

D.P. VIPRA LAW COLLEGE BILASPUR (C.G.)

Approved From BCI,
Affiliated to atal Bihari Vajpayee Vishwavidyalaya Bilaspur (C.G.)



File Number 3

Master's Level Specialization

D.P. Vipra Law College Bilaspur
Ashok Nagar, Seepat Road, Sarkanda, Bilaspur (C.G.)

Two Year (Four Semesters) LL.M. Degree Course of Study

LL.M. Syllabus

COMPULSORY PAPERS

First Semester:

400 Marks

Paper I	Indian Constitutional Law	100 Marks
Paper II	Indian Legal and Constitutional History	100 Marks
Paper III	Administrative Law	100 Marks
Paper VI	Administrative process and Judicial Control	100 Marks

Second Semester :

400

Marks

Paper I	Judicial Process	100 Marks
Paper II	Criminology and Penology	100 Marks
Paper III	Criminal Law in India.	100 Marks
Paper VI	Cyber Crimes	100 Marks

OPTIONAL GROUP (A) (ELECTIVE) - TORTS & HUMAN RIGHTS

Third Semester:

400 Marks

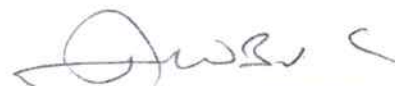
Paper I	Law and Social Transformation in India :	100 Marks
Paper II	Development of Law of Torts and Tort actions generally.	100 Marks
Paper III	Specific Torts –I	100 Marks
Paper VI	Specific Torts II	100 Marks

Fourth Semester:

400

Marks

Paper I	Legal Education and Research Methodology	100
Marks		
Paper II	Human Rights and the Refugees	100 Marks
Paper III	Human Rights in India/Dissertation	100 Marks
Paper VI	Viva – Voce	100
Marks		



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400 Marks

Paper I	Indian Constitutional Law	100 Marks
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Paper III	Administrative Law	100 Marks
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Second Semester : 400
Marks

Paper I	Judicial Process	100 Marks
Paper II	Criminology and Penology	100 Marks
Paper III	Criminal Law in India.	100 Marks
Paper VI	Cyber Crimes	100 Marks

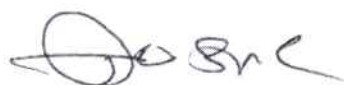
OPTIONAL GROUP (B) (ELECTIVE) - CORPORATE LAW

Third Semester:
400 Marks

Paper I	Law and Social Transformation in India	100 Marks
Paper II	Law of Corporate Management and Governance	100 Marks
Paper III	Law Regulation of Capital Market and Foreign Investment	100 Marks
Paper VI	Corporate Taxation	100 Marks

Fourth Semester: 400
Marks

Paper I	Legal Education and Research Methodology	100
Paper II	Banking and Insurance Law	100 Marks
Paper III	Law of Corporate Finance and Securities Regulations	100 Marks
Paper VI	Viva – Voce	100



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LL.M. Third Semester Paper II (Law and Corporate Management and Governance)

Unit -1

Certificate of Incorporation, Memorandum and Articles of Association, Doctrine of Ultra Vires, Doctrine of Indoor Management.

Unit -2

Directors Appointment, Removal, Position, Powers and Duties of Directors, Audit Committee its Role, Company Secretary: Qualification, Appointment and Duties, Officer who is in default Definition of Officer who is in default, Liability of independent directors.

Unit -3

Types of Meetings, Procedure of calling meeting, Company's resolutions and its kinds, Rule in Foss v. Harbottle, Prevention of Oppression, Prevention of Mismanagement,

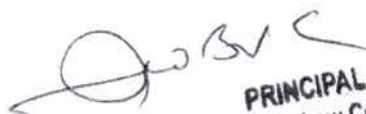
Role & Powers of the Company Law Board, Role & Powers of Central Government.

Unit -4

Company Investigation ,Winding up of Companies, Mode of winding up of the companies, Compulsory Winding up under the Order of the Tribunal, Voluntary winding up, Contributories, Payment of liabilities.

Unit -5

Importance of Corporate Governance, Different system of Corporate Governance, Impact of Legal Traditions and the Rule of Law on Corporate Governan Legal Reforms of Corporate Governance in India, Reports of the various Committee on Corporate Governance, Emerging Trend based on the recommendation of the Companies in the Companies Act 1956 and the Listing Agreement with Special reference to Clause 49, Corporate Social and Environmental Responsibility.

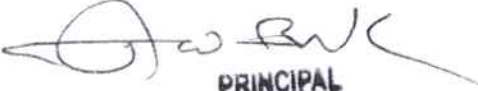

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Text Books:

1. Saleem Sheikh & William Rees Corporate Governance & Corporate Control, Cavendish Publishing Ltd., 1995
2. Taxmann Companies Act 2013
3. Taxmann A Comparative Study of Companies Act 2013 and Companies Act 1956

References:

1. Charles Wild & Stuart Weinstein Smith and Keenan, Company Law, Pearson Longman: 2009
2. Institute of Company Secretaries of India, Companies Act 2013, CCH Wolter Kluwer Business 2013
3. Lexis Nexis, Corporate Law 2013 (Palmtop Edition)
4. CA. Kamal Garg, Bharat's Corporate and Allied Laws, 2013.



