

CURRICULUM & SYLLABI

LL.M.
(One-year Program)
Revised (2022-23)

(CORPORATE AND COMMERCIAL LAW)
Group – C

SCHOOL OF LAW



RAFFLES

UNIVERSITY

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FIRST SEMESTER

BANKING AND INSURANCE LAW

MLC301	Banking and Insurance Law	L	T	P	S	C	CH
Scheme Version: 1.0		2	0	0	0	2	30
Pre-requisites/ Exposure	LLB: Banking Law and Insurance Law						
Co-requisites	NA						

COURSE OBJECTIVES

1. This course is designed to acquaint the students with the conceptual and operational parameters of banking law.
2. It also helps in understanding judicial interpretation and the new and emerging dimensions of the banking system.
3. The subject provides basic knowledge of the general principles of Insurance Laws.

COURSE OUTCOMES

1. Students will be able to understand that the scope of the banking and insurance sector is getting wider than the conventional role.
2. Students will be well acquainted with the conceptual as well as practical aspects of Banking and Insurance Laws as per the changing scenario.
3. Students will evaluate the concepts of Banking and Insurance with ordinary and cardinal approaches and cover different types of insurance laws.

COURSE DESCRIPTION

This course is designed to acquaint the students with the conceptual and operational parameters of banking law and insurance law, the judicial interpretation, and the new and emerging dimensions of both insurances as well as banking. The function of insurance is to spread such loss arising from risks of life over a large number of persons. This course will involve textbook material and case studies.

TEXTBOOKS

- **T1** R. N. Chaudhary, *Banking Laws* (Central Law Publications, 2016)
- **T2** R. N. Chaudhary, *General Principles of Law of Insurance* (Central Law Publications, 2018)
- **T3** R.K Bangia, *Banking Law & Negotiable Instruments* (Allahabad Law Agency, 2015)

REFERENCE BOOKS

- **R1** SR Myneni, *Law of Banking and Negotiable Instruments* (Asia Law House, 2019)
- **R2** Mishra. M.N. and S.B. Mishra, *Insurance – Principles and Practice* (S. Chand & Co. Ltd., New Delhi, 2019)
- **R3** M.L.Tannan, *Tannan's Banking Law and Practice in India* (Lexis Nexis, 2017)

UNIT I
BANKING SYSTEM IN INDIA
(10 Contact Hours)

- a. Kinds of Banks and their functions
- b. History of Banking in India
- c. Banking Regulation Laws:
 - i. Reserve Bank of India Act, 1934
 - ii. Banking Regulation Act, 1949
- d. Bank Nationalization and Social Control over Banking
- e. Relationship between Banker and Customer:
 - i. Legal Character
 - ii. The contract between Banker and customer
 - iii. Bank's Duty to Customers
 - iv. Liability under Consumer Protection Act, 2019

UNIT II
LENDING, SECURITIES, AND RECOVERY BY BANKS AND BANKING
FRAUDS
(10 Contact Hours)

- a. Principles of lending
- b. Position of Weaker Sections
- c. Nature of Securities and risks involved
- d. Default and recovery
- a. Nature of Banking Frauds
- b. Legal Regime to Control Banking Frauds
- c. Recent Trends in Banking: Automatic Teller Machine and Internet Banking, Smart Cards, Credit Cards

UNIT III
GENERAL PRINCIPLES OF LAW OF INSURANCE
(10 Contact Hours)

- a) General Principles of Law of Insurance: Definition, nature, and history, The risk - commencement, attachment and duration, Assignment and alteration, Settlement of claim and subrogation, Effect of war upon policies.
- b) Indian Insurance Law: General: History and development, The Insurance Act 1938 and the Insurance Regulatory Authority Act 2000, Mutual insurance companies and cooperative life insurance societies, Double Insurance and re-insurance.
- c) Insurance against Third-Party Risks: The Motor Vehicles Act, 1988: Nature and scope, Effect of insolvency or death on claims of insolvency and death of parties, certificate of insurance, Claims tribunal: constitution, functions, application for compensation, procedure, powers, and award.
- d) Liability Insurance: Nature and kinds of such insurance, public liability insurance, Professional negligence insurance.
- e) Miscellaneous Insurance Schemes: New Dimensions, Group life insurance, Medi-claim, Sickness insurance

