

NEHRU GRAM BHARATI
(Deemed To Be University)

Faculty of Law



Syllabus of Studies in
LL.M. ONE YEAR DEGREE PROGRAMME
(Corporate & Commercial Law)
(TWO SEMESTER)
(From the Session 2024-25 Onwards)

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16/09/24

Dean, Faculty of Law
Nehru Gram Bharati (Deemed to be
University), Prayagraj-221005

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16/09/2024

Head
Department of Law
Nehru Gram Bharati
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Prayagraj, U.P. 1

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LL.M. (ONE YEAR) DEGREE PROGRAMME

Course Code No.	Nature of Course	Credits	Marks		
			UE	IA	
Semester - I					
LL-CC-101	Research Methodology	Core	3	45	30
LL-CC-102	Comparative Law	Core	3	45	30
Corporate and Commercial Law					
LL-SC-103 B	Competition Law	Specialization	2	30	20
LL-SC-104 B	Company Law	Specialization	2	30	20
LL-SC-105 B	International Trade Law	Specialization	2	30	20
Semester - II					
LL-CC-201	Theory of Law and Justice	Core	3	45	30
Corporate and Commercial Law					
LL-SC-202 B	Laws on Securities and Financial Markets	Specialization	2	30	20
LL-SC-203 B	Banking and Insurance Law	Specialization	2	30	20
LL-SC-204 B	Labour/Employment Law	Specialization	2	30	20
LL-CC-205	Dissertation & Viva-Voce	Core	3	45	30

*IA=Internal Assessment, UE=University Examination

FACULTY OF LAW

ORDINANCE GOVERNING LL.M. (ONE YEAR) DEGREE PROGRAMME

WHEREAS, with the approval from BOS also under the guidance and supervision of the board of Faculty, Nehru Gram Bharati (deemed to be University) is committed to the promotion of quality education by adopting latest study methods & curriculums and following this approach the faculty request to take initiative of starting one year LL.M programme from the Session 2024-25.

AND WHEREAS, it is necessary to reorient legal education by making provisions for instruction in new courses of study, extensive as well as intensive study of prescribed courses and for adequate practical training for diverse careers open to Law Graduates;

AND WHEREAS, with a view to further the process of reorientation of legal education and to provide sufficient opportunity for specialization in selected field of study as well as to develop research facilities, Nehru Gram Bharati (Deemed to be University) has decided to introduce its LL.M. one year Degree Programme of Study.

- 1. Minimum eligibility:** those candidates (students) who have passed examination of the law graduate exam from any recognize university or affiliated colleges with norm of the Bar Council of India, with aggregate marks 45 percent, they will be registered in LL.M. course of N.G.B.(DU) through All India entrance Test/CUET.
- 2. Duration of the Course:** One year course with two semesters.
- 3. Intake Capacity:** In the LL.M. one year degree Course 30 seats with specialization i.e, **Corporate & Commercial Law.**
- 4. Reservation Policy:** Reservation policy follows as per rule of the Government.
- 5. Evaluation:** The LL.M. Degree Examination shall be open to a student who having been duly admitted to the LL.M. One Year Post Graduate Degree Program of study has prosecuted a regular Program of study for the said examination. A candidate for the LL.M. One Year Post Graduate Degree Examination shall be examined in written papers as mentioned.

1) **Dissertation:**

All registered students of LL.M. second semester shall be required to submit the Dissertation at least two weeks before the commencement of Examination. The candidate shall be required to secure at least 50% marks in the Dissertation to pass the Examination.

- a) The Examiner shall either– award at least 50% marks, or returns to Dissertation for revision, or Reject the Dissertation.

- b) The candidate whose Dissertation is returned for revision may revise the dissertation and re-submit it within a period of two months. Failure to submit in time shall result in a declaration that the candidate has failed at the relevant LL.M. Examination.
- c) A Dissertation can be revised only once, if the candidate fails to secure pass marks in the revised Dissertation he shall be declared failed in the LL.M. Examination.
- d) The candidate whose Dissertation is rejected, may with the approval of the Faculty of Law write a Dissertation on another topic and submit it within a period of six months. And if he fails to secure pass marks in respect of this Dissertation also, he shall be declared failed at LL.M. Degree Examination.
- e) A Dissertation shall be examined by an external examiner.
- f) The student shall be entitled to submit the dissertation on 30th April and up to 30th June with the permission of Dean Faculty of Law, as a regular student.
- g) The dissertation must have the PLAGIARISM CHECK CERTIFICATE duly signed by the Librarian and the HoD of Department of Law.
- h) If the examiners return the Dissertation for revision or rejects the Dissertation, his decision shall prevail provided that if one of the examiners has rejected the Dissertation and another examiner has returned it for revision, the Dissertation shall be deemed to be rejected.

