मंजिळ: Regulation Governing Master of Laws (LL.M.) one year Degree Programme अध्ययनार्थी, त्रिविधाय संबंधित असंतोष वस्ती.

अभिप्रेत: मार्गदर्शन संबंधित वस्ती:

वायव्यक्त साक्षरता संबंधित संबंधित असंतोषातील Regulation Governing Master of Laws (LL.M.) one year Degree Programme अध्ययनार्थी मार्गदर्शन संबंधित संबंधित संबंधित असंतोषातील असंतोष ज्ञापन.

जाहीर निर्देश, गृह मुख्य
अर्थी संबंधित संबंधित संबंधित संबंधित संबंधित संबंधित अतिथि

सूचना:
1. अर्थी संबंधित संबंधित, गृह मुख्य संबंधित, अतिथि संबंधित संबंधित संबंधित.
2. अर्थी संबंधित संबंधित, गृह मुख्य संबंधित, अतिथि संबंधित संबंधित संबंधित.
NOTIFICATION

Sub: Regulation Governing Master of Laws (LL.M.) one year Degree Programme.

     2. Approval of the Hon’ble Vice-Chancellor dated:

Adverting to the above subject matter, it is hereby notified that, the ‘Regulation Governing Master of Laws (LL.M.) one year Degree Programme’ has been assented by His Excellency the Governor and Chancellor of Universities of Karnataka.

The above Regulation has been communicated to this office by the Principal Secretary, Law, Justice and Human Rights, Bangalore on 15-09-2014.

The above Regulation has come into effect from the date of communication by the Government.

To,

1. To Chairman and all the members of Syndicate of Karnataka State Law University, Hubli.

Copy to:

1. The Principal Secretary to Govt. Dept. of Law, Justice and Human Rights, Bangalore.
2. The Principal Secretary to His Excellency Governor and Chancellor of Universities in Karnataka, Bangalore.
3. The Ps to Hon’ble Vice-Chancellor, Karnataka State Law University, Hubli.
4. The Ps Registrar, Karnataka State Law University, Hubli.
5. The Ps Registrar (Eva.), Karnataka State Law University, Hubli.
6. Finance Officer, KSLU, Hubli.
7. The Deputy Registrar, Academic, Karnataka State Law University, Hubli.
8. Director, KSLU’s Law School, KSLU, Hubli.
The Regulation Governing Master of Laws (LL.M) one year Degree Programme.

Issued: 7th March 2014

The Regulation Governing Master of Laws (LL.M) one year Degree Programme.

Issued: 15th September 2014
REGULATIONS GOVERNING MASTER OF LAWS (LL.M.) ONE YEAR DEGREE PROGRAMME

(Under Section 49(1)(c) of the Karnataka State Law University Act, 2009)

1. Title:

These regulations may be called as the Karnataka State Law University’s Regulations governing the Master of Laws (LL.M.) Degree Programme.

2. Extent:

These Regulations extend to all constituent law schools, constituent colleges, Post-Graduate Centres, Departments of Studies in Law within the jurisdiction of the Karnataka State Law University which are accorded permission to administer LL.M. Degree Programme.

3. Commencement:

These Regulations shall come into force from the Academic Year 2014-15.

4. The Programme and Duration:

(1) There shall be Master of Laws (LL.M.) Degree Programmes in the following specializations. The University may operate all or any of the specialisations and introduce other specialisations from time to time:

i. Constitutional and Administrative Law

ii. International Law and Comparative Law

iii. Corporate and Commercial Law

iv. Criminal and Security Law,

v. Family and Social Security Law,

vi. Legal Pedagogy and Research.

(2) LL.M. Degree course shall be of one year duration spread over two semesters.

(3) Each Academic Year shall be divided into two Semesters

(4) Each Semester shall consist of 18 weeks of teaching/ research/ practicals.

(5) The courses shall be as given in the Schedule appended. The syllabus for each of the course shall be as notified by the University from time to time.
5. Course Structure:

(1) The LL.M. Programme shall have 24 credits with three foundation/ mandatory courses of 3 credits each (making a total of nine credits), six optional/ specialization courses of 2 credits each (making a total of 12 credits) and a dissertation of 3 credits.

(2) The allocation of courses over two semesters shall be as under.

I Semester:

i. Foundation Course-I: Research Methods and Legal Writing
ii. Foundation Course-II: Comparative Public Law
iii. Foundation Course-III: Law and Justice in a globalizing World.
iv. Specialisation course-I
v. Specialisation course-II

II Semester:

i. Specialisation course-III
ii. Specialisation course-IV
iii. Specialisation course-V
iv. Specialisation course-VI
v. Dissertation

6. Instruction and Training:

(1) A course of 3 credits shall be conducted for 6 hour every week and a course of 2 credits shall be conducted for 4 hours per week including class room teaching, library work, seminars, project work and tutorials.

(2) The medium of instruction and examination shall be English.

7. Admission Procedure:

(1) Admission to LL.M. Programme shall be through an All India Admission Test conducted by the Karnataka State Law University which shall be designed to test the aptitude for (i) teaching/ research, (ii) comprehension, (iii) basic legal knowledge and (iv) legal reasoning. The question paper shall contain objective type questions, short answer questions and one essay type question.

