



# Shri Vaishnav Vidyapeeth Vishwavidyalaya

## Master of Laws (Business Law)

### Choice Based Credit System

### 1<sup>st</sup> YEAR, SEMESTER II

#### LLMC201- RESEARCH METHODS AND LEGAL WRITING

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*
LLMC201	DC	RESEARCH METHODS AND LEGAL WRITING	4	0	0	4	60	20	20	0	0

**Legends:** L - Lecture; T - Tutorial/Teacher Guided Student Activity; P – Practical; C - Credit;

\*Teacher Assessment shall be based on the following components: Quiz/Assignment/ Project/Participation in Class, given that no component shall exceed more than 10 marks.

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

1. Learn the concept of research and its methodology.
2. Apply the research methods and various steps involved in research.
3. Understand collecting data from various sources and their analysis.
4. Apply the process of legal writing and writing for individual purposes.

**Course Outcomes (CO's):** The student will be:

1. Understand and demonstrate the methods of Legal Research and research design and instruments used in legal studies.
2. Construct the tools and techniques for data collection through literature review.
3. Distinguish a purpose statement, a research question or hypothesis and research objective.
4. Apply and analyse the various types of research in qualitative and quantitative research.
5. Outline the various kinds and purposes of writing.

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LLMC201	DC	RESEARCH METHODS AND LEGAL WRITING	4	0	0	4	60	20	20	0	0

#### COURSE CONTENT:

##### UNIT I: Research Methods

1. Meaning, Scope and importance of Research
2. Steps of Research
3. Selection of Problem
4. Research Proposal
5. Features of Legal Research
6. Interdisciplinary research

##### UNIT II: Tools & Techniques for Collection of Data in Legal Research

1. Primary and Secondary Sources, Literature Review, Observation Method, Questionnaire, Interview, Case study, Sampling, Jurimetrics.
2. Doctrinal and Non-Doctrinal Research
3. Empirical and Analytical Research
4. Online Legal Research
5. Use of Electronic Database
6. E-Research Technique
7. Case-study
8. Formalities of Legal Research
9. Data-Collection
10. Ethical and Legal Issues: Plagiarism and Copyright Violation.

##### UNIT III: Hypothesis and Research Design

1. Meaning and types of Hypotheses
2. Use of Deductive and Inductive Methods in Research
3. Preparation of Research Report and Writing of Research report
4. Budgeting of Research
5. Research Design

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LLMC201	DC	RESEARCH METHODS AND LEGAL WRITING	4	0	0	4	60	20	20	0	0

#### UNIT IV: Legal Writing

1. Essentials of Good Legal Writing
2. Structured Legal Writing: Organization of Legal Materials, Framing of Write Up: Research Question, Title, identifying relevant areas of law, Identifying Literature and Case Laws, Analysis, Discussion, Recommendations and Conclusion, Sources of Authority, Citation Methodology
3. Book Review
4. Review Article
5. Plagiarism policy
6. Bibliography/References.

#### Unit V: Writing Purposes

1. Kinds: Informative, Persuasive
2. Writing for Individual Purposes;
3. Writing for Academic Purposes;
4. Writing for Court Purposes: Briefs, Complaints etc.;
5. Writing for Publication: reviews, articles, books etc.;
6. Judicial Writing, Citation, Reference and Footnoting,
7. Editing and Proof reading,
8. Writing of Research Proposal, Dissertation/ Thesis Writing.

#### References:

1. Bruce, L.B. (2001). *Qualitative Research Methods for the Social Sciences*. London: Allyn and Bacon.
2. Gupta K. V. (1995). *Decision Making in The Supreme Court of India (A Jurimetrics Study) – Alternatives in Judicial Research*. New Delhi: Kaveri Books.

