REVISED COURSE STRUCTURE AND SYLLABUS

 FOR MASTER OF LAWS ( LL.M.)

 UNDER CHOICE BASED CREDIT SYSTEM (CBCS)

(With effect from Academic Session 2018-19)

**DEPARTMENT OF LAW**



**DEPARTMENT OF LAW**

**SCHOOL OF LEGAL STUDIES**

**ASSAM UNIVERSITY, SILCHAR**

**Semester-I**

LL.M. 101 Compulsory Paper-101

LL.M. 102 Compulsory Paper-102

LL.M. 103 Compulsory Paper-103

LL.M. 104 Compulsory Paper-104

LL.M. 105 Compulsory Paper-105

**Semester-II**

LL.M. 201 Compulsory Paper-201

LL.M. 202 Compulsory Paper-202

LL.M. 203 Compulsory Paper-203 (**Open-External)**

LL.M. 204 Compulsory Paper**-**204**(Open-Internal)**

LL.M. 205 **Specialization Group (Optional)**-Paper-205

**Semester-III**

LL.M. 301 Compulsory Paper-301

LL.M. 302 Compulsory Paper-302

LL.M. 303 Compulsory Paper-303

LL.M. 304 Project Writing-304

LL.M. 305 **Specialization Group (Optional)**-Paper-305

 **Semester IV**

LL.M. 401 Compulsory Paper-401

LL.M. 402 Compulsory Paper-402

LL.M. 403 **Specialization Group (Optional)**-Paper-403

LL.M. 404 Dissertation-404

All courses shall be of 100 marks each except LL.M.- 404 which shall be of 200 Marks(140 Evaluation + 60 Viva)

**COMMON COURSE DESIGN AND SPECIAL PAPERS FOR CHOICE-BASED CREDIT SYSTEMS (MASTER OF LAWS-LL.M.)**

**W.E.F. July 2018**

**Fullmarks-70+30=100**

**Minimum Pass marks-28+12=40**

**Credits-5**

**Total no. of Lectures *=*50**

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| **1st  SEMESTER** |
| Course No | Course Name |
| LL.M. 101 | JURISPRUDENCE-I  |
| LL.M. 102 | CONSTITUTIONAL LAW-I  |
| LL.M. 103 | ADMINISTRATIVE LAW |
| LL.M. 104 | ENVIRONMENTAL LAW-I |
| LL.M. 105 | RESEARCH METHODOLOGY |

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| **2nd SEMESTER** |
| LL.M. 201 | JURISPRUDENCE-II |
| LL.M. 202 | CONSTITUTIONAL LAW-II |
| LL.M. 203(OPEN-EXTERNAL) | LAW AND SOCIAL TRANSFORMATION |
| LL.M. 204(OPEN-INTERNAL) | ENVIRONMENTAL LAW-II |
| LL.M. 205 (SPECIALISATION-GROUPS-A,B &C) | INTELLECTUAL PROPERTY LAW(A-I), CORPORATE LAW(B-I), CRIMINAL LAW(C-I)  |

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| **3rd SEMESTER** |
| LL.M. 301 | INTERPRETATION OF STATUTES |
| LL.M. 302 | SOCIO ECONOMIC OFFENCES |
| LL.M. 303 | PRIVATE INTERNATIONAL LAW **(**CONFLICT OF LAWS) |
| LL.M. 304 | PROJECT WRITING |
| LL.M. 305(SPECIALISATION- GROUPS-A,B &C) | INTELLCTUAL PROPERTY LAW(A-II), CORPORATE LAW(B-II) CRIMINAL LAW(C-II)  |

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| **4th SEMESTER** |
| LL.M. 401 | HUMAN RIGHTS |
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| LL.M. 402 | INTERNATIONAL TRADE LAW |
| LL.M. 403(SPECIALISATION- GROUPS-A,B &C) | INTELLECTUAL PROPERTY LAW(A-III), CORPORATE LAW(B-III), CRIMINAL LAW(C-III)  |
| LL.M. 404 | DISSERTATION [Thesis-140 Viva-Voce-60]  |