(2) The admission test will be for 70% of total marks of the test and the remaining 30% will be distributed on the basis of work experience (moot courts, clinical experience, research
projects undertaken, other simulation exercises), publications, and legal knowledge. This component shall be assessed through a viva-voce conducted by a committee under the chairpersonship of the Dean or heads of post graduate centers, and two experts nominated by the Vice Chancellor who shall be Professors in Law. In case of necessity an additional committee consisting of three experts may be constituted. As far as possible, viva-voce shall be conducted on the day or the following day of the admission test itself.

(3) The question paper for the admission test shall be prepared by a committee consisting of a chairman and 4 other members nominated by the Vice Chancellor.

(4) The committee shall prepare three sets of papers and submit the same to the Registrar (Evaluation) of the Karnataka State Law University.

(5) The answer scripts shall be assessed by such of the experts as decided by the Vice Chancellor.

(6) The admission test shall be conducted at the Karnataka State University Main campus.

(7) There shall be a common application for admission test. However, the applicant shall mention the order of preference of their choice of the Law School or P.G.Departments for admission.

(8) The Admission Test shall be of two and a half hours duration for 70 marks. It shall be conducted between 9-00 am and 11-30 am on the day notified by the University. The viva-voce shall be conducted for 30 marks on the same day from 12-00 noon onwards.

(9) The final list of candidates eligible for admission shall be prepared by the Admission Committee consisting of the Dean, Director of Law School, Heads of P.G.Departments, Director Students Welfare and Coordinator SC/ST Cell based on merit after consolidating the marks obtained in the admission test and viva-voce and following the prevailing rule of Karnataka Government relating to reservations within five days from the date of admission test.

8. Eligibility Criteria for Admission Test:

(1) An applicant who has graduated in law from a University established by an Act of Parliament or by a State Legislature or an equivalent national institution recognized as a Deemed to be University or a foreign University recognized as equivalent to the status of an Indian University by the Equivalence Committee of Karnataka State Law University competent to declare equivalence, may apply for LL.M. degree course.
(2) Minimum percentage of marks in qualifying examination shall not be below 45% of total marks in case of general category applicants and 40% of total marks in case of SC and ST applicants.

9. Intake:

(1) No School/College or P.G. Department of Studies in Law authorised to impart education in the LL.M. degree course shall admit more than 20 students in each Branch.

(2) The University shall reserve the right to prescribe the number of Branches in each Law School/College or the Department of Studies in Law.

10. Tuition and other fees:

Candidate seeking admission to the LL.M. Degree Programme shall pay the tuition and other fees as prescribed by the University from time to time.

11. Attendance:

(1) No student shall be permitted to appear for the end-of-semester examination in a given course unless he/she has, to the satisfaction of the course teacher, fulfilled the course requirements and has put in not less than 75% attendance in the course concerned.

Provided that a student who has attended not less than 65% of classes in each of the subjects prescribed may be permitted to keep the term for reasons to be recorded in writing and to the satisfaction of the Chairman of the P.G. Department/Director of Law School as the case may be.

(2) A student who fails to keep the necessary attendance in first semester shall lose his studentship. A student who fails to keep the necessary attendance in the second semester shall repeat the semester with the next batch of students by paying the fees as prescribed by the University.

12. Examination and Evaluation of Students:

(1) Unless otherwise provided for by the University, a student shall be evaluated for 100 marks in every course of which 50 marks shall be for the end-semester examination and 50 marks shall be for continuous evaluation by course teacher/teachers.

(2) Marks for continuous assessment shall be apportioned as under:

(a) Two tests of 15 marks each adding to 30 marks.

(b) Assignment/project to be written and submitted for 15 marks.
(c) Seminar based on assignment/project for 5 marks.

(3) Tests shall be written in the booklets kept for the purpose at the Law School/P.G.Department.

(4) Assignments/projects shall be neatly typed or written on one side of A-4 size sheets and bound.

(5) A student has to secure a minimum of 40% of marks both in continuous assessment and end-semester examination.

(6) There shall be 100 marks for dissertation. The dissertation will be valued for 75 marks and for presentation of a seminar and viva-voce based on dissertation there shall be 25 marks. The dissertation shall be evaluated at the evaluation centre by the guide and an external examiner. If there is a difference of more than 15% of marks between the awards of two examiners, the dissertation shall be evaluated by a third examiner and the mean of nearest of the two awards shall be taken as the marks awarded.

(7) There shall be a coordination committee, appointed by the Vice chancellor, to moderate the marks assigned by way of continuous assessment. It shall have the power to vary the marks assigned up to 15 percent.

(8) Each answer script shall be evaluated by two examiners independently. The mean of two shall be taken as the marks awarded. If there is a difference of more than 15% of marks between the awards to two examiners, the answer script shall be evaluated by a third examiners and the mean of nearest of the two awards shall be taken as the marks awarded.

13. Promotion, Marks and Grades:

(1) For the purpose of passing each course, a student shall secure minimum of 40% of the marks allotted to each component for evaluation of the course (i.e., end semester examination and continuous evaluation) and the minimum aggregate of 50% in each course. A candidate who secures less than 50% of marks or the equivalent grade D, in a course, shall be deemed to have failed.

