



Ref. No./SU/BOS/Law/ 297

Date: 06/05/2025

To,

The Principal,  
All Affiliated Law Colleges,  
Shivaji University, Kolhapur

The Head  
Law Department,  
Shivaji University, Kolhapur

Subject: Regarding syllabi of Master of Law LL.M. Part- II  
(Sem III & IV) Under The faculty of Humanites.

Sir/Madam,

With reference to the subject mentioned above I am directed to inform you that the University authorities have accepted and granted approval to the revised syllabi, equivalence and nature of question paper of Master of Law LL.M Part-II (Sem III & IV) under the Faculty of Humanities.


This syllabi shall be implemented from the academic year 2025-26 onwards. A soft copy containing the syllabus is attached herewith and it is also available on university website [www.unishivaji.ac.in](http://www.unishivaji.ac.in) (Online Syllabus).

The question paper on the pre-revised syllabi of above mentioned course will be set for the examinations to be held in October/November 2025 & March/ April, 2026. These chances are available for repeater students, if any.

You are therefore, requested to bring this to the notice of all students and teachers concerned.

Thanking you,

Yours faithfully

  
(Dr. S. M. Kubal)  
Dy. Registrar

Encl : As above

Copy to,

For Information and necessary action.

The Dean, Faculty of Humanities.	Eligibility Section.
The Chairman, Respectice, BOS	P. G. Seminar Section.
Director, Board of Examinations & Evaluation	P. G. Admission Section.
Appointment Section A & B	Affiliation Section (T. 1 & T 2)
Internal Quality Assorance Cell (IQAC)	Computer Center/I. T. Cell.
Other Exam -1 Section	

# SHIVAJI UNIVERSITY, KOLHAPUR



Estd. 1962

“A<sup>++</sup>” Accredited by NAAC (2021)

With CGPA 3.52

Faculty of Humanities

Syllabus for

## Two Year Post Graduate Master of Law (LL.M) Programme

CHOICE BASED CREDIT SYSTEM (CBCS)

### LL.M. Part-II

(To be implemented from Academic Year 2025-2026 Onwards)

**Group – I Business Laws**  
**LL.M Part – II, Semester – III**  
**Paper I**  
**CC-301: BANKING LAW**

**Max. Marks:** 100

**Objective of the Course:**

The banking system provides vital financial services to the society. In the modern age, it is the backbone of the economy. Banks are one of the oldest institutions of the economy. The evolutionary process still continues with the global phenomenon of liberalization. This has witnessed the entry of Foreign Banking Companies in the Indian market. The Reserve Bank of India was established under the Reserve Bank of India Act, 1934. This paper aims to acquaint students with the conceptual and operational parameters of banking law, the judicial interpretation, and emerging dimensions of the banking system.

**Syllabus:**

**Unit 1- Evolution of Banking System**

- 1.1 Nature and Development of Banking
- 1.2 Nationalization of Banks
- 1.3 Types of Banks
- 1.4 Functions of Banks

**Unit II – Laws Relating to Banking in India**

Highlighting features of -

- 2.1. The Banking Regulation Act, 1949
- 2.2 The Reserve Bank of India, 1934
- 2.3 The Banker's Books Evidence Act, 1891
- 2.4 Negotiable Instruments Act, 1881

**Unit III - The Central Bank**

- 3.1 Characteristics and Functions
- 3.2 Economic and Social Objectives
- 3.3 Banking Ombudsman – powers and functions
- 3.4 Role of The Reserve Bank of India as the Central Bank

**Unit IV - Relationship of Banker and Customer**

- 4.1 Relationship between Banker and Customer
- 4.2 Rights and duties of Banker and the Customer
- 4.3 Protection of Bankers
- 4.4 Consumer Protection: Banking as Service

**Unit V – Loans and Advances by Banks**

- 5.1 Good lending principles

- 5.2 Securities for loans and advances
- 5.3 Default and recovery: Role of Debt Recovery Tribunal (DRT) and its functions
- 5.4 Debt Recovery Appellate Tribunal (DRAT) - Role and functions

#### **Unit VI- E-banking**

- 6.1 Concept of E-banking
- 6.2 Security in E-Banking (Encryption and its process)
- 6.3 Advantages and Limitations of E-banking
- 6.5 Electronic and Digital Signature in E-Banking

#### **Unit VII – Financial Frauds in Banking**

- 7.1 Nature and types of banking Frauds
- 7.2 Online Banking Frauds and its kinds
- 7.3 Preventive mechanism for banking Frauds
- 7.4 Legislative measures to protect privacy of banking customers
- 7.5 Case Studies:
  - 7.5.1 PNB Bank Scam
  - 7.5.2 Kingfisher Airlines debacle
  - 7.5.3 PMC Bank Scandal

#### **Unit VIII - Recent Trends of Banking System in India**

- 8.1 Net-Banking, Mobile Banking, Tele-Banking, NEFT, IMPS, RTGS, ECS, Electronic Money Transfer (EMT)
- 8.2 Automation and Legal Aspects – Information Technology Act, 2000 (as amended)

#### **Select Bibliography:**

1. Basu, A Review of Current Banking Theory and Practice (1998) MacMillan.
2. Ross Cranston, Principles of Banking Law (1997) Oxford.
3. M.L. Goyale, The Law of Banking and Bankers (1995) Eastern Book House.
4. M. L. Tannan's, Tannan's Banking Law and Practice in India (1997) India Law House, New Delhi, 2 volumes.
5. K. C. Shekhar, Banking Theory and Practice (1998) UBS Publisher Distributors Ltd. New Delhi.
6. K Subrahmanyam, Banking Reforms In India (1997) Tata Maigraw Hill, New Delhi.
7. R. S Narayana, The Recovery of Debts due to Banks and Financial Institutions Act, 1993 (51 of 1993), Asia Law House, Hyderabad.
8. Mitra, The Law Relating to Bankers' Letters of Credit and Allied Laws, (1998) University Book Agency, Allahabad.
9. Janakiraman Committee Report on Securities Operation of Banks & Financial Institution (1993)
10. Narasimham Committee Report on the Financial System (1991) – Second Report (1999).
11. Ross Cranston (ed.) European Banking Law: The Banker-Customer Relationship (1999) LLP, London.

12. M.A. Mir, The Law Relating to Bank Guarantee in India (1992), Metropolitan Book, New Delhi.
13. R.K. Talwar, Report of Working Group on Customer Service in Banks.

## **Paper II**

### **CC-302: Insurance Law**

**Max. Marks: 100**

#### **Objective of the Course:**

Insurance acts as an important tool in providing social security. The law of Insurance plays a significant role in regulating Insurance Companies and protecting the interest of the policy holder. Insurance is a social device to reduce the impact of risk. Insurance law is the practice of law surrounding insurance, including insurance policies and claims. An insurance policy is a contract that is based on doctrine like utmost good faith etc. This paper aims to acquaint students with the conceptual and operational parameters of Insurance law, the judicial interpretation, and emerging dimensions of the Insurance system.

#### **Syllabus:**

##### **Unit I - Introduction**

- 13.1 Nature of Insurance Contract, Proposal, Policy, Parties, Consideration, Need for utmost good faith, Insurable Interest, Indemnity.
- 13.2 Insurance Policy, law of contract and law of torts - future of insurance: need, importance and place of insurance.
- 13.3 General Principles of Law of Insurance.
  - 13.3.1 Definition, Nature and History.
  - 13.3.2 The Risk - Commencement, Attachment and Duration.

##### **Unit II- General Insurance**

- 2.1 History and development.
- 2.2 The Insurance Act 1938 and the Insurance Regulation Authority Act 2000.
- 2.3 Mutual insurance companies and co-operative life insurance societies.
- 2.4 Double Insurance and re-insurance.

##### **Unit III - Life Insurance**

- 3.1 Nature and Scope.
- 3.2 Event insured against Life Insurance Contract.
- 3.3 Circumstances affecting the Risk.
- 3.4 Amount recoverable under Life Policy.
- 3.5 Persons entitled to Payment.
- 3.6 Settlement of Claims and Payment of Money.

##### **Unit IV - Marine Insurance**

- 4.1 Nature and Scope.
- 4.2 Classification of Marine Policies.
  - 4.2.1 The Marine Insurance Act, 1963.
  - 4.2.2 Marine Insurance Policy - Condition - Express & Implied Warranties
  - 4.2.3 Voyage -deviation and Perils of the sea.
  - 4.2.4 Assignment of policy and Return of premium.

##### **Unit V - Insurance against Accidents**

- 5.1 The Fatal Accidents Act, 1855.
  - 5.1.1 Objects and Reasons.
  - 5.1.2 The Personal Injuries (Compensation Insurance) Act 1963.
  - 5.1.3 Assessment of Compensation.
  - 5.1.4 Contributory Negligence.