2) Viva Voce Examination:

The Viva-Voce Examination shall be conducted by a Board of Examiners. The Board shall consist of two members; at least one of them shall be an external member. The Viva- Voce Examination shall carry 75 marks. The candidate shall be required to obtain a minimum of 40 marks to pass the Viva Voce Examination.

Programme Structure including Credit Specification:

<u>First Semester</u>			
Course Category	Credits	No. of Courses	Total Credits
Core Courses (Theory)	3	2	6
Specialization	2	3	6
Total Credits in First Semester			12
<u>Second Semester</u>			
Course Category	Credits	No. of Courses	Total Credits
Core Courses (Theory)	3	1	3
Specialization	2	3	6
Dissertation	3	1	3
Total Credits in Second Semester			12
<u>Total Credit requirement for LL.M. One Year Degree Programme</u>			24

The Program Structure/Curriculum:

LL.M. (One Year) Degree Programme in **Corporate & Commercial Law** runs full time from July to June.

LL.M. (One Year Degree) Programme will have courses of **24 credits** in two semesters covering core papers and specialization papers as given below:

The Program structure/curriculum for One-Year LL.M. shall have the following components:

- i) Foundation/Compulsory Papers (3 papers of three credits each)
- ii) Specialization Papers (6 papers of two credits each)
- iii) Dissertation (three credits)

1. Foundation/Compulsory Papers:

- A. Research Methods and Legal Writing
- B. Comparative Public Law/Systems of Governance
- C. Law and Justice in a Globalizing World

2. Specialization Papers:

The University offering specialized LL.M. degree shall offer three courses in one specialization. Each group of specialization shall consist of three (papers) required to get the degree of that specialization.

3. Dissertation

The dissertation shall carry three credits as decided by the Faculty according to regulations approved by the Academic Council of the University.

PROGRAM OUTCOMES:-

- Students gain an in-depth understanding of specialized legal fields, engaging with complex legal frameworks and doctrines.
- The program develops critical thinking and analytical skills, enabling students to critically evaluate legal texts, case law, and statutes.
- It enhances legal writing and communication abilities, preparing students to present sophisticated legal arguments and research findings effectively.
- The LL.M. (one year) provides a global perspective on legal systems, equipping students to handle cross-border legal issues and real-world challenges.
- Students cultivate ethical responsibility and professional integrity, essential for successful legal careers in various sectors.
- The one-year format allows for a quicker entry or return to the workforce compared to two-year LL.M. programs, saving time and resources.

LL.M. (ONE YEAR) DEGREE PROGRAMME

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LL-CC-205	Dissertation & Viva-Voce	Core	3	45	30

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SEMESTER I
Course Code: LL-CC-101
Course Title: Research Methods and Legal Writing
Credit: 3 Marks: 75
(IA-30, UE-45)

Course Outcomes –

1. **Mastery of Legal Research Techniques:** Students learn to use various legal research tools and databases to find relevant case law, statutes, and academic resources.
2. **Critical Analysis of Legal Sources:** Develop the ability to critically assess legal materials, ensuring accurate and effective interpretation and application.
3. **Strong Legal Writing Skills:** Hone the ability to draft well-structured legal documents, such as memos, briefs, and research papers, with clarity and precision.
4. **Understanding Research Methodologies:** Gain knowledge of both doctrinal and empirical research methods, enabling students to conduct thorough and reliable legal research.
5. **Effective Citation and Referencing:** Learn proper citation techniques and legal referencing formats, such as Bluebook or OSCOLA, to ensure academic and professional integrity.

Unit-I

- Research- Meaning, Significance, Uses & Objectives of Research
Legal Research- Significance, objectives of legal research and law reform
Socio-legal Research- Uses & Objectives of Socio-Legal Research, Importance of Interdisciplinary, and Multidisciplinary Research.