(2) After the evaluation, grades shall be allotted to the students as under:

<table>
<thead>
<tr>
<th>Percentage of marks</th>
<th>Grade</th>
<th>Grade Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>≥ 80</td>
<td>O+</td>
<td>8</td>
</tr>
<tr>
<td>≥ 75 &lt; 80</td>
<td>O</td>
<td>7.5</td>
</tr>
<tr>
<td>≥ 70 &lt; 75</td>
<td>A+</td>
<td>7</td>
</tr>
<tr>
<td>Grade</td>
<td>Range</td>
<td>Credit Points</td>
</tr>
<tr>
<td>-------</td>
<td>-------------</td>
<td>---------------</td>
</tr>
<tr>
<td>A</td>
<td>≥65 &lt; 70</td>
<td>6</td>
</tr>
<tr>
<td>B+</td>
<td>≥60 &lt; 65</td>
<td>5</td>
</tr>
<tr>
<td>B</td>
<td>≥55 &lt; 60</td>
<td>4</td>
</tr>
<tr>
<td>C</td>
<td>≥50 &lt; 55</td>
<td>3</td>
</tr>
<tr>
<td>D</td>
<td>&lt; 50</td>
<td>0</td>
</tr>
</tbody>
</table>

≥ Greater than or equal to;  < Less than

(3) A candidate who has secured minimum 50% marks or equivalent grade i.e. C is a course will be given 3 credit points for mandatory/dissertation courses and 2 credit points for the optional courses. The candidates getting minimum of 24 credits shall be declared to have passed the LL.M. Programme and shall be eligible for award of LL.M. Degree.

(4) The cumulative Grade Point Average (CGPA) is arrived at by dividing the sum of the products of Grade Values and the Course Credits in each course by the total number of credits in all the courses.

\[
CGPA = \frac{C_1G_1 + C_2G_2 + \ldots + C_nG_n}{C_1 + C_2 + \ldots + C_n}
\]

(5) A student who has obtained less than 50% of the maximum marks assigned to a or the equivalent grade D shall be declared as fail in that subject.

(6) A student who has failed in a course or who wants to improve the score may be permitted to offer himself for examination in all components with the students of the subsequent batches.

14. Time Limit for completion of degree:

A student who has enrolled for LL.M. degree shall complete it within two years from the enrolment failing which he will lose studentship.

15. Award of Degree:

A student shall be awarded LL.M. Degree if he/she has completed all the courses prescribed and dissertation within the stipulated time and secured the minimum 50% marks or the grade equivalent to that i.e. “C” with a total of 24 credits and obtained CGPA of 3.00 out of 8.00.

16. Award of Ranks and Medals:

(1) There shall be two ranks and medals in each branch of specialisation.
(2) Ranks and medals shall be awarded to the students who have passed their LL.M. Degree examination in the first attempt and have secured a minimum of “A” grade.

**Schedule**

**The courses prescribed for LL.M. Degree Programme**

**I Semester:**

i. Foundation Course-I: Research Methods and Legal Writing  
ii. Foundation Course-II: Comparative Public Law  
iii. Foundation Course-III: Law and Justice in a globalizing World.  
iv. Specialisation Course-I  
v. Specialisation Course-II  

**II Semester:**

i. Specialisation Course-III  
ii. Specialisation Course-IV  
iii. Specialisation Course-V  
iv. Specialisation Course-VI  
v. Dissertation  

**I. Constitutional and Administrative Law - Specialisation Courses.**

2. Specialisation Course-II: Centre-State Relations and Constitutional Governance  
4. Specialisation Course-IV: Administrative Law  
5. Specialisation Course-V: Media Law.  
6. Specialisation Course-VI: Comparative Administrative Law  

**II. Corporate and Commercial Law - Specialisation Courses.**

1. Specialisation Course-I: Company Law  
2. Specialisation Course-II: Banking and Insurance Law  
3. Specialisation Course-III: Competition Law  
4. Specialisation Course-IV: Laws on Securities and Financial Markets  
5. Specialisation Course-V: International Trade Law  
Foundation Course-I: Research Methods and Legal Writing

Objectives:

All professionals require adequate exposure to research methods to attain greater heights in the professions. Law being a most socially relevant subject, appropriate exposures to research skills and legal writing will make qualitative difference in the services rendered and contribute to social good. The LL.M. students should be trained to undertake research study of any issue, collect relevant data using appropriate tools, analyse the data, employ different methods of research and produce a report, petition, opinion, etc. of great utility. This course is designed in that direction.

Course Content:

Unit-I

Meaning of research; purpose and objectives of legal research; reflective thinking; application of reflective thinking in legal research; scientific method; pure and applied research; doctrinal and non-doctrinal research.

Unit-II

Research problem; hypothesis; research questions; tentative chapterisation; research methodology; Methods of legal research- analytical method, historical method, comparative method and sociological or empirical method.

Unit-III

Experimental method, philosophical type of research, prognostic type of research, descriptive method.

Unit-IV

Research Tools- use of library, observation, questionnaire, mailed questionnaire, interview. Probability and sampling, scaling techniques, analysis of data,

Unit-V

Legal Writing- meaning, Importance, nature of academic research and writing in law. How to start a research paper? - felt difficulties, selection of topic, focusing on specific theme, making notes and paraphrasing, developing independent ideas. Thinkin and writing originally- Reflective thinking, perspectives of legal philosophy and constitutional ideology; law-society perspective. Leterature review. Report writing; writing case comments and book
reviews. Publication of academic work in books, journals and newspapers. Use of technology in legal research.

Prescribed Books:


Reference Books:

Foundation Course-II: Comparative Public Law

Objectives:

This paper is designed to sensitize the students towards a regime that is of relevance to everyone in a state. The concept of welfare state under a constitutional order, the doctrines used to tame the state power to protect individuals, the basic principles against abuse of power are all common to developed and developing states. Same is the case with criminal justice system. The students should be introduced to these uniformities obtaining in public law in different legal systems to equip them well to undertake the study of other specialized subjects. The students may undertake a comparative study of American, British and Indian constitutions and refer to other constitutions wherever necessary.

