

**SARDAR PATEL UNIVERSITY
VALLABH VIDYANAGAR**



**COURSE STUDY
GROUP C
BUSINESS GROUP**

SEM I	<p>Core Subject: 1. Indian Constitution Law: the New Challenges -I 2. Law and Social Transformation in India</p>	<p>Elective Subjects: Business Group: Group C 3. Law Of Industrial And Intellectual Property-I 4. Banking Law-I 5. Corporate Finance-I</p>
SEM II	<p>1. Indian Constitution Law: the New Challenges–II 2. Jurisprudence</p>	<p>Elective Subjects: Business Group: Group C 3. Law Of Industrial And Intellectual Property-II 4. Banking Law-II 5. Corporate Finance-II</p>
SEM III	<p>1. Judicial Process 2. Legal Education and Research Methodology</p>	<p>Elective Subjects: Business Group: Group C 3. Law of Export Import Regulation 4. Legal Regulation of Economic Enterprise Paper 5. Insurance Law</p>
SEM IV	<p>1. Dissertation & Viva Voce 2. Class Room Teaching 3. Doctrinal Research 4. Non Doctrinal Research 5. Clinical Research Report</p>	

SARDAR PATEL UNIVERSITY
VALLABH VIDYANAGAR
WITH EFFECT FROM 2017-18

CORE SUBJECTS/COURSES

SEMESTER I

FACULTY : LAW LL.M. (CBCS)

SEMESTER : I (w.e.f. July, 2017)		
Course Code : PL01CLBL21	Course Title: Indian Constitutional Law: the New Challenges-I	
Course Credit :	Course Type : Core compulsory	
Examination Marking Scheme		
Internal(Marks)	External(Marks)	Total(Marks)
30	70	100

UNIT	DESCRIPTION IN DETAIL	CREDIT
1	Federalism <ul style="list-style-type: none"> • Creation of new states • Allocation and share of resources - distribution of grants in aid • The inter-state disputes on resources • Rehabilitation of internally displaced persons. • Centre's responsibility and internal disturbance within States. • Directions of the Centre to the State under Article 356 and 365 • Federal Comity: Relationship of trust and faith between Centre and State. • Special status of certain States. • Tribal Areas, Scheduled Areas 	
2	State": Need for widening the definition in the wake of liberalization. <ul style="list-style-type: none"> • Democratic process • Nexus of politics with criminals and the business. • Election • Election commission: status. • Electoral Reforms • Coalition government, 'stability, durability, corrupt practice' • Grass root democracy. 	
3	Right to equality: privatization and its impact on affirmative action. <ul style="list-style-type: none"> • Doctrine of severability, doctrine of waiver • law and law in force, The Mandal case • national commission for backward classes 	
4	Law regarding Empowerment of women <ul style="list-style-type: none"> • Human trafficking, mercy killing • Human right jurisprudence • Natural justice and due process 	
5	Right to Freedom <ul style="list-style-type: none"> • Freedom of press and challenges of new scientific development • Freedom of speech and right to broadcast and telecast. • Right to information • Right to strikes, hartal and bandh. 	

REFERENCE BOOKS

- 1. Durga das Basu - Introduction To The Constitution Of India**
- 2. Durgadas Basu - Shorter Constitution Of India**
- 3. V.N. Shukla - Constitution Of India**
- 4. Seervai - Indian Constitution**
- 5. J.N.Pandey - Constitutional Law Of India**
- 6. Dr. K.C. Joshi - The Constitution Law Of India**

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FACULTY: LAW LL.M. (CBCS)

SEMESTER : I (w.e.f. July, 2017)

Course Code : PL01CLBL22 Course Credit :	Course Title: Law and Social Transformation in India-I Course Type : Core compulsory	
Examination Marking Scheme		
Internal(Marks)	External(Marks)	Total(Marks)
30	70	100

UNIT	DESCRIPTION IN DETAIL	CREDIT
1	<p>Law and Social change</p> <ul style="list-style-type: none"> • Law as an instrument of social change. • Law as the product of traditions and culture. Criticism and evaluation in the light of colonisation and the introduction of common law system and institutions in India and its impact on further development of law and legal institutions in India. <p>Women and the law</p> <ul style="list-style-type: none"> • Crimes against women. • Gender injustice and its various forms. • Women's Commission. • Empowerment of women: Constitutional and other legal provisions. <p>Children and the law</p> <ul style="list-style-type: none"> • Child labour. • Sexual exploitation. • Adoption and related problems. • Children and education. 	
2	<p>Language and the law</p> <ul style="list-style-type: none"> • Language as a divisive factor: formation of linguistic states. • Constitutional guarantees to linguistic minorities. • Language policy and the Constitution: Official language; multi-language system. • Non-discrimination on the ground of language. <p>Community and the law</p> <ul style="list-style-type: none"> • Caste as a divisive factor • Non-discrimination on the ground of caste. • Acceptance of caste as a factor to undo past injustices. • Protective discrimination: Scheduled castes, tribes and backward classes. • Reservation; Statutory Commissions., Statutory provisions. 	