Unit –II

- Types of Research-Application Based; Objective based; Inquiry mode Based; Selection and formulation of research problem- Hypothesis, Review of Literature, Research design, Tools of research techniques- doctrinal & non doctrinal.

Unit-III

- Sampling, Use of Scaling Techniques; Computer Application in Legal Research, Report and legal Writing Skills.

Unit –IV

- Sources of data collection –Literature, observation, questionnaire, schedule, interview, case study, surveys, analysis, and interpretation.

Unit –V

- Ethical Issues in Research; Respondent, Researcher, Sponsors, Plagiarism Article/Research Paper writing.

Suggested Readings –

1. **Dr. S. R. Myneni** – *Legal Research Methodology*
2. **Anwarul Yaqin** – *Legal Research and Writing*
3. **C.R. Kothari & Gaurav Garg** – *Research Methodology: Methods and Techniques*
4. **Richard K. Neumann, Jr. & Kristen Konrad Tiscione** – *Legal Reasoning and Legal Writing*

SEMESTER I
Course Code: LL-CC-102
Course Title: Comparative Public Law/Systems of Governance
Credit: 3 Marks: 75
(IA- 30, UE- 45)

Course Outcomes –

1. **Understanding of Constitutional Systems:** Develop a deep understanding of various constitutional frameworks and public law systems from around the world, including federal, unitary, parliamentary, and presidential systems.
2. **Comparative Legal Analysis:** Learn to critically analyze and compare public law principles across different jurisdictions, identifying similarities, differences, and the impact on governance structures.
3. **Insight into Governance Models:** Gain knowledge of different models of governance, including the separation of powers, checks and balances, and the rule of law, across various political systems.
4. **Evaluation of Legal Institutions:** Examine how legal institutions (e.g., courts, parliaments, executives) function in different legal systems, assessing their roles and effectiveness in maintaining governance.
5. **Global Perspective on Public Law:** Cultivate a global outlook on issues like constitutionalism, judicial review, human rights, and administrative law by comparing national approaches with international standards.

Unit-I

- Evolution of Public Law and System of Governance: Amending constitutions; flexibility and continuity as aspects of constitutionalism, Federalism.

Unit-II

- Process of governance: Courts: protecting public interests through litigation, the role of National Agencies/Commissions in establishing respect for Human Rights-NHRC.

Unit-III

- Structure and Institutions of Governance: Executive, Legislative and Judicial Governance in India, U.K., and U.S.A.

Unit-IV

- Issues in governance: Center – State Relations, Corruption in Administration.

Unit –V

- Right to Services Law in India: Right to Education, Right to Food, Right to Employment (MGNREGA), Redressal of Citizen Grievance: Lokpal and Lokayakta, Citizen Charters, Right to Information.

Suggested Readings –

1. **M.P. Jain** – *Indian Constitutional Law*
2. **Dr. Subhash C. Kashyap** – *Our Constitution: An Introduction to India's Constitution and Constitutional Law*
3. **Dr. D.D. Basu** – *Comparative Constitutional Law*
4. **Alec Stone Sweet** – *Comparative Constitutional Law*
5. **Mark Tushnet** – *Advanced Introduction to Comparative Constitutional Law*

Specialization Paper
CORPORATE AND COMMERCIAL LAW

SEMESTER I

Course Code: LL-SC-103B

Course Title: Competition law

Credit: 2 Marks: 50

(IA-20, UE-30)

Course Outcomes:

1. **Understanding the Competition Act, 2002:** Learn about the objectives, scope, and historical evolution of competition law.
2. **Anti-Competitive Agreements:** Understand the types of anti-competitive agreements, cartels, and collusion, along with enforcement procedures.
3. **Abuse of Dominance:** Analyze how dominant positions are misused in markets, focusing on predatory pricing and exclusive agreements.
4. **Mergers and Acquisitions:** Explore the legal framework for regulating mergers and acquisitions under the Competition Act, 2002.
5. **Enforcement Mechanisms:** Study the powers of the Competition Commission, including investigative, adjudicative, and penalizing functions.