Course Content:

Unit-I

Meaning of Constitution, constitutionalism, rule of law, separation of powers, welfare state, constitution as a living document,

Unit-II

Guarantee of fundamental rights and freedoms; Restrictions that may be imposed on the rights; when the rights may be suspended; remedies available against violation of rights and their effectiveness.

Unit-III

Principles of Natural Justice- Audi Alteram Partem, Rule against bias, exceptions; judicial review of administrative action; abuse of discretions;

Unit-IV

Constitutional basis to respect international law, treaty making, implementation of treaties, Vienna Convention of Law of Treaties, certain basic principles- *jus cogens*, *pacta sunt servanda*, *rebus sic stantibus*,


Unit-V

Basic principles of criminal law, application of criminal law against abuse of state power, regime against corruption, terrorism, etc., Corporate criminal liability.

Prescribed Books:


Special laws dealing with modern crimes like terrorism, money laundering, corruption, etc.

Reference Books:


Foundation Course-III: Law and Justice in a Globalizing World

Objectives:

The essence of law is to establish and preserve order in society. This is directly related to justice. The concern of the state for justice both domestic and international necessitates that the students be introduced to different theories of justice. This course is designed to engage the students with different theories of justice, the necessity to ensure justice in a globalizing world and the means adopted to achieve the same at domestic and international level.

Course Content:

Unit-I

Schools of Law- Natural Law, Positivism and Critical Legal Thought.

Unit-II

Law and Justice- What is Justice, Theories of Justice- Utilitarianism, Liberalism, Kant’s Moral Philosophy, John Rawl’s Theory of Justice, Aristotle’s theory of Justice.

Unit-III

Sociological theory of Law, Relation between Law and Society.

Unit-IV

Law and Morals- global issues such as abortion, homosexuality, euthanasia, same sex marriage, death sentence, etc.

Unit-V

Critical evaluation of securing basic rights in globalized world- protection of interest of the developing and under developed countries, responsibilities of the international organizations, responsibilities of the developed nations.

Prescribed books:

Relevant chapters from-


**Reference Books:**


3. Julius Stone; *Social Dimensions of Law and Justice*, (USA: Maitland Publications; 1966)


Relevant International instruments
Specialisation Paper-I: Fundamental Rights and Directive Principles

Objectives:

The Indian Constitution envisages to establish egalitarian society by securing fundamental rights in Part III of the Constitution. The concept of welfare state and social justice derive their strength from Part IV of the Constitution. Over the period, through judicial interpretations many un-articulated rights have been added to the bunch of fundamental rights. The status of Fundamental Rights, Directive Principles of State Policy and their interrelationship is studied in detail in this paper.

Course Content:

Unit I


Unit II

Right to Freedom - Freedom of Speech and expression and its territorial Extent - Right to Information - Right to silence - Freedom of Press - Commercial Advertisements - Reasonable restrictions - Freedom to assemble peacefully - to form association and cooperative societies - to move freely throughout the territory of India - to reside and settle in any part of India - to practice any profession or occupation, trade or business - reasonable restrictions - Rights of the accused - ex post facto laws - Double jeopardy -right against self Incrimination - right to life and liberty - scope and contents.

Unit III

Unit IV

Right to Property - Constitutional policy before and after the Forty fourth Amendment - Right to Constitutional Remedies – General principles of Writ Jurisdiction under Art. 32 - Concept of locus standi - Judicial Activism and Judicial Restraint- Public Interest Litigation – Comparison between Arts. 32 and 226 – Emergency and Fundamental Rights.

Unit V


Prescribed Books:


Reference Books:


Specialisation Course-II: Centre-State Relations and Constitutional Governance

Objectives:

The Indian Constitution adopts federal government for various reasons. Power is divided between the Union and the States in such a way that matters of national importance are entrusted to the Centre and matters of local importance are left to the States. The Constitution departs from the model of classical federalism in many ways. This departure was made to suit the peculiar Indian circumstances. However, the working of the Constitution has made the states totally subservient to the Centre. Distribution of fiscal power is the nerve centre of the federal system. In this paper a student will be sensitized to various aspects of federal principles, and their working in the Indian context with a view to ultimately assess the Indian experience critically. He must clearly understand various emerging forces such as regionalism, sub-national loyalties and nationalism. He should be able to see the working of the constitutional process as a vital element of the political economy.

Course Content:

Unit I

Federalism – Essentials; Models of Federal Government - U.S.A., Australia, Canada; Difference, Between Federation and confederation; Evolution of federal government in India; formation of new states – alteration of areas, boundaries or names of existing states- factors responsible for subordination of States.

Unit II


Unit III

Administrative Relations: Distribution of executive power -Centre’s Direction to States –All India Services. Co-operative Federalism: Full faith and credit- Inter-State Council- Zonal Councils- Inter State disputes- Appointment and role of governor – Duty of union to protect
States against external aggression and internal disturbance (Art.355) – failure of Constitutional machinery in States.

Unit IV

Distribution of Fiscal Power: Scheme of Allocation of taxing power; Extent of Union power of taxation; Residuary power – inclusion of fiscal power; Restrictions of Fiscal Power; Fundamental Rights: Inter-Government tax immunities; Difference between tax and fee – Distribution of Tax Revenues: Tax-Sharing under the Constitution;– Grants in Aid: Fiscal need grants - Specific purpose grants-Finance Commission.