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| **LL.M.: 101****JURISPRUDENCE- I****UNIT-I: BASIC APPROACH*** JURISPRUDENCE AND ITS RELATION WITH OTHER SOCIAL SCIENCES
* NATURAL LAW: DIVINE WILL THEORY, REASON, DARK AGE, CLASSICAL NATURAL LAW, REVIVAL OF NATURAL LAW

**UNIT-II: ANALYTICAL POSITIVISM*** JEREMY BENTHAM
* JOHN AUSTIN
* H.L.A. HART
* HANS KELSON

**UNIT-III: HISTORICAL SCHOOL OF THOUGHT*** FREDERICK KARL VON SAVIGNY
* HENRY SUMNER MAINE
* GEORG WILHELM FRIEDRICH HEGEL

**UNIT-IV: REALIST SCHOOL OF THOUGHT*** AMERICAN REALISM
* SCANDINAVIAN REALISM

**UNIT-V: ECONOMIC APPROACH TO LAW*** KARL HEINRICH MARX
* ANTONIO FRANCESCO GRAMSCI
* KARL RENNER
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| **LL.M.: 102** **CONSTITUTIONAL LAW – I****UNIT I:** * Preamble: Its Salient Features and Significance
* Concept of State: GOVT, LEGISLATURES, LOCAL AUTHORITIES, Other Authorities; Judiciary
* Pre-Constitutional Laws and Post Constitutional Laws Vis-à-vis Enforcement of Fundamental Rights
* Waiver of Fundamental Rights

**UNIT II:** * Equality Before Law and Equal Protection of Laws-Reasonable Classification(Non-Discrimination)-Non-Arbitrariness-Social Justice-(Protective Discrimination)-Special Provision for Women, Children-Institutional Reservation-Territorial Reservation-Prohibition of Untouchability

**UNIT III:** * Right to Freedom: Freedom of Speech and Expression-Freedom of Press-Right to Information; Right to Silence and Freedom to Assemble Peacefully-Freedom to Form Association-Freedom to Move Freely throughout the Territory of India-Freedom to Practice any Profession or Occupation, Trade or Business
* Reasonable Restrictions on Freedom-Freedom of the Person (ex post facto laws; Double Jeopardy; Right against Self Incrimination)
* Right to Life and Personal Liberty: Death Sentence, Environmental Protection, Right to Education; Right to Get Medical Assistance; Right to Dignity; Right to Privacy; Legal Aid; Speedy Trial; Protection against Arrest and Detention; Sustainable Development; Travelling Abroad; Livelihood Right; Right to Employment; Dignified death
* Procedure Established by Law
* Right against Exploitation-Trafficking of Human Beings-Forced Labour-Child Labour

**UNIT IV**: * Freedom of Religion: Concept of Religion; Concept of Dharma; Hinduvta as Way of Life; Freedom of Conscience; Right to Profess, Practice and Propagate Religion; Freedom to Manage Religious Affairs; Restrictions on Right to Religion
* Right of Minorities (Linguistic and Religious)-To Establish and Run the Educational Institutions
* Right to Property-Constitutional Policy before and after the Forty Fourth Amendment
* Right to Constitutional Remedies: Writ Jurisdiction; Dynamic Approach of Supreme Court on Public Interest Litigation- Judicial Activism

**UNIT V:** * Suspension of Fundamental Rights during Emergency; Relevance of 42nd and 44th Constitutional Amendment Acts; Fundamental Right to Move Courts for Enforcement of Fundamental Rights during Emergency
* Directive Principles of State Policy: Nature, Content and Justifiability, Inter-relationship between Fundamental Rights and Directive Principles of State Policy; Transition of DPSP into Fundamental Rights by Judicial Interpretation
* Fundamental Duties: Relevance and Scope
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| **LL.M.: 103****ADMINISTRATIVE LAW****UNIT-I: BASIC CONCEPT AND GROWTH OF ADMINISTRATIVE LAW**1. Evolution of Administrative Law in Various Systems of Governance from Ancient to Modern-Meaning, Definition, Need, Importance and Scope
2. Comparative Study of Constitutional Law and Administrative Law
3. **Rule of Law:** Application of Rule of Law in India, Judicial Approach and Rule of Law. Relationship Between Rule of Law and Administrative Process in Modern Democracy
4. **Separation of Powers:** American Legal Norms, Indian Constitutional Framework regarding Separation of Powers- Comparative Survey between Common Law and Continental System