- 5.1.5 Apportionment of Compensation and Liability.
- 5.2.6 Compensation Insurance Scheme under the Act-Compulsory Insurance.

#### **Unit VI - Property Insurance**

- 6.1 Fire Insurance.
- 6.2 The Emergency Risks (Factories) Insurance.
- 6.3 The Emergency Risks (Goods) Insurance.
- 6.4 Policies covering Accidental loss, Damage to Property.
- 6.5 Policies covering Risk of Storm and Tempest.
- 6.6 Glass-plate Policies.
- 6.7 Burglary and Theft Policies.
- 6.8 Live Stock Policies.
- 6.9 Goods in Transit Insurance.
- 6.10 Agricultural Insurance.

#### **Unit VII - Insurance Against Third Party Risks-1**

- 7.1 The Motor Vehicles' Act, 1988.
  - 7.1.1 Nature and Scope.
  - 7.1.2 Effect of Insolvency or Death on Claims of Insolvency and Death of Parties, Certificate of Insurance.
  - 7.1.3 Claims Tribunal: Constitution, Functions, Application for Compensation, Procedure, Powers and Award.

#### **Unit VIII - Insurance Against Third Party Risks-2**

- 8.1 Liability Insurance
  - 8.1.1 Nature and Kinds of such Insurance.
  - 8.1.2 Public Liability Insurance.
  - 8.1.3 Professional Negligence Insurance.
- 8.2 Miscellaneous Insurance Schemes: New Dimensions.
  - 8.2.1 Group Life Insurance.
  - 8.2.2 Mediclaim, Sickness Insurance.

#### **Select Bibliography:**

1. Banerjee, Law of Insurance (1994), Asia Law House, Hyderabad.
2. Mitra B.C., Law Relating to Marine Insurance (1997) Asia Law House, Hyderabad.
3. JCB Gilmar and Mustill, Arnold on the Law of Marine Insurance, (1981), Sweet & Maxwell.
4. Birds, Modern Insurance Law (1997) Sweet & Maxwell.
5. Colinvaux's Law of Insurance (1997), Sweet & Maxwell.
6. O'Mary on Marine Insurance (1993), Sweet & Maxwell.
7. Edwin W. Patterson, Cases and Materials on Law of Insurance (1955).
8. E.R. Hardy Ivamy, General Principles of Insurance Law (1979).
9. M.N. Sreenivasan Law and the Life Insurance Contract (1914).
10. International Labour Office, Administration Practice of Social Insurance (1985).

**Paper III**  
**CC-303: Law Relating to Consumer Protection and Competition**

**Max. Marks: 100**

**Objective of the Course:**

The Consumer Protection law protects defines rights of a consumer and protects the consumer from adulterated, substandard goods and deficient services. It provides for procedure for filling a complaint and its Redressal mechanism. Competition is the key which encourages efficient, innovative and responsive markets. The consumers have availability of 'goods' and 'services' in at an affordable price. India has reviewed the Monopolies and Restrictive Trade Practices Act, 1969 and has enacted the Competition Act, 2002. This paper aims to impart the basic knowledge of Laws relating to Consumer Protection and Competition and anti-competitive practices adopted in the commercial world.

**Syllabus:**

**Unit I -Concept of Consumer**

- 1.1 Development of market and consumer relations.
- 1.2 Globalization and consumerism.
- 1.3 Consumer movement in the global context-
- 1.4 Role of UN and International conventions
- 1.5 Rights of Consumer – Constitution of India

**Unit II – The Consumer Protection Act, 2019**

- 2.1 Salient features of the Act, 2019
- 2.2 Comparison between the Act of 1986 and 2019
- 2.3 Definition and Scope of – Consumer, Service, Deficiency in Service, Unfair Trade Practices.
- 2.4 Grievance Redressal Mechanism.
- 2.5 Case laws on deficiency in Consumer services

**Unit III - Consumer friendly Legislations in India**

Salient features and Rights of consumers under -

- 3.1 Prevention of Food Adulteration Act, 1954.
- 3.2 Standards of Weights and Measures Act, 1976.
- 3.3 The Drugs and Magic Remedies (Objectionable Advertisement) Act 1954.
- 3.4 Sale of Goods Act, 1930.

**Unit IV - Competition Law in India**

- 4.1 Historical Background of Competition Law in India
- 4.2 Raghavan Committee Report
- 4.3 Overview of Competition Act, 2002 -  
Definitions and ideas of agreement, combination and effects of anti- competitive activities

## **Unit V – Abuse of Dominant Position**

- 5.1 Concept, forms and treatment in India.
- 5.2 Essential facilities doctrine.
- 5.3 Refusal and abuse of dominant position.
- 5.4 Pricing strategies and abuse of dominant position.
- 5.5. Judicial pronouncements

## **Unit VI – Competition Commission of India**

- 6.1 Composition, powers and function of CCI.
- 6.2 Role of the DG.
- 6.3 Appellate Tribunal
- 6.4 Penalties and remedies.

## **Unit VII –International Perspective on Competition Law**

- 7.1 WTO and its impacts on Competition Laws with reference to UNCTAD.
- 7.2 International enforcement and judicial assistance.
- 7.3 Dumping.
- 7.4 State aid and Recession
- 7.5 Inter-relation between Rights of Consumers and Competition Law.

## **Unit VIII- Trends in Consumer Commission E-filing**

- 8.1 Consumer Commission- E-filing Procedure
- 8.2 E-dakhil Portal – Features
- 8.3 Concept of Confonet Project
- 8.3 OCMS ( Online Case Monitoring System )

### **Select Bibliography:**

1. Mittal D.P., Taxmann's Competition Law and Practice, 3rd Edition , 2007.
2. Universal Guide to Competition Law in India, Universal Law Publishing Company, New Delhi. 2003.
3. Ramappa. T., Competition Law in India- Policy, Issues and Development Oxford University Press, 3rd Edition, 2013.
4. Aditi P Talati, Nahar. S. Mahala, Competition Act, 2002: Law, Practice and Procedure, Commercial Law Publishers, 2006.
5. Avtar Singh & Harpreet Kaur, Introduction to Law of Tort & Consumer Protection, Lexis Nexis, 2013.
6. Verma S.K. & M. Afzal Wani, A Treatise on Consumer Protection Laws, Indian Law Institute, 2004.
7. Anoop K. Kaushal, Universal's Practical Guide to Consumer Protection Law, Universal law Publishing Company, New Delhi, 2006.
8. Aggarwal, Prof. V. K., Consumer and Protection Law and Practice, 6th Edition, 2008.



**Paper IV**  
**EC – 304: International Trade Laws**

**Max. Marks: 100**

**Objective of the Course:**

To familiarize students with theories and policies that guide international trade. To enable students to get meaningful insights into why international trade is important for a country and how it effects production, profit and the economy.

**Syllabus:**

**Unit I - The History and Development of International Trade, and Financial Institution**

- 1.1 History and development of international trade.
- 1.2 International Monetary Fund (IMF), International Bank.
- 1.3 For Reconstruction and Development (IBRD).
- 1.4 International Finance Corporation (IFC), International.
- 1.5 Development Association (IDA), Multilateral Investment Guarantee Agency (MIGA).

**Unit II - Theories Related to International Trade**

- 2.1 Mercantilism, Theory of absolute advantage of Adam Smith.
- 2.2 Theory of comparative advantage of David Ricardo and its developments.
- 2.3 Marxist notions affecting International Trade.

**Unit III - WTO and International Trade Law; Regulation of International Trade in India**

- 3.1 Multilateral Agreements on Trade in Goods, GATS, TRIPS Agreement.
- 3.2 Doha Round and aftermath, Institutional Structure.
- 3.3 Foreign trade (Development and Regulation) Act, 1992, Foreign Trade Policy.
- 3.4 Foreign Trade Procedures.

**Unit IV - International Sale and Carriage of Goods and International Investment Laws**

- 4.1 United Nations Convention on Contracts for the International Sale of Goods, 1980.
- 4.2 Bills of Lading and other Shipping Documents, Documentary Credit and other Payment.
- 4.3 Arrangements, International Contracts Claims before National Courts. Bilateral Investment .
- 4.4 Treaties, Multilateral Investment Guarantee Agency, Agreement on Trade Related Investment Measures, Multilateral Agreement on Investment.

**Unit V - Settlement of International Trade Disputes**

- 5.1 Consultations, Panel and appellate reviews, Good offices.
- 5.2 Conciliation and Mediation; Arbitration.
- 5.3 Compliance and enforcement.