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LLMC201	DC	RESEARCH METHODS AND LEGAL WRITING	4	0	0	4	60	20	20	0	0

3. *The Bluebook: Uniform system of Citation*. Harvard Law Review Association, Harvard Law Review, Harvard (Latest Edition).
4. Janathan, A. (1971). *Thesis and Assignment Writing*. New Delhi: Wiley Eastern Ltd.
5. Kothari, C.R. (1985). *Research Methodology: Methods and Techniques*. New Delhi: Wiley Eastern Ltd.
6. Pauline, V. Y. (1984). *Scientific Social Surveys and Research*. New Delhi: Prentice Hall of India Pvt. Ltd.
7. Purohit, Mona. (2016). *Legal Research Methodology*. Allahabad: Central Law Publications.
8. Verma, S. K. and Vani, A. (1964). *Legal Research and Methodology*. New Delhi: ILI.

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### 1<sup>st</sup> YEAR, SEMESTER II

#### LLMC202- COMPARATIVE JURISPRUDENCE

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*
LLMC202	DC	COMPARATIVE JURISPRUDENCE	4	0	0	4	60	20	20	0	0

**Legends:** L - Lecture; T - Tutorial/Teacher Guided Student Activity; P – Practical; C - Credit

**\*Teacher Assessment** shall be based on the following components: Quiz/Assignment/Project/Participation in Class, given that no component shall exceed more than 10 marks.

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

1. Understand that Jurisprudence is a window that gives into the making, mechanics and meaning of the law.
2. Evaluate all the intricate factors that go on to make up what is known as law.
3. Analyse this module intends to take the students on to journey into law and legal concepts.

**Course Outcomes:** The student will be:

1. Distinguish major schools of jurisprudence and their comparative study.
2. Recognize the various theories of Justice which deals with the emergence of law.
3. Determine the evolution of Patriarchy and feminist jurisprudence.
4. Devise the approaches to universalism and human rights.
5. Examine the evolution of various constitutions and rule of law.

#### **COURSE CONTENT:**

##### **UNIT I: Introduction**

1. Nature and scope of Comparative Jurisprudence
2. Foreign Law and sources of comparison with case law
3. Comparative study of Civil Law system and Common law system

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### LLMC202- COMPARATIVE JURISPRUDENCE

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LLMC202	DC	COMPARATIVE JURISPRUDENCE	4	0	0	4	60	20	20	0	0

#### UNIT II: Comparative Constitutional Law

1. Study of the Constitution of India, British, U.S.A., Swiss, French, Canada, Japan, China, the Russian Federation and Australia.
2. Study of higher executives, lawmakers and judicial structure.
3. Hierarchy of Courts in Civil and Common Law Countries

#### UNIT III: Comparative International Law

1. Public International Law
2. Private International Law
3. Global Expansion of Judicial Power

#### UNIT IV: Comparative Administrative Law

1. Administrative law as a historical institution
2. Difference between administrative judgments and ordinary courts
3. Administrative courts in France, U.K and U.S.A.

#### UNIT V: Comparative Civil and Criminal Procedure

1. Comparative study in Civil and Common law system.
2. Civil and criminal procedure in India.
3. Investigation, Trial and Litigation.

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## Master of Laws (Business Law)

### Choice Based Credit System

### 1<sup>st</sup> YEAR, SEMESTER II

#### LLMC202- COMPARATIVE JURISPRUDENCE

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*
LLMC202	DC	COMPARATIVE JURISPRUDENCE	4	0	0	4	60	20	20	0	0