Unit-I: Introduction to the Competition Act, 2002

- Objectives and scope of the Competition Act, 2002
- Historical context and evolution of competition law in [Country]
- Key features of the Competition Act, 2002
- Role and functions of the Competition Commission of [Country] (e.g., CCI in India)

Unit-II: Anti-Competitive Agreements

- Definition and types of anti-competitive agreements under the 2002 Act
- Prohibition of cartels, collusion, and restrictive trade practices
- Analysis of Section 3 of the Act and its amendments
- Investigation and enforcement procedures for anti-competitive agreements

Unit-III: Abuse of Dominant Position

- Definition of market dominance and criteria for assessment under the 2002 Act
- Forms of abuse (e.g., predatory pricing, exclusive agreements)
- Examination of Section 4 of the Act and related amendments
- Case studies illustrating abuse of dominant position

Unit-IV: Regulation of Mergers and Acquisitions

- Merger control framework under the 2002 Act
- Notification requirements and assessment criteria
- Key amendments affecting merger regulations and their impact
- Role of the competition authority in merger review and decision-making

Unit-V: Enforcement Mechanisms and Remedies

- Enforcement powers and functions of the Competition Commission under the 2002 Act

- Investigation processes, adjudication, and imposition of penalties
- Remedies available (e.g., fines, behavioral and structural remedies)
- Appeal mechanisms and recent trends in enforcement and compliance

Suggested Readings:

1. **Abir Roy** – *Competition Law in India*
2. **T. Ramappa** – *Competition Law in India: Policy, Issues, and Developments*
3. **S. Chakravarthy** – *Competition Policy and Law*
4. **Richard Whish** – *Competition Law*
5. **Jonathan Faull & Ali Nikpay** – *The EC Law of Competition*

SEMESTER I
Course Code: LL-SC-104B
Course Title: Company Law
Credit: 2 Marks: 50
(IA-20, UE-30)

Course Outcomes:

1. **Company Law Fundamentals:** Understand the meaning, nature, advantages, and types of companies.
2. **Share Capital and Transfers:** Learn about the principles and restrictions on the allotment and transfer of shares, and the laws surrounding share capital.
3. **Directors and Governance:** Explore the legal duties, qualifications, disqualifications, and powers of directors, along with corporate governance mechanisms.
4. **Meetings and Shareholders' Rights:** Study the procedural aspects of company meetings and the rights and liabilities of shareholders.
5. **Winding Up of Companies:** Analyze the legal provisions governing the winding-up of companies and the court's role in the process.

Unit I

- Meaning, Nature , functions, Advantages and Disadvantages of a company
- Kinds of company
- Registration and incorporation
- Memorandum of Association-doctrine of *ultra vires*,
- Articles of Association-doctrine of constructive notice and indoor management exceptions

Unit II

- Shares: general principles, restrictions on the allotment of shares, share certificate: its objects and effect transfer of shares, restrictions on transfer, procedure for transfer refusal of transfer, issue of shares at premium and discount.
- Share capital - kinds ,alteration and reduction of share capital ,further issue of capital conversion of loans into capital, duties of court to protect the interests of creditors and shareholders
- Shareholders and members –meaning ,eligibility, calls on shares ,forfeiture and surrender of shares ,lien on shares ,liabilities of shareholder,
- Meetings - kinds, procedure for meeting, voting.

Unit III

- Directors – meaning , appointment , qualifications and disqualification, kinds, vacation of office removal, resignation ,powers and duties of directors ,meeting, registers, loans and remuneration of directors ,compensation for loss of office managing directors and other managerial personnel

Unit IV

- National Company Law tribunal and Appellate Tribunal
- Majority Powers and Minority Rights :Rule in Foss v. Harbottle and exceptions

Unit V

- Winding up of Companies: Kinds, Consequences and reasons of winding up, Role of the Court, Liability of past members, Payment of liabilities,
- Analysis of the provisions of The Companies Act , 2013

Suggested Readings:

1. **Avtar Singh** – *Company Law*
2. **G.K. Kapoor** – *Company Law and Practice*
3. **Ramaiya** – *Guide to the Companies Act*
4. **Paul Davies** – *Gower and Davies' Principles of Modern Company Law*
5. **D.D. Prentice** – *Cases and Materials in Company Law*

