doctrine of Invisible Rights under Indian Constitution

Learning Outcomes

The course aims to discuss and inculcate the scholars with the extensive knowledge of the provisions of the Constitution of India. The course chalks out various challenges that are faced by the Constitution of India particularly it takes into consideration the contemporary issues.

On completion of the course, the scholars will be able to identify the New Challenges to the Constitution of India. They will also would have developed the skill of identification of challenges and proposing viable solutions to them.

List of Topics/ Modules

| Topic/ Module | Contents/ Concepts | Sessions / Lectures |
|---|---------------------------|----------------------------|
| Module 1. Definition and development of the concept of 'State' and its contemporary role. | As in the Module I | 1-7 |
| Module 2. Definition of 'law': A revisit of the philosophical schools of law | As in the Module II | 8-16 |
| Module 3. Right to Equality and status of Affirmative Action | As in the Module III | 17-24 |
| Module 4. Distribution of Powers in the Indian Federal Structure and its challenges | As in the Module IV | 25-32 |
| Module 5. Freedom of Speech and Expression, Freedom of Press in the Scientific Era. | As in the Module V | 33-39 |
| Module 6. Emerging Trends of Rights and Remedies | As in the Module VI | 40-45 |
| Module 7. Understanding of Secularism and its challenges | As in the Module VII | 46-50 |
| Module 8. Separation of Power: A | | 51-55 |

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|--|-----------------------|-------|
| Misnomer in India? | As in the Module VIII | |
| Module 9. The Doctrine of Invisible Rights under Indian Constitution | As in the Module IX | 56-60 |

Evaluation Criteria

| Components | Description | Weightage in % |
|--------------------------|--|----------------|
| Attendance | Minimum 75 % of attendance is compulsory for appearing in the End Semester Examinations. | 5% |
| Project Report | The submission has to be done on time. A penalty of 0.25 marks each will be deducted for the subsequent delay. | 20% |
| Presentation | As per the schedule announced by the Examination Section | 5% |
| End-Semester Examination | As per the schedule announced by the Examination Section | 70% |

Recommended/Reference Text Books and Resources:

1. Durga Das Basu, Shorter Constitution of India, LexisNexis
2. V.N.Shukla, Constitution of India, Eastern Book Company.
3. H.M.Seervai, Constitutional Law of India, Universal Law Publishing Company
4. M.P. Jain, Indian Constitutional Law, Wadhwa and Company
5. Dr. Narendra Kumar, Constitutional Law of India, Allahabad Law Agency
6. G. P. Tripathi, Constitutional Law – New Challenges, Central Law Publications

Instructor Details

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SYLLABUS

LL.M. 1st SEM.

LAW AND JUSTICE IN GLOBALISING WORLD

MODULE-1

1. Understanding the title of the course paper:

LAW, JUSTICE, GLOBALISING WORLD

2. Jurisprudence and Legal Theory

3. Scope of Jurisprudence:

MODULE-2

4. Law and State

5. Law and Morals

MODULE-3

6. Administration of Justice

Justice According to Law

Political, Economic and Social Justice

MODULE-4

7. Schools of Jurisprudence with reference to Jurists:

i. Philosophical school

ii. Analytical School

iii. Historical School

iv. Sociological School

v. Realistic School.

vi. Comparative School

MODULE-5

8. Jurisprudence in Indian Perspectives

MODULE-6

9. Sources of Law:

Custom, Legislation, Precedent

MODULE-7

10. Legal Concept

Legal Rights, Person, ownership,
Property, possession.

Course Objectives and Outcome:

To understand the significance of jurisprudence-
in legislation, adjudication and Academics.

To understand various Judgements of Courts

To develop analytical understanding in socio-economic-legal issues

To understand the global changes and impact on domestic legislation

To sharpen legal methods and rationalise understanding

Mode of Teaching:

Lecture, Participation and Group Discussion.

Reading Tools:

Dias, Paten, Friedman, C K Allen, Salmond, B N M Tripathi, V D Mahajan, N V Paranjape, S N Dhyani,
Books on Constitutional Law-D D Basu , J N Pandey ,T K Tope (Edited by Justice Sujata V Manohar) ,
Law Reports - AIR , SCC, News Paper, Economic and Political weekly .Noted Judgements of Supreme
Court and High Courts.

