



# Shri Vaishnav Vidyapeeth Vishwavidyalaya

## 1 Year LL.M. (Business Law)

### Choice Based Credit System

### SEMESTER II

### LLMBL203-BANKING AND INSURANCE LAWS

COURSE CODE	CATEGORY	COURSE NAME	L	T	P	CREDITS	TEACHING & EVALUATION SCHEME				
							THEORY		PRACTICAL		
							END SEM University Exam	Two Term Exam	Teachers Assessment*	END SEM University Exam	Teachers Assessment*
LLMBL203	DC	BANKING AND INSURANCE LAWS	3	0	0	3	60	20	20	0	0

**Legends:** L - Lecture; T - Tutorial/Teacher Guided Student Activity; P – Practical; C – Credit, DC- Departmental Core, CCC- Compulsory Clinical Course, HEC- Honours Elective Course, DEC- Departmental Elective Course

\***Teacher Assessment** shall be based on the following components: Quiz/Assignment/ Project/Participation in class (Given that no component shall exceed 10 Marks)

**Course Educational Objectives:** The students will be able to:

1. Equip the learners with knowledge, skills, and attitude to meet the requirements of the job market in the banking and insurance sectors.
2. Develop critical appreciation regarding the concepts, principles and theories related to Banking and Insurance.
3. Acquaint the learners with the emerging trends, contemporary issues, and practices of the Financial Institutions in India.

**Course Outcomes:** The students will be able to:

1. State the general concepts, principles, theories, and legal aspects related to banking and insurance.
2. Demonstrate the application of the learned concepts and principles in practical situations.
3. Understand integrated strategies using tools and techniques to meet the emerging opportunities and challenges in banking and insurance.

### **COURSE CONTENT:**

#### **UNIT I: Basic Concept of Banking**

1. Indian Banking System –Features and Money Lenders, Narasimhan Committee Report and its impact on banking sector reforms



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#### UNIT II: Emerging Issues in Banking

1. Internet Banking
2. Mobile banking
3. E- Payments ATM Card/Debit/Credit card, /Google Pay etc., RTGS/NEFT
4. Banking Ombudsman
5. Consumer Protection and banking services

#### UNIT III: Negotiable Instruments Act

1. Negotiable Instruments: Transfer of Negotiable Instruments, Presumption as to Negotiable Instruments
2. Holder and Holder in Due Course Liability and Discharge of Negotiable Instruments
3. Legal aspects of a Cheque, Cheque Truncation System (CTS) Dishonour of Cheque and Liabilities associated with it.
4. Payment of Cheque Crossed Generally or Specially Cheque Bearing “Not Negotiable”
5. Liability of Paying Banker When Customer’s Signature on Cheque is forged.

#### UNIT IV: Concept of Insurance Laws

1. Nature and Scope of Insurance
2. History and Development of Insurance in India



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#### UNIT V: Principles of Insurance and Legal Framework

1. Insurance Law: Essential elements
2. Utmost Good faith
3. Insurable Interest
4. Indemnity, Subrogation and contribution, Proximate cause
5. Re-insurance
6. Insurance Legislation and Insurance Regulatory and Development Authority Act, 1999:  
The Insurance Act 1938, Salient features of IRDA, Role & Function of IRDA.

#### REFERENCES:

##### **Bare Acts:**

1. Insurance Legislation and Insurance Regulatory and Development Authority Act, 1999
2. The Insurance Act 1938

##### **Books:**

1. Hampton, J.J. (1993). *Essentials of Risk Management and Insurance*. American Management Association (AMA).
2. Holyoake, J. & Weipers, B. (2002). *Insurance*. Delhi: Institute of Financial Services, U.



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LLMBL203	DC	BANKING AND INSURANCE LAWS	3	0	0	3	60	20	20	0	0

5. Reida, G.E. (2011). *Principles of Risk Management and Insurance* (10<sup>th</sup> Ed.). Pearson Education.
6. Vaughan, E.J. & Vaughan, T.M. (2013). *Fundamentals of Risk Management and Insurance* (11<sup>th</sup> Ed.). New York: Wiley Publication.