**Unit VI - Non-Discrimination**

- 6.1 National Treatment: Concept of “Like products”
  - 6.1.1. Difference in treatment of like products and directly competitive and substitutable products.
  - 6.1.2 Exceptions to the rule
- 6.2 Most Favored Nation Treatment: Advantages of the MFN rule
  - 6.2.1 Exceptions to the rule
  - 6.2.2 Regional Trade Agreements, Free Trade Areas, etc.
  - 6.2.3 Growing phenomenon of RTAs and FTAs whether a threat to multilateralism?

**Unit VII - Protection of Domestic Industry**

- 7.1 Antidumping Measures under Article VI of GATT 1994 and the Antidumping Agreement.
- 7.2 Subsidies and Countervailing Duties under Article VI and XVI of GATT 1994 and Agreement on Subsidies and Countervailing Measures.
- 7.3 Safeguard Measures under Article XIX of GATT 1994 and the Safeguards Agreement.

**Unit VIII - Regulation of Non-Tariff Barriers**

- 8.1 Agreement on Technical Barriers to Trade (TBT).
- 8.2 Agreement on Sanitary and Phytosanitary (SPS) Measures.
- 8.3 Rules of Origin.
- 8.4 Pre-shipment Inspection.
- 8.5 Agreement on Import Licensing.

**Select Bibliography:**

- 1. Bhala, Raj Modern GATT Law: A Treatise on the General Agreement on Tariffs and Trade (Thompson, Sweet and Maxwell 2005).
- 2. Macrory, Patrick F.J. et al The World Trade Organization: Legal, Economic and Political Analysis (Springer, 2005).
- 3. Matsushita, Mitsuo et al The World Trade Organization: Law Practice and Policy ( OUP, 2006).
- 4. Mavroidis, Petros C. The General Agreement on Tariffs and Trade (OUP 2005).
- 5. Schnitzer, Simone Understanding International Trade Law (Law Matters Publishing, 2006)

**Important Web Sources:**

- 1. [www. wto.org](http://www.wto.org).
- 2. [www. nic.in](http://www.nic.in)
- 3. [www. worldtradelaw. net](http://www.worldtradelaw.net)
- 4. [www.centad.org](http://www.centad.org)

**Paper V**  
**SEC – 305: Right to Information Act**

**Max. Marks:** 50

**Objective of the Course:**

To familiarize students with their fundamental right to know whether public administration works as per the provisions of laws and statutes under which they have been appointed. This course also deals with developing and enhancing skills of enquiry about functioning of Government Authorities as guaranteed by the Constitution of India Art. 19 and 21.

**Syllabus:**

**Unit I – Introduction**

- 1.1 Introduction to the Right to information Act. 2005.
- 1.2 Important Definitions.
- 1.3 Statement of Objectives and Reasons.
- 1.4 Right to information Act and obligations of public authorities.

**Unit II – The Central Information Commission**

- 2.1 Constitution of Central Information Commission.
- 2.2 Term of Office and Conditions of Service.
- 2.3 Removal of the Chief Information Commission.

**Unit III – The State Information Commission**

- 3.1 Constitution of State Information Commission.
- 3.2 Term of Office and Conditions of Service.
- 3.3. Removal of the State Chief Information Commission.

**Unit IV- Powers and functions of the Information Commissions, appeal and penalties**

- 4.1 Duties of the Central Information Commission or State Information Commissions.
- 4.2 Powers of a civil court while trying a suit under the Code of Civil Procedure, 1908.
- 4.3 Appeal
- 4.4. Penalties

**Unit V – Miscellaneous**

- 5.1 Protection of action taken in good faith.
- 5.2 Act to have overriding effect.
- 5.3 Bar of jurisdiction of courts.
- 5.4 Act not to apply to certain organizations.

**Unit VI- Monitoring and Reporting**

- 6.1 Appropriate Government to prepare programmes.

**Unit VII - Power to make rules by appropriate Government**

- 7.1 Laying of rules.
- 7.2 Power to remove difficulties.

**Unit VIII – Schedules and Forms**

- 8.1 First Schedule.
- 8.2 Second Schedule.
- 8.3 Forms.

**Select Bibliography:**

- 1. Right to Information Act, 2005 Bare Act and Commentary.
- 2. All other sources of Books and Law Reports.

**Group – I Business  
Laws  
LL.M Part – II, Semester – IV Paper  
I**

**CC-401: Dissertation and Viva-Voce**

**Max. Marks:** 150 Marks for Term Work and 50 Marks for Viva Voce. Students are required to select a burning topic based on socio-legal studies for research work and by way of documentary and non-documentary or empirical research methodology and submit the Thesis in hard bound after taking guidance from the allotted supervisor. The Report should be as per the standard format and submit in at least 200 to 250 pages.

**Objectives of the Course:**

To inculcate research skills in the students. To be able to find out the truth about socio-legal issues. To equip them with critical reasoning and expressing their opinion with a significant research and suggest certain feasible suggestions.

To make the LL.M. program in IPR and Business Laws research oriented every student has to carry out Dissertation work selecting any topic from the subjects taught in the last three semesters applying Legal Research Methodology which is to be submitted for evaluation internally externally has to appear for viva-voce.

**GUIDELINES FOR PREPARATION AND SUBMISSION OF DISSERTATION  
FOR AWARD OF LL.M. DEGREE**

**Structure for writing the Dissertation:**

**LAYOUT AND APPEARANCE**

**GENERAL INSTRUCTIONS**

1. Paper size International standard paper size A4 (297 x 210 mm).
2. Typing On one side of the paper only.
3. Margins Top 1.0", Bottom 1.0", Left 1.5", Right 1.0".
4. Line spacing 1.5 Lines
5. Character spacing Normal.
6. Font: Times New Roman or Book man Old Style
7. Font size:
  - a) Chapter Headings — 14 pt in Capital Letter and Bold text
  - b) Sub Headings — 14 pt in Capital Letter
  - c) Sub Sub Headings - italicized without making them either large or bold in 12 font Size
  - d) Main Text - 12pt;

8. Page numbering: At the bottom of the page in Centre, using Arabic Numerals (1, 2, 3) starting with the first page of the Dissertation (Introduction Page) prior to this the pages should be numbered with lowercase numerals (i, ii, iii)
9. Chapters should start on New page but sections and sub sections should not

#### **FOOT NOTES**

1. Font same as the main text.
2. Font size 10 points.
3. Line spacing Single.
4. Numbering should be in continuation from first chapter to the last

#### **MODE OF CITATION**

1. For an authored book: Name of the author, Title of the book p.no. (if referring to specific page or pages) (Publisher, Place of publication, edition/year of publication). E.g. M. P. Jain, Indian Constitutional Law 98 (Kamal Law House, Calcutta, 5th edn., 1998).
2. For edited books: Name of the editor (ed.), Title of the book p.no. (if referring to specific page or pages) (Publisher, Place of publication, edn/year). E.g. Nilendra Kumar (ed.), Nana Palkhivala: A Tribute (Universal Publishers, Delhi, 2004).
3. Citation of a paper/article published in a journal/periodical/reporter: Name of author of the article, title of the essay within inverted commas, volume number of journal, Name of the journal in abbreviation & page number (year).

Illustrations:

- i) K. Madhusudhana Rao, "Authority to Recommend President's Rule under Article 356 of the Constitution", 46 JILI 125 (2004).
  - ii) Law Commission of India, 144th Report on conflicting Judicial Decisions Pertaining to the Code of Civil Procedure, 1908 (April, 1992).
4. Website citation: Information Technology Act 2000, India, available at: <http://www.mit.gov.in/itbill.asp> (Last Modified July 29, 2016).
  5. Citation for case laws: Keshavananda Bharti v. State of Kerala whereas the citation of the case is to be written in the footnote as AIR 1973 SC 1461.

#### **PLAGIARISM CHECK**

1. Plagiarism Check shall be done and only the reports which are signed by the authority will be considered.
2. Plagiarism shall not be more than 10 percent.

#### **APPENDICES**

1. The document charts, questionnaires, tables, schedules etc. which are actually referred to in dissertation

are to be included under appendix or appendices may include.

2. Questionnaires used for collecting information. Schedules used for collecting information, Tables formed for presenting the data, Documents/forms etc., referred to in the body of the dissertation report. Diagram, graphs etc. in dissertation thesis.
3. Guide student meeting record form should be maintained by the Guide on regular basis.
4. Progress reports duly signed

## **SEQUENCE OF PAGES**

1. Cover Page
2. Certificate
3. Declaration
4. Plagiarism Report
5. Acknowledgment
6. Abbreviations
7. Table of cases
8. Contents/Index
9. Main Text of the Dissertation
10. Bibliography
11. Appendixes

NOTE -- You are advised to refer to the samples but in no case, it should limit your creativity in writing. All the sample pages are based on the minimum requirements of a standard dissertation as well as imaginary particulars. Every innovation under the guidance and supervision of your supervisor is welcomed.