Unit V

Inter-State Trade and Commerce: Freedom of Inter-State trade and commerce; Restrictions on legislative power of the Union and States with regard to trade and commerce; Planning and Financial Relations: Planning Commission; National Development Council;

Prescribed Books


Reference Books


Specialisation Course-III: Local Self Government and Federal Governance

Objectives:

The idea of self-governance is now universally accepted. Through decentralization of power, decision making and service delivery can be brought closer to people. To strengthen decentralization the 73rd and 74th amendments were brought to the Constitution providing opportunities for all sections of the society to participate in governance. The structural changes effected in the legal framework of the States to comply with these amendments have succeeded to provide credibility to the local bodies. This course is designed to introduces the students to the decentralized machinery in place, its functioning and the challenges place.

Course Content:

UNIT-I
Decentralization and Democracy-interrelationship; Conceptual Analysis- Local Self Governance and Federalism; Historical Background of Local Self Governance in India- Brief History – Ancient- Medieval- Pre and Post Constitutional Period; Thoughts on Local Governance- M.K.Gandhi, Jawaharlal Nehru and Dr.B.R.Ambedkar.

UNIT-II
Constitutional Dimensions of Local Self Governance; Constituent Assembly Debates on Self Governance; Constitution and Political Justice; Constructional (Amendment Act), 1992- Eleventh Schedule; Self Governance- Review of Central Acts- Panchayath (Extension to Scheduled Area) Act, 1996; 74th Constitutional Amendment.

UNIT-III
Rural Local Bodies- Panchayth Raj Institutions- Historical Overview of Karnataka; Karnataka Panchayth Raj Act, 1993- Basic features; Ward Sabha and Grama Sabha; Composition, Powers and Functions of Zila Panchayath, Taluk Panchayath, Gram Panchayath; Constitution of Panchayth; Strural issues of Panchayath Raj institutions- Election, finance, Reservation, Personnel Staff.

UNIT- IV
Urban Local Bodies- Urban Self Governance- Historical Overview of Karnataka- The Karnataka Municipalities Act, 1964, Corporation Act 1976- Basic features; Composition, Powers and Functions of Corporation, City Municipalities, Town Municipalities and Town
Panchayats; Structural issues of Urban Local Bodies- Election, Finance, Reservation, Personnel Staff

UNIT- V
Federalism and Democracy; Federalism and Decentralization; Federalism under Indian Constitution; Devolution of Administrative, Legislative, Financial powers to the Local Bodies.

Prescribed Books:

Reference Statutes:
The Constitution of India
The Panchayath (Extension to Scheduled Area) Act, 1996
The Karnataka Panchayth Raj Act, 1993
The Karnataka Municipalities Act, 1964,
The Karnataka Corporation Act 1976
UNDP Policy papers on Decentralization
Specialisation Course-IV: Administrative Law

Objectives:

The shift in the philosophy of state from laissez faire to modern welfare came with the concomitant increase and concentration of power in the state. The functions of the state require it to have discretion. As a conferrer of government largess, opportunities for abuse of power increased on the part of the state. Myriad doctrines and principles are tried by the mankind to prevent the abuse of administrative power as also to protect the common man. It is required of every student to have awareness of the organization, structure, powers and functions of the governmental departments and agencies; their relationship with the power addressees; rights available against the administration; channels available for enforcement and the remedies available. In addition the student is exposed to administrative control of administrative action and judicial control of administrative action.

Course Content:

UNIT I


UNIT II

UNIT III


UNIT IV


UNIT V


Prescribed Books:

6. Donald C. Rowat, The Ombudsman, (Toronto: George Allan & Unwin Ltd., 1965)

Reference Books:

Specialisation Course-V: Media and Law

Objectives:

In an age dominated by media, media law occupies a prominent place. Mass media such as press, radio, television, films and internet play a vital role in socialization, culturalisation and modernization of a society. The visual media are bound to have a much greater impact on human mind. But while these media have such a potential value as main educators, they are also capable of destructive and harmful effects of promoting criminal and anti-social tendencies. While their positive potential as mass educators has to be harnessed for developmental purposes, their negative and harmful potential has to be curbed in public interest. On one hand, the law has to protect the freedom of media and on the other hand, it has to regulate the media so as to avoid possible abuse. This paper will deal with such interaction between law and mass media.

Course Content:

Unit I


Unit II


Unit III

Media and regulatory framework: Media and Criminal Law (Defamation, Obscenity, Blasphemy and Sedition), Press and Registration of Books Act, 1867, Working Journalists
(Conditions of Service) Act, 1955, Press Council Act, 1978, Press Trust of India, Media and
Contempt of Court.

Unit IV


Unit V


Prescribed Books:


Reference Books:


Specialisation Course-VI: Comparative Administrative Law

Objectives:
The quest of mankind to structurise the power of the state to secure wellbeing of common man is on-going. Different legal systems have experimented with different principles and doctrines over a period of time. A comparative study of administrative law of leading countries will equip a student to better understand the measures adopted to usher in the modern welfare state and enable him to critically evaluate the functioning different administrative systems. The course is designed to introduce the students to the Administrative Law of France, U.S.A, Australia and England.

Course Content:

Unit-I
Nature and purpose of administrative law
Constitutional foundation of powers of authorities, Rule of Law, Separation of powers,
Administrative legality, Administrative liability.