EVALUATION:

1. Semester Exam, Project work, Attendance Marks.

Name of the Instructor: Prof. (Dr.) S.C. Roy

Chanakya National Law University, Patna

Academic Session: 2023-24

LL. M.

Semester- I

Course Title: RESEARCH METHODS AND LEGAL WRITING

Compulsory Paper – : Credits : 4

Course Overview

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.

Learning Outcomes

To develop legal research skills & legal reasoning and apply it during programme & in Legal practice. Recognise primary and secondary sources of legal research material. Use and apply secondary sources, case law and legislation using both paper based and online resources to a research problem. Develop correct research strategies to critically evaluate the relevance, quality, authority and currency of the research materials. Demonstrate good legal writing skills, including an understanding of the use and preparation of legal research material in legal writing and the correct methods of legal referencing.

| Topic/ Module | Contents/ Concepts | Sessions / Lectures |
|--------------------------|---|--------------------------------|
| Module I: | INTRODUCTION Law and society: mutual relationship and interaction, Meaning of research, Objectives of legal research, Types of research, Nature and scope of socio-legal research, Factors affecting legal research, Inter-disciplinary research, Common law and Civil law systems, Legal writing and its significance. | 10 Lectures |
| Module II: | LEGAL RESEARCH AND METHODOLOGY Sources of information, Identification and formulation of a research problem, Review of literature, Formulation of hypothesis, Research design, Methods of legal research: doctrinal and non-doctrinal research, Preparation of synopsis, Rules of interpretation. | 12 Lectures |
| Module III: | RESEARCH METHODS Research Design, Various Steps in Research: Research Process, Research Problem: Identification and Formulation, Hypothesis, Use of Library, Use of Modern Technology/ Computer Assisted Research, Tools and Techniques for Collection of Data | 12 Lectures |

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|-------------------|--|--------------------|
| | <ul style="list-style-type: none"> · Primary and Secondary Sources · Literature Review · Observation Method · Questionnaire · Schedule · Interview · Case study · Sampling · Jurimetrics <p>Analysis and Interpretation of Data, Use of Deductive and Inductive Methods in Research, Preparation of Research Report and Writing of Research report, Budgeting of Research, Ethical and Legal Issues: Plagiarism and Copyright Violation.</p> | |
| Module IV: | <p>RESEARCH TECHNIQUES</p> <p>Data collection: tools and techniques, Sampling procedure, Survey and Case study method, Scaling and Content Analysis, Use of Questionnaires, Schedule, Observation and Interview, Legal Material, Interpretation and Analysing Data, Statistical tools.</p> | 10 Lectures |
| Module V: | <p>LEGAL WRITING AND PARA-LEGAL ACTIVITIES</p> <p>Report/Article writing, Citation methodology, Book review and case comments, Organization of seminars, Publication of journals, Clinical legal education: legal aid, legal literacy camp, legal survey, law reforms, Essentials of Good Legal Writing, Structured Legal Writing: Organization of Legal Materials, Framing of Write Up: Research Question, Title, Identifying relevant areas of law, Identifying Literature and Case Laws, Analysis, Discussion, Recommendations and Conclusion, Sources of Authority, Kinds: Informative, Persuasive; Writing for Individual Purposes; Writing for Academic Purpose; Writing for Court Purposes: Briefs, Plaints etc.; Writing for Publication: reviews, articles, books etc.; Judicial writing Citation, Reference and Footnoting, Editing and Proof reading, Writing of Research Proposal Dissertation/ Thesis Writing.</p> | 12 Lectures |
| Module VI: | Plagiarism | 04 Lectures |

Evaluation Criteria

| Components | Marks Allotted |
|--------------------------|-----------------------|
| Attendance | 5 |
| Project Report | 20 |
| Presentation | 5 |
| End-Semester Examination | 70 |
| Total Marks | 100 |

TEXT BOOKS

1. Agrawal, S.K; Legal Education in India; Eastern Book House
2. Legal Research and Methodology; Indian Law Institute
3. Legal Research and Research Methodology, Dr. G P Tripathi and Dr. Ajay Kumar, Central Law Publication, Allahabad