Mode of Evaluation: The performance of students is evaluated as follows:

Components	Theory	
	Continuous Assessment and Evaluation (CAE)	Semester End Examination (SEE)
Marks	40	60
Total Marks	100	

Relationship between the Course Outcomes (COs) and Program Outcomes (POs)

Mapping Between COs and POs		
S.No.	Course Outcome (CO)	Mapped Programme Outcome (PO)
1	Students will be able to understand as now the scope of banking and the Insurance sector is getting wider from the conventional role.	PO1
2	Students to be well acquainted with the conceptual as well as practical aspects of Banking and Insurance Laws as per the changing scenario.	PO2, PO5, PO6
3	Students will evaluate the concepts of Banking and Insurance with ordinary and cardinal approaches and cover different types of Insurance Laws.	PO5, PO8

		Legal Knowledge	Analytical Skills	Problem Solving	Research Skills	Social Responsibility	Competitive Skills	Higher Education	Critical Thinking	Ethics	Communication
		1	2	3	4	5	6	7	8	9	10
MLC301	Banking and Insurance Law	1	2			3	2		1		

1=addressed to small extent; 2= addressed significantly; 3=major part of course

LAWS OF SECURITIES AND FINANCIAL MARKETS

MLC302	Laws of Securities and Financial Markets	L	T	P	S	C	CH
Scheme Version: 1.0		2	0	0	0	2	30
Pre-requisites/ Exposure	LL.B. - Company Law						
Co-requisites	NA						

COURSE OBJECTIVES

1. This course is designed to acquaint the students with the securities markets and understand the different laws and rules related to the securities market in India
2. It also helps in understanding the significance of FDI in the securities market.
3. The subject provides basic knowledge of capital and venture capital.

COURSE OUTCOMES

1. Students will be able to learn the securities markets and understand the different laws and rules related to the securities market in India.
2. Students will be able to learn the significance of FDI in the corporate market.
3. The students will be able to recognize the difference between capital and venture capital.

COURSE DESCRIPTION

Realizing the crucial role played by securities and financial markets in the growth of the economy, this subject strives to impart legal knowledge related to these important markets. This course will involve textbook material and case studies.

TEXTBOOKS

- **T1** S. R. Myneni, *Law of Investments and Securities* (Asia Law House 2019)
- **T2** T. Ramappa, *Lectures on Law of Investments and Securities in India* (Asia Law House; 1st edition 2018)
- **T3** Ravi Puliani (Advocate) & Mahesh Puliani (Eds.), *Manual of SEBI Act, Rules, Regulations, Guidelines Circulars, Etc. (in 1, 2 & 3 Vols.)* (Bharat Law House, Delhi; 2017 edition 2017)

REFERENCE BOOKS

- **R1** Kondaiiah Jonnalagadda, *Securities Law* (Lexis Nexis; First edition 1 July 2015)
- **R2** Institute of Company Secretaries of India, *Securities laws and Capital Markets* (Institute of Company Secretaries of India, May 2018)
- **R3** N.S. Zad, *Capital Markets and Securities laws* (Taxmann, January 2019)
- **R4** CS Anoop Jain, *Capital Market and Security Laws* (AJ Publications, 2019)

UNIT I

(10 Contact Hours)

- a) **Overview of Capital Markets:** Role, Relevance, and significance of Capital Market in national development.
- b) **Securities Market Intermediaries:** Primary Market and Secondary Market Intermediaries: Role and Functions, Merchant Bankers, Stock Brokers, Syndicate Members, Registrars, Underwriters, Bankers to an Issue, Portfolio Managers, Debenture Trustees, Foreign Institutional Investors, Depositories, Depositories Participants, Custodians, Credit Rating Agencies, venture capitalists.
- c) **Debt Market:** Debt Market: Instruments, Listing, Primary and Secondary Segment
- d) **Money Market:** Growth of Money Market in India – Structure and Institutional Mechanism; Money Market Instruments: Treasury Bills, Commercial Bills, Commercial Paper, Factoring Agreements & Discounting of the bill.