Unit-II
Delegated Legislation- rationale and constitutional concerns- legislative control-
consultation- judicial control

Unit-III
Discretion
Need, delegation, surrender, abdication, dictation, fettering; abuse of discretion- justification for review- illegality and irrationality, reasonableness.

Unit-IV
Natural Justice
Hearing- historical development, procedural protection- applicability, contents; bias and independence - types, tests, exceptions.
Administrative adjudication

Unit-V
Remedies- Judicial review of administrative actions, writ remedies, injuction and declaration, statutory appeals, standing in judicial review actions, exclusion of review, public interest immunity; tort and restitution, state liability versus officer liability, liability under contracts.
Public corporations- privatisation and regulation- Judicial control, legislative control
Books Prescribed


Specialisation Course I: Company Law

Objectives:

The course is designed to understand the concept and advantages of company over other forms of business set up available. There have been prominent and important developments in the regulatory aspects of companies which are dealt with in detail. Important regulations pertaining to the issue of shares and the capital raising along with corporate management and control form part of this course. Students are required to also study abuse of powers of company, the remedies available and the government regulation of corporate business and winding up of companies.

Course Content:

UNIT-I Concept of Company:

Historical Evolution – nature and characteristics of Company – forms of Company Corporate personality – advantages and disadvantages limited liability and lifting of corporate veil promoters – duties and liability of promoters

UNIT – II Company formation:

Incorporation and certificate of incorporation, Procedure of registration - Corporate Constitution – MOA – AOA – legal status of constitution, Doctrine of indoor management

UNIT – III Management and Control of Companies:


Meetings: Meetings of Board and Committees - Kinds of Meetings – Procedure Relating to Convening and Proceedings at General and Other Meetings – Resolutions – Prevention of Oppression and Mismanagement, Distribution of Powers of a Company

UNIT – IV Corporate Finance:

Nature and classification of shares, allotment and transfer of shares, share buy backs, rights and privileges of shareholders, dividends – declaration and payment of dividends Prospectus
Issuance and transfer of debentures, floating charge and its enforcement, appointment of debenture trustees and their duties, remedies of debenture holders, redemption of securities

UNIT – V Restructuring and winding up:

Reconstruction and amalgamation: concept – Jurisdiction and powers of Court – vesting of rights and transfer of obligations – takeover and acquisition of minority interest, Winding up: Concept – modes of winding up – who can apply – procedure under different modes.

Prescribed Books:


Reference Books:

Specialisation Course II: Banking and Insurance Law

Objectives:

Banking Institutions play a pivotal role in the growth of industry, trade and commerce and thereby, lead to economic development of the nation. In order to cope with the economic needs and developments, Ministry of Finance and Reserve Bank of India has initiated various policy and legislative measures to change the role of banks from mere economic institutions towards a vehicle of social change. Likewise, insurance sector in India is also one of the booming sectors which accelerate economic growth by providing conducive climate. The law relating to contracts of insurance is part of the general law of contract and also includes regulations to control the operations of the insuring body, investment of funds entrusted to its care, returns it has to submit and matters incidental thereto. This course is designed to acquaint the students with the conceptual and operational parameters, recent trends and emerging dimensions of both banking and insurance law.

Course Content:

UNIT I

History and evolution of Banking laws in India- Reserve Bank of India Act, 1934 - Banking Regulation Act, 1949; Nationalisation and social control over banks; Types of banks and their functions -State Bank of India- Co-operative banks -Regional rural banks- Local area banks- Development banks (UTI and IDBI)

UNIT II


UNIT III

Banker and Customer Relationship- their rights and duties; Information technology in banking industry-IT and computerization- E Banking and I Banking; Legal framework for electronic transactions-IT Act 2000- Technology for digital signature and electronic
signature-Types of online services of leading banks-Advantages of corporate internet banking- Security features embedded- Virtual banking in India- ATM-NEFT-RTGS-Universal Banking, Banking Ombudsman.

UNIT IV


UNIT V

Recent trends in Insurance - Life Insurance - Fire insurance - Marine insurance -Motor Vehicle Insurance; Banking and Insurance Services

Prescribed Books for Banking Law:


Reference Books for Banking Law:

Prescribed Books for Insurance Law:


Reference Books for Insurance Law:

1. Hanson, John and Christopals Henly, *All risks property insurance*, (Hong Kong: LLP Asia, 1999).

Reference Statutes:

3. The Recovery of Debts Due to Banks and Financial Institutions Act, 1993
4. The Reserve Bank of India Act, 1934
5. The Banking Regulation Act, 1949
6. The Insurance Regulatory and Development Authority Act, 1999
7. The Insurance Act, 1938
Specialisation Course III: Competition Law

Objectives:

The competition plays a key role in ensuring productive, efficient, innovative and responsive markets. The consumers are ensured availability of 'goods' and 'services' in abundance of acceptable quality at affordable price. But if the anti-competitive practices take precedence in the market, the consumers and the economy of the nation both will be adversely affected. Hence, to prevent such situation from occurring and to ensure fair competition in the market the *Competition Act, 2002* was enacted. This Course is designed to give the students an insight into the *Competition Act, 2002*. It enables the students to understand how law curbs the anti-competitive practices and ensures fair play in the market.

Course Content:

**Unit-I**


**Unit-II**

Development of law from MRTP to Competition Act 2002, aims, objects and salient features, comparison between MRTP Act and Competition Act, Anti-Competitive agreement - appreciable adverse effect, horizontal and vertical agreements, effects doctrine; prohibition of anti-competitive agreements, concerted practices and parallel behavior, cartel and cartelisation, bid rigging and collusive bidding, Tie-in-arrangements, exclusive supply agreement, resale price maintenance agreement, protection of consumers.