## LIST OF ANNEXURES

1. Joining Report
2. Weekly Progress Report
3. Student Guide Meeting Record
4. Format of Dissertation Pages

## JOINING REPORT

Date:  
To,  
The Principal,  
.....Law College,.....

Sub: Joining Report

Respected Sir,

I, Shri/Ms.....Have ..... joined  
for dissertation work. I would be carrying out dissertation work under the guidance and  
supervision of Shri. /Ms ..... in  
..... area. The title of my project work is .....

.....  
(Name & signature of the student)

.....  
(Name and Signature of Guide)

Seal of College



## WEEKLY PROGRESS REPORT

Progress Report No.

Name of Student	
Title of the Study	
Name of Guide	
Date of Progress Report	
Period Of Progress	
Report Progress	

Signature of Student  
Guide

Signature of

## STUDENT - GUIDE MEETING RECORD

Student Name:  
Contact No.  
Guide Name:

Topic

Sr. No.	Date	Description	Sign of Guide/Expert	Signature Of Student
1		Presentation of work		
2		Submission of First Draft of Dissertation		
3		Submission of Second Draft of Dissertation		
4		Submission of Third Draft of Dissertation		
5		PPT Dissertation work		
6		Submission of Final Draft of Dissertation		

Signature of Student

Signature of Guide

## **FORMATS OF THE DISSERTATION PAGES**

### **FORMAT OF THE COVER PAGE OF THE THESIS**

**Title in Block letters**

A dissertation submitted to

.....College, Sangli/ Kolhapur/Karad/Satara

Affiliated to

Shivaji University, Kolhapur as part of the

Curriculum for the Degree of LL.M.

Under the Faculty of LAW

By

Name of the Candidate

under the Guidance of

Name of the Guide/Supervisor

Month and Year

### **Certificate by Research Guide/Supervisor**

This is to certify that the dissertation/thesis entitled. . .... being submitted herewith to ..... Law College, ..... for the award of LL.M. Degree in (subject) under the Faculty of LAW of Shivaji University, Kolhapur is the result of the original research work completed by Shri./Smt ..... under my /our supervision and guidance and to the best of my / our knowledge and belief, the work embodied in this Dissertation / Thesis has not formed earlier the basis for the award of any degree or similar title of this or any other University or examining body. In view of University Grants Commission (Promotion of Academic Integrity and Prevention of plagiarism in Higher Educational Institutions) Regulations, 2018 dated 31st July 2018, this is also to certify that the work done by the Shri./Smt . .... is as per the Guidelines laid down by the Concerned Authority for plagiarism.

Place:

Date:

Name and Sign of Guide

### **Declaration and undertaking by Student**

I hereby declare that the thesis/dissertation entitled..... is  
..... is  
completed and written by me and has not formed earlier the basis for the award of any degree or  
similar title of this or any other university or examining body. Further, I declare that I have not  
violated any of the provisions under the acts of Copyright/Piracy/Cyber/IPR etc. amended from  
time to time.

In view of University Grants Commission (Promotion of Academic Integrity and Prevention of  
plagiarism in Higher Educational Institutions) Regulations, 2018 dated 31st July 2018, I hereby  
submit an undertaking that this thesis/dissertation is my original work and it is free of any  
plagiarism. Further, it is also to state that this thesis/dissertation has been duly checked through a  
Plagiarism detection tool approved by Shivaji University, Kolhapur.

Place:

Date:

Name & Signature of Research Student

Research Guide/Research Supervisor (Signature with Name & Designation)

## ACKNOWLEDGEMENT

I feel proud to acknowledge the able guidance of our esteemed (supervisor to be acknowledged)  
I acknowledge with pleasure unparalleled infrastructural support that I have received .....  
Law College..... In fact, this work is the outcome of outstanding support that I have  
received from the faculty members of the college, in particular...

I find this opportunity to thank the library staff of college.

This research work bears testimony to the active encouragement and guidance of a host of friends  
and well-wishers. In particular mention must be made of (optional)

It would never have been possible-to-complete this study without an untiring support from  
.....

I am greatly indebted to the various writers, jurists and all others from whose writings and work  
I have taken help to complete this dissertation.

Date:  
Place:

Sign  
(Name of the Student)

## PLAGIARISM REPORT

## **ABBREVIATIONS**

<b>AIR</b>	All India Reports
<b>Mh.L.J.</b>	Maharashtra Law Journal
<b>SCC</b>	Supreme Court Cases
<b>v.</b>	versus

The abbreviations used by you shall be approved abbreviations whether by traditions, statute or otherwise.

That you do not invent your own . The abbreviations listed are to be in alphabetical order.

## **TABLE OF CASES**

Mention the case laws cited in the work along with their citation. A uniform form of Citation should be used. You should list out all the cases referred by you in your dissertation in strict alphabetical order.



Sr. No.	Case	Citation
01	Keshavananda Bharti v. State of Kerala	AIR 1973 SC 1461

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	1.5. Objectives of the study	
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	1.7. Research Questions	
	1.8. Statement of hypothesis	

	1.9. Scope and Limitation of the study	
	1.10. Sources of data collection	
	1.11. Method of data collection	
	1.12. Tools of Data Analysis	
	1.13. Review of literature on the study	
Chapter-2	Conceptual Analysis	
Chapter — 3	Legal Provisions	
Chapter - 4	Comparative Analysis/Data Analysis/Case Analysis	
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**Paper II**  
**SEC-402: Public Interest Litigation**

**Max. Marks: 50**

**Objective of the Course:**

The majority of the people of our Country are Subjected to the denial of 'access to justice' and overtaken by despair and helplessness, they continue to remain victims of an exploitative Society where economic power is Concentrated in the hands of a few and it is used for perpetuation of domination over large masses of human beings. The strategy of public interest litigation has been evolved by the Supreme Court with a view to bringing justice within the easy reach of the poor and disadvantaged sections of the Community. This course aims at training the budding lawyers to be learned citizens who may be able to file PILs which may help the poor, needy and downtrodden people to have justice.

**Syllabus:**

**Unit I – Introduction**

- 1.1 Concept of Judicial Activism.
- 1.2 Meaning and Definition of PIL.
- 1.3 Significance of PIL.
- 1.4 Matters

**Unit II - Genesis and Evolution of PIL in India: Some Landmark Judgements**

- 2.1 Origin and Development of PILs
- 2.2 Mumbai Kamagar Sabha vs. Abdul Thai, 1976.
- 2.3 Hussainara Khatoon vs. State of Bihar (1979) - Right to speedy justice.
- 2.4 S.P. Gupta vs. Union of India – relaxation of Locus Standi Rule.
- 2.5 Indian Banks' Association, Bombay & Ors. vs. M/s Devkala Consultancy Service and Ors
- 2.6 Vishaka v. State of Rajasthan

**Unit III - Factors Responsible for the Growth of PIL in India**

- 3.1 The character of the Indian Constitution.
- 3.2 The liberal interpretation of locus standi.
- 3.3 Judicial innovations to help the poor and marginalized

**Unit IV - Who Can File a PIL and Against Whom?**

- 4.1 Any citizen under:
  - 4.1.1 Under Art 32 of the Indian Constitution, in the Supreme Court.
  - 4.1.2 Under Art 226 of the Indian Constitution, in the High Court.
  - 4.1.3 Under sec. 133 of the Criminal Procedure Code, in the Court of Magistrate.
- 4.2 Essential Ingredients for PIL
- 4.3 PIL against State / Central Govt., Municipal Authorities and not any private party.

**Unit V - Significance of PIL**

- 5.1 Access to Court to seek legal redress
- 5.2 Instrument of Social Change
- 5.3 To make Justice accessible to the poor and the marginalized
- 5.4 Democratizes the access of justice to all
- 5.5 Public participation in judicial review

**Unit VI - Certain Weaknesses of PIL**

- 6.1 problem of competing rights
- 6.2 Overburden of PIL by vested interest
- 6.3 Judicial Overreach
- 6.4 Inordinate delays in the disposal of PIL cases

**Unit VII - Procedure to File a Public Interest Litigation**

- 7.1 In High Courts.
- 7.2 In Supreme Court.
- 7.3 Court Fees
- 7.4 Procedure

**Unit VIII –Conclusion**

- 8.1 Criticism against PIL
- 8.2 PIL: Present Scenario

**Select Bibliography:**

1. M.P. Jain, 'Indian Constitutional Law', vol-I (5th Ed., 2003, Wadhwa Nagpur).
2. Durga Das Basu, 'Commentary on the Constitution of India', vol-II (8th Ed., 2008, Lexis Nexis, Butterworth Wadhwa).
3. P.N. Bhagwati, "Judicial activism".
4. Jill Cottrell, "Third generation rights and social action litigation," in Adelman and Paliwala, Law and crisis.
5. Ahuja, Sangeeta, People, Law and Justice. A Case Book on PIL, Vol.I, Orient Longman Ltd., New Delhi, 1997.
6. Austin, Granville, The Indian Constitution - Cornerstone of a Nation, Oxford University Press, New Delhi, 1996.
7. Basu, Durga Das, Comparative Constitutional Law, Prentice Hall of India (P) Limited, New Delhi, 1984.