#### REFERENCES:

##### Books:

1. Barron, A. (2005). *Introduction to Jurisprudence & Legal Theory*. Oxford: Oxford University Press.
2. Cotterrell, R. (1994). *The Politics of Jurisprudence: A Critical Introduction to Legal Philosophy*. London: Butterworths, 2<sup>nd</sup> ed.
3. Delgado, R.. (2012). *Critical Race Theory: An Introduction*. New York: University Press, 2<sup>nd</sup> ed.
4. Dias, (1985). *Jurisprudence*. London: Butterworth's Law, 5<sup>th</sup> ed.
5. Douzinas, C., & Gearey, A. (2005). *Critical Jurisprudence: The Political Philosophy of Justice*. Oregon: Oxford Port Land.
6. Dr. Tripathi, G.P. (2017). *Comparative Jurisprudence*. Faridabad: Allahabad Law Agency, 2<sup>nd</sup> ed.
7. Dryzek, J. (2002). *Deliberative Democracy and Beyond: Liberals, Critiques, Contestations*. New York: Oxford University Press.
8. Freeman, M. (2008). *Llyod's Introduction to Jurisprudence*. London: Sweet & Maxwell, 8<sup>th</sup> ed.
9. Robinson, Nick. (2009). *Expanding Judiciaries: India and the Rise of the Good Governance Court*. Washington: University Global Studies Law Review, vol 8.

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Master of Laws (Business Law)

Choice Based Credit System

1<sup>st</sup> YEAR, SEMESTER II

## Electives

**Semester II (Two Courses to be chosen out of the following)**

S. No.	Course Code	Course Name
1.	LLMBE201	Banking and Insurance Law
2.	LLMBE202	Competition and Consumer Law
3.	LLMBE203	General Principles of Company Law-I

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# Shri Vaishnav Vidyapeeth Vishwavidyalaya

## Master of Laws (Business Law)

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### 1<sup>st</sup> YEAR, SEMESTER II

### LLMBE201- BANKING AND INSURANCE 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*
LLMBE201	DE	BANKING AND INSURANCE LAW	4	0	0	4	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 more than 10 marks.

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

1. Understand the types and Functions of Banking Organizations.
2. Process the opportunities in technology banking.
3. Analyse the Insurance Act 1938 and the Insurance Regulatory Authority Act 2000.
4. Evaluate the apportionment of compensation and liability.

**Course Outcomes:** The student will be:

1. Understand the development banks and application of technology.
2. Perceive the changing relationship of banks with customer.
3. Understand the Information Communication Technology in banking infrastructure and security issues.
4. Illustrate the role of the Insurance Regulatory Authority Act and proper application to accelerate economic development.

### **COURSE CONTENT:**

#### **UNIT I: Introduction to Banking System**

1. Basic Concept of Banking Evolution
2. Concept and Principles of Banking
3. Types and Functions of Banking Organizations
4. Regulation and Management of Banks
5. Central Banks and their functions
6. Negotiable Instruments

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#### LLMBE201- BANKING AND INSURANCE LAW

COURSE CODE	CATEGORY	COURSE NAME	L	T	P	CREDITS	TEACHING & EVALUATION SCHEME				
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LLMBE201	DE	BANKING AND INSURANCE LAW	4	0	0	4	60	20	20	0	0

#### UNIT II: Banking Relationship

1. Banker and Customer
2. Bankers as Borrowers: Loans, Securities and Guarantees etc.
3. Consumer Protection

#### UNIT III: Banking Technology

1. Use of Technology in Banking Technology
2. Opportunities and Challenges
3. Internet Banking
4. Mobile Banking
5. Banking Institutions and Subsidiary Services.

#### UNIT IV: Insurance Law

1. Concept of Insurance Laws in India
2. History and development of Insurance
3. The Insurance Act 1938
4. The Insurance Regulatory Authority Act 2000
5. Types of Insurance Contracts
6. Marine Insurance

#### UNIT V: Compensation Provisions

1. Object and reasons of The Fatal Accidents Act, 1855
2. Assessment of Compensation
3. Contributory Negligence
4. Apportionment of Compensation and Liability
5. The Personal Injuries (Compensation insurance) Act 1963
6. Compulsory Insurance.

