



Academic Session 2020-21
LL.M. Second Semester
Course Contents



Dr. Ram Manohar Lohiya National Law University,
Lucknow

Distribution of Subjects and Teachers

Subject List of LL.M. **Second** Semester 2020-21

S.No.	Subject	Teachers
1.	Law and Justice	Dr. Vikas Bhati
2, 3, 4.	<p>Optional Groups</p> <p>Constitutional and Administrative Law</p> <p style="padding-left: 20px;">i. Centre-State Relations</p> <p style="padding-left: 20px;">ii. Gender Justice Law</p> <p style="padding-left: 20px;">iii. Environmental Law</p> <p>Criminal & Security Law</p> <p style="padding-left: 20px;">i. Criminal Justice and Human Rights</p> <p style="padding-left: 20px;">ii. Corporate Crimes/ White Collar Crimes</p> <p style="padding-left: 20px;">iii. Comparative Criminal Law</p> <p>Corporate Law</p> <p style="padding-left: 20px;">i. Competition Law</p> <p style="padding-left: 20px;">ii. Laws of Securities and Financial Markets</p> <p style="padding-left: 20px;">iii. Comparative Corporate Law</p>	<p>Dr. A. P. Singh/ Dr. R.K. Yadav</p> <p>Dr. Aparna Singh</p> <p>Prof. C.M. Jariwala/ Dr. A.K. Tiwari</p> <p>Dr. Prem Kumar Gautam</p> <p>Dr. Malay Pandey</p> <p>Dr. K.A. Pandey</p> <p>Dr. V. Visalakshi</p> <p>Dr. Manoj Kumar</p> <p>Dr. Manish Singh</p>

LAW AND JUSTICE

Course Contents

UNIT-I: Relationship between Law and Justice

- Relationship of Law and Justice: Justice as Function and Purpose of Law.
- Equivalence Theories - Justice as nothing more than the Positive law of the stronger class.
- Dependency theories - For its realization justice depends on law, but justice is not the same as law.
- The independence of justice theories - means to end

UNIT-II: Theoretical Premises of Justice

- Liberalism and the Idea of Just Society
 - John Rawls: A Theory of Justice.
 - The Radical Free-Market Philosophy of Robert Nozick
 - Amartya Sen's Idea of Justice
- Utilitarianism
 - Jeremy Bentham
 - John Stuart Mill

UNIT-III: Globalization and Justice

- Emergence of Transnational Law in a Globalizing World
- Impact of Globalization on Democratic Law Making
- Impact of Globalization on Human Rights
- Global Justice and Global Rule of Law

UNIT-IV: Models to Achieve Justice

- Constitutionalizing Economic Globalization
- Social Contract and Social Justice
- Amelioration of Poverty
- Socio-economic Rights Adjudication

REFERENCES:

1. John Rawls - A Theory of Justice, Universal Law Publishers, 2008
2. John Rawls - Justice as Fairness, Universal Law Publishers, 2011
3. Amartya Sen - Development as Freedom, Oxford University Press, 2006
4. Amartya Sen – The Idea of Justice, Allen Lane, 2009.
5. Jean Dreze & Amartya Sen - Uncertain Glory: India and its Contradictions, Allen Lane, 2013
6. T. R. S. Allan - Constitutional Justice, Oxford University Press, 2001
7. C. K. Allen- Aspects of Justice, Stevens, 1958
8. David Bilchitz - Poverty and Fundamental Rights: The Justification and Enforcement of Socio-Economic Rights, Oxford University Press, 2007
9. Sandra Fredman - Human Rights Transformed, Oxford University Press, 2008
10. Martha C. Nussbaum - Frontiers of Justice, Oxford University Press, 2007
11. N. E. Simmonds - Central Issues in Jurisprudence, Sweet & Maxwell, 2013
12. Anuj Bhunia – Courting the People: Public Interest Litigation in Post-Emergency India, Cambridge University Press, 2017
13. Varun Gauri and Daniel M Brinks (Eds.) - Courting Social Justice: Judicial Enforcement of Social and Economic Rights in the Developing World, Oxford University Press, 2008
14. Jagdish Bhagwati and Arvind Panagariya – India's Tryst with Destiny: Debunking Myths that undermine Progress and addressing New Challenges, Harper Collins, 2012.
15. David Schneiderman, Constitutionalising Economic Globalization: Investment Rules and Democracy's Promise, Cambridge University Press, 2008.
16. The Practice of Transnational Law, Edited by Klaus Peter Berger, Kluwer Law International, 2001.