**Important Websites:**

1. [www.wikipedia.com](http://www.wikipedia.com)
2. [www.helpline1aw.com](http://www.helpline1aw.com)
3. [www.halsbury.com](http://www.halsbury.com)
4. [www.legalserviceindia.com](http://www.legalserviceindia.com)

**Group – II**  
**Intellectual Property Rights**  
**LL.M Part – II, Semester– III**  
**Paper I**  
**CC-301: Law of Copyrights**

**Max. Marks: 80**

**Objective of the Course:**

Copyright law has evolved as a response to the change in the new technology and hence it is complex in character. This course aims to expose the students to the concept copyright and a procedure of protection of the rights of the author of copyrighted material. They will also get an exposure to the practical aspects of drafting licensing agreements and the procedure for registration of copyright.

**Syllabus:**

**Unit I: Foundations of Copyright Law**

- 1.1 Meaning and Scope of Copyright
- 1.2 Historical Evolution of Copyright Law (Global and Indian Context)
- 1.3 Theoretical Justifications for Copyright (Economic, Moral, and Utilitarian Theories)
- 1.4 International Treaties and Conventions (Berne Convention, TRIPS, WIPO Treaties)
- 1.5 Overview of the Copyright Act, 1957 (Key Amendments)

**Unit II: Subject Matter and Ownership of Copyright**

- 2.1 Subject Matter of Copyright and Conditions
- 2.2 Authorship and Ownership
- 2.3 Joint Authorship and Collective Works
- 2.4 Copyright in Digital and AI-Generated Works

**Unit III: Rights Conferred by Copyright**

- 3.1 Economic and Moral Rights of Authors
- 3.2 Neighboring Rights and Related Rights
- 3.3 Limitations and Exceptions
- 3.4 Doctrine of Exhaustion and Parallel Imports

**Unit IV: Duration, Assignment, and Licensing of Copyright**

- 4.1 Term of Protection for Various Works
- 4.2 Assignment of Copyright
- 4.3 Licensing of Copyright: Voluntary and Compulsory Licenses
- 4.4 Collective Rights Management Organizations (Copyright Societies)

**Unit V: Infringement of Copyright and Defenses**

- 5.1 Acts Constituting Copyright Infringement
- 5.2 Infringement in Physical and Digital Media
- 5.3 Defenses Against Infringement
- 5.4 Case Studies on Copyright Infringement (National and International)

**Unit VI: Enforcement and Remedies**

- 6.1 Civil and Criminal Remedies
- 6.2 Administrative Remedies: Role of Regulatory Bodies
- 6.3 Digital Enforcement Mechanisms
- 6.4 International Enforcement of Copyright

## **Unit VII: Registration and Regulatory Framework**

- 7.1 Procedure for Copyright Registration
- 7.2 Role of the Copyright Office and Registrar of Copyrights
- 7.3 Appeal
- 7.4 Role of the Intellectual Property Appellate Board (IPAB) and Copyright Societies

## **Unit VIII: Contemporary Issues and Emerging Trends in Copyright Law**

- 8.1 Copyright Challenges in Artificial Intelligence and Machine Learning
- 8.2 Copyright in Digital Platforms: OTT, Social Media, and Streaming Services
- 8.3 Impact of Blockchain and NFTs on Copyright Protection

### **References:-**

1. Ahuja, V. K. (2007). *Law of copyright and neighboring rights: National and international perspectives*. LexisNexis.
2. Narayanan, P. (2017). *Copyright law: Desk edition*. Eastern Law House.
3. Wadehra, B. L. (2012). *Intellectual property law*. LexisNexis Butterworths.
4. Ganguli, P. (2001). *Intellectual property rights: Unleashing the knowledge economy*. Tata McGraw-Hill.
5. Wadehra, B. L. (2012). *Law relating to intellectual property*. Universal Law Publishing.
6. Ahuja, V. K. (2007). *Copyright and neighbouring rights: National and international perspectives*. LexisNexis.
7. Bently, L., & Sherman, B. (2014). *Intellectual property law and practice*. Oxford University Press.
8. Narayana, P. S. (2018). *Intellectual property rights in India*. Eastern Book Company.
9. Government of India. (2022). *Manual on copyright law*. Ministry of Commerce & Industry.
10. World Intellectual Property Organization (WIPO). (2020). *WIPO intellectual property handbook*. WIPO.
11. Copinger and Skone James on Copyright, Vol. 1, Sweet & Maxwell, 2010.
12. Cornish, Graham P., Copyright: Interpreting the Law for Libraries, Archives and Information Service, Facet Publishing, London, 2009.
13. D'AgostinoGuiseppina, Copyright, Contracts, Creators: New Media, New Rules, Edward Elgar, 2010.
14. ElezabethAdeney, The Moral Rights of Authors and Performers: An International and Comparative Analysis, OUP, 2006.
15. Gervais, Collective management of Copyright and Related Rights, Kluwer, 2010.
16. Goldstein on Copyright Law, Kluwer, 2000.

**Paper II**  
**CC-302: Law of Designs and Integrated Circuits,**  
**Geographical Indications and Confidential Information**

**Max. Marks: 80**

**Objective of the Course:**

To expose the students about the significance of laws relating to designs which are applied to the commercial products, Integrated Circuits used in computers and other electronic devices, Geographical Indication which gives protection to the production and /or cultivation of products in a specific geographical area and the Confidential Information protected and preserved by the original authors or owners.

**Syllabus:**

**UNIT 1 – INDUSTRIAL DESIGNS**

- 1.1 Introduction, Meaning and Definition
- 1.2 Evolution and Justification for protection of Industrial Designs
- 1.3 International Treaties:
  - 1.3.1 Paris Convention
  - 1.3.2 Hague Agreement
  - 1.3.3 Locarno Agreement
  - 1.3.4 TRIPs
- 1.4 Highlights of The Designs Act, 2000
- 1.5 Interface between Industrial Designs and Copyright

**UNIT 2 – REGISTRATION OF INDUSTRIAL DESIGNS**

- 2.1 Subject Matter of Industrial Designs
- 2.2 Prerequisites for Registration of Industrial Designs
- 2.3 Procedure for Registration of Industrial Designs
- 2.4 Rights conferred by registration
- 2.5 Cancellation of registration of Industrial Designs

**UNIT 3 – INFRINGEMENT OF INDUSTRIAL DESIGNS**

- 3.1 Meaning of Infringement of Copyright in Registered Industrial Designs
- 3.2 Remedies for Infringement
- 3.3 Burden of Proof in the case of Infringement
- 3.4 Defences available to Defendant
- 3.5 Infringement of Unregistered Industrial Designs

**UNIT 4 – SEMICONDUCTOR INTEGRATED CIRCUITS AND LAYOUT DESIGNS**

- 4.1 Meaning of Semiconductor Integrated Circuits

- 4.2 Need and Mechanisms for Protection of Integrated Circuit & Layout Designs
- 4.3 Highlights of The Semiconductor Integrated Circuits Layout-Designs Act, 2000
- 4.4 Procedure for Registration of Integrated Circuits
- 4.5 Infringement and Appeals

#### **UNIT 5 – LAW RELATING TO GEOGRAPHICAL INDICATION**

- 5.1 Definition, need, scope of Geographical Indications
- 5.2 Evolution and Rationale for protection of Geographical Indications
- 5.3 International Treaties and TRIPs Agreement
- 5.4 Nexus between Geographical Indication and Trademark
- 5.5 Role of Free Trade Agreements in protection of GI

#### **UNIT 6 – GEOGRAPHICAL INDICATION OF GOODS (PROTECTION & REGISTRATION) ACT, 1999**

- 6.1 Highlights of Geographical Indication of Goods (Protection & Registration) Act, 1999
- 6.2 Procedure for Registration of GI
- 6.3 Duration of protection, Renewal, Restoration and Cancellation of GI
- 6.4 Rights conferred by registration
- 6.5 Conflict between Geographical Indication and Traditional Knowledge

#### **UNIT 7 – INFRINGEMENT OF GEOGRAPHICAL INDICATION**

- 7.1 Infringement of Geographical Indication
- 7.2 Genericide of Geographical Indication
- 7.3 Offences, Penalties and Procedure
- 7.4 Appeals and Appellate Boards
- 7.5 India's Experience with GI Protection: Challenges, Regulatory Loopholes through Case Studies

#### **UNIT 8 – CONFIDENTIAL INFORMATION AND TRADE SECRETS**

- 8.1 Meaning and Types of Confidential Information
- 8.2 Relationship between Intellectual Property Rights and confidential information
- 8.3 Legal Framework in India governing Confidential Information
- 8.4 Meaning of Trade Secrets
- 8.5 Nexus between Confidential Information and Trade Secrets
- 8.6 Legal Framework in India governing Trade Secrets

#### **Select Bibliography:**

1. Dr. B. L. Wadehra, Law relating to Patents, Trade Marks, Copyright, Designs and Geographical Indications, Second Edition, Universal Law Publishing Co. Pvt. Ltd., 2002.