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							END SEM University Exam	Two Term Exam	Teachers Assessment*	END SEM University Exam	Teachers Assessment*
LLMBE201	DE	BANKING AND INSURANCE LAW	4	0	0	4	60	20	20	0	0

### REFERENCES:

#### Bare Acts:

1. The Banking Regulation Act, 1949.
2. The Insurance Act, 1938
3. The Insurance Regulatory Authority Act 2000
4. The Fatal Accidents Act, 1855
5. The Personal Injuries (Compensation insurance) Act 1963

#### Books:

1. Banerjee, N. B. (1994). *Law of Insurance*. Hyderabad: Asia Law House.
2. Basu, S.K. (1998). *A Review of Current Banking Theory and Practice*. London: Mac Millan.
3. Chapman, S. (1984). *The Rise of Merchant Banking*. London: Allen Unwin.
4. Jaiswal, J.V.N. (2020). *Law of Insurance*, (2<sup>nd</sup> Ed.). Lucknow: Eastern Book Company.
5. Janaki Raman Committee Report on Securities Operation of Banks and Financial Institution (1993).
6. Mitra, (1998). *The Law Relating to Bankers' Letters of Credit and Allied Laws*. Allahabad: University Book Agency.
7. Mitra, C. B. (1997) *Law Relating to Marine Insurance*. Hyderabad: Asia Law House.
8. Narayana, R.S. (1993) *The Recovery of Debts due to Banks and Financial Institutions Act, 1993*. Hyderabad: Asia Law House.
9. Narsimhan Committee report on the Financial System (1991) - Second Report.

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							END SEM University Exam	Two Term Exam	Teachers Assessment*	END SEM University Exam	Teachers Assessment*
LLMBE201	DE	BANKING AND INSURANCE LAW	4	0	0	4	60	20	20	0	0

10. Peter Mac. Donald, Eggers. and Patric, Foss. (1998). *Good Faith and Insurance Contracts* LLP. Hongkong: Asia Publishing.
11. Shekhar, K.C. (1998). *Banking Theory and Practice*. New Delhi: UBS Publisher Distributors Ltd.
12. Subrahmanyam, K. (1997). *Banking Reforms in India*. New Delhi: Tata McGraw Hill.
13. Talwar, R.K -Report of Working Group on Customer Service in Banks.
14. Tannan, M.L. (1997). *Tannan's Banking Law and Practice in India*. New Delhi: India Law House.

#### Case-Reporters:

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

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## Master of Laws (Business Law)

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### 1<sup>st</sup> YEAR, SEMESTER II

#### LLMBE202- COMPETITION AND CONSUMER 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*
LLMBE202	DE	COMPETITION AND CONSUMER LAW	4	0	0	4	60	20	20	0	0

**Legends:** L - Lecture; T - Tutorial/Teacher Guided Student Activity; P – Practical; C - Credit;

\*Teacher Assessment shall be based following components: Quiz/Assignment/ Project/Participation in Class, given that no component shall exceed more than 10 marks.

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

1. Analyse competition and consumer law are an old concept which has significantly developed in recent years.
2. Understand the process of globalization has advanced competition and consumer law.
3. Learn the application of competition law and consumer law with current case studies and process for filing claims.

**Course Outcomes:** The Student will be:

1. Extend the knowledge of the competition act, safeguards, free and fair competition, as well as trade freedom.
2. Understand the various committees for the development of competition law.
3. Classify the types of anti-competitive agreements and the role of the Competition Commission of India in competition.
4. Analyse the practices covered by abuse of dominant position.
5. Anticipate global competition and global consumer laws.