<p>3</p>	<p>Regionalism and the law</p> <ul style="list-style-type: none"> • Regionalism as a divisive factor. • Concept of India as one unit. • Right of movement, residence and business; impermissibility of state or regional barriers. • Equality in matters of employment: the slogan "Sons of the soil" and its practice. • Admission to educational institutions: preference to residents of a state. <p>Religion and the law</p> <ul style="list-style-type: none"> • Religion as a divisive factor. • Secularism as a solution to the problem. • Reform of the law on secular lines: Problems. • Freedom of religion and non-discrimination on the basis of religion. • Religious minorities and the law 	
<p>4</p>	<p>Modernisation and the law</p> <ul style="list-style-type: none"> • Modernisation as a value: Constitutional perspectives reflected in the fundamental duties. • Modernisation of social institutions through law. • Reform of family law • Agrarian reform - Industrialisation of agriculture. • Industrial reform: Free enterprise v. State regulation - Industrialisation environmental protection. • Reform of court processes. • Criminal law: Plea bargaining; compounding and payment of compensation to victims. • Civil law: (ADR) Confrontation v. consensus; mediation and conciliation; Lok adalats. • Prison reforms. • Democratic decentralisation and local self-government. 	
<p>5.</p>	<p>Alternative approaches to law</p> <ul style="list-style-type: none"> • The jurisprudence of Sarvodaya--- Gandhiji, Vinoba Bhave; Jayaprakash Narayan---Surrender of dacoits; concept of grama nyayalayas. • Socialist thought on law and justice: An enquiry through constitutional debates on the right to property. • Indian Marxist critique of law and justice. • Naxalite movement: causes and cure 	

REFERENCE BOOKS

1. Marc Galanter - Law and Society in Modern India (1997), Oxford
2. Robert Lingat- The Classical Law of India (1998), Oxford
3. U. Baxi -The Crisis of the Indian Legal System (1982). Vikas, New, Delhi
4. Manushi- A Journal About Women and Society
5. Duncan Derret - The State, Religion and Law in India (1999). Oxford University Press, New Delhi
6. H.M.Seervai -Constitutional Law of India (1996)
7. D.D. Basu-Shorter Constitution of India (1996), Prentice - Hall of India (P) Ltd., New Delhi
8. Law and Menace of Child Labour (2000) Armol Publications,Delhi.- Sunil Deshta and Kiran Deshta
9. Malik and Raval - Law and social transformation
10. Tripathi -Indian Law Institute, Law and Social Change : Indo-American Reflections,

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FACULTY : LAWLL.M. (CBCS)**

SEMESTER : I (w.e.f. July, 2017)		
Course Code : PL01ELBL21	Course Title: Law Of Industrial And Intellectual Property-I	
Course Credit :	Course Type : Optional Paper 1	
Examination Marking Scheme		
Internal(Marks)	External(Marks)	Total(Marks)
30	70	100

UNIT	DESCRIPTION IN DETAIL	CREDIT
1	IPR and International Perspectives	
2	Trademarks and Consumer Protection (Study of UNCTAD report on the subject)	
3	The Legal Regime of Unfair Trade Practices and of Intellectual Industrial Property <ul style="list-style-type: none"> • United Nations approaches (UNCTAD, UNCITRAL) • EEC approaches • Position in U.S. • The Indian situation. 	
4	Special Problems of the Status of Computer Software in Copyright and Patent Law: A Comparative Study	
5	Biotechnology Patents: <ul style="list-style-type: none"> • Nature and types of biotechnology patents • Patent over new forms of life : TRIPS obligations • Plant patenting • Sui generis protection for plant varieties • Multinational ownership • Regulation of environment and health hazards in biotechnology patents • Indian policy and position. 	