2. Ashwani Kumar Bansal, Design Law, Universal Law Publishing Company, 2012.
3. Latha R Nair & Rajendra Kumar, Geographical Indications: A Search For Identity, Lexis Nexis, 2005.
4. Tapan Kumar (Ed.), WTO, TRIPS and GIs, New Century Publications, 2014.
5. DevGangjee, Relocating the Law of GI, Cambridge University Press, 2012.
6. K C Kailasam and RamuVedaraman, Law of Trademarks including International Registration under Madrid Protocol and Geographical Indications, Lexis Nexis, 2013.
7. P. Narayanan, Intellectual Property Law, Third Edition, Eastern Law House, 2001.
8. Nithyananda, K V. (2019). Intellectual Property Rights: Protection and Management. India, IN: Cengage Learning India Private Limited.
9. Neeraj, P., & Khusdeep, D. (2014). Intellectual Property Rights. India, IN: PHI learning Private Limited.
10. Ahuja, V K. (2017). Law relating to Intellectual Property Rights. India, IN: Lexis Nexis.
11. Subramanian, N., & Sundararaman, M. (2018). Intellectual Property Rights – An Overview. Retrieved from <http://www.bdu.ac.in/cells/ipr/docs/ipr-eng-ebook.pdf> 2.
- World Intellectual Property Organisation. (2004). WIPO Intellectual property Handbook. Retrieved from [https://www.wipo.int/edocs/pubdocs/en/intproperty/489/wipo\\_pub\\_489.pdf](https://www.wipo.int/edocs/pubdocs/en/intproperty/489/wipo_pub_489.pdf).
12. Journal of Intellectual Property Rights (JIPR): NISCAIR.

**Useful Websites:**

13. Cell for IPR Promotion and Management (<http://cipam.gov.in/>).
14. World Intellectual Property Organisation (<https://www.wipo.int/about-ip/en/>).
15. Office of the Controller General of Patents, Designs & Trademarks (<http://www.ipindia.nic.in/>).

**Paper III**  
**CC-303: Law of Intellectual Property and Bio-Diversity**

**Max. Marks: 80**

**Objective of the Course:**

To expose the students about the significance of laws relating to IPR and Bio-Diversity which have become most significant to be part of the study of any discipline as it relates to our environmental protection and sustainable development. The students and other stakeholders must realize the importance of preserving our bio-diversity with the help of bio-technology to make use of the same and reasonably without compromising the needs of our future generation.

**Syllabus:**

**UNIT 1 – INTRODUCTION TO BIO-DIVERSITY**

- 1.1 Bio-Diversity, Ecosystem, Bio-diversity Services
- 1.2 Levels of Bio-Diversity: Genetic, Species, Ecosystem Diversity
- 1.3 National and International Bio-Diversity hotspots
- 1.4 Threats to Bio-Diversity
- 1.5 Conservation of Bio-Diversity

**UNIT 2 – ACCESS AND BENEFIT SHARING**

- 2.1 Right to regulate access to biological resources
- 2.2 ABS Provisions under the Biological Diversity Act, 2002
- 2.3 Bonn Guidelines
- 2.4 Prohibitions and Limitations under the Convention on Biological Diversity
- 2.5 Bio-prospecting for Drug Research

**UNIT 3 – NATIONAL LEGAL PROTECTION TO BIOLOGICAL RESOURCES**

- 3.1 Biological Diversity Act, 2002 and Rules thereunder
- 3.2 Guidelines on Access to Biological Resources and Associated Knowledge and Benefits Sharing Regulations, 2014
- 3.3 Protection to Traditional Knowledge
- 3.4 Bio-Safety and Bio-Piracy
- 3.5 National Agencies in facilitation of protection to Biological Resources

**UNIT 4 – INTERNATIONAL LEGAL PROTECTION TO BIOLOGICAL RESOURCES**

- 4.1 General Principles under TRIPs
- 4.2 Convention on Biological Diversity, 1992 and allied Protocols
- 4.3 International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA)
- 4.4 Ramsar Convention on Wetlands of International Importance especially as Waterfowl Habitat
- 4.5 Future Prospective and Suggestions

## **UNIT 5 – BIO-DIVERSITY AND SUSTAINABLE DEVELOPMENT**

- 5.1 Economic consideration of Biological Resources
- 5.2 Bio-Diversity and Corporate Accountability
- 5.3 Unfair Competition and Trade of Biological Resources
- 5.4 Climate Change and protection of Bio-diversity
- 5.5 Use of technology for protection of Bio-diversity

## **UNIT 6 – INTELLECTUAL PROPERTY DELIBERATION**

- 6.1 Bridging IPR and Bio-Diversity
- 6.2 Rationale for Intellectual Property Protection
- 6.3 Moral Issues in Patenting Biological Products
- 6.4 Bio-Diversity and Bio-Technology
- 6.5 Bio-prospecting for Drug Research

## **UNIT 7 – PLANT VARIETIES PROTECTION**

- 7.1 Justification for protection of New Plant Varieties
- 7.2 Bio-Diversity and related Geographical Indications
- 7.3 International Union for the Protection of New Varieties of Plants (UPOV), 1978 and International Undertaking on Plant Genetic Resources (IU)
- 7.4 Protection of Plant Varieties and Farmers Rights Act, 2001
- 7.5 Plant Breeders Rights vis-à-vis Intellectual Property Rights

## **UNIT 8 – CASE STUDIES**

- 8.1 International Organisations working towards conservation of Bio-Diversity
- 8.2 Climate Change affecting Bio-Diversity
- 8.3 Patenting of Biotechnological Inventions
- 8.4 Counter productive use of technology in Agriculture Sector
- 8.5 National measures on use of generic resources

### **Select Bibliography:**

1. William H. Lesser and Robert T. Masson, An Economic Analysis of the Plant Variety Protection Act, 1983.
2. Pat Roy Mooney, The Law of the Seed: Another Development and Plant Genetic Resources, Development Dialogue, 1983.
3. Iver P. Cooper, Biotechnology and the Law, 1996.
4. Francesco Franioni and TullioScovazz (Edited), Biotechnology and International Law, (2006), Hart Publishing, Oxford and Protland, Oregon.
5. Francesco Franioni (Edited), Biotechnologies and International Human Rights 2006), Hart Publishing, Oxford and Protland, Oregon.

6. Dr. T. Ramakrishan (Edited), *Biotechnology and Intellectual Property Rights* (2003), CIPRA, NLSIU, Bangalore.
7. Silke von Lewinski (Edited), *Indigenous Heritage and Intellectual Property, Genetic Resources, Traditional Knowledge and Folklore*, 2nd Edition, (2008), Wolters Kluwer.
8. Paul L.C. Torremans (edited), *Intellectual Property and Human Rights*, Enhanced edition of *Copyright and Human Rights*, (2008), Wolters Kluwer.

**Paper IV**  
**CC-304: Law of Intellectual Property and Information Technology**

**Max. Marks: 80**

**Objective of the Course:**

To expose the students about the significance of laws relating to IPR and Information Technology Laws. The knowledge about IPR and Cyber Crimes has become need of the hour. Technology is changing day by day due to development in science and technology and due to globalization and liberalization, technology sharing needs the attention of protection of technology by way of adequate legislations.