**UNIT-II: LAW MAKING POWER OF THE ADMINISTRATION**1. Function of Legislative Bodies to Legislate-Necessity of Delegating the Law-Making Power Legislation to Administration- Procedural Requirements in the Exercise of this Law Making Power, Limitations over Law Making Power of Administration-Types of Control Exercised by Legislature, Judiciary and the Administration over the Exercise of that Power
2. Application of Delegated Legislation in India

**UNIT-III THE INSTITUTION OF OMBUDSMAN**1. Origin of Ombudsman with reference to Other Countries-Need and Purposes for the Establishment of the Institution of Ombudsman-Limitations in Redressal of Grievances (Curbing of Corruption and Misuse of Power) through Conventional Courts, Quasi-Judicial Bodies, Executives or Parliament
2. Statutory and Constitutional Position of LOKPAL and Lokayukta-Qualifications required for the appointment of Lokpal and Lokayuktas-Processes of Appointment of Lokpal and Lokayuktas- Nature of Power, Function, Jurisdiction of Lokpal and lokayuktas in India-Working of Lokpal and LOKAYUKTAS in India.

 **UNIT-IV INQUIRES AND INVESTIGATIONS**1. Conceptual Aspect, Need for Inquiry and Investigation.
2. Difference between Inquiry and Investigation.
3. Powers, Jurisdiction and Processes of Inquiries under the Commission of Inquiry Act-Powers, Jurisdiction and the Process of Various Investigating Agencies at the Central and State Levels, particularly the Central Vigilance Commission and Central Bureau of Investigations

**UNIT-V PRINCIPLES OF NATURAL JUSTICE AND JUDICIAL REVIEW**1. Nemo Judex In Causa Sua (Rule against Bias)
2. Audi Alterm Partem (Rule for Self-Defence)
3. Exceptions to Rule of Natural Justice and Consequences for Non-Compliance of Rule of Natural Justice
4. Judicial Review on Administrative Action: Administrative Discretion- Need for Administrative Discretion-Limitation on Exercise of Discretion: Malafide Exercise, Irrelevant Considerations, Non-Exercise of Discretionary Power-Grounds for Judicial Review of Administrative Discretion-Remedies
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| **LL.M.: 104** **ENVIRONMENTAL LAW-I****UNIT-I: BASIC FEATURES OF ENVIRONMENTAL LAW**1. Definition of Environment-Meaning of Pollution, Sources of Pollution and Impact
2. Ancient Indian Philosophy relating to Protection and conservation of Environment.
3. Common Law and Criminal Law Perspectives for Environment Protection and Conservation

**UNIT-II INTERNATIONAL ENVIRONMENTAL LAW**1. Stockholm Conference-Reo D Jenerio Conference, Kyoto Protocol-Vienna Convention-Protocol on the Depletion of Ozone Layer (Kyoto)-Convention and Protocol on Climate Change (Paris Convention)-Chemical Weapons Convention-Basel Convention and Regulation of Hazardous Waste Convention on Biological Diversity
2. Regulation of Trans-Boundary Pollution with Special Reference to Industrial Accidents and Air pollution.

**UNIT-III NATURAL POLICIES OF INDIA WITH REGARD TO VARIOUS ASPECTS OF ENVIRONMENT** 1. National Environmental Policy
2. National Water Policy
3. National Forest Policy
4. National Policy for Unconventional Energy

UNIT-IV: DOCTRINES AND PRINCIPLES WITH REGARD TO THE CONSERVATION AND PROTECTION OF ENVIRONMENT  1. Doctrine of Sustainable Development 2. Doctrine of Public Trust 3. Precautionary Principle 4. Polluter Pay PrincipleUNIT-V: CONSTITUTIONAL PROVISIONS FOR CONSERVATION AND POTECTION OF ENVIRONMENT1. Fundamental Rights
2. Directive Principles of State Policy and Fundamental Duties
3. Emergence of Public Interest Litigation and Judicial Activism- PIL as a Tool to Provide Environmental Justice-Scope and Limit of PIL to Protect Nature
4. Non-State Actors and Scope of Writ Jurisdiction
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| **LL.M.: 105** **RESEARCH METHODOLOGY****UNIT I: SOME BASIC CONCEPTS**1. Meaning of Research; Objectives of Research; Scientific Method of Research; Legal Research and Its Implications.
2. Types of Research: Basic and Applied Research; Qualitative and Quantitative Research; Inter-Disciplinary Approach in Research;
3. Statement of Problem: Components of Statement of Problem, Difference between Problem Statement and Statement Problem