REFERENCE BOOKS

1. Pauline, V.; Scientific Social Survey and Research; Prentice-Hall of India
2. Madhava Menon, N.R.; A Handbook of Clinical Legal Education; Tata McGraw Hill
3. William, Goode; Methods in Social Research; Tata McGraw Hill
4. Journal on Research Methodology; Indian Law Institute
5. Index to Indian and Foreign Legal Articles; National Law University, Delhi
6. Bruce L. Berg, *Qualitative Research Methods For The Social Sciences* (London, Allyn and Bacon, 2001).
7. C.R. Kothari, *Research Methodology: Methods and Techniques* (New Delhi: Wiley Eastern Ltd., 1985).
9. Dennis P. Forcese and Stephen Richer (ed.), *Stages of Social Research – Contemporary Perspectives* (New Jersey : Prentice Hall Inc., Englewood Cliffs, 1970).
11. Frederic Charles Hicks, *Materials and Methods in Legal Research* (Lawyers Cooperative Publishing, New York).
12. Goode and Hall, *Methods in Social Research* (Singapore : MacGraw Hill Book Co., 1985).
13. Harvard Law Review Association, *The Bluebook: Uniform system of Citation* (Harvard Law Review, Harvard).
14. Janathan Anderson, *Thesis and Assignment Writing* (Wiley Eastern Ltd., New Delhi).
15. Johan Galtung, *Theory And Methods of Social Research* (London: George Allen & Unwin Ltd., 1970).
16. Leon Festinger (ed.), *Research Methods in Behavioral Sciences* (Holt, Rinehart and Winston, New York, 1953).
17. Pauline V. Young, *Scientific Social Surveys and Research* (New Delhi : Prentice Hall of India Pvt. Ltd., 1984).
18. Selltiz, Jahoda *et.al.*, *Research Methods in Social Relations* (Holt, Rinehart and Winston, New York, 1964).
19. Vijay K. Gupta, *Decision Making In The Supreme Court of India (A Jurimetric Study) – Alternatives in Judicial Research* (Delhi : Kaveri Books, 1995).

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Chanakya National Law University, Patna
LL.M. 2023-24; SEMESTER- I

Course Title: Securities Laws (GROUP- C)

Course Overview

Securities Market plays a significant role in development of Economy. Securities Market facilitates mobilization of funds from small investors and channelizes these resources into various development needs of various sectors of the economy. In order to prevent undesirable transactions in securities by regulating the business of dealing therein and by providing other matters connected therewith, the Securities Contracts (Regulation) Act, 1956 was enacted by Parliament. After going through this lesson, the student will be able to know about the Powers of procedure for appeal to SAT, Right of Investors, Securities Contracts (Regulation) (Stock Exchanges and Clearing Corporations) Regulations, 2012, current regulation of SEBI and Securities Contract (Regulation) Rules, 1957 etc.

Learning Outcomes

The course aims to *acquire knowledge and understanding of securities laws and the regulatory framework.*

On completion of the course, students will be able to:

1. Understanding
2. Analysing.
3. Critically Analysing with suitable example.

List of Topics/ Modules

| Topic/ Module | Contents/ Concepts | Sessions / Lectures |
|--|---|----------------------------|
| Module I: Introduction | <ul style="list-style-type: none">• Meaning, Concepts and Importance of Securities,• Types of Securities-Long Term and Short Term• Equity, Preference Shares, Debentures, Sweat Equity, Non-Voting Shares, Share Warrants• Derivatives: Option and Future• Government Securities and its Mechanism. | 1-10 |
| Module II: Securities Contracts | <ul style="list-style-type: none">• Recognition of Stock Exchange• Corporatization and Demutualization-process. | 11-16 |