#### COURSE CONTENT:

##### UNIT I: Introduction

1. Constitutional aspect of Elimination of Concentration of Wealth
2. Relation between Competition Policy and Competition Law
3. Objectives of Competition Law

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LLMBE202	DE	COMPETITION AND CONSUMER LAW	4	0	0	4	60	20	20	0	0

#### UNIT II: History and Development of Competition Law

1. History and Development of Competition Law/ Antitrust Law
2. Liberalization and Globalization- Raghavan Committee Report
3. Difference between MRTP Act and Competition Act
4. Salient feature and definitions under Competition Act

#### UNIT-III: Anti-Competitive Agreements

1. Anti- Competitive Agreements
2. Horizontal and Vertical agreement
3. Rule of Per-se and Reason
4. Appreciable Adverse Effect on Competition (AAEC) in India
5. Exemption and Prohibition of Anti-competitive agreement/ Cartel/bid rigging.
6. Establishment and Constitution of Competition Commission of India
7. Competition Appellate Tribunal (CAT)
8. Director General of Investigation (DGI)

#### UNIT IV: Regulation of Abuse of Dominant Position

1. Enterprise, Relevant Market, Dominance in Relevant Market, Abuse of dominance, Predatory Pricing.
2. Regulation of Combinations: Merger, Acquisition, Amalgamation and Takeover- Combinations covered under the Competition Act, 2002
3. Regulations, Penalties.

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LLMBE202	DE	COMPETITION AND CONSUMER LAW	4	0	0	4	60	20	20	0	0

#### UNIT-V: Consumer Protection Law

1. An Introduction to Consumer Protection Law and Policies
2. Rights of the Consumers
3. Food Adulteration
4. Standards of Weights and Measures
5. Drugs and Magic Remedies
6. MRTP Act and Sale of Goods Act, 1930
7. Consumer Protection Act, 2019-the vision of the legislation
8. Salient Features and Emerging issues in Consumer Protection Law and Policies

#### REFERENCES:

##### Bare Acts:

1. The Competitions Act, 2002
2. Prevention of Food Adulteration Act, 1954
3. Standards of Weights and Measures Act, 1976
4. The Drugs and Magic Remedies (Objectionable Advertisement) Act 1954
5. MRTP Act, Sale of Goods Act, 1930
6. Consumer Protection Act, 2019.

##### Books:

1. Agarwal, V.K. (2019). *Competition Act– Principles and Practices*. New Delhi: Bharat Law Publishers, 2<sup>nd</sup> ed.

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LLMBE202	DE	COMPETITION AND CONSUMER LAW	4	0	0	4	60	20	20	0	0

- Areeda, E. P. & Hovenkoup, H. (2006). *Fundamentals of Anti-Trust Law*. US: ASPEAN Publications
- Chhachhar, V. (2013). *Competition Law and Telecom Sector in India*. New Delhi: VLMS Publishers, 1<sup>st</sup> ed.
- Dugar, M. (2006). *Commentary on MRTP Law: Competition Law & consumer Protection Law*. Nagpur: Wadhwa Publication, 4<sup>th</sup> ed.
- Prasad, S. (2007). *Competition Law and Cartels*. New Delhi: ICFAI University Press.
- Ramappa, (2013). *Competition Law in India: Policy, Issues and Developments*. New Delhi: Oxford University Press, 3<sup>rd</sup> ed.
- Roy, A. & Kumar, J. *Competition Law in India*. New Delhi: Eastern Law House.
- Vishwanatha, S.T. (2000). *Law and Practice of Competition Act, 2000*. New Delhi: Bharat Law House.
- Dhall, V. (2007). *Competition Law Today*. London: Oxford University Press.
- Whish, R.. (2008). *Competition Law*. London: Oxford University Press.

#### Case-Reporters:

- All India Reporter
- Supreme Court Cases
- Manupatra Database

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### 1<sup>st</sup> YEAR, SEMESTER II

### LLMBE203- GENERAL PRINCIPLES OF COMPANY LAW-I

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*
LLMBE203	DE	GENERAL PRINCIPLES OF COMPANY LAW-I	4	0	0	4	60	20	20	0	0

**Legends:** L - Lecture; T - Tutorial/Teacher Guided Student Activity; P – Practical; C - Credit

\***Teacher Assessment** shall be based on the following components: Quiz/Assignment/ Project/Participation in Class, given that no component shall exceed more than 10 marks.