#### Case-Reporters:

1. All India Reporter
2. Supreme Court Cases
3. Manupatra Database



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### Choice Based Credit System

### SEMESTER II

#### LLMBL204-CYBER LAW

COURSE CODE	CATEGORY	COURSE NAME	L	T	P	CREDITS	TEACHING & EVALUATION SCHEME				
							THEORY		PRACTICAL		
							END SEM University Exam	Two Term Exam	Teachers Assessment*	END SEM University Exam	Teachers Assessment*
LLMBL204	DC	CYBER LAW	3	0	0	3	60	20	20	0	0

**Legends:** L - Lecture; T - Tutorial/Teacher Guided Student Activity; P – Practical; C – Credit, DC- Departmental Core, CCC- Compulsory Clinical Course, HEC- Honours Elective Course, DEC- Departmental Elective Course

\*Teacher Assessment shall be based on the following components: Quiz/Assignment/ Project/Participation in class (Given that no component shall exceed 10 Marks)

**Course Educational Objectives:** The students will be able to:

1. Acquainting the students with conceptual and theoretical perspectives of cyber law
2. Understand the jurisdictional issues in Transnational Crimes
3. Know the types of networks and general understanding of email and domain system
4. Analyse the relation between social networking sites and human rights

**Course Outcomes:** The students will be able to:

1. Apply the concept of Cyber-law and various crimes from a transnational perspective
2. Demonstrate Legal Aspects of Contemporary Trends in Social Networking
3. Enumerate the technicalities of law in the Cyber World and various important national and international cyber laws.

#### COURSE CONTENT:

##### **UNIT I: Fundamentals of Cyber Law**

1. Conceptual and Theoretical Perspective of Cyber Law
2. Computer and Web Technology



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#### UNIT II: Legal Issues and Challenges in India, USA and EU

1. Data Protection
2. Cyber Security
3. Legal Recognition of Digital Evidence
4. Recognition of Liability in the Digital World
5. Jurisdiction Issues in Transnational Crimes

#### UNIT III: International Perspectives

1. Budapest Convention on Cybercrime
2. ICANN's Core Principles and The Domain Names disputes
3. Net Neutrality and The EU Electronic Communications Regulatory Framework
4. Web Content Accessibility Guidelines (WCAG) 4.0

#### UNIT IV: Contemporary Trends

1. Impact of Cyber Warfare on Privacy
2. Identity Theft
3. Detailed Study of International Law governing Censorship
4. Online privacy
5. copyright regulations



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LLMBL204	DC	CYBER LAW	3	0	0	3	60	20	20	0	0

#### UNIT V: Social networking

1. Online Intermediaries in the Governance of Internet
2. Social Networking Sites vis-à-vis Human Rights with Special Reference to Information Technology Act, 2000

#### REFERENCES:

##### Bare Acts:

1. Information Technology Act, 2000

##### Books:

1. Brennan, L.L., & Johnson, V. (2004). *Social, ethical and policy implication of Information Technology*. Hershey: IGI Global Publications.
2. Godwin, M. (2003). *Cyber Rights Defending free speech in the Digital Age*. Cambridge: MIT press.
3. J. Singh, Y. (2021). *Cyber Laws* (6<sup>th</sup> Ed.). Lucknow: Lexis Nexis.
4. Kamath, N. (2004). *Law relating to Computer, Internet and E-Commerce* (2<sup>nd</sup> Ed). Lucknow: Universal Law Publishing.