OPTIONAL GROUPS: CONSTITUTIONAL AND ADMINISTRATIVE LAW

CENTRE-STATE RELATIONS

Course Content

UNIT-I: Federalism and Constitutional Governance

Federation and Confederation - Models of federal government – USA, Australia, Canada – Evolution of Centre-State relations in India – Indian Union- Composition –Distinct features of Indian Federalism – Part I(Art.1 to 4), Impact of globalization on Centre-State relations.

UNIT-II: Legislative Relations

Territorial nexus theory & principles of resolving conflict – Distribution of Legislative powers – the three lists – Principles of the interpretation of lists- Repugnancy between the Central and State law- Residuary power-Parliamentary legislation in the State field-Centre control over State legislation- Distribution of powers in other federation - Freedom of Inter-State trade and commerce, restrictions on legislative power of the Union and States.

Unit-III: Administrative Relations

Distribution of Executive power-Central-State Administrative coordination-Power to carry on trade-States not to impede the Centre-Centre's directives to the States-Statutory provisions - All India Services – impact of emergency and role of executives in the centre-state relations.

Unit-IV: Financial Relations, Co-operative federalism and Planning etc.

Scheme of Allocation of taxing power - Extent of union power of taxation – inclusion of residuary power in the fiscal power - Inter-Government tax immunities - difference between tax and fee-distribution of tax revenues - borrowing power of the Government of India and state- tax-sharing under the constitution - Finance commission – Specific purpose grants-VAT-GST- Reports of Commission & Committees on Revenue sharing.

REFERENCES:

1. H.M. Seervai, Constitutional Law of India (1998), Tripathi, Bombay.
2. D.T. Lakadwala, Union – State Financial Relations (1967)
3. K. Subba Rao, The Indian Federation (1969)
4. K.C. Wheare, Federal Government (1963)
5. Sudha Batnagar, Union-State financial Relations and Finance Commissions, (1979)
6. M.P. Jain “Indian Constitutional Law” (2011), Wadhwa.
7. M. C. Setalvad: Union and State Relations under the Indian Constitution.
8. Durga Das Basu: Comparative Federalism.
9. K.L. Bhatia: Federalism and Fictions in Centre-State Relation.
10. Ranbir Singh: Fiscal Federalism Constitutional Conspectus.

OPTIONAL GROUPS: CONSTITUTIONAL AND ADMINISTRATIVE LAW

GENDER JUSTICE LAW

Course Content

UNIT-I: FEMINIST THEORY AND LEGAL ORDER

- Feminism: Concept and Meaning, Feminism in India, Development and **Feminist Development theory.**
- **Constitution of India and the Gender question: Legal and Jurisprudential Questions arising from the case studies:** The anti-women model of development and planning Consonance with constitutional obligations with the state. Fundamentals rights, Directive Principles of state policy and Fundamental duties.

UNIT-II: GENDER JUSTICE STANDARDS AT INTERNATIONAL LAW

- **Women's issue and The Framework of the UN Charter, and the General Perception of the Role of the United Nations.**
 - (i) The UN Sub Commission on Status of women since 1946 and the Role of the NGOs.
 - (iii) The Programme of Action by the United Nations,
- **Convention on the Political Rights of Women, Convention on the Abolition of all Forms of Discrimination against Women, Convention of Traffic in Women and Children, 1949.**

UNIT- III: GENDER EQUALITY: NATIONAL PERSPECTIVE

1. **Abortion law and services: Medical Termination of Pregnancy Act.1971, PCPNDT Act, 2000, Surrogacy laws in India. Human Rights issues and women health**
2. **Prevention of Sexual Harassment of Women in Work place.** The indecent Representation of women (Prohibition) Act, 1986, Domestic Violence Act, 2005. Anti Rape Law (latest criminal amendment act) and Judicial response.