UNIT II

(10 Contact Hours)

- a) **Regulation of Capital Markets:** Securities Contract Regulation Act, 1956; SEBI Act 1992: Objectives, Powers and Functions of SEBI; Depositories Act 1996
- b) **Listing and Delisting of Securities:** Regulations governing Listing of Securities; Types and Process of Delisting of securities
- c) **FDI:** Meaning and Forms of FDI; Foreign Exchange Management Act, 1999; FDI Policy and role of RBI.

UNIT III

(10 Contact Hours)

- **Mutual Funds:** Introduction, Definitions, Schemes, Risks Involved, Setting Up of Mutual Funds, Role in Financial Market; Advantage of Investment in Mutual Fund; Concept of Trustee and Asset Management Company, Legal & Regulatory Framework; Offer Document; Investor's Rights and Obligations
- **Venture Capital:** Registration, Investment Conditions, and Restrictions, Concept of Venture Capital, Foreign Venture Capital Investors, Private Capital Funds
- **Resource Mobilisation in Indian and International Capital Market:** Listing of Securities Outside India; Overview of Indian Depository Receipts, American Depository Receipts, Global Depository Receipts.

Mode of Evaluation: The performance of students is evaluated as follows:

Components	Theory	
	Continuous Assessment and Evaluation (CAE)	Semester End Examination (SEE)
Marks	40	60
Total Marks	100	

Relationship between the Course Outcomes (COs) and Program Outcomes (POs)

Mapping Between COs and POs		
S.No.	Course Outcome (CO)	Mapped Programme Outcome (PO)
1	Students will be able to learn the securities markets and understand the different laws and rules related to securities market in India.	PO1, PO3, PO6, PO7
2	Students will be able to learn the significance of FDI in the corporate market.	PO6, PO8, PO10
3	Students will be able to recognize the difference between capital and venture capital	PO2, PO6

		Legal Knowledge	Analytical Skills	Problem Solving	Research Skills	Social Responsibility	Competitive Skills	Higher Education	Critical Thinking	Ethics	Communication
		1	2	3	4	5	6	7	8	9	10
20LCT634	LAWS OF SECURITIES AND FINANCIAL MARKETS	1	1	1			3	2	1		1

1=addressed to a small extent; 2= addressed significantly; 3=major part of the course

INTERNATIONAL COMMERCIAL ARBITRATION

MLC303	International Commercial Arbitration	L	T	P	S	C	CH
Scheme Version:1.0		2	0	0	0	2	30
Pre-requisites/Exposure	LLB: Alternative Dispute Resolution						
Co-requisites	NA						

COURSE OBJECTIVES

1. The object of the course is to impart, theoretical as well as practical, knowledge and understanding to the students about this recent commercial dispute resolution mechanism, i.e., international commercial arbitration.
2. To make the students understand the distinction between international and domestic arbitration.
3. To make the students understand the concept of choice of law, the UNCITRAL model of the law and its application in the different countries.

COURSE OUTCOMES

1. Students will be able to learn the basic rules that guide the arbitration process from start to finish.
2. Students will be able to learn about the growth of international arbitration law as well as critically evaluate its functioning in India and abroad.
3. To enable the students to recognize the difference between arbitration and other law.

COURSE DESCRIPTION

This course will consider the nature of international arbitration including its advantages and disadvantages as a form of dispute resolution in international trade, the distinction between international and commercial arbitration, choice of law in international arbitration, the UNCITRAL model of law, and its application in different countries, enforcement of international arbitration agreement, international arbitration awards and challenge of the awards. This course will involve textbook material and case studies.

TEXTBOOKS

- **T1** A.K. Bansal, *Law of International Commercial Arbitration* (Universal Law Publications, Delhi 2017) **T2** G.K. Kwatra, *The Arbitration, and Conciliation Law of India* (Universal Law Publications, Delhi 2017) **T3** Basu N.D., *Law of Arbitration and Conciliation* (14th edition reprint Universal Law Publications, Delhi. 2017)