# Shri Vaishnav Vidyapeeth Vishwavidyalaya

## 1 Year LL.M. (Business Law)

### Choice Based Credit System

### SEMESTER II

#### LLMBL205-EMPLOYMENT LAWS

COURSE CODE	CATEGORY	COURSE NAME	L	T	P	CREDITS	TEACHING & EVALUATION SCHEME				
							THEORY		PRACTICAL		
							END SEM University Exam	Two Term Exam	Teachers Assessment*	END SEM University Exam	Teachers Assessment*
LLMBL205	DC	EMPLOYMENT LAWS	3	0	0	3	60	20	20	0	0

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**Course Educational Objectives:** The student will be able to:

1. Know the concept and meaning of Labour Law.
2. Learn the salient features of welfare and wage Legislation
3. Learn the laws relating to Industrial Relations and Working conditions
4. Understand the new wage code and the difference between the wage code and prior legislations on payment of wages.
5. Understand the laws related to working conditions in different settings of Social Security, 2020.

**Course Outcomes:** The students will be able to:

1. Demonstrate the laws relating to Industrial Relations, Social Security and Working conditions and learn the enquiry procedural and industrial discipline.
2. Demonstrate a solid grounding in the basics of employment and labour law.
3. Demonstrate an understanding of the legal aspects of the structure, history and values
4. Apply knowledge of the New Code on Labour Law, regulations and case-laws

#### **COURSE-CONTENT:**





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#### LLMBL205-EMPLOYMENT LAWS

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							THEORY		PRACTICAL		
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LLMBL205	DC	EMPLOYMENT LAWS	3	0	0	3	60	20	20	0	0

#### UNIT II: Trade Unions under Industrial Relations Code, 2020

1. Evolution of Trade Unions in India
2. Constitutional Freedom to form Associations and Unions
3. International Labour Organization on Trade Union
4. Trade Unions: Definitions, Registrations, Cancellations and Management of Funds, Recognition, and Immunities

#### UNIT III: Industrial Disputes Act and Industrial Relations Code, 2020

1. Industrial Disputes: Introduction and definitions
2. Resolution of Industrial Disputes and Concept of Workman
3. Contract of Service and Contract for Service
4. Strike and Lockout, Layoff, Retrenchment and Closure of undertakings
5. Overview of Industrial Employment (Standing Order), Disciplinary Action and Procedures

#### UNIT IV: The Code on Wages, 2019

1. Wage: Concept and Introduction
2. Minimum Wages and Floor Wages
3. Central and State Advisory Board
4. Disputes of Wages



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### LLMBL205-EMPLOYMENT LAWS

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LLMBL205	DC	EMPLOYMENT LAWS	3	0	0	3	60	20	20	0	0

#### UNIT V: Code of Social Security, 2020

1. Social Security: Introduction and Definitions
2. Social Security Organisations
3. Employees Compensations and Benefits
4. The Concept of Arising Out of and in the course of employment

#### REFERENCES:

##### Bare Acts:

1. Factories Act, 1948
2. The Code on Social Security, 2020
3. The Code on Wages, 2019
4. The Industrial Disputes Act, 1947
5. The Industrial Relations Code, 2020
6. The Occupational Safety, Health and Working Conditions Code, 2020
7. The Trade Unions Act, 1926

##### Books:

1. Garg, K.C.; Sharma, Mukesh; Sareen, V.K. (2002). Commercial and Labour Laws. Ludhiana: Kalyani Publishers. <http://www.pdf4free.com>
2. Kumar H.L., (2000). Practical Guide to Labour Management. New Delhi: Universal Law



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### SEMESTER II

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							END SEM University Exam	Two Term Exam	Teachers Assessment*	END SEM University Exam	Teachers Assessment*
LLMBL205	DC	EMPLOYMENT LAWS	3	0	0	3	60	20	20	0	0

5. Singh, Avtar. (2002). Introduction to Labour & Industrial Law. New Delhi: LexisNexis.
6. Taxmann's, (2023). New Labour & Industrial Laws – Complete coverage of the new Codes (incl. Code on Wages, IR Code, Social Security, etc.) along with comparative charts and tables for the new & old provisions. New Delhi: Taxmann Publications Private Limited
- 7.