UNIT- IV: WOMEN AND SPECIAL WELFARE LAWS: ACCESS TO JUSTICE

1. **Laws on Economic Factors Affecting the Family: Female labour in unorganized sector, Self-employed women, Quantification of domestic work and services, Paternalistic Legislation and Employment of women, Hazardous operations and women labour exclusion.**
2. **Maternity Benefits Act, 1961, Understanding women's issues in Panchyati Raj, Need for law reform.**
3. **Law and enforcement agency: National and State Commission of Women: Role & Responsibilities.**

REFERENCES:

1. P.D.Kaushik "Women Rights" Bookwell Publication 2007.
2. Aruna Goal "Violence Protective Measures for Women Development and Empowerment" Deep and Deep Publications Pvt 2004
3. Monica Chawla "Gender Justice" Deep and Deep Publications Pvt Ltd.2006
4. Preeti Mishra "Domestic Violence Against Women" Deep and Deep Publications Pvt 2007.
5. ClairM.Renzetti, Jeffrey L.Edleson, Raquel Kennedy Bergen, Source Book on "Violence Against Women" Sage Publications 2001
6. Alison M. Jaggur : Feminist Thought and Human Nature (1983), Harvester Press Sussex
7. Maria Mies : Patriarchy and Accumulation on a World Scale : Women in the International Division of Labour (1986), Zed Books. London
8. Lawrence A. Babbm : Redemptive Encounters: Three Modern Styles in the Hindu Tradition 93- 158 (1987)
9. K.N. Venkatarayappa : Feminine Roles (1980)
10. Susan Atkins & Brend Hogett: Women and the Law (1984)

11. Julia Brophy & Carol Smart (ed.) : Women in Law: Explorations in Law, Family and Sexuality (1985)
12. Michael D.A. Freeman (ed.) : The State, the Law and the Family (1984)
13. Catherine A. Mackinnon : Feminism unmodified: Discourse on Life and Law(1987)
14. U. Baxi: Law and Poverty: Critical Essays (1988)
15. Government of India, National Commission on Self-employed women (1988)
16. Government of India. Towards Equality: Report of the Committee on the Status of Women (1975)
17. Govt. of India, Towards Equality Report of the National Committee on the Status of Women (1975)
18. Govt. of India, The Shah Commission Report on Emergency Excesses (1978), Relevant Articles from the Economic and Political Weekly
19. Ministry of Social Welfare Manisha Gupta & Anita Borkar : Women's Work Fertility and Access to Health Care (1988), the Foundation for Research in Community Health, Bombay
20. A. Mitra, L. Pathok, S. Mukedi : The Status of Women: Shift in Occupational Participation (1980)
21. Maria Mies : The Lace-makers of Narsapur: India Housewives Prepare for the World Market (1982)
22. Maria Mies : India Women in Subsistence and Agricultural Labour (1987)
23. S.K. Kuba : Work Status of Women in International Law

OPTIONAL GROUPS: CONSTITUTIONAL AND ADMINISTRATIVE LAW

ENVIRONMENTAL LAW

Course Content

UNIT-I: The Basic Concepts and Principle

- Sustainable Development
- Polluters/ Pays Principle
- Precautionary Principle
- Inter-generational Equity

UNIT-II: Enviroconstitutional Vision

- Constitutional Challenges
- Centre-State Relations
- Environmental *Triveni Sangam*
- Changing Dimension of Environmental Right

UNIT-III: Legal Control of Pollution

- Emergence of International Environmental Law
- Law Relating to Climate Change
- The Forest (Conservation) Act 1980
- The Environment (Protection) Act, 1986

UNIT-IV: Judicial Success and Failure

- Environmental Concern
- Developmental Concern
- Environmental Accident
- Tribunalisation of Justice

REFERENCES:

1. Divan, Rosencranz, *Environmental Law & policy in India*
2. Prof. Satish C. Shastri, *Environmental Law*
3. Birnie, Patricia W. and Boyle, Alan E. *International Law and the Environment*
4. Stuart Bell, Donald Mc Gillivray, *Environmental Law*

OPTIONAL GROUPS : CRIMINAL & SECURITY LAW
CRIMINAL JUSTICE AND HUMAN RIGHTS
Course Content

UNIT-I

Conceptual Aspects of Criminal Justice and Human Rights

1. Principles of Criminal Justice-Concept of Crimes, Classification of Crimes/Offences
2. **Concept of Human Rights and Indian Constitution**
3. **Inter Linkages between Human Rights and Criminal Justice System**