REFERENCE BOOKS

- **R1** Gary B. Born, *International Commercial Arbitration*, (Kluwer Law International 2014)
- **R2** B.P. Saraf and M. Jhunjhunwala, *Law of Arbitration and Conciliation* (Snow white, Mumbai, 2000) **R3** Gerald R. Williams (ed.), *The New Arbitration and Conciliation Law of India*, (Indian Council of Arbitration New Delhi 2016)
- **R4** Basu N.D., *Law of Arbitration and Conciliation* (14th edition reprint Universal Law Publications, Delhi. 2017)
- **R5** Johari, *Commentary on Arbitration and Conciliation Act 1996* (Universal Law Publications, Delhi 1999)
- **R6** Markanda. P.C, *Law Relating to Arbitration and Conciliation*, (9th Ed. LexisNexis Butterworths & Wadhwa, Nagpur, 2016)
- **R7** Ajay Gulati & Jasmeet Gulati, *Public Interest Lawyering, Legal Aid & Para-Legal Services*, (Central Law Agency, Allahabad 2017)

UNIT-I

(10 Contact Hours)

- **Introduction to International Commercial Arbitration:** Dispute resolution in international trade, Concept, and nature of arbitration, Important terms used in international commercial arbitration, The hybrid nature of the arbitral process, Types of arbitration.
- **Arbitrability:** Concept, Golden Rule, Arbitrable and Non-arbitrable disputes
- **Arbitration Agreement:** Meaning, Definition, Significance of arbitration agreement, Functions of the arbitration agreement, Requirements of a valid arbitration agreement, Forms of the arbitration agreement, foreign arbitration agreement, Autonomy of an arbitration agreement, Indian position on the autonomy of arbitration agreement.

UNIT-II

(10 Contact Hours)

- **Laws governing International Commercial Arbitration:** Types of laws applicable in international commercial arbitration, governing law of arbitration, the law applicable to substantive issues, the law governing arbitration agreement, the law of enforcement and recognition of the foreign arbitral award, arbitration rules
- **Choice of Law Clause:** Choice of law Clause, party autonomy, choice of national law, choice of national principles, conflict rules
- **Regulating International Commercial Arbitration:** UNCITRAL Model Law on Arbitration, Judicial intervention under UNCITRAL Model Law: Reference to arbitration, Interim measures; Jurisdiction of Arbitral Tribunal, Theory of competence-competence, appointment and removal of arbitrators, arbitral process, arbitral awards.

UNIT-III

(10 Contact Hours)

- **The challenge to arbitral awards:** Methods and Grounds
- **Recognition and enforcement of foreign arbitral awards:** The International Conventions for recognition and enforcement of arbitral awards, Reciprocity and commercial reservation, Indian law- scope and applicability, Foreign award- meaning, General policy for review foreign award in India, Grounds for refusal of recognition and enforcement of a foreign award, Recognition, and enforcement of annulled awards

Mode of Evaluation: The performance of students is evaluated as follows:

Components	Theory	
	Continuous Assessment and Evaluation (CAE)	Semester End Examination (SEE)
Marks	40	60
Total Marks	100	

Relationship between the Course Outcomes (COs) and Program Outcomes(POs)

Mapping Between COs and POs		
S.No.	Course Outcome (CO)	Mapped Programme Outcome (PO)
1	Students will be able to learn the basic rules that guide the arbitration process from start to finish.	PO1, PO2, PO3
2	Students will be able to learn about the growth of international arbitration law as well as critically evaluate its functioning in India and abroad.	PO8, PO10
3	To enable the students to recognize the difference between arbitration and other law.	PO3, PO4, PO8

		Legal Knowledge	Analytical Skills	Problem Solving	Research Skills	Social Responsibility	Competitive Skills	Higher Education	Critical Thinking	Ethics	Communication
		1	2	3	4	5	6	7	8	9	10
MLC303	International Commercial Arbitration	1	1	2	1				3		1

1=addressed to a small extent; 2= addressed significantly; 3=major part of the course

SECOND SEMESTER

COMPETITION LAW

MLC304	Competition Law	L	T	P	S	C	CH
Scheme Version: 1.0		2	0	0	0	2	30
Pre-requisites/ Exposure	NA						
Co-requisites	NA						

COURSE OBJECTIVES

1. This course is designed to acquaint the students with the conceptual and operational parameters of Competition law.
2. It also helps to understand and better the specific types of anti-competitive agreements and practices in the commercial markets.
3. The subject provides the basic understanding of various functions of authorities established under the Competition Act,2002.

COURSE OUTCOMES

1. Students will be able to demonstrate the knowledge of Competition law in the present commercially competitive world.
2. Students will be well acquainted with the different anti-competition practices and the measures to curb them.
3. Students will be able to evaluate the working of various competition authorities in India.