SEMESTER I
Course Code: LL-SC-105B
Course Title: International Trade Law
Credit: 2 Marks: 50
(IA- 20, UE- 30)

Course Outcomes:

1. **Trade Law Basics:** Understand the framework of public international law, including GATT, WTO, and the WTO dispute settlement mechanism.
2. **International Sale Contracts:** Explore CIF and FOB contracts, conventions on the international carriage of goods, and the UN Convention on Contracts for International Sale of Goods.
3. **Private Law in Trade:** Analyze how private law agencies like UNCITRAL and UNIDROIT unify international trade laws and promote dispute settlement.
4. **Foreign Trade Legislation:** Study Indian trade laws like FEMA 2000 and understand the significance of FDI and technology transfer.
5. **Global Trade Dynamics:** Investigate the influence of global trade agreements and institutions on domestic trade laws.

Unit I

- Public international law relating to trade- GATT, WTO, WTO-Dispute Settlement Mechanism, GATS, Ministerial conference –Ongoing Negotiation

Unit II

- Contract for international sale- CIF and FOB contracts, Convention on international Contract for Carriage of goods by Air, Sea Road and Rail, Convention on International Sale of Goods

Unit III

- Private Law relating to international trade-agencies for promoting unification to trade laws- UNCITRAL- UNIDROIT- UNCTAD, ICC & IMO, Financing International Trade, International commercial Arbitration;

Unit IV

- Dispute Settlement-Mediation in Conciliation and Arbitration

Unit V

- FT (D&R) Act 1996, FEMA 2000, Foreign Direct Investment and Transfer of Technology, International Taxation

Suggested Readings:

1. **M.R. Aggarwal** – *International Trade Law and Policy*
2. **A.K. Kaul** – *Guide to the WTO and GATT*
3. **P.C. Rao** – *WTO and International Trade Law*
4. **Peter Van den Bossche** – *The Law and Policy of the World Trade Organization*
5. **John H. Jackson** – *The World Trading System*

SEMESTER II
Course Code: LL-CC-201
Course Title: Theory of Law & Justice
Credit: 3 Marks: 75
(IA- 30, UE- 45)

Course Outcomes:

1. **Globalization and Governance:** Understand the concept of globalization and its social, political, and economic dimensions, along with the emergence of transnational law and its impact on state sovereignty and federalism.
2. **Impact on Human Rights and Environment:** Analyze the effects of globalization on human rights, natural resources, and global terrorism.
3. **Role of the State:** Study how globalization influences the role of the state, including challenges like unemployment, displacement, and the promotion of universal values.
4. **Concept of Global Justice:** Examine the philosophical underpinnings of global justice, cosmopolitanism, and distributive justice in a globalizing world.
5. **Judicial Processes:** Explore the impact of globalization on judicial processes, law-making, and the administration of justice.

Unit I

- Globalization and Global Governance: Meaning and scope; Social, Political, and Economic Dimensions of Globalization; Emergence of Transnational Law in a Globalizing World; Impact of Globalization on Sovereignty of States ; Impact of Globalization on Federalism and Democratic Law Making.

Unit II

- Impact of globalization: Human Rights; Environment and Natural Resources; Terrorism

Unit III

- Globalization and the Role of the State: Challenges and Perspectives; Globalization and Problem of Unemployment; Displacement for Development; Globalization and Universal Values

Unit IV

- Concept of Justice in a Globalizing World; Concept of Global Justice: Cosmopolitanism; Globalization and Social Justice/ Global Distributive Justice;

Unit V

- Impact of Globalization on Judicial Process and administration of Justice

Suggested Readings:

1. **Upendra Baxi** – *The Future of Human Rights*
2. **Surya Deva** – *Human Rights, Globalization, and Governance*
3. **B.S. Chimni** – *International Law and World Order: A Critique of Contemporary Approaches*
4. **David Held** – *Global Transformations: Politics, Economics, and Culture*
5. **Amartya Sen** – *The Idea of Justice*

CORPORATE AND COMMERCIAL LAW

SEMESTER II

Course Code: LL-SC-202B

Course Title: Laws on Securities and Financial Markets

Credit: 2 Marks: 50

(IA- 20, UE- 30)

Course Outcomes:

1. **Introduction to Securities and Financial Markets:** Understand the structure and functioning of Indian securities and financial markets, including primary and secondary markets, and key concepts such as securities, derivatives, and financial instruments.
2. **Regulatory Framework:** Analyze the role, functions, and powers of regulatory bodies such as SEBI under the SEBI Act, 1992, and other key legislation like the Companies Act, 2013, and the Depositories Act, 1996.
3. **Regulations Governing Securities and Financial Instruments:** Gain in-depth knowledge of regulations under the Securities Contracts (Regulation) Act, SEBI (Listing Obligations and Disclosure Requirements) Regulations, and SEBI (Prohibition of Insider Trading) Regulations.
4. **Market Instruments and Transactions:** Explore the regulation of various financial market instruments, including equities, bonds, mutual funds, derivatives, and commodities, along with the regulatory framework for NBFCs.
5. **Enforcement, Compliance, and Emerging Trends:** Understand the enforcement mechanisms available to SEBI, recent regulatory reforms, and emerging trends such as fintech and digital assets in the Indian financial market.

Unit I - Introduction to Securities and Financial Markets

- Overview of securities and financial markets in India
- Key concepts and principles: securities, derivatives, commodities, and financial instruments
- Structure and functioning of Indian financial markets: primary and secondary markets

Unit II - Regulatory Framework and Key Legislation

- **Securities and Exchange Board of India (SEBI) Act, 1992:** Role, functions, and powers of SEBI
- **Companies Act, 2013:** Provisions related to securities issuance, disclosure, and governance
- **Depositories Act, 1996:** Framework for electronic securities and depository systems

Unit III - Regulations **Governing Securities and Financial Instruments**

- **Securities Contracts (Regulation) Act, 1956 (SCRA):** Regulation of stock exchanges, securities contracts, and trading practices
- **SEBI (Listing Obligations and Disclosure Requirements) Regulations, 2015 (LODR):** Compliance requirements for listed companies
- **SEBI (Prohibition of Insider Trading) Regulations, 2015:** Prevention of insider trading and market manipulation

Unit IV - Financial **Market Instruments and Transactions**

- **Regulation of Capital Markets:** Equity, bonds, and mutual funds
- **Regulation of Derivatives and Commodities Markets:** Futures, options, and commodity trading regulations
- **Regulation of Non-Banking Financial Companies (NBFCs):** Compliance and regulatory framework for NBFCs

Unit V - Enforcement, **Compliance, and Emerging Trends**

- **Enforcement Mechanisms:** SEBI's powers of investigation, adjudication, and penalties
- **Compliance Issues:** Corporate governance, audit requirements, and disclosure norms
- **Emerging Trends and Reforms:** Impact of technological advancements (e.g., fintech, digital assets), recent regulatory reforms, and the future of financial market regulation in India

Suggested Readings:

1. **S.S. Gulshan** – *Securities and Financial Markets in India*
2. **T.R. Desai** – *The Indian Securities Market: An Overview*
3. **Avtar Singh** – *Company Law*
4. **John C. Coffee Jr.** – *Securities Regulation: Cases and Materials*
5. **Merritt B. Fox** – *The New Stock Market: Law, Economics, and Policy*

SEMESTER II
Course Code: LL-SC-203B
Course Title: Banking and Insurance Law
Credit: 2 Marks: 50
(IA-20, UE-30)

Course Outcomes:

1. **Understanding the Banking System:** Gain a comprehensive understanding of different types of banks, their functions, and the legal framework governing banking companies in India, including the role of the Reserve Bank of India (RBI).
2. **Banker-Customer Relationship:** Analyze the legal contract between bankers and customers, focusing on rights, duties, and liabilities, along with recent trends in banking like ATM services, internet banking, and credit cards.
3. **Fundamentals of Insurance Law:** Understand the nature, principles, and various types of insurance contracts, including the concepts of utmost good faith, indemnity, and insurable interest.
4. **Insurance Regulations and Risk Management:** Explore the general principles of insurance, risk commencement, policy duration, settlement of claims, and the legal framework under the General Insurance Act, 1938, and the Insurance Regulatory and Development Authority Act, 2000.
5. **Marine and Life Insurance Law:** Study specific types of insurance like marine and life insurance, focusing on conditions, risks covered, and settlement mechanisms, along with emerging trends and reforms in the insurance sector.