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|--|---|-------|
| (Regulation) Act, 1956 | <ul style="list-style-type: none"> • Contract in Securities • Penalties and procedures • Right of Investors • Securities Contract (Regulation) Rules 1957. . | |
| Module III: SEBI Act | <ul style="list-style-type: none"> • Objective, Power and Functions, registration of intermediaries, • Prohibition of manipulative and deceptive devices, • Securities Appellate Tribunal, Appeals, Appearance before SAT • SEBI (Issue of Capital and Disclosure Requirements), 2018.- Application, IPO, Right Issue, Bonus Share • FPO and Preferential Issue • Fast Track FPO. | 17-26 |
| Module IV: BUY-BACK OF SECURITIES and ISSUE OF SWEAT EQUITY | <ul style="list-style-type: none"> • SEBI (Buy-Back) Regulations, 2018 • Methods and Sources of Buyback • Prohibitions for Buy-back • Buy-back Process • Sweat Equity Shares Provisions as under Companies Act, 2013 304 • SEBI (Issue of Sweat Equity) Regulations, 2002 | 27-34 |
| Module V: Depositories Act, 1996 | <ul style="list-style-type: none"> • Definitions, Setting up of Depository, its type, Role and Functions • Depository Participants • Difference between Dematerialization & Rematerialisation • Depository Process • Inspection and Penalties | 35-38 |
| Module VI: Listing and Delisting of Securities | <ul style="list-style-type: none"> • Listing of Securities, (Listing Obligations and Disclosure Requirements) Regulations, 2015, • SEBI (Delisting of Equity Shares) regulations, 2021 | 39-45 |
| Module VII: Regulatory Framework relating to Securities Market Intermediaries | <ul style="list-style-type: none"> • Primary Market; meaning, functions, Capital Market Instruments. • Aspects of Primary Market- book building, Green Shoe Option. • Secondary Market: Development of Stock market in India; Stock market & its operations, • Trading Mechanism, Block and Bulk deals, Basis of Sensex, Suspension and Penalties. | 46-54 |

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| | <ul style="list-style-type: none"> • Case Study | |
| Module VIII: Insider Trading, Fraudulent and Unfair Trade. | <ul style="list-style-type: none"> • Overview of SEBI (Prohibition of insider Trading) regulations, 2015 • SEBI (PROHIBITION OF FRAUDULENT AND UNFAIR TRADE PRACTICES RELATING TO SECURITIES MARKET) REGULATIONS, 2003 • SECURITIES AND EXCHANGE BOARD OF INDIA (BUY-BACK OF SECURITIES) REGULATIONS, 2018 • CASE STUDY | 55-60 |

Recommended/Reference Text Books and Resources:

Text Books

1. V.L. Iyer: SEBI Practice Manual; Taxman Allied Service (P) Ltd., 59/32, New Rohtak Road, New Delhi-110005.
2. S. Suryanarayanan: SEBI – Law, Practice & Procedure; Commercial Law Publishers (India) V. Varadarajan Pvt. Ltd., 151, Rajindra Market, Opp. Tis Hazari Court, Delhi - 110054
3. Mamta Bhargava: Compliances and Procedures under SEBI Law; Shreeji Publishers, 8/294, Sunder Vihar, New Delhi – 110 087
4. Taxmann : SEBI Manual
5. Vishal Saraogi : Capital Markets and Securities Laws simplified, Lawpoint Publication, 6 C, R.N. Mukherjee Road, Kolkata-700001

References

1. SEBI Annual Report : SEBI, Mumbai.
2. Indian Securities : NSE Yearly Publication
Market - A Review

Web Resources

www.sebi.gov.in
www.nseindia.com
www.bseindia.com
www.rbi.org.in
www.mca.gov.in

Instructor Details

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Signature

CHANAKYA NATIONAL LAW UNIVERSITY, PATNA
LL.M. (GROUP – C, CORPORATE LAWS) 2023-24; SEMESTER- I

Course Title: Banking Law

Course Overview

The banking industry in India is one of the advanced sections of Indian economy and occupies a vital role in a nation's economy. The legal framework after nationalization has provided so much scope for competitive development and hence this requires the study of principles of banking law along with negotiable instruments law in the context of their development and judicial interpretation in the perspective of the changing trade and investment scenario of the country.