COURSE DESCRIPTION

The Competition Act, 2002 was enacted with a view that the Indian economy is enabled to allow competition in the market from within the country and outside. The Act seeks to ensure fair competition by providing for – (i) prohibition of anti-competitive agreements; (ii) prohibition of abuse of dominance; (iii) regulation of combinations; and (iv) competition advocacy. Competition law is a law that promotes or seeks to maintain market competition by regulating anti-competitive conduct by companies. Competition law is implemented through public and private enforcement. This course will involve textbook material and case studies.

TEXTBOOKS

- **T1** S.C. Tripathi, *Competition Law* (Central Law Publications, 2nd Ed. 2019)
- **T2** S.M. Dugar, *Commentary on MRTP Law, Competition Law & Consumer Protection Law* (Wadhwa Nagpur 6th ed. 2016)
- **T3** Abir Roy & Jayant Kumar, *Competition Law in India* (Eastern Law House, New Delhi, 2018)

REFERENCE BOOKS

- **R1** S.M. Dugar, *Commentary on MRTP Law, Competition Law & Consumer Protection Law* (Wadhwa, Nagpur 2016)
- **R2** Richard Whish, *Competition Law* (Oxford University Press, 9th edition 2018)
- **R3** Kristy Middleton, Barry Rodger & Angus Mac Culloch, *Cases, and Materials on the UK and EC Competition Law* (Oxford University Press, reprint 2019)

UNIT I

(10 Contact Hours)

- **Competition Act 2002: an introduction**
Aims and Objectives of Competition Act 2002
Definition of Competition, Consumer, Agreement, Goods, Price, Cartel, Group, Relevant market, Relevant Geographic Market, Relevant product Market, Enterprise.
- **History of competition law**
Relevant provisions of Indian Constitution
An overview of MRTP Act, 1969
Raghavan Committee Report
- **International co-operation for competition**
WTO agreements
Relevant Provisions of USA & UK
EU Agreement & Competition

UNIT II

(10 Contact Hours)

- **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
- **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

UNIT III

(10 Contact Hours)

- **Competition Commission of India**
Establishment and composition, Power, Functions and Duties, Procedure for inquiry, Powers, Competition fund
- **Competition Appellate Tribunal**
Composition, functions, powers and procedure, Award Compensation, power to punish for contempt, Execution of orders.
- **Competition Advocacy**
Competition Policy
- **Anti-Dumping Policy**

Mode of Evaluation: The performance of students is evaluated as follows:

Components	Theory	
	Continuous Assessment and Evaluation (CAE)	Semester End Examination (SEE)
Marks	40	60
Total Marks	100	

Relationship between the Course Outcomes (COs) and Program Outcomes (POs)

Mapping Between COs and POs		
S.No.	Course Outcome (CO)	Mapped Programme Outcome (PO)
1	Students will be able to demonstrate the knowledge of Competition law in the present commercially competitive world.	PO1, PO2, PO3, PO6
2	Students will be well acquainted with the different anti-competition practices and the measures to curb them.	PO2, PO5, PO6
3	Students will be able to evaluate the working of various competition authorities in India.	PO1, PO2

		Legal Knowledge	Analytical Skills	Problem Solving	Research Skills	Social Responsibility	Competitive Skills	Higher Education	Critical Thinking	Ethics	Communication
		1	2	3	4	5	6	7	8	9	10
20LCT683	Competition Law	1	3	1		1	3				

1=addressed to a small extent; 2= addressed significantly; 3=major part of the course

CORPORATE GOVERNANCE

MLC305	Corporate Governance	L	T	P	S	C	CH
Scheme Version: 1.0		2	0	0	0	2	30
Pre-requisites/ Exposure	LLB: Company Law						
Co-requisites	NA						

COURSE OBJECTIVES

1. This course is designed to acquaint the students with the concept of corporate governance, its history, emergence, objectives, and principles of good governance.
2. It also helps to understand the nature, system, and compliance requirements of corporate governance.
3. The subject offers insights into the working of the companies and emphasizes the significance of corporate governance for a sound economy, like India.