UNIT-II

Criminal Justice Administration and Human Rights

1. Functionaries of Criminal Justice Administration- Police, Courts, Defense Council, Public Prosecutor, Prison Authorities
2. **Classification of Different Courts and their Powers including Human Rights Courts, Fast Track Courts**
3. **Role of Human Rights Institutions in dispensation of Criminal Justice**

UNIT-III

Human Rights Problems and Criminal Justice

1. **Police Atrocities and Custodial Violence**
2. Violence Against Women and Children
3. **Communal Violence, Caste and Class Conflicts**
4. Terrorism and Insurgency

UNIT-IV

Human Rights of the Accused, Prisoners and Victims

1. **Rights of the Accused and arrested persons**
2. **Rights of the Prisoners-Legal Aid, Speedy Justice, Fundamental Rights**
3. Victim's Right of Rehabilitation , Compensation, Information, Participation and Protection

REFERENCES:

1. Reports of National Human Rights Commissions
2. H.R. Bhardwaj, *Crime, Criminal Justice and Human Rights*, Konark Pub. , New Delhi
3. Universal Declaration of Human Rights 1948
4. Code of Criminal Procedure

OPTIONAL GROUPS: CRIMINAL & SECURITY LAW

CORPORATE CRIMES/ WHITE COLLAR CRIMES

Course Content

UNIT- I: Nature and Definition

- Nature and scope of White Collar Crime
- Meaning and nature of Corporate Crime
- Mens rea and vicarious liability
- Types of Corporate Crimes
- Comparison between White Collar Crime, Corporate Crime and Organized Crime

UNIT- II: Corporate Crimes

- Psychological and socio-economic factors underlying corporate fraud
- Corporate Criminal Liability
- Nexus of Corporate Crime and Politics
- Rational Choice Theory of Corporate Crime
- Criminological Theory and Organizational Crime
- Judicial attitude towards Corporate Crimes
- Instances of Corporate Fraud:
 - Harshad Mehta Case (Stock Market Scam)
 - Satyam Scam
 - Saradha Chit Fund Scam
 - DHFL- Karvy Fraud

UNIT- III: White Collar Crime

- Conception of White Collar Crimes and Indian approaches to Socio-economic Crimes
- Application of Criminal Justice principles to White Collar Crimes
- Privileged class deviance: Official deviance, Police deviance, Professional deviance

UNIT- IV: Legal and Judicial Response to White Collar Crime and Corporate Crimes and Enforcement Agencies

- Special Acts
 - Prevention of Corruption Act, 1988
 - Prevention of Money Laundering Act, 2002
 - Companies Act, 2013
 - Foreign Exchange Management Act, 1999
- A R Antulay Case (1988)
- Police, CBI, ED, State Anti-corruption Bureau
- Central Vigilance Commission
- Public Accounts Committee
- Ombudsman

REFERENCES:

1. Prakash Talwar, *Corporate Crime* (Isha Books, 2006), See Chapters 3 and 5, i.e. 'Economic Offences in India,' and 'Concept of White Collar Crime.'
2. Gilbert Geis, *White Collar and Corporate Crime* (Oxford University Press, 2016), pp. 53-71.
3. Hazel Croall, *Corporate Crime (Volume I)* (Sage Library of Criminology, 2009), See Chapter 1, i.e. 'Is "White Collar Crime" Crime?'