#### Case-Reporters:

1. All India Reporter
2. Supreme Court Cases
3. Manupatra Database



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### Choice Based Credit System

### SEMESTER II

#### LLMBL206- INTELLECTUAL PROPERTY RIGHTS

COURSE CODE	CATEGORY	COURSE NAME	L	T	P	CREDITS	TEACHING & EVALUATION SCHEME				
							THEORY		PRACTICAL		
							END SEM University Exam	Two Term Exam	Teachers Assessment*	END SEM University Exam	Teachers Assessment*
LLMBL206	DC	INTELLECTUAL PROPERTY RIGHTS	3	0	0	3	60	20	20	0	0

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\***Teacher Assessment** shall be based on the following components: Quiz/Assignment/ Project/Participation in class (Given that no component shall exceed 10 Marks)

#### **Course Educational Objectives:** The Student will be able to:

1. Understand the concepts of IPR and their relationship with other subjects especially economic law, and other technological aspects.
2. Analyse the approaches of International Institutions and introduce the various aspects that form part of the province of IPR.
3. Analyse the contemporary trends in intellectual property rights with global governance.
4. Acquaint with the rights of farmers and the breeders and understand the importance of biodiversity.

#### **Course Outcomes:** The students will be able to:

1. Introduce fundamental aspects of Intellectual property Rights to the people who are going to develop and management of innovative projects in industries
2. Disseminate knowledge on patents, patent regime in India and abroad and registration aspects
3. Disseminate knowledge on copyrights and its related rights and registration aspects
4. Disseminate knowledge on trademarks and registration aspects



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### SEMESTER II

### LLMBL206- INTELLECTUAL PROPERTY RIGHTS

COURSE CODE	CATEGORY	COURSE NAME	L	T	P	CREDITS	TEACHING & EVALUATION SCHEME				
							THEORY		PRACTICAL		
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LLMBL206	DC	INTELLECTUAL PROPERTY RIGHTS	3	0	0	3	60	20	20	0	0

### COURSE CONTENT:

#### UNIT I: Introduction

1. Origin and Genesis of IPR
2. Theories of IPR – Locke's, Hegel and Marxian
3. Ethical, Moral and Human Rights Perspectives of IPR.

#### UNIT II: Intellectual Property Rights: International Relevance

1. Internationalization of IP Protection
2. Paris and Berne Convention
3. TRIPS Agreement and its relevance
4. Basic Principles and Minimum Standards – Limits of One-Size-Fit for all –Flexibilities under TRIPS

#### UNIT III: Intellectual Property: Issues and Challenges

1. Copyright Protection with Reference to Performers Rights and Artist Rights
2. Global Governance towards Patents
3. Trademarks: Legal recognition, Comparative analysis in India, EU and USA
4. Trade secrets: Legal recognition, Comparative analysis in India, EU and USA.

#### UNIT IV: Intellectual Property: Contemporary Trends

1. Benefit Sharing and Contractual Agreements an International Treaty on Plant Genetic Resources for Food and Agriculture



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LLMBL206	DC	INTELLECTUAL PROPERTY RIGHTS	3	0	0	3	60	20	20	0	0

#### UNIT V: UNESCO and WIPO

1. UNESCO – Protection of Folklore/Cultural Expressions
2. Developments in WIPO on Traditional Knowledge
3. Traditional Cultural Expressions.

#### REFERENCES:

##### **Bare Acts:**

1. Protection of Plant Varieties & Farmers' Rights (PPVFR) Act, 2001
2. The Copyright Act, 1957 and 2015
3. The Designs Act, 2000
4. The Geographical Act, 1999
5. The Patents Act, 1970 and 2005
6. The Semiconductor Integrated Circuits Layout-Design Act, 2000
7. The Trademarks Act, 1999

##### **Books:**

1. Ahuja, V.K. (2017). *Law Relating to Intellectual Property Rights*, (3<sup>rd</sup> Ed.). New Delhi: Lexis Nexis
2. Bhandari, M.K. (2017). *Law Relating to Intellectual Property Rights*, (5<sup>th</sup> Ed.). New Delhi: Lexis Nexis