COURSE OUTCOMES

1. Students will be imparted complete understanding and knowledge about the concept of corporate governance, its history, emergence, objectives, and principles of good governance.
2. Students will understand the nature, system, and compliance requirements of corporate governance.
3. Students will understand the insights into the working of companies around the world.

COURSE DESCRIPTION

The course aims to inform and educate students as to the issues affecting both the business community and the wider societal effects of the debate on corporate governance. As such, the course will focus on the systems by which companies are, or should be, directed and controlled.

TEXTBOOKS

- **T1** J.P. Sharma, *Corporate Governance: Business Ethics and CSR* (Ane Books Pvt. Ltd., 2019)
- **T2** Institute of Company Secretaries of India, *Governance, Risk Management, Compliances, and Ethics*
(Institute of Company Secretaries of India, 2018)
- **T3** A. C. Fernando, *Corporate Governance: Principles, Policies, and Practices* (Pearson Education India, 2009)

REFERENCE BOOKS

- **R1** Dr. Joffy George, *The Art of Corporate Governance*, (MASTERS; 1st edition, 2015)
- **R2** Taxmann, *Corporate Governance* (Indian Institute of Corporate Affairs, 2015)
- **R3** Stephen Bainbridge, *The New Corporate Governance in Theory and Practice* (Oxford University Press, 2008)
- **R4** Institute of Company Secretaries of India, *ICSI Recommendations to Strengthen Corporate Governance Framework* (Institute of Company Secretaries of India, 2018)
- **R5** Asish K. Bhattacharyya, *Corporate Governance in India: Change and Continuity* (Oxford University Press; 1 edition 2016)

UNIT I

(10 Contact Hours)

- **Introduction:** Defining the concept of corporate governance, Objectives of good governance, History of corporate governance (the USA, UK, and India), Politics and Governance, OECD Principles of corporate governance
- **Nature and System of Corporate Governance:** Theories of corporate governance, Models for corporate governance
- **Regulatory Framework of Corporate Governance:** USA, UK, and India

UNIT II

(10 Contact Hours)

- **Board of Directors and Corporate Governance:** Legal Provisions governing Directors and Key Managerial Personnel, Structure of board, Board composition, Role and Functions of the Board under Companies Act
- **Board Committees:** Roles and Functions of Different Board Committees
- **Auditors:** Role of auditors in corporate governance
- **Corporate Governance Reforms in India:** Clause 35B, Clause 49 of Listing Agreement; Electronic initiatives in Corporate Governance; Class Action Suits; Corporate Governance Ratings

UNIT III

(10 Contact Hours)

- **Corporate Governance and Corporate Scams:** Few Indian and International case studies
- Role of Corporate Social Responsibility in corporate governance
- Role of Corporate Sustainability in corporate governance
- Whistleblowing and corporate governance
- Ethics and corporate governance

Mode of Evaluation: The performance of students is evaluated as follows:

Components	Theory	
	Continuous Assessment and Evaluation (CAE)	Semester End Examination (SEE)
Marks	40	60
Total Marks	100	

Relationship between the Course Outcomes (COs) and Program Outcomes (POs)

Mapping Between COs and POs		
S.No.	Course Outcome (CO)	Mapped Programme Outcome (PO)
1	Students will be imparted complete understanding and knowledge about the concept of corporate governance, its history, emergence, objectives, and principles of good governance.	PO1, PO2, PO3
2	Students will understand the nature, system, and compliance requirement of corporate governance.	PO2, PO3
3	Students will understand the insights into the working of companies around the world.	PO1, PO4, PO6, PO8

		Legal Knowledge	Analytical Skills	Problem Solving	Research Skills	Social Responsibility	Competitive Skills	Higher Education	Critical Thinking	Ethics	Communication
		1	2	3	4	5	6	7	8	9	10
MLC305	Corporate Governance	3	2	2	1		1		1		

1=addressed to small extent; 2= addressed significantly; 3=major part of course

INTERNATIONAL TRADE LAW

MLC306	International Trade Law	L	T	P	S	C	CH
Scheme Version: 1.0		2	0	0	0	2	30
Pre-requisites/ Exposure	NA						
Co-requisites	NA						

COURSE OBJECTIVES

1. This course is designed to understand the basic principles of International Trade Law.
2. It also helps to impart an insight into the international developments in the field of trade law.
3. The subject provides the basic knowledge relating to different international institutions working for international trade.