4. Hazel Croall, *Corporate Crime (Volume II)* (Sage Library of Criminology, 2009), See Chapters 33 and 34, i.e. 'A Rational Choice Theory of Corporate Crime' and 'Criminological Theory and Organizational Crime.'
5. John Minkes and Leonard Minkes, *Corporate And White Collar Crime* (Sage Publication Inc. 2008), See Chapter 3, i.e. 'The Evolving Legal Test of Corporate Criminal Liability.'
6. UpendraBaxi, *Liberty and Corruption - The Antulay Case and Beyond* (Eastern Book Company, 1989).
7. Edwin H. Sutherland, 'White-Collar Criminality,' 5(1) *American Sociological Review* 1-12 (Feb. 1940).
8. Jeffrey S. Parker, 'Doctrine for Destruction: The Case of Corporate Criminal Liability,' 17(4) *Managerial and Decision Economics* 381-398 (Jul-Aug, 1996).
9. William S. Laufer, 'Corporate Culpability and the Limits of Law,' 6(3) *Business Ethics Quarterly* 311-324 (Jul. 1996).
10. Guy Stessens, 'Corporate Criminal Liability: A Comparative Perspective,' 43(3) *The International and Comparative Law Quarterly* 493-520 (Jul 1994).
11. Time Eaton and Sam Korach, 'A Criminological ProfileOf White-Collar Crime,' 32(1) *The Journal of Applied Business Research* 129-142 (Jan-Feb 2016).
12. Pamela R. Murphy and M. Tina Dacin, 'Psychological Pathways to Fraud: Understanding and Preventing Fraud in Organizations,' 101(4) *Journal of Business Ethics* 601-618 (July 2011).
13. Harry First, Charles Denison, 'General Principles Governing the Criminal Liability of Corporations, Their Employees and Officers,' *New York University School of Law* available at <https://ssrn.com/abstract=3180887>.
14. SumitBaudh, 'Corporate Criminal Liability: A Review in Light of Tata-Ulfa Nexus,' 10 *Stud Adv* (1998) 44.

Reports:

1. Law Commission 29th Report, 1966: Para 6 to 26.
2. Law Commission 47th Report, 1972.
3. Report of the Company Law Committee (14 November, 2019) Chapter 1: Decriminalising Certain Compoundable Offences, Page 14-40.
4. Report of the Committee on Prevention of Corruption/Santhanam Committee Report, 1964.
5. Vohra Committee Report, 1993.

Cases:

1. AneetaHada v. Godfather Travels & Tours (P) Ltd., (2012) 5 SCC 661.
2. Iridium India Telecom Ltd. v. Motorola Incorporated, (2011) 1 SCC 74.
3. P. Chidambaram v. Directorate of Enforcement, (2019) 9 SCC 24.
4. P. Chidambaram v. Directorate of Enforcement, 2019 SCC OnLine SC 1549.
5. Rajendra Prasad v. State of Uttar Pradesh, (1980) 1 MLJ (Crl).
6. Shibamoy Dutta v. Manoj Kumar, 2016 SCC OnLine Cal 62.
7. Standard Chartered Bank v. Directorate of Enforcement, (2005) 4 SCC 530.
8. State of Maharashtra v. Sunder P. Lalvani, 1992 Cr LJ 2015.
9. Sunil Bharti Mittal v. Central Bureau of Investigation, (2015) 4 SCC 609.

OPTIONAL GROUPS: CRIMINAL & SECURITY LAW

COMPARATIVE CRIMINAL LAW

Course Content

UNIT-I: INTRODUCTION

- Overview of Comparative Criminal Law: Meaning and Content
- **Comparative study of constituents of Crime *Actus reus and Mens rea***
- **A Comparative view of Principle of legality**
- Comparative Study of Objectives of Punishment

UNIT-II: COMPARATIVE STUDY OF CRIMINAL LIABILITY

- Criminal Conspiracy
- **Law of accessory, abetment and attempt**
- **Major defences viz. Insanity, intoxication, necessity, infancy and private defence**
- **Liability of corporate entities**

UNIT-III: COMPARATIVE STUDY OF OFFENCES AGAINST HUMAN BODY

- **Law of Homicide in India, England and U.S.**
- Assault and battery
- **Sexual Offences**
- Kidnapping and Abduction

UNIT-IV: COMPARATIVE STUDY OF OFFENCES AGAINST PROPERTY

- **Law of theft in India, England and U.S.**
- **Blackmail and Extortion**
- Robbery
- **Embezzlement and Criminal Breach of Trust**

REFERENCES:

1. Jerome Hall, General Principles of Criminal Law, (2nd ed. 2005; The Lawbook Exchange Ltd.).
2. Kevin Jon Heller and Markus D Dubber, Handbook of Comparative Criminal Law, (1st ed. 2011; Stanford University Press, Stanford).
3. Francis Pakes, Comparative Criminal Justice, (4th ed. 2019; Routledge, London).
4. Souvik Chatterji, Human Rights and Comparative Criminal Law, (1st ed. 2016; Thomson Reuters).
5. K.A. Pandey, Principles of Criminal Law- Cases and Materials, (2nd ed. 2020; Central Law Publications).
6. Richard Card and Jill Molloy, Card, Cross & Jones Criminal Law, (22nd ed. 2016; Oxford University Press).
7. K.D. Gaur, Criminal Law- Cases and Material, (9th ed. 2019; LexisNexis).
8. Dennis Baker, Glanville Williams Text Book of Criminal Law, (4th ed. 2015; Sweet and Maxwell).
9. B.B. Pande, "Paradoxes in the Common Law of Crimes: A Comparative Analysis in the Light of Criminal law of the United Kingdom, Hong Kong and India," (2008). Journal of the Indian Law Institute Vol. 50 July-Sept. 2008 pp. 303-320.

OPTIONAL GROUPS: CORPORATE LAW

COMPETITION LAW

Course Content

UNIT-I: Anti-Competitive Agreement

- Appreciable adverse effect
- Horizontal and Vertical Agreements
- Effects doctrine

Prohibition of Anti-Competitive Agreements

- Concerted practices and parallel behaviour
- Cartel and Cartelisation
- Bid rigging and collusive bidding
- Tie-in-arrangements
- Exclusive supply agreement
- Resale price maintenance agreement

UNIT-II: Abuse of Dominant Position

- Relevant Market
- Predatory Behaviour
- Predatory Pricing
- Discriminatory Practices

UNIT-III: Combination

- Value of Assets
- Turnover
- Acquisition
- Conglomeration
- Joint Venture
- Merger and Amalgamation
- Notification

UNIT-IV: International Co-operation for competition

WTO agreements

REFERENCES:

1. Mittal D.P., Taxmann's Competition Law (2007)
2. Universal Guide to Competition Law in India-2003, Universal Law Publishing Company, New Delhi.
3. Ramappa, T., Competition Law in India- Policy, Issues and Development (2006) Oxford University Press.
4. Nahar S. Mahala, Law, Practice and Procedure (2006), Commercial Law Publishers.
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6. Bangia R.K., A Handbook of Consumer Protection Laws and Procedure, 2004, Allahabad Law Agency.
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8. Verma S.K. & M. Afzal Wani, A Treatise on Consumer Protection Laws, (ed.) 2004, Indian Law Institute.
9. Anoop K. Kaushal, Universal's Practical Guide to Consumer Protection Law, 2006, Universal Law Publishing Company, New Delhi.
10. Pavleen, Consumer Decision- Making 2006, Deep & Deep Publication.
11. Aggarwal, Prof. V.K., Consumer and Protection Law and Practice, 6th Ed. (2008).
12. Avtar Singh Competition Law, Eastern Book Company
13. Global Competition Law & Economics Einer Elhauge and Damien Geradin, Oxford and Portland, Oregon, 2011.

Article

1. Mergers, Amalgamations and acquisitions under the competition Act, 2002 (2009) 93 CL A (Mag) 67.
2. Anti-Competition effects of Cartels (2009) 89 CLA (Mag) 16.

OPTIONAL GROUPS: CORPORATE LAW

COMPARATIVE CORPORATE LAW

Course Content

UNIT-I: The Building Blocks of Comparative Corporate Law

- **Relevance of comparative corporate law in contemporary world**
- Ownership structures of corporations in different legal systems
- **Legal precincts of Corporate Finance:** Perspectives from different jurisdictions

UNIT-II: Corporate Governance

- **The shareholder-stakeholder debate and corporate governance models**
- Board structure and control of management power
- Liability of Directors and Fiduciary Duties

UNIT-III: Insider Trading

- Introduction
- **The Rationales for Insider Trading Prohibition**
- **Comparative Perspective on Insider Trading**

UNIT-IV: Important Corporate Law Issues in a Comparative Context

- **Mergers and Acquisitions**
- **Corporate Insolvency Law**
- Corporate Social Responsibility

REFERENCES:

1. Gevurtz, Global Issues in Corporate Law.
2. Cadbury, A., Corporate Governance and Chairmanship: A Personal View (Oxford University Press, 2003).
3. Charkham, J., Keeping Better Company: Corporate Governance 10 years on, a study of corporate governance in five countries, (Oxford University Press, 2nd edn, 2008).
4. Cheffins, B, Company Law: Theory, Structure and Operation, (Oxford University Press, Oxford, 1997)
5. De Cruz, P, Comparative Law in a Changing World (3rd edn, Routledge, 2007)

6. Ferrarini, G. et al, *Reforming Takeover and Company Law in Europe* (Oxford University Press, 2004).
7. Hopt, K, et al., *Comparative Corporate Governance: the state of the art and emerging research* (Oxford University Press, Oxford, 1998).
8. Kraakman, R. et al, *The Anatomy of Corporate Law: A Comparative and Functional Approach* (Oxford University Press, 2009).
9. Morak, R., *Corporate Governance around the World* (Chicago University Press, 2007).
10. Prentice, D.D., & Holland, P, *Contemporary Issues in Corporate Governance*, (Oxford University Press, Oxford, 1993).
11. M Andenas and F Wooldridge *European Comparative Company Law* (CUP 2005)
12. LC Backer (ed) *Comparative Corporate Law: United States, European Union, China and Japan* (Carolina Academic Press, 2002)
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14. Haupt, Klaus J., *Comparative Corporate Governance: The State of the Art and International Regulation*, 59 *American Journal of Corporate Law* 1 (2011).
15. Martin Gelter, *The Dark Side of Shareholder Influence: Managerial Autonomy and Stakeholder Orientation in Comparative Corporate Governance*, 50 *Harvard International Law Journal* 129 (2009).
16. *United States v. O'Hagan*, Supreme Court of the United States, *536 U.S. 642* (1997) 228
17. Palmiter, *Insider Trading*, *Securities Regulation: Examples & Explanations*
18. Council Directive of 28 January 2003 On Insider Dealing And Market Manipulation
19. Raghavan, Ascarelli & Woodrugg, *Europe's Police Are Out of Luck on Insider Cases* (SJ 2000)
20. Langevoort, *Defining Insider Trading: The Experience in Other Countries*, (April 1992)
21. Palmiter, *Takeover Contests -- An Introduction*, *Corporations: EXAMPLES AND EXPLANATIONS*

OPTIONAL GROUPS: CORPORATE LAW
Laws of Securities and Financial Markets
Course Content

Unit-I:- Introduction

Nature and meaning of Securities and Financial Markets; Types of Financial markets:-Capital Market and Money Market and Primary Market and Secondary Market, Difference between Capital Market and Money Market; Capital Market instruments; Corporate Governance and Corporate Social Responsibility

Unit-II:- Securities Market Intermediaries

Primary Market and Secondary Market Intermediaries: - role and functions; Primary market Intermediaries: Merchant Bankers, Underwriters, Bankers to issue, Portfolio Managers, Debenture-Trustees, etc.: Rules and regulations; SEBI (Issue of Capital and Disclosure Requirements) Regulations, 2009; Secondary Market Intermediaries: Stock Brokers, Advisors:- Rules and Regulations

Unit-III:- Regulatory Framework of Financial Market

Need and role of Regulatory Authorities in Financial Market; The Securities and Exchange Board of India: - Policy, composition, powers and functions; Role, powers and functions of Stock Exchanges; Overview of Depository System in India:-Instruments issued outside India: ADRs, GDRs and IDRs

Unit-IV:- Finance Raising Schemes and Policies

Mutual Fund: - Nature and meaning, role in Financial Market, rules and regulations; Venture Capital: - Meaning of Venture Capital, Rules and regulations; Collective Investment Scheme: - Nature and meaning, Regulatory framework; Foreign Direct Investment: - Need and scope of FDI, FDI policy of India; Foreign Exchange and Management Act: - Basic principles of the Act

REFERENCES:

1. Capital Market in India by E. Gordon and K. Natarajan
2. Indian Financial System by H.R. Macharaju
3. Guide to Indian Capital Market by Sanjeev Aggrawal
4. Inside Capital Market by N. Gopaldaswamy
5. Indian Financial Systems by M.Y. Khan
6. Taxmann's SEBI Manual