REFERENCES

1. Special attention should be given to literature of the U.N. System, WIPO and the UNESCO.
2. Terence P. Stewart (ed.) - The GATT Uruguay Round: A Negotiating History (1986-1994) the End
3. Game (Part - 1)(1999) - Kluwer
4. Iver P. Cooper, Biotechnology and Law (1998) - Clerk Boardman Callaghan, New York.
5. David Bainbridge, Software Copyright Law (1999) -Butterworths
6. Sookman, Computer Law (1998) -Carswell
7. Carlos M. Correa(ed.) - Intellectual Property and International Trade (1998), Kluwe

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SEMESTER : I (w.e.f. July, 2017)		
Course Code : PL01ELBL22	Course Title : Banking Law- I	
Course Credit :	Course Type : Optional Paper 2	
Examination Marking Scheme		
Internal (Marks)	External(Marks)	Total(Marks)
30	70	100

DESCRIPTION IN DETAIL	CREDIT
Introduction <ul style="list-style-type: none"> • Nature and development of banking • History of banking in India and elsewhere • Indigenous banking- • Evolution of banking in India • Different kinds of banks and their functions. 	
Multi-functional banks - growth and legal issues.	
Law Relating to Banking Companies in India	
Controls by government and its agencies. <ul style="list-style-type: none"> • On management • On accounts and audit • Lending • Credit policy • Reconstruction and reorganisation • Suspension and winding up 	
Social Control over Banking <ul style="list-style-type: none"> • Nationalization • Evaluation: private ownership, nationalization and disinvestment • Protection of depositors • Priority lending • Promotion of under privileged classes 	

REFERENCES:

1. M. Hapgood (ed.), Pagets' Law of Banking (1989) Butterworths, London
2. R. Goode, Commercial Law, (1995) Penguin, London.
3. Ross Cranston, Principles of Banking Law (1997) Oxford.
4. L.C. Goyle, The Law of Banking and Bankers (1995) Eastern
5. M.L. Tannan, Tannan's Banking Law and Practice in India (1997) India Law House, New Delhi, 2 volumes
6. K.C. Shekhar, Banking Theory and Practice (1998) UBS Publisher Distributors Ltd. New Delhi.
7. M. Dassel, S. Isaacs and G. Pen, E.C. Banking Law, (1994) Lloyds of London Press, London
8. V. Conti and Hamaui (eds.), Financial Markets' Liberalization and the Role of

Banks', Cambridge University Press, Cambridge, (1993).

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SEMESTER : I (w.e.f. July, 2017)		
Course Code : PL01ELBL23	Course Title: Corporate Finance Paper-I	
Course Credit :	Course Type : Optional Paper 3	
Examination Marking Scheme		
Internal(Marks)	External(Marks)	Total(Marks)
30	70	100

UNIT	DESCRIPTION IN DETAIL	CREDIT
1	Introduction <ul style="list-style-type: none"> • Meaning, importance and scope of corporation finance • Capital needs - capitalisation - working capital - securities-borrowings- deposits debentures 	
2	Objectives of corporation finance - profit maximisation and wealth maximisation Constitutional perspectives - the entries 37, 38, 43, 44, 45, 46, 47, 52, 82, 85, and 86 of List 1 - Union List; entry 24 of List 11 - State List.	
3	Equity Finance <ul style="list-style-type: none"> • Share capital • Prospectus - information disclosure • Issue and allotment • Shares without monetary consideration Non-opting equity shares 	
4	Debt Finance <ul style="list-style-type: none"> • Debentures • Nature, issue and class Deposits and acceptance 	
5	Creation of charges <ul style="list-style-type: none"> • Fixed and floating charges • Mortgages Convertible debentures 	

REFERENCES:

1. Alastair Hundson -The Law on Financial Derivatives (1998), Sweet & Maxwell
2. Eil'sFerran - Company Law and Corporate Finance (1999), Oxford.
3. Jonathan Charkham- Fair shares: the Future of Shareholder Power and Responsibility (1999),
4. Oxford.
5. Ramaiya A - Guide to the Companies Act (1998), Vol. I, II and III.
6. H.A.J. Ford and A.P. Austen - Fords' principle of Corporations Law (1999) Butterworths.

7. J.H. Farrar and B.M. Hanniyan - Farrar's company Law (1998) Butterworths
8. Austen R.P. - The Law of Public Company Finance (1986) LBC
9. R.M. Goode -Legal Problems of Credit and Security (1988) Sweet and Maxwell
10. Altman and Subrahmanyam - Recent Advances in Corporate Finance (1985) LBC
11. Gilbert Harold - Corporation Finance (1956)
12. Henry E. Hoagland -Corporation Finance (1947)
13. Maryin M. Kristein, Corporate Finance (1975)
14. R.C. Osborn, Corporation Finance (1959)
15. S.C. Kuchhal Corporation finance - Principles and Problems (6th ed. 1966)
16. V.G. Kulkami, Corporate Finance (1961)