Module one deals with Introduction

Module two focuses on Banker – Customer Relation

Module three deals with Loans and Advances

Module four covers Electronic Banking and I.T. in Banks

Module five Reserve Bank of India and Banking Regulation Act

Module six deals with Negotiable Instruments Act 1881

Module seven deals with Sarfaesi Act 2002 and Insolvency and Bankruptcy Code 2016

Learning Outcomes

The course aims to emphasize and provide the student an understanding of legal and regulatory aspects of banking.

On completion of the course, students will be able to.-

- Acquire knowledge about Banking Laws in India'
- Have conceptual clarity about the process of Banking and stakeholders with reference to particular acts passed in India.
- A deep study about the remittance process, virtual banking and digital banking with various laws applicable in India.

List of Topics/ Modules

| Topic/ Module | Contents/ Concepts | Sessions / Lectures |
|----------------------|--|----------------------------|
| Module I: | <ul style="list-style-type: none">• Origin, Development and Definition of word Bank• Importance of Banking• Evolution or History of Banking in India and England• Evolution of Banking Law in India• Nationalization of Banks in | 1-12 |

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|--------------------|--|-------|
| | <p>India</p> <ul style="list-style-type: none"> • Kinds of Banks and Functions of Commercial Banks | |
| Module II: | <ul style="list-style-type: none"> • Definition of Banker and Customer • General Relationship between Banker and Customer • Special Features of Relationship between Banker and Customer (Rights and obligations of Banker and Customer) • Special category of customers • Termination of Relationship • Types of Deposit Accounts • Garnishee Order • Recent Trends of Banking system in India | 13-25 |
| Module III: | <ul style="list-style-type: none"> • Meaning and Definition of Loan and Advance • Distinction between Loan and Advance • Classification of Loan and Advance • Principles in granting of Loan and Advances • Factors which limit the level of Banker's Advances • Procedural aspects of Banking Law | 26-36 |
| Module IV: | <ul style="list-style-type: none"> • IT Applications in Banking- Computer-Based Information Systems for Banking • Electronic Banking; Electronic Fund Management, Enabling Technologies of Modern Banking Electronic Commerce and Banking; • Customer Relationship Management • Integrated Communication Networks for Banks Security and Control Systems • Cybercrimes and fraud management Planning and Implementation of Information Systems: | 37-47 |

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| Module V: | <ul style="list-style-type: none"> • Introduction • Role, Structure and Functions of R.B.I. • Statutory Reserves with the Reserve Bank of India • Salient features – Analysis of important provisions • Provision for Licence of Banking companies • Reserve Banks control over Banking Companies • Moratorium & Amalgamation of Banking companies | 48-60 |
| Module VI: | <ul style="list-style-type: none"> • Introduction Definition of promissory Note, Bill of Exchange and Cheque • Distinction between promissory Note and Cheque • Distinction between cheque and Bill of exchange • Parties to Negotiable Instrument • Presentment of Negotiable Instrument • Dishonour of Negotiable Instrument • Discharge of Negotiable Instrument | 61-71 |
| Module VII: | <ul style="list-style-type: none"> • Salient features and Need for the Act. • Important Definitions • Registration of assets reconstruction companies • Acquisition of rights in financial assets and enforcement of security interest • Critical study of Insolvency and Bankruptcy code | 72-80 |

Recommended/Reference Text Books and Resources:

Text Books

1. *Bani A – Review of current Banking Theory and practice*
2. *L.C.Goyle – The Law of Banking and Bankers*
3. *K.C. Shekhar – Banking Theory and Practice in India*
4. *Amalesh Banerjee & S. K. Singh (eds.) – Banking and Financial sector Reforms in india*
5. *K. Subramanyan – Banking Reforms in India*
10. *Bashyam & Adiga- Negotiable Instruments Act*
15. *Negotiable Instruments Act (Bare Act)*

References

1. *Pagets – Law of Banking*
2. *Sheddon – Practice and Law of Banking*
3. *Good Hart – The Central Bank and Financial system*
4. *M.L.Tannan – Tannan’s Banking Law abd Practice*
5. *Janaki Raman Committee Report on securities of Banks and Financial institution*
6. *Narasimham Committee Report on the Financial systems*
7. *Banking Regulation Act (Bare Act)*
8. *Reserve Bank of India Act (Bare Act)*

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