**Unit-III**

Abuse of dominant position -relevant market, predatory behavior, predatory pricing, discriminatory practices, combination - value of assets, turnover, acquisition, conglomeration, joint venture, merger and amalgamation, notification, interface between intellectual property laws and Competition Laws –principle of international exhaustion –*Samsung Electronics v. Kapil Wadhwa* case
Unit-IV

Competition Commission of India - structure and function of CCI, regulatory role, Competition Appellate Tribunal- composition, functions, powers and procedure, award of compensation, power to punish for contempt, execution of orders.

Unit-V

International competition law issues, the need for and benefits of international cooperation; international cooperation and agreements, efforts toward a multilateral agreement; trade and competition policy in the WTO, TRIPS, the Doha Declaration, etc.

Prescribed Books:


Reference Books:


Specialisation Course IV: Law on Securities and Financial Markets

Objectives:

This course is designed to give an understanding of different securities available in the market. It is imperative for a student to know about issue of securities, listing and de-listing, regulatory compliances and disclosure norms. It is necessary to have an overview of different markets available, role of regulators in regulating trade with an insight into insider trading and takeover code form part of the course.

Course Content:

UNIT I. An Introduction to Securities Markets

Role of Capital in business, issue and allocation of capital, various types of securities through which capital can be raised. Financial Markets in India, Institutions in operation, Role of Regulators, idea of market intermediaries. Types of markets: Primary market, secondary market, equity, debt, commodities and derivatives market

UNIT II. Issue of Securities


UNIT III. Financial Market Regulation


UNIT IV. Financial Market Mechanism

Market Intermediaries: Merchant Bankers, Brokers, Underwriters, Bankers to an issue, Portfolio Managers, Credit Rating Agencies, Foreign Institutional Investors, Venture Capital, Custodians

UNIT V. Takeover and Insider Trading

Prescribed Books:


Reference Books:


Specialisation Course V: International Trade Law

Objective:
The Course is designed to give the students an insight into International Trade Law with a view to help them understand the basic principles and contemporary dimensions of International Trade Law. It will familiarize the students with the nature and structure of international rights and obligations in the field of international trade and investment, the terms & conditions of international trade, the relationship between municipal law and international rules. This course also deals with the agreements that form part of the World Trade Organization such as agreements relating to tariff, subsidies, anti-dumping and countervailing duties, trade-related investment measures, trade-related intellectual property rights, etc. The course will examine how conflicts in the interpretation and implementation of these agreements are resolved through dispute resolution mechanisms built into the agreements.

Course Content:

Unit - I
Introduction to and evolution of International Trade, Theories of International Trade (Mercantilist Theory, Comparative Advantage Theory, etc.), Free trade and fair trade, Balance of Payment, Globalization and its impact on trade in India, Foreign Trade (Development and Regulation) Act, 1992.

Unit-II
Introduction to International Trade Law- Definition, scope, sources and subject matter of International Trade Law, Basic principles of international trade law-Most Favoured Nation Treatment, National Treatment, etc.; General Agreement on Trade and Tariff, Evolution of WTO- Structure of the organization, power and objectives, Sanitary and Phyto-sanitary measures, Anti-dumping measures, WTO & Agriculture, Agreements pertaining to trade barriers.

Unit -III
Trade & IPR issues – General Agreement on Trade in Services (GATS), Trade Related Investment Measures (TRIMS), Trade Related Intellectual Property Rights (TRIPS), Trade and Environment issues – WTO Appellate Body decisions, Sustainable development, Doha round of Negotiations.
Unit-IV

Unit-V

Prescribed books:

Reference books:


Specialisation Course VI: Intellectual Property Law

Objectives:
Intellectual Property law has assumed great importance in contemporary times. The creations of human brain require protection in the interest of the creator and also society. The domestic legislations have undergone tremendous change to harmonise with the changing needs and global requirements. A modern lawyer should be well equipped with the legal regime applicable to intellectual property. He should have a vast field of knowledge varying from conceptual clarity to the skills of drafting to the processual intricacies involved. The course is designed to equip the students accordingly.

Course contents:

Unit I

Introduction to Intellectual Property Rights: Concept and kinds; Justifications for legal protection; Intellectual Property and monopoly; TRIPs and IPR Regime; TRIPs and its Impact on India; World Intellectual Property Organization: functions and policies; WTO and Dispute Settlement Mechanism

Unit II

Law of Copyright (Copyright Act, 1957): Meaning and nature of copyright; Subject matter of copyright; Registration of copyright; Rights of copyright owner and licensee; Infringement of copyright and remedies; Neighboring Rights: right of performing artists, broadcasting organizations, broadcasting rights including satellite and cable distribution; Salient Features of International Conventions and Agreements for the Protection of Copyright: WTO/TRIPS Agreement 1993, The Berne Convention, Universal Copyright Convention, The Rome Convention, WIPO Copyright Treaty 1996 and WIPO Performances and Phonogram Treaty, 1996.

