



PGDBL PROGRAMME BREAK-UP

1st Semester

Course 1 – Introduction to Law

We commence the programme by delving into the origins and history of Law and its development through the ages, both in India and globally. Several principles of Law such as Rule of Law, Principles of Statutory Interpretation and the Doctrine of Precedent are explained in detail while also examining the history and development of the Common Law System. The course then briefly touches upon the various laws in India and the hierarchy of courts in India while also providing an introduction to the Constitution of India. In addition, the course also examines the law of torts and consumer protection in India and also explains the general principles pertaining to Civil Law, Criminal Law, Law of Evidence, Property Laws, Business Laws and Administrative Law.

Course 2 – Business Organisations

The second course of the programme examines the various types of business organisations such as Sole Proprietorship Concerns, Partnership Firms, Companies, Hindu Undivided Families ('HUF') and Limited Liability Partnerships ('LLP's') and details the law governing these organisations while also explaining the various procedures for the formation and dissolution of such organisations.

Course 3 - Law of Contract (including Electronic Contracts) and the Sale of Goods and the Partnership Act

This course explains the formative requirements and vitiating elements for a contract and also details the essentials for discharge of a contract including the remedies available in case of a breach of contract such as damages. Various types of contracts such as implied, oral and written contracts as well as void, voidable and contingent contracts are examined. The course further details various special contracts such as Contracts of Indemnity, Guarantee, Bailment, Pledge as well as Electronic Contracts. In addition, the course also sets out the fundamentals and the law governing Sale of Goods and of Partnerships.

Course 4 – Company Law

The course begins by looking at the some important elements of Company Law such as Separate Legal Personality, Limited Liability, Investor Ownership, Transferability of Shares and Delegated Management. We then proceed to examine the fundamentals for the formation of a Company including Share

Capital and other forms of financing and also look at how a Company is managed and controlled. Finally, we learn about the essentials of winding-up of a Company and other important aspects such as Mergers and Amalgamations.

Course 5 – Law relating to Securities

At the beginning of this course, we examine the various securities legislations in India and the SEBI and its powers. We learn how stock exchanges function in India and also how to set-up stock exchanges. The course then examines in detail the fundamentals of Initial Public Offerings (IPO's) and Capital Markets in India including the essentials of a Listing Agreement. Lastly, the course explores various elements of the Takeover Code and Insider Trading.

Course 6 – Competition Law and Law relating to E-Commerce

This course lays down the rationale behind Competition Law and compares the old regime and Monopolies and Restrictive Trade Practices Act, 1969 with the Competition Act, 2002. The course examines the phases of implementation of the Competition Act, 2002 and also looks at the Competition Commission of India, its role, importance and judgments. In addition, various aspects of Competition Law in India such as Anti-Competitive Agreements and Dominant Position and its abuse are also examined. Ultimately, the course details the types of E-Commerce and its regulatory framework while also examining Cyber Crimes and the protective provisions of Law concerning the same.

Course 7 – Insurance Law

The course on Insurance Law commences by learning about important principles such as Good Faith and Misrepresentation, Warranties and Conditions, Indemnity and Subrogation and Proximate Cause and Insurable Interest. The course then looks at the Insurance Industry and Regulating Authorities in India while also detailing the requirements and procedures for the registration, renewal, cancellation and suspension of Insurance Companies in India. The next portion of the course deals with the various regulatory compliances such as valuation, taxation and filing of returns. Lastly, the course examines various concepts of Insurance Law such as Assignment and Nomination.

2nd Semester

Course 8 – Property Law I – Real Property

This course explains the important concepts of real property such as movable and immovable property, transfer and transferability, restrictions on transfer and vested and contingent interest. Sale and acquisition of immovable by Indians as well as Non-Resident Indians is also explained in this course. Concepts of ownership, election, part performance and equitable rules regarding revocation, conflict of rights and compensation are also explored. In addition, the course also deals with various types of transfer of immovable property such as mortgages, charges, leases, gifts and wills, as also easements and trusts.

Course 9 – Property Law II – Intellectual Property

The course begins by examining what is Intellectual Property and its role and importance in the present business environment. The course then deals specifically with Trademark Laws in India including the Law of Passing-Off while also examining whether trademarks require to be registered and the modes of enforcement of trademark rights. Similarly, the course then looks at Copyright and Design Laws in India, rights available to a copyright owner, the procedures for their registration and enforcement as well as exceptions such as fair use. Thereafter, the course deals with an introduction to Indian Patent Law and then proceeds to examine patent filings and commercialization as well as pre and post grant issues in Patent. The course further also looks at issues relating to technology transfer, geographical indications and traditional knowledge.

Course 10 – International Laws

The course starts with an introduction to International Law and lays down the various sources of International Law. The course then examines the concepts of territory and jurisdiction in International Law while also setting out the differences between International and National Law. The essential elements of immunities from jurisdiction and State Responsibility are explored. This course also sets out the various authorities for international settlement of disputes. Finally this course explains the application of International Law in various fields such as International Criminal Law, International Humanitarian Law and International Environmental Law.

Course 11 – Law relating to Foreign Investment in India

At the outset, the course explains the regulatory framework relating to Foreign Investment in India. We then learn about the concepts of Foreign Direct Investment ('FDI'), External Commercial Borrowings ('ECBs') and Foreign Institutional Investor ('FII') and proceed to examine the procedure and strategy for entry, prior permission, sectoral caps, permissible activities and exit issues. The relevant press notes pertaining to Foreign Investment in India are also referenced. Issues in handling and remittance of foreign exchange are explained and the course also identifies the taxation aspects of Foreign Investment in India.

Course 12 – Banking Law and the Negotiable Instruments Act

This course begins with an introduction into the evolution of Banks and the various types of Banks historically. Relevant provisions of the Banking Regulation Act, 1949 pertaining to definitions of a Banker, Banking business and services, Banker-Customer relationship and liabilities, qualification of employees and RBI's powers are examined. Concepts such as capital requirements, reserves, loans, rate of interest, returns and audit are explained. More provisions of the Banking Regulation Act, 1949 relating to management and control of a Banking business, prohibition of certain activities, acquisition of undertaking by Banking companies and the Suspension and Winding-up of a Banking company are also detailed. Lastly, the course lays down the important provisions of the Negotiable Instruments Act pertaining to Dishonour of Cheques.

Course 13 – Taxation: Direct and Indirect

Important Concepts of Taxation including classification, constitutional provisions, residence, liability and difference between tax and fee are explained. Various components of Income Taxation such as heads of income, computation of income and calculation of tax as well as agricultural income are examined. The course then examines the fundamentals of corporate taxation such as tax on rights issue, capital gains and the tax payable, tax on Employee Stock Option Plans ('ESOPs'). The course also details the provisions relating to double taxation avoidance. Thereafter, the course explains various indirect taxes such as Sales Tax, Customs Duty, Excise Duty, VAT and Service Tax.

Course 14 – Environmental Law

The last course of the programme begins by examining the constitutional provisions relating to the protection of the environment. The course then examines the various compliances and the standards to be maintained under the Air Act, 1981 and the Water Act, 1974. Environmental pollution as a public nuisance, control of pollution and the civil remedies available are detailed in the course. Finally the course looks at concepts of Environmental Impact Assessment and Corporate Responsibility towards the environment.