**Syllabus:**

**Unit I – Information Technology Law**

- 1.1 Basic Concepts under IT Act, 2000
- 1.2 Nature & Scope of IT Act, 2000
- 1.3 Salient Features of IT Act, 2000

**Unit-II – E- Records & E-Contracts**

- 2.1 Electronic Records
- 2.2 E-Contracts
- 2.3 Essential Features of E-Records & E-Contracts
- 2.4 Legal Provisions of E-Records & E-Contracts

**Unit III - Domain Name Protection**

- 3.1 Domain Name and Intellectual Property
- 3.2 Registration of Domain Names
- 3.3 Disputes under Intellectual Property Rights
- 3.4 Jurisdictional Issues and International Perspective.

**Unit IV – Electronic / Digital Signature**

- 4.1 The System of Digital Signatures
- 4.2 The Role and Function of Certifying Authorities and CCA's ( Controller of Certifying Authorities )
- 4.3 Electronic Signature Certificates
- 4.4 The Science of Cryptography Intellectual Property Issues in Cyber Space

**Unit V– IPR & IT**

- 5.1 Copyright in in Cyberspace
- 5.2 Patents in in Cyberspace
- 5.3 Trademarks in Cyberspace

**Unit VI- Privacy issues in Cyber World**

- 6.1 Digital Personal Data Protection Act, 2023

6.2 Right to be Forgotten

6.3 Freedom of Speech in Cyberspace

6.4 Cyber Defamation : Legal Implications

### **Unit VII- E-Governance**

7.1. Concept of E-Governance

7.2 Legal Provisions of E-Governance

7.3. E-Governance Projects in India

### **Unit VIII- Cyber Crimes**

8.1 Kinds of Cyber Crimes

8.2 Legal Provisions of Cyber Crimes under IT Act, 2000

8.3 Trends in Cybercrimes

#### **Select Bibliography:**

1. Information Technology Act, 2000 (as Amended) Bare Act.
2. David Bainbridge, *Information Technology and Intellectual Property Law*, Bloombury Professional.
3. Hideyasu Sasaki, *Information Technology for Intellectual Property Protection: Interdisciplinary Advancements*, Ritsumeikan University, Japan.

**Paper V**  
**SEC – 305: Right to Information Laws**

**Max. Marks:** 50

**Objective of the Course:**

To familiarize students with their fundamental right to know whether public administration works as per the provisions of laws and statutes under which they have been appointed. This course also deals with developing and enhancing skills of enquiry about functioning of Government Authorities as guaranteed by the Constitution of India Art. 19 and 21.

**Syllabus:**

**Unit I – Introduction**

- 1.5 Introduction to the Right to information Act. 2005.
- 1.6 Important Definitions.
- 1.7 Statement of Objectives and Reasons.
- 1.8 Right to information Act and obligations of public authorities.

**Unit II – The Central Information Commission**

- 2.1 Constitution of Central Information Commission.
- 2.2 Term of Office and Conditions of Service.
- 2.3 Removal of the Chief Information Commission.

**Unit III – The State Information Commission**

- 3.1 Constitution of State Information Commission.
- 3.2 Term of Office and Conditions of Service.
- 3.3. Removal of the State Chief Information Commission.

**Unit IV- Powers and functions of the Information Commissions, appeal and penalties**

- 4.1 Duties of the Central Information Commission or State Information Commissions.
- 4.2 Powers of a civil court while trying a suit under the Code of Civil Procedure, 1908.
- 4.3 Appeal
- 4.4. Penalties

**Unit V – Miscellaneous**

- 5.1 Protection of action taken in good faith.
- 5.2 Act to have overriding effect.
- 5.3 Bar of jurisdiction of courts.
- 5.4 Act not to apply to certain organizations.

**Unit VI- Monitoring and Reporting**

- 6.1 Appropriate Government to prepare programmes.

**Unit VII - Power to make rules by appropriate Government**

- 7.1 Laying of rules.
- 7.2 Power to remove difficulties.

**Unit VIII – Schedules and Forms**

- 8.1 First Schedule.
- 8.2 Second Schedule.
- 8.3 Forms.

**Select Bibliography:**

- 3. Right to Information Act, 2005 Bare Act and Commentary.
- 4. All other sources of Books and Law Reports.

**Group – II Intellectual  
Property Rights  
LL.M Part – II, Semester - IV Paper  
I  
CC-401: Dissertation and Viva-Voce**

**Max. Marks:** 150 Marks for Term Work and 50 Marks for Viva Voce. Students are required to select a burning topic based on socio-legal studies for research work and by way of documentary and non-documentary or empirical research methodology and submit the Thesis in hard bound after taking guidance from the allotted supervisor. The Report should be as per the standard format and submit in at least 200 to 250 pages.

**Objectives of the Course:**

To inculcate research skills in the student. To be able to find out the truth about socio- legal issues. To equip them with critical reasoning and expressing their opinion with a significant research and suggest certain feasible suggestions.

To make the LL.M. program in IPR and Business Laws research oriented every student has to carry out Dissertation work selecting any topic from the subjects taught in the last three semesters applying Legal Research Methodology which is to be submitted for evaluation internally externally has to appear for viva-voce.

**GUIDELINES FOR PREPARATION AND SUBMISSION OF DISSERTATION  
FOR AWARD OF LL.M. DEGREE**

**Structure for writing the Dissertation:**

**LAYOUT AND APPEARANCE**

**GENERAL INSTRUCTIONS**

10. Paper size International standard paper size A4 (297 x 210 mm).
11. Typing On one side of the paper only.
12. Margins Top 1.0", Bottom 1.0", Left 1.5", Right 1.0".
13. Line spacing 1.5 Lines
14. Character spacing Normal.
15. Font: Times New Roman or Book man Old Style
16. Font size:
  - e) Chapter Headings — 14 pt in Capital Letter and Bold text
  - f) Sub Headings — 14 pt in Capital Letter
  - g) Sub Sub Headings - italicized without making them either large or bold in 12 font Size
  - h) Main Text - 12pt;



17. Page numbering: At the bottom of the page in Centre, using Arabic Numerals (1, 2, 3) starting with the first page of the Dissertation (Introduction Page) prior to this the pages should be numbered with lowercase numerals (i, ii, iii)
18. Chapters should start on New page but sections and sub sections should not

#### **FOOT NOTES**

5. Font same as the main text.
6. Font size 10 points.
7. Line spacing Single.
8. Numbering should be in continuation from first chapter to the last

#### **MODE OF CITATION**

1. For an authored book: Name of the author, Title of the book p.no. (if referring to specific page or pages) (Publisher, Place of publication, edition/year of publication). E.g. M. P. Jain, Indian Constitutional Law 98 (Kamal Law House, Calcutta, 5th edn., 1998).
4. For edited books: Name of the editor (ed.), Title of the book p.no. (if referring to specific page or pages) (Publisher, Place of publication, edn/year). E.g. Nilendra Kumar (ed.), Nana Palkhivala: A Tribute (Universal Publishers, Delhi, 2004).
5. Citation of a paper/article published in a journal/periodical/reporter: Name of author of the article, title of the essay within inverted commas, volume number of journal, Name of the journal in abbreviation & page number (year).

#### **Illustrations:**

- i) K. Madhusudhana Rao, "Authority to Recommend President's Rule under Article 356 of the Constitution", 46 JILI 125 (2004).
  - ii) Law Commission of India, 144th Report on conflicting Judicial Decisions Pertaining to the Code of Civil Procedure, 1908 (April, 1992).
6. Website citation: Information Technology Act 2000, India, available at: <http://www.mit.gov.in/itbill.asp> (Last Modified July 29, 2016).
  7. Citation for case laws: Keshavananda Bharti v. State of Kerala whereas the citation of the case is to be written in the footnote as AIR 1973 SC 1461.

#### **PLAGIARISM CHECK**

1. Plagiarism Check shall be done and only the reports which are signed by the authority will be considered.
2. Plagiarism shall not be more than 10 percent.

#### **APPENDICES**

5. The document charts, questionnaires, tables, schedules etc. which are actually referred to in dissertation

are to be included under appendix or appendices may include.

6. Questionnaires used for collecting information. Schedules used for collecting information, Tables formed for presenting the data, Documents/forms etc., referred to in the body of the dissertation report. Diagram, graphs etc. in dissertation thesis.
7. Guide student meeting record form should be maintained by the Guide on regular basis.
8. Progress reports duly signed

## **SEQUENCE OF PAGES**

12. Cover Page
13. Certificate
14. Declaration
15. Plagiarism Report
16. Acknowledgment
17. Abbreviations
18. Table of cases
19. Contents/Index
20. Main Text of the Dissertation
21. Bibliography
22. Appendixes

NOTE -- You are advised to refer to the samples but in no case, it should limit your creativity in writing. All the sample pages are based on the minimum requirements of a standard dissertation as well as imaginary particulars. Every innovation under the guidance and supervision of your supervisor is welcomed.