Unit I

- Different kinds of banks and their functions, Multifunctional banks- Growth and Legal issues. Law relating to Banking Companies in India- Controls by Govt. and its agencies;
- The RBI as the Central Bank - suspension and winding up;

Unit II

- Contract between banker and customer –their rights and duties. Relationship of Banker and customer, Legal character-Contract between banker and customer - Banking duty to customers-consumer protection and banking as service; Recent Trends of Banking system in India- /automatic teller machine and use of internet- Travelers' cheque- smart cards-credit cards.

Unit III

- Introduction- Nature; of insurance contract-various kinds of insurance, proposal, policy, parties, consideration, need for Utmost good faith, insurable interest, indemnity.

Unit IV

- General Principles of Law of insurance-The Risk-Commencement, Attachment and duration, settlement of claim and subrogation-Effect of war upon policies.
- Indian Insurance Law - General Insurance Act 1938 and Insurance Regulatory Authority Act, 2000

Unit V

- Marine insurance- Term of insurance contract- express and implied conditions in the marine insurance policy-Risk covered by the policy and expected perils-proximate cause of loss avoidance of policy. Concept of average, in Insurance contract- Settlement of insurance claims.

Suggested Readings:

1. **M.L. Tannan** – *Banking Law and Practice in India*
2. **K.C. Shekhar** – *Banking Theory and Practice*
3. **Avtar Singh** – *Law of Insurance*
4. **Ellinger, E.P., Lomnicka, E.** – *Modern Banking Law*
5. **John Birds** – *Insurance Law in the United Kingdom*

SEMESTER II
Course Code: LL-SC-204B
Course Title: Labour/Employment Law
Credit: 2 Marks: 50
(IA- 20, UE- 30)

Course Outcomes:

1. **Historical Evolution and Objectives of Labour Law:** Understand the development, objectives, and importance of labour laws in India, with an emphasis on fairness, equity, and social justice.
2. **Wage and Employment Regulations:** Analyze key legislation like the Payment of Wages Act, 1936, the Minimum Wages Act, 1948, and the Factories Act, 1948, focusing on wage standards, working conditions, and the regulation of wage payments.
3. **Trade Union Laws and Dispute Resolution:** Study the formation, registration, and rights of trade unions under the Trade Unions Act, 1926, and the mechanisms for resolving industrial disputes under various employment laws.
4. **Employee Benefits and Social Security:** Explore laws providing social security, including the Employees' Provident Funds and Miscellaneous Provisions Act, 1952, the Employees' State Insurance Act, 1948, and the Maternity Benefit Act, 1961.
5. **Contemporary Issues in Employment Law:** Investigate modern challenges like contract labour, outsourcing, gig economy, and legal frameworks protecting workers' rights in a rapidly changing global workforce.

Unit I

- Overview of labour law: Objectives and importance, Historical development and sources of labour law, Key principles: Fairness, equity, and social justice

Unit II

- **Payment of Wages Act, 1936:** Regulation of wage payments and deductions
- **Minimum Wages Act, 1948:** Setting and enforcement of minimum wage standards
- **Factories Act, 1948:** Standards for working conditions in factories

Unit III

- **Trade Unions Act, 1926:** Formation, registration, and rights of trade unions
- **Industrial Employment (Standing Orders) Act, 1946:** Model standing orders for industrial establishments
- Dispute resolution mechanisms: Conciliation, arbitration, and adjudication

Unit IV

- **Employees' State Insurance Act, 1948 (ESI):** Social security and health insurance for employees

- **Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (EPF):** Provident fund and pension schemes

Unit IV

- **The Maternity Benefit Act, 1961:** Rights and benefits related to maternity leave
- **Industrial Disputes Act, 1947:** Mechanisms for resolving industrial disputes and trade union rights

Suggested Readings:

1. **S.N. Mishra** – *Labour and Industrial Laws*
2. **P.L. Malik** – *Industrial Law*
3. **H.L. Kumar** – *Law Relating to Dismissal, Discharge & Retrenchment*
4. **Roger Blanpain** – *Comparative Labour Law and Industrial Relations in Industrialized Market Economies*
5. **Keith Ewing, Aileen McColgan** – *Labour Law: Text, Cases and Material.*