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

1. Understand the law related to companies and its promotion.
2. Analyse the management of corporate structure and meetings of the Companies.
3. Introduce the students to corporate law and specifically to the companies and laws governing its activities.

**Course Outcomes:** The student will be:

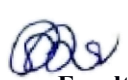
1. Understand the concept, meaning, nature, characteristics of Company and various theories governing its function.
2. Synthesize the corporate documents and its propounded theories.
3. Categorize the capital of corporation.
4. Determine Corporate structure which includes role of directors, promoters etc.
5. Analyse the types of meetings and various resolutions.

### **COURSE CONTENT:**

#### **UNIT I: Corporate Jurisprudence**

1. Corporate Personality and abuse of Corporate Personality.
2. Comparative Legal Regimes of U.K., U.S., and European Union of Corporate Law.
3. Legislative Dimensions of Corporation-Socio-Economic Changes in India.

  
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# Shri Vaishnav Vidyapeeth Vishwavidyalaya

## Master of Laws (Business Law)

### Choice Based Credit System

### 1<sup>st</sup> YEAR, SEMESTER II

#### LLMBE203- GENERAL PRINCIPLES OF COMPANY LAW-I

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*
LLMBE203	DE	GENERAL PRINCIPLES OF COMPANY LAW-I	4	0	0	4	60	20	20	0	0

#### UNIT II: Corporate Documents

1. Prospectus: Types, Nature and Role in Issue, Liability for Mis- statement
2. Memorandum of Association: Contents & Amendment Forms and Doctrine of
3. Ultra Vires.
4. Article of Association: Forms Contents & Amendment & Doctrine of Indoor
5. Management, Doctrine of Constructive Notice

#### UNIT III: Corporate Finance

1. Capital of the Corporation
2. Shares: Classification, Listing, Issue, IPO & FPO, IDR, GDR, Capital Market
3. Management, Listing of Shares.
4. Intermediaries & Regulation of Intermediaries, Insider Trading.
5. Charge and Securitization-concept
6. Inter-corporate Investment: Misuses of Subsidiaries as Financial Vehicle.

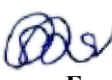
#### UNIT IV: Corporate Management


1. Membership: Nature of Membership & Rights of Shareholders in Management
2. Minority and Majority Shareholding: Conflict of Issues
3. Directors: Types, Qualification, Remuneration: Legal Positions of Directors
4. Board of Director: Powers, Ultra Vires Acts & Liability

#### UNIT-V- Meetings

1. Corporate Meeting: Types and Legality of Meeting, Resolution
2. General Meetings
3. Statutory Meetings

  
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LLMBE203	DE	GENERAL PRINCIPLES OF COMPANY LAW-I	4	0	0	4	60	20	20	0	0

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1. The Companies Act, 2013

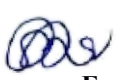
#### Books:

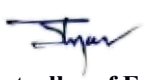
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5. Thomson, J.M. (1976). *Palmer's Company Law*. Latest Edition. United Kingdom: Sweet & Maxwell.


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3. Khilnani, D.T. (2007). *FEMA Ready Reckoner*. Vol.2, (12<sup>th</sup>Ed.). New Delhi: Snow White Publications.

  
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LLMBE203	DE	GENERAL PRINCIPLES OF COMPANY LAW-I	4	0	0	4	60	20	20	0	0

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6. Saxena, A. (2008). *Bharat's Foreign Exchange Management Manual*. 3Vol, (5<sup>th</sup> Ed.). New Delhi: Bharat Law House.
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8. *Taxman's Foreign Exchange Management Manual: With Foreign Exchange Laws Ready Reckoner* (2011) (Vol-2, 18<sup>th</sup> Ed.).New Delhi: Taxman Publications.
9. *Taxman's SEBI Manual*. (2015). (2Vol, 15<sup>th</sup> Ed.) New Delhi: Taxman Publications.

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1. All India Reporter
2. Manupatra Database
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