## LIST OF ANNEXURES

5. Joining Report
6. Weekly Progress Report
7. Student Guide Meeting Record
8. Format of Dissertation Pages

## JOINING REPORT

Date:  
To,  
The Principal,  
.....Law College,.....

Sub: Joining Report

Respected Sir,

I, Shri/Ms.....Have ..... joined  
for dissertation work. I would be carrying out dissertation work under the guidance and  
supervision of Shri. /Ms ..... in  
..... area. The title of my project work is .....

.....  
(Name & signature of the student)

.....  
(Name and Signature of Guide)

Seal of College

## WEEKLY PROGRESS REPORT

Progress Report No.

Name of Student	
Title of the Study	
Name of Guide	
Date of Progress Report	
Period Of Progress	
Report Progress	

Signature of Student  
Guide

Signature of

## STUDENT - GUIDE MEETING RECORD

Student Name:  
Contact No.  
Guide Name:

Topic

Sr. No.	Date	Description	Sign of Guide/Expert	Signature Of Student
1		Presentation of work		
2		Submission of First Draft of Dissertation		
3		Submission of Second Draft of Dissertation		
4		Submission of Third Draft of Dissertation		
5		PPT Dissertation work		
6		Submission of Final Draft of Dissertation		

Signature of Student

Signature of Guide

## **FORMATS OF THE DISSERTATION PAGES**

### **FORMAT OF THE COVER PAGE OF THE THESIS**

**Title in Block letters**

A dissertation submitted to

.....College, Sangli/ Kolhapur/Karad/Satara

Affiliated to

Shivaji University, Kolhapur as part of the

Curriculum for the Degree of LL.M.

Under the Faculty of LAW

By

Name of the Candidate

under the Guidance of

Name of the Guide/Supervisor

Month and Year

### **Certificate by Research Guide/Supervisor**

This is to certify that the dissertation/thesis entitled. . ..... being submitted herewith to ..... Law College, ..... for the award of LL.M. Degree in (subject) under the Faculty of LAW of Shivaji University, Kolhapur is the result of the original research work completed by Shri./Smt ..... under my /our supervision and guidance and to the best of my / our knowledge and belief, the work embodied in this Dissertation / Thesis has not formed earlier the basis for the award of any degree or similar title of this or any other University or examining body. In view of University Grants Commission (Promotion of Academic Integrity and Prevention of plagiarism in Higher Educational Institutions) Regulations, 2018 dated 31st July 2018, this is also to certify that the work done by the Shri./Smt . ..... is as per the Guidelines laid down by the Concerned Authority for plagiarism.

Place:

Date:

Name and Sign of Guide



### **Declaration and undertaking by Student**

I hereby declare that the thesis/dissertation entitled..... is  
..... is  
completed and written by me and has not formed earlier the basis for the award of any degree or  
similar title of this or any other university or examining body. Further, I declare that I have not  
violated any of the provisions under the acts of Copyright/Piracy/Cyber/IPR etc. amended from  
time to time.

In view of University Grants Commission (Promotion of Academic Integrity and Prevention of  
plagiarism in Higher Educational Institutions) Regulations, 2018 dated 31st July 2018, I hereby  
submit an undertaking that this thesis/dissertation is my original work and it is free of any  
plagiarism. Further, it is also to state that this thesis/dissertation has been duly checked through a  
Plagiarism detection tool approved by Shivaji University, Kolhapur.

Place:

Date:

Name & Signature of Research Student

Research Guide/Research Supervisor (Signature with Name & Designation)

## ACKNOWLEDGEMENT

I feel proud to acknowledge the able guidance of our esteemed (supervisor to be acknowledged)  
I acknowledge with pleasure unparallel infrastructural support that I have received .....  
Law College..... In fact, this work is the outcome of outstanding support that I have  
received from the faculty members of the college, in particular...

I find this opportunity to thank the library staff of college.

This research work bears testimony to the active encouragement and guidance of a host of friends  
and well-wishers. In particular mention must be made of (optional)

It would never have been possible-to-complete this study without an untiring support from  
.....

I am greatly indebted to the various writers, jurists and all others from whose writings and work  
I have taken help to complete this dissertation.

Date:  
Place:

Sign  
(Name of the Student)

## PLAGIARISM REPORT

### **ABBREVIATIONS**

AIR	All India Reports
Mh.L.J.	Maharashtra Law Journal
<b>SCC</b>	Supreme Court Cases
v.	versus

The abbreviations used by you shall be approved abbreviations whether by traditions, statute or otherwise.

That you do not invent your own . The abbreviations listed are to be in alphabetical order.

### **TABLE OF CASES**

Mention the case laws cited in the work along with their citation. A uniform form of Citation should be

used. You should list out all the cases referred by you in your dissertation in strict alphabetical order.

Sr. No.	Case	Citation
01	Keshavananda Bharti v. State of Kerala	AIR 1973 SC 1461

## **CONTENTS**

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## **Paper II**

### **SEC-402: Public Interest Litigation**

**Max. Marks:** 50

#### **Objective of the Course:**

The majority of the people of our Country are Subjected to the denial of 'access to justice' and overtaken by despair and helplessness, they continue to remain victims of an exploitative Society where economic power is Concentrated in the hands of a few and it is used for perpetuation of domination over large masses of human beings. The strategy of public interest litigation has been evolved by the Supreme Court with a view to bringing justice within the easy reach of the poor and disadvantaged sections of the Community. This course aims at training the budding lawyers to be learned citizens who may be able to file PILs which may help the poor, needy and downtrodden people to have justice.

#### **Syllabus:**

##### **Unit I – Introduction**

- 1.5 Concept of Judicial Activism.
- 1.6 Meaning and Definition of PIL.
- 1.7 Significance of PIL.
- 1.8 Matters

##### **Unit II – Genesis and Evolution of PIL in India: Some Landmark Judgments**

- 4.1 Origin and Development of PILs
- 4.2 Mumbai Kamagar Sabha vs. Abdul Thai, 1976.
- 4.3 Hussainara Khatoon vs. State of Bihar (1979) – Right to speedy justice.
- 4.4 S.P. Gupta vs. Union of India – relaxation of Locus Standi Rule.
- 4.5 Indian Banks' Association, Bombay & Ors. vs. M/s Devkala Consultancy Service and Ors
- 4.6 Vishaka v. State of Rajasthan

##### **Unit III –Factors Responsible for the Growth of PIL in India**

- 3.4 The character of the Indian Constitution.
- 3.5 The liberal interpretation of locus standi.
- 3.6 Judicial innovations to help the poor and marginalized

##### **Unit IV –Who Can File a PIL and Against Whom?**

- 4.2 Any citizen under:
  - 4.1.1 Under Art 32 of the Indian Constitution, in the Supreme Court.
  - 4.3.2 Under Art 226 of the Indian Constitution, in the High Court.
  - 4.3.3 Under sec. 133 of the Criminal Procedure Code, in the Court of Magistrate.
- 4.4 Essential Ingredients for PIL
- 4.5 PIL against State / Central Govt., Municipal Authorities and not any private party.

##### **Unit V –Significance of PIL**

- 5.6 Access to Court to seek legal redress
- 5.7 Instrument of Social Change
- 5.8 To make Justice accessible to the poor and the marginalized
- 5.9 Democratizes the access of justice to all
- 5.10 Public participation in judicial review

##### **Unit VI – Certain Weaknesses of PIL**

- 6.1 problem of competing rights
- 6.2 Overburden of PIL by vested interest
- 6.3 Judicial Overreach
- 6.4 Inordinate delays in the disposal of PIL cases

## **Unit VII –Procedure to File a Public Interest Litigation**

- 7.1 In High Courts.
- 7.2 In Supreme Court.
- 7.3 Court Fees
- 7.4 Procedure

## **Unit VIII –Conclusion**

- 8.1 Criticism against PIL
- 8.2 PIL: Present Scenario

## **Select Bibliography:**

- 9 M.P. Jain, 'Indian Constitutional Law', vol-I (5<sup>th</sup> Ed., 2003, Wadhwa Nagpur).
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- 14 Austin, Granville, The Indian Constitution – Cornerstone of a Nation, Oxford University Press, New Delhi, 1996.
- 15 Basu, Durga Das, Comparative Constitutional Law, Prentice Hall of India (P) Limited, New Delhi, 1984.

## **Important Websites:**

- 5. [www.wikipedia.com](http://www.wikipedia.com)
- 6. [www.helpline.law.com](http://www.helpline.law.com)
- 7. [www.halsbury.com](http://www.halsbury.com)
- 8. [www.legalserviceindia.com](http://www.legalserviceindia.com)

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