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LL.M. Third Semester Paper III Law Regulation of Capital Market and Foreign Investment

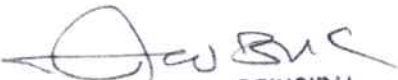
1. **Overview of Capital Market-** Role, Relevance and significance of Capital Market in national development, Capital Market and Economic Reforms: Challenges and prospects, Introduction to various components of capital market- primary and secondary market, stock exchanges,
2. **Trends in regulation of Capital Market-** Securities Contract Regulation Act 1956, SEBI Act 1992 with particular emphasis on role of SEBI, Depositories Act 1996.
3. **Policy framework for regulation of FDI-** Meaning and forms of FDI, Foreign Exchange Management Act, EDI Policy and role of RBI.
4. **Bilateral and multilateral investment agreements-** Introduction to the trends of bilateral and multilateral investments agreements, Nature and scope of substantive rights of foreign investors under BIPAs, Dispute Settlement Mechanisms under BIT Investment Arbitrations under ICSID and UNCITRAL.

Text Books:

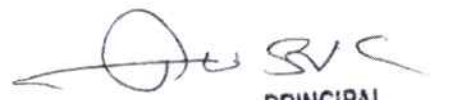
1. Guruswamy. Capital Market. Tata McGraw Education, 2009
2. E Gordon & H Nataraj, Capital Market in India, Himalaya Publishing House 2013

References:

1. Deepening India's Capital Market The Way Forward, USAID, November 2007
2. The Consolidated FDI Policy Circular of 2014, Ministry of Commerce & Industry Department of Industrial Policy & Promotion, Government of India
3. ICSID Convention-A Commentary, C. Schrever. 2 Edition 2009

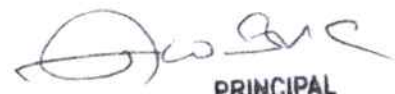

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4. Sanjeev Agarwal. Guide to Indian Capital Market, Bharat Law House, 2009
5. Imaad A Moosa. Foreign Direct Investment: Theory Evidence and Practice, Palgrave MacMillan, 2010
5. Niti Bhasin, FDI In India, New Century Publication, 2008


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LL.M. Third Semester Paper IV Corporate Taxation

1. **Income Tax-** Type of Companies (a) Indian Company (b) Domestic Company (c) Foreign Company (d) Public Sector Company (e) Companies in which public are substantially interested S 2(18) (f) Infrastructure Capital Company, Special Provision in respect of newly established undertaking in free zone or SEZ, 100% export oriented unit 10A 10AA, 10B, 10BA, Profit and Gains of business or profession, Capital Gains, Set off or carry forward of losses, Incentive and deductions to Companies under Section 80, Depreciation under Companies Act- Schedule 14 S. 205 & S. 350 and depreciation under Income Tax Act, Minimum Alternate Tax 115 JB, Tonnage Taxation Ch. 12 G, Tax on Distributed Profits under Section 115 (O), Special Provisions relating to tax on income received from Venture Capital Companies and Venture Capital Fund 115- U, Dividend Tax International Transaction, Penalties and prosecution
2. **Wealth Tax** - Introduction & Chargeability, Valuation date and computation, Assets and deemed assets, Assets exempt from tax, Debt owed, Valuation of assets, Return of wealth and assessment
3. **Sales Tax & VAT Laws** - Preliminary, Imposition of Tax, Registration and Security, Returns, Assessment, Payment of Tax and Interest, Accounts and Records, Objections Appeals and Disputes, Penalties and Offences, Way to GST (Tax on goods & services)- going to implement w.e.f. 1-4-2010
4. **Excise-** Introduction, Levy and Collection, Valuation, Cenvat Credit, Search, Seizure and Confiscation, Appeals and Revision,
5. **Custom-** Introduction, Charge of Custom Duty, Bill of Entry, Prohibition of Import and Export, Goods liable for confiscation, Baggage exempt from duty, Offences.


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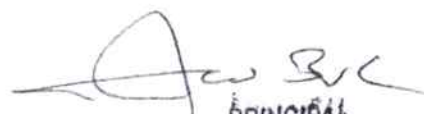
6. **Service Tax**- Introduction, Exemption from service tax, Abatement, Penalties, Service Tax on Government Department and Public Authorities

Text Books

1. Vinod Singhania & Kapil Singhania, Direct Taxes Law and Practice, Taxmann, 2014
2. Chaturvedi & Pithisaria. Income Tax Act with Relevant Tax Allied Acts, Lexis Nexis, 2013
3. Dr Monica Singhanta & Dr Vinod Singhania, Students guide to Indirect Tax Laws, Taxmann, 2014
4. VS. Datey. Elements of Indirect Taxes, Taxmann, 5th Edition, 2014

