

PARUL UNIVERSITY
FACULTY OF LAW
1 Year LL.M.
Subject: Research Methods and Legal Writing
Subject Code: 17201101
Semester- I

Syllabus

FACULTY: LAW

LLM

SEMESTER: I	
Course Code: 17201101 Course Credit: 03	Course Title: Research Methods and Legal Writing Course Type: Foundation (compulsory)

Teaching & Examination scheme:

Teaching Scheme (Hrs/Week)			Credit	Examination Scheme					Total
L	T	C		External		Internal			
				Theory	C	Theory	*C.E.	C	
3	0	0	3	60	-	20	20	-	100

❖ **Objectives:**

This course will be taught with the objectives:

- To acquaint the students with scientific methods of social science research.
- To provide the knowledge of the technique of empirical and doctrinal research.
- To emphasize on practical training of the research through clinical research projects.

❖ **Outcomes:**

Students will be able to

- Develop a scientific approach to socio legal problems.
- Design and execute different types of research problems.
- Identify different legal problems to find out the solutions.
- Prepare different legal writing, paper presentation.

Syllabus

UNIT	DESCRIPTION IN DETAIL	CREDIT	WEIGHTAGE
1	Introduction ➤ The science of research and scientific methodology ➤ Interrelation between speculation, fact and theory building-some fallacies of scientific methodology with reference to socio legal research ➤ Inter-disciplinary research and legal research models ➤ Arm chair research vis-a-vis empirical research ➤ Legal research-common law and civil law legal systems	1	20%
2	Research Design ➤ Workable Hypothesis-formulation and evaluation ➤ Major steps in research design Research Techniques ➤ Sampling ➤ Survey and Case Study Method ➤ Scaling and Content Analysis	1	40%
3	Research Tools and Data Processing ➤ Observation ➤ Interview and schedule ➤ Questionnaire ➤ Socio-metrics and jurimetrics ➤ Data processing (deductions and Inductions) analysis and interpretation of data		20%
4	Legal writing and Para-legal Activities ➤ Report/article writing in legal research ➤ Use of definitions, maxims, concepts, principles, doctrines in legal research ➤ Citation methodology ➤ Book review and case comments ➤ Organization of Seminars, Publication of journals, ➤ Clinical Legal Education, Legal aid, Legal Literacy camp, Legal Survey and law reforms	1	20%

Suggested Books:

- Robert Watt- Concise book on Legal Research
- Pauline Young- Research Methodology
- Anwarul Yaqin-Legal Research Methodology
- Stott D.-Legal Research
- Madhava Menon, N.R. ; A Handbook of Clinical Legal Education, Tata McGraw Hill

PARUL UNIVERSITY
FACULTY OF LAW
LL.M. SEMESTER –I
COMPARATIVE PUBLIC LAW
SUBJECT CODE: 17201102

FACULTY: LAW

LL.M.

SEMESTER: I	
Course Code: 17201102 Course Credit: 03	Course Title: Comparative Public Law Course Type: Core compulsory

Teaching & Examination scheme:

Teaching Scheme (Hrs/Week)			Credit	Examination Scheme					Total
L	T	C		External		Internal			
				Theory	C	Theory	*C.E.	C	
3	0	0	3	60	-	20	20	-	100

❖ **Objectives:**

This course will be taught with the following objectives:

- To critically analyze the concept of globalization with respect to public law.
- To enumerate the features of federalism and unitary form of governments.
- To evaluate and compare various administrative law principles.
- To study the nature of fundamental rights across jurisdictions.

❖ **Outcomes:**

After successful completion of this course students will be able to

- Differentiate the nature of different jurisdictions
- Understand the composition, Powers, Functions and Privileges of different constitutional bodies.
- Distinguish the various forms of government.
- Analyze the impact of judiciary in the observance of public law

Sr.	Topic	Weightage	Teaching Hrs.
1	Introduction: • Meaning and definition of Public Law • Concept of Public Law • Globalisation of Comparative Public Law Tools of Comparative Public Law • Constitutional Law – Common Law, Civil Law • Legislative Mechanism - Common Law, Civil Law • Typology of Federalism – USA, India	20%	9