COURSE OUTCOMES

1. Students will be able to understand the international aspects of trade law.
2. Students will have a comparative comprehension of international legislations/conventions/treaties, etc. related to the subject.
3. Students will be able to understand the evolution, role, and working of international institutions working for international trade.

COURSE DESCRIPTION

This course is designed to make the students aware of the rules governing international trade. Students will be able to comprehend the principles of International Trade Law and the role of international institutions working for international trade. This course will involve textbook material and case laws.

TEXTBOOKS

- **T1** Niharika Vij, *International Trade Law* (Universal Law Publishing Co. 2016)
- **T2** Dr. S.R. Myneni, *International Trade Law* (Allahabad Law Agency; Third edition, 2017)
- **T3** Simone Schnitzer, *Understanding International Trade Law* (Universal Publishing House, 2005)
- **T4** Indira Carr, *International Trade Law* (Cavendish Publishing House, Routledge-Cavendish; 3rd edition, 2005)

REFERENCE BOOKS

- R1** Peter Van den Bossche, *The Law, and Policy of the World Trade Organization* (Cambridge University Press, June 2018)
- R2** Schmitthoff, *The Law and Practice of International Trade* (Sweet & Maxwell 2000)
- R3** Yong-Shik Lee (Editor), Gary Horlick (Editor), Won-Mog Choi (Editor), Tomer Broude (Editor), *Law and Development Perspective on International Trade Law* (Cambridge University Press; Reprint edition 30 May 2013)
- R4** Paul R. Krugman (Author), Maurice Obstfeld (Author), Marc Melitz (Author), *International Trade: Theory and Policy* (Pearson Education; Tenth edition 25 May 2017)

UNIT I

(10 Contact Hours)

Introduction to International Trade Law: Definitions, Scope, Codification, and Development of International Trade Law, Role of India in the Development of International Trade Law

Basic Principles and Concepts of International Trade Law- National Treatment, Most Favoured Nation Treatment, The Principle of Non-Discrimination and Equality of states, Changing Concept of Sovereignty & Protection of National Interests, Transparency, and Reciprocity, Free Trade and Fair Trade, Binding Commitments, P.S.N.R and Non-Intervention in Domestic Affairs

UNIT II

(10 Contact Hours)

International Trade and The General Agreement on Tariffs and Trade (GATT): Origin, Role, Objectives, Structure, and Functions of GATT 1947, Core Principles, GATT and Developing Countries.

World Trade Organization (WTO) and the International Trade Law – An Overview: Establishment of the WTO - Scope, Objectives, Structure & Functions, The Legal Nature of WTO Obligations; Dispute Resolution Mechanism under WTO

UNIT III

(10 Contact Hours)

International Trade and Financial Institutions- International Monetary Fund (IMF), International Bank For Reconstruction and Development (IBRD), International Finance Corporation (IFC), International Development Association (IDA), International Center for Settlement of Investment Disputes (ICSID), Multilateral Investment Guarantee Agency (MIGA), North American Free Trade Agreement (NAFTA)

International Trade and the Regulatory Role of the United Nations: The Role of the UN in Promotion and Protection of International Economic and Social Development, United Nations and Developing Countries, UNCTAD

Mode of Evaluation: The performance of students is evaluated as follows:

Components	Theory	
	Continuous Assessment and Evaluation (CAE)	Semester End Examination (SEE)
Marks	40	60
Total Marks	100	

Relationship between the Course Outcomes (COs) and Program Outcomes (POs)

Mapping Between COs and Pos		
S.No.	Course Outcome (CO)	Mapped Programme Outcome (PO)
1	Students will be able to understand the international aspects of trade law.	PO1, PO2
2	Students will have a comparative comprehension of international legislations/conventions/treaties, etc. related to the subject.	PO1, PO2, PO4, PO6
3	Students will be able to understand evolution, role and working of international institutions working for international trade.	PO2, PO8

		Legal Knowledge	Analytical Skills	Problem Solving	Research Skills	Social Responsibility	Competitive Skills	Higher Education	Critical Thinking	Ethics	Communication
		1	2	3	4	5	6	7	8	9	10
20LCT675	International Trade Law	2	3		1		2		1		

1=addressed to a small extent; 2= addressed significantly; 3=major part of the course