References

1. B.B. Lal. Income Tax, Pearson, 2010
2. Taxmann's Income Tax Act as Amended by Finance Act, 2014
3. Vineet Sodhani. Indirect Tax Laws. Taxmann. 2014
4. S.S. Gupta. Service Tax: How to Meet your Obligation. Taxmann, 2014
5. R Krishnan & R Parthasarthy, Valuation under Central Excise & Service Tax. Commercial Law Publishers Pvt. Ltd. 2013.
6. V.S. Datey, Custom Law and Practice and Procedure. Taxmann, 12th Edn., 2014



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LL.M. Fourth Semester Paper II Banking and Insurance Law

1. **The Evaluation of Banking Services and its History in India-** History of Banking in India, Bank nationalization and social control over banking , Various types of Banks and their functions, Contract between banker and customer their rights and duties, Role and functions of Banking Institutions.
2. **Lending by Banks and Recent Trends of Banking System in India-** Advances, Loans and Securities, Direct, collateral and miscellaneous Securities, Default and recovery, Bank Debt Recovery Tribunals, The Securitization and Reconstruction of Financial Assets and Enforcements of Security Interest Act. 2002 (Definitions, Section 13 - Enforcement of security interest, Section 17 Right to appeal).
3. **General Principles of Law of Insurance** - Definition, nature and history, Contract of insurance and principles, The Risk-commencement, attachment, assignment, Types of insurances, Policy and its Legal Status.
4. **Recent Trends in Insurance** - Insurance against third party risks (relevant provisions from Motor Vehicles Act, 1988.), Liability Insurance, Consumer Protection and Banking and Insurance Services, The Insurance Act. 1938 and the Insurance Regulatory & Development Authority Act, (IRDA), 2000, Miscellaneous Insurance Schemes: New Dimensions (Group Life Insurance, Mediclaim, Sickness).

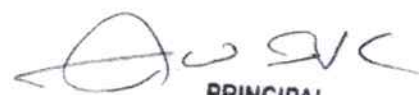
Text Books:

1. Banking and Insurance Law and Practice, Institute of Company Secretaries of India, Taxmann Publishers, 2010
2. MN Mishra, Law of Insurance. Central Law Agency, 9th Edition, 2012


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References:

1. J.N. Jain & RK Jain, Modern Banking and Insurance Principles and
Tov hnigues Regal Publications, 2008
2. Jyotsana Sethi & Nishwar Bhatia, Elements of Banking and Insurance
PHI Publishers 2 Edition, 2013.
3. Murthy. KSN and Sarma, K.VS. Modern Law of Insurance in India,
Lexw Nexis Butterworth, 2002
4. Birds. John, Modern Insurance Law, Universal Publishing Co., 2003,
5. Shah, M. B., Landmark Judgments on Insurance, Universal
Publishing Co, 2004
6. Rangarajan. C. Handbook of Insurance and Allied Laws. KC Shekhar
& Lekshmi Shekhar, Banking Theory and Practice, Vikas Publishing
House, 19h Edition 2005
7. ML Tannan, Banking Law and Practice in India, Lexis Nexis, 23
Edition, 2010


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LL.M. Fourth Semester Paper III Law of Corporate Finance and Securities Regulations

1. **Public Issue of Shares-** Prospectus, Remedies for misrepresentation, SEBI and Stock Exchange guidelines
2. **Share Capital-** Nature and Kind of Shares, Transfer, Transmission, Surrender and forfeiture of Shares, Purchase by Company of its own share, Issue of shares at premium and discount, SEBI Guidelines
3. **Shareholders Rights** (Various rights of shareholders and variation of shareholders rights, Debentures; Difference between Share and Debentures; Kinds of Debenture; Remedies of Debenture Holder; Company Charges.
4. **Insider Trading;** SEBI's Guidelines on Insider Trading, Securities and Exchange Board of India (SEBI) Constitution, Powers and Functions.
5. **Reconstruction, Amalgamation and Take Over:** Provisions in Company Law and SEBI Guidelines,
6. **Auditors-** Appointment, powers, duties and removal of auditors, Special Audit, Director Responsibility statement in Board Report, National Advisory Committee on Accounting Standards.

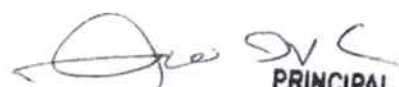
Text Books:

1. Paul Davis & Sara Worthington, Gower's Principles of Company Law Sweet & Maxwell Thomson, 9 Edition, 2006.
2. David Kidwell & Robert Parinno, Fundamentals of Corporate Finance, Wiley, 2012.

References:

1. Charles Wild, Stuart Weinsten, Smuth and Keenon's Company Law, Pearson Education Lt 2013.
2. J.C. Verma & Sanjeev Agarwal, Corporate Mergers. Amalgamations & Takeovers, Bharat Law House, 2008.
3. Richard Brealey. Stewart Myers, Franklin Allen, Principles of Corporate Finance, Hill McGraw, 2012.

LL.M. Fourth Semester Paper IV Viva-Voce


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