2	Comparative Public Law: Overview, uses and methods: • Uses, purposes and challenges of comparative law • Different methodological approaches: Classificatory, historical, normative, functional, and contextual. • The evolving boundary between public and private law • Place of constitutional law and administrative law in a legal system	20%	9
3	Constitutions: Making, functions and typology: • Constitution making: Constituent power, process and the question of inclusiveness, and substance. • Functions: Creating organs, conferring power and protection of individual liberties, • Typology: On the basis of legal character and on the basis of expression of political ideals Sources • Constitutionalism • Internationalization of constitutional law: Driving forces, divergent practices and criticisms	20%	9
4	Separation of power: Horizontal and vertical: • Different forms of government: presidential, parliamentary, hybrid systems • Federal and unitary states; Concept of quasi federalism • The changing role of the state, emergence of the regulatory state Ombudsman • Ombudsman in Scandinavian countries - International Scenario – Common law and Civil Law • Indian Scenario - Lokpal (Ombudsman) - Lokayukta	20%	9
5	Nature and Role of Fundamental Rights in Public Law: • Evolution of Fundamental Rights in UK, USA, France & India • Scope of Fundamental Rights in USA • Role of Fundamental Rights in UK • Nature and Scope of Fundamental Rights in France • Limits to Fundamental Rights Public Interest Litigation – US, India • Locus standi • Judicial Activism • Judicial Accountability	20%	9

Suggested Books:

- D.D. Basu, "Introduction to the Constitution of India", LexisNexis; 22nd edition (1 June 2015)
- P.M.Bakshi, "Constitution of India", Universal Law Publishing - An imprint of LexisNexis; Thirteenth edition (2015)
- M.P.Jain, "Indian Constitutional Law", Wadhwa & Co, Nagpur

- V.N.Shukla, "Constitution of India", Eastern Book Company, Lucknow
- Austin Granville, "The Indian Constitution: Cornerstone of A Nation: Cornerstone of A Nation (Classic Reissue)", Oxford; 2 edition (15 July 1999)
- Bipan Chandra , "History of Modern India", Orient BlackSwan; First edition (2009)
- Sujit Choudhry (Editor), Madhav Khosla (Editor), Pratap Bhanu Mehta (Editor), "The Oxford Handbook of the Indian Constitution", Oxford University Press UK; 2016 edition (18 April 2016)
- Subhash C. Kashyap, "Our Constitution", National Book Trust, India; Second edition (2011)
- Madhav Khosla, "The Indian Constitution (Oxford India Short Introductions Series)", Oxford; First edition (30 June 2012)
- J. N.pandey, "CONSTITUTIONAL LAW OF INDIA", Central law agency
- Noshirvan H Jhabvala, "The Constitution of India", C Jamnadas & Co.(2014)



Course: LL.M

Semester: 1

Prerequisite:

Rationale : -

Teaching and Examination Scheme

Teaching Scheme					Examination Scheme					Total
Lecture Hrs/Week	Tutorial Hrs/Week	Lab Hrs/Week	Seminar Hrs/Week	Credit	Internal Marks			External Marks		
					T	CE	P	T	P	
2	-	-	-	2	20	20	-	60	-	100

SEE - Semester End Examination, T - Internal Theory, P - Internal Practical

Course Content

W - Weightage (%) , T - Teaching hours

Sr.	Topics	W	T
1	UNIT I: Introduction UNIT I: Introduction 1. Meaning, Significance, and Ambit of corporation finance and debt finances 2. Concepts of Capital needs - capitalization - working capital - securities-borrowingsdeposits-Debentures 3. Aims of corporation finance –Maximization of profit & Wealth 4. Constitutional standpoint 5. Types of Finance 6. Equity Finance 7. share capital 8. prospectus 9. information disclosure 10. Issues & allotment- shares without monetary consecration 11. Non-opting equity shares - Debt finance 12. Debenture - Nature, issue, and class 13. Deposit and acceptance 14. Fixed and floating charges 15. Mortgage 16. Convertible debentures1	25	20
2	UNIT II: Corporate Fundraising Depositories- Indian Depository Receipts 2. American Depository Receipts, Global Depository Receipts 3. Public Finance Institutions- IDBI, ICICI, IFC & SFC 4. Mutual funds and other collective investment schemes 5. EDI & NRI investment- Foreign institutional investments (IMF& World Bank) Protection of Creditors 1. The Investors Protection Act, 2009 Protection of Investors 1. State-Specific Legislation- The Protection of Depositors Act	25	20
3	UNIT III: Conservation of Corporate Finance Regulation by disclosure 2. Control on payment of dividends	25	20



	3. Managerial remuneration 4. Payment of commissions & brokerage 5. Inter-corporate loans and investments 6. Pay-back of shares 7. Other corporate spending Corporate Finance's Administrative Regulation 1. Inspection of Accounts 2. SEBI – 3. Central Govt. control 4. Control by the registrar of companies		
4	Legal Aspects Governing Corporate Management 1. Meetings, Majority rule and Minority protection 2. Prevention of oppression, mismanagement 3. Role of central Govt., company registrar, Company Law Board/ Tribunal	25	20
Total		100	80



Course: LL.M

Semester: 1

Prerequisite:

Rationale :-

Teaching and Examination Scheme

Teaching Scheme					Examination Scheme					Total
Lecture Hrs/Week	Tutorial Hrs/Week	Lab Hrs/Week	Seminar Hrs/Week	Credit	Internal Marks			External Marks		
					T	CE	P	T	P	
2	-	-	-	2	20	20	-	60	-	100

SEE - Semester End Examination, T - Internal Theory, P - Internal Practical

Course Content

W - Weightage (%), T - Teaching hours

Sr.	Topics	W	T
1	Unit 1 Introduction 1. Nature and Development of Banking 2. History of Banking in India. 3. Multi-functional Banks- Growth and Legal Issues 4. Numerous types of Banks and their functions.	25	20
2	Unit – 2 Controls by the Government and its Agencies On management 2. On accounts and audit 3. Lending 4. Credit policy 5. Reconstruction and reorganization 6. Suspension and winding up Deposit Insurance 1. The Deposit Insurance Corporation Act 1961: objects and reasons 2. Establishment of Capital of DIC 3. Relations between insured banks, DIC and Reserve Bank of India	25	20
3	Unit – III The Central Bank 1. Evolution, Characteristics and Functions of Central Bank 2. The Central Bank and the State - as bankers' bank 3. The Reserve Bank of India as the Central Bank 4. The Banking Regulation Act, 1949- Banking Company, Non-Banking Companies Regulation Functions of the RBI 1. Regulation of the monetary mechanism of the economy 2. Credit control 3. Exchange control 4. Regulating NBFC	25	20
4	Unit 4 Banking duty to customers 1. Legal Character 2. Contract between banker and customer 3. Banker's lien 4. Protection of Customers 5. Nature and type of accounts 6. Special classes of customers- lunatics, minors, partnerships, corporations, local authorities 7. Banking duty to customers	25	20
Total		100	80



Parul[®]
University

Subject Syllabus

17210131 - Banking Law

**Course:** LL.M**Semester:** 1**Prerequisite:****Rationale :-****Teaching and Examination Scheme**

Teaching Scheme					Examination Scheme					Total
Lecture Hrs/Week	Tutorial Hrs/Week	Lab Hrs/Week	Seminar Hrs/Week	Credit	Internal Marks			External Marks		
					T	CE	P	T	P	
2	-	-	-	2	20	20	-	60	-	100

SEE - Semester End Examination, T - Internal Theory, P - Internal Practical

Course Content

W - Weightage (%), T - Teaching hours

Sr.	Topics	W	T
1	UNIT I: The Rationale of Government Regulation 1. Constitutional perspectives – Circle from Laissez-faire to welfare state and again back to laissez-faire 2. The new economic policy - Industrial policy resolutions, declarations and statements 3. The place of Public, small-scale, cooperative, corporate, private and joint sectors - in the changing context 4. Regulation of economic activities 5. Disclosure of information 6. Fairness in competition 7. Emphasis on consumerism	20	15
2	UNIT II: Development and Regulation of Industries 1. Take-over of Management and Control of Industrial Units 2. Sick Undertakings: Nationalization or Winding Up? 3. Licensing Policy and Legal Process - Growing Trends of Liberalization 4. Special Aspects of Legal Regulation of Select Public Enterprises 5. Telecom Regulatory Authority 6. Insurance Regulatory Authority 7. Broadcasting Regulatory Authority 8. Legal Regulation of Multi-Nationals 9. Collaboration agreements for technology transfer 10. Development and regulation of foreign investments 11. Investment in India: FDIs and NRIs 12. Investment abroad	20	20
3	UNIT III: Deregulation of Essential Commodities: Developmental Sign or A Social Mishap? 1. Financial Services: Changing Techniques of Regulation 2. Critical Issues Regarding the Capital Issues 3. Equity and debt finance 4. Global depositories 5. De-materialized securities 6. Problems of Control and Accountability: Regulation of Hazardous Activity	20	15



	7. Mass disaster and environmental degradation: legal liability and legal remedies 8. Public Liability Insurance: adequacy 9. Issues in zoning and location of industrial units		
4	UNIT IV: Legal Regulation of Special Economic Zones 1. Gujarat Special Economic Zone Act, 2004 2. Establishment of SEZ 3. Appointment of Developer, and his responsibilities to provide facilities at the SEZ 4. SEZ Development Authority 5. Unit Approval Committee, SEZ Development Committee 6. Single Window Clearance 7. Powers of the Development Commissioner in SEZ 8. Amendments in different Labour Laws within SEZs and effects thereof 9. Gujarat SEZ Rules, 2006 10. Incentives to promote development of industries in SEZ	20	15
5	Legal Regulation of Multi-Nationals 1. Collaboration agreements for technology transfer 2. Development and regulation of foreign investments 3. Investment in India: FDIs and NRIs 4. Investment abroad (Overseas Direct Investment Policy)	20	15
Total		100	80