Unit III

Law of Trade and Merchandise Marks (Trade Marks Act, 2000): Meaning and nature of trade mark; Registration of Trade Marks: procedure and effect of registration, limitation, prohibition against registration. Certification of Trade Marks, foreign trade mark; Licensing and Assignment: Passing of and infringement, rights of owner, rights of licensee, remedies of infringement of trade mark; Salient Features of International Conventions and Agreements for Protection of Trade Mark : Paris Convention for the Protection of Industrial

Unit IV


Unit V


Book Prescribed:


Reference Books:

16. B.L. Wadehra, *Law Relating to Patents, Trade Marks, Copyright, Designs and Geographical Indications*
Proceedings of the Board of Studies (Post Graduate).

The Meeting of the Board of Studies (Post Graduate) was held on 19.05.2014. The following Members were present.

1. Prof. C.S. Patil, Dean & Director, KSLU's Law School, Hubli. Chairman.
2. Dr. G.B. Patil, Associate Professor, KSLU's Law School, Hubli. Member.
4. Dr. S.G. Bhatt, Former Vice-Chancellor. Invitee.

1. After elaborate discussion, clause by clause on the Regulations governing the one year LL.M. programme the Board Resolved to approve the Karnataka State Law University's Regulations governing the Master of Laws (LL.M.) Degree Programme along with the syllabus annexed with additional details of prescribed books in order to maintain the standard of the programme. The Regulations and the Syllabus enclosed as Annexure-I.

2. The Board resolved that the Question Paper should also be organized according to the syllabus in each course and there shall be five units in the question paper with internal choice in each unit.

3. The Board resolved to approve the Syllabus of P.G. Diploma in Labour and Service Laws with unitization of the syllabus and inclusion of list of prescribed and reference books as appended in Annexure-II.

4. The Board proposed the panel of examiners and approved the same as annexed in Annexure-III.

5. It was resolved to recommend to the University authorities to frame out the 2 year LL.M. programme as and when the term of these regulations expires.

Chairman
B.O.S.(P.G)

Registrar
Karnataka State Law University
Navanagar, Hubli - 580025

Registrar
Karnataka State Law University
Navanagar, Hubli - 580025
As the Item No. 1 and Item No. 24 relate to the same issue of introduction of 1 year LL.M. programme with effect from 2014-15, both the items were considered together.

Item No: 01

Sub:  To consider and approve the introduction of one year LL.M degree Programme.

UGC New Delhi by its letter dated 21.01.2013 has appealed to Vice-Chancellor of Karnataka State Law University Navanagar Hubli, for the introduction of one year LL.M degree programme. It has been stated that the Round Table on Legal Education set up by the MHRD suggested a number of measures to restructure and revamp Legal Education System in the country including introduction of one year LL.M degree programme. The Expert Committee constituted by the UGC for this purpose had submitted guidelines for introduction of one year LL.M degree programme 2012.

The Commission considered the guidelines for introduction of one year LL.M degree programme 2012 and approved introduction, only in such University/Institutions which have a Centre for Post-Graduate Legal Studies.

The Universities fulfilling the guideline may take appropriate action to switch over to one year LL.M degree programme without compromising on quality and standards. However, it is clarified that LL.M of one year duration as well as of two year duration will remain valid.

The matter was placed before syndicate held on 27.02.2013, for its consideration and approval. The Syndicate decided that

"The Syndicate discussed pros and cons of the one year LL.M. programme in detail. The Syndicate approved the introduction of one year LL.M. programme in the University after complying with the conditions laid down in the guidelines from 2014”

The same matter is placed before the Academic Council for its consideration and approval.
Item No: 24

**Sub:** To consider and approve the Proceedings of the Board of Studies (P.G) meeting held on 19.05.2014.

**Note:**

With reference to the above, meeting of the Board of Studies (P.G) was held on 19.05.2014, to consider the regulation and syllabus of one year LL.M programme at Karnataka State Law University.

The proceedings of the said B.O.S (P.G) are placed before Academic Council for its consideration and approval.

Decision: It is resolved to approve the decision of the Syndicate to introduce 1 year LL.M. programme at KSLU from the academic year 2014-15. in the KSLU’s Law School and approve the Regulations Governing Master of Laws (LL.M.) One Year Degree Programme and the Syllabi as appended in Appendix-I. The B.O.S.(P.G) recommendation to phase out the 2 year LL.M. programme as and when the permission granted to the P.G. Departments expire.

[Signature] Registrar

[Signature] Registrar

Karnataka State Law University
Narasapura, Hubli - 580025

Page 4 of 33
37th SYNDICATE MEETING HELD ON 07-06-2014.

Item No: 22

Sub:- To consider and approve the Proceedings of the Board of Studies (P.G) meeting held on 19.05.2014.

Note:

With reference to the above, meeting of the Board of Studies (P.G) was held on 19.05.2014, to consider the regulation and syllabus of one year LL.M programme at Karnataka State Law University.

The proceedings of the said B.O.S (P.G.) were placed before Academic Council meeting held on 22-05-2014 for its consideration and approval.

It was decided that:

Decision : It is resolved to approve the decision of the Syndicate to introduce 1 year LL.M. programme at KSLU from the academic year 2014-15. in the KSLU's Law School and approve the Regulations Governing Master of Laws (LL.M.) One Year Degree Programme and the Syllabi as appended in Appendix-I. The B.O.S.(P.G) recommendation to phase out the 2 year LL.M. programme as and when the permission granted to the P.G. Departments expire.

Same matter is placed before Syndicate for its consideration and approval.

DECISION : Noted and approved.

Registrar

Karnataka State Law University
Navaghar, Hubli - 580025

Proceedings of 37th Syndicate Meeting.

Date: 07.06.2014.