**UNIT-II RESEARCH METHODS- DOCTRINAL LITERATURE REVIEW AND RESEARCH PROBLEM**1. Historical Method; Comparative Method-Analytical Method-Descriptive Method-Dialectical Method- Inductive and Hypothetico Deductive Method-Case Study Method(Judgments)
2. Review of Literature:Significance of Review of Literature, Methods of Literature Review, Objectives of Literature Review, Difference between Review and Critical Analysis
3. Identification of Research Problem; Formulation of Research Problem; Refining of Research Problem

**UNIT-III:** **RESEARCH DESIGN AND HYPOTHESIS*** 1. Types of Research Design: Descriptive Research Design; Exploratory Research Design; Experimental and Evaluative Research Design; Steps of Research Design
	2. Hypothesis: Types of Hypothesis; Qualities of good Hypothesis; Formulation of Hypothesis; Significance of Hypothesis; Testing of Hypothesis.
	3. Research Question
	4. Objectives of Research

**UNIT-IV RESEARCH METHODS-** **EMPIRICAL RESEARCH (TOOLS AND TECHNIQUES)**1. Data Collection and Sampling; Types of Data. Primary and Secondary Data. Methods of Data Collection. Observation. Questionnaire. Interview
2. Sampling and Universe: Types of Sampling; Prohibitory and Non-Prohibitory Sampling.
3. Analysis and Interpretation of Data. Use of Statics in Data Analysis. Use of Tables, Graphs, Charts, Use of Computer and SPSS.

**UNIT-V RESEARCH PROPOSAL AND REPORT**1. Significance of Research Report Writing
2. Different Steps in Writing Research Report
3. Layout of Research Writing
4. Mechanics of Writing Research Report
5. Treatment of Quotations-Footnotes-Endnotes-References-Documentation Style- Abbreviations-Bibliography-Index
6. Ethical and Legal Issues in Research: Plagiarism and Copyright Violation
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| **LL.M.: 201****JURISPRUDENCE II****UNIT-I: JUSTICE AS VALUE**1. RIGHTS-DUTIES
2. CONCEPT AND THEORY OF JUSTICE

**UNIT-II: ANALYSIS OF LAW** 1. RELATION BETWEEN LAW AND MORALITY 2. CRITICAL LEGAL STUDIES**UNIT-III: SOCIOLOGICAL SCHOOL OF THOUGHT**1. ROSCOE POUND2. EUGEN EHRLICH 1. DAVID EMILE DURKHEIM
2. RUDOLF VON IHERING

**UNIT-IV: EMERGING CONCEPT IN LAW** 1. POST MODERNITY AND LAW2. LEGAL FEMINISM**UNIT-V: ANCIENT INDIAN JURISPRUDENCE*** 1. **Sources of Law: SMRITIES AND COMMENTARIES**
	2. **Content of Law: Concept of Welfare State-Dharma or Rule of Law,** State or Social Control through Law-Content and Classification of Ancient Hindu Law, Administrative Set-up and Administrative Justice
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| **LL.M.: 202** **CONSTITUTIONAL LAW-II****UNIT-I: EXECUTIVES AND LEGISLATURES****(a).** President and Governor of States-Role, Power, Function and Responsibility (b). Parliament and States Legislative Assemblies-Composition, Power, Function and Parliamentary Privileges**UNIT-II: RELATIONSHIP BETWEEN UNION AND STATES**(a). Distribution of Legislative Powers between Union and the States: Doctrine of Pith and Substance-Doctrine of Occupied Field-Doctrine of Colourable Legislation-Doctrine of Fraud on Legislative Power- Doctrine of Fraud on Constitution (b). Distribution of Executive Powers between Union and States: Article 352 (Imposition of National Emergency) and Article 356(Imposition of State Emergency)-Judicial Review of Proclamation of Emergencies(c). Distribution of Financial Powers between Union and States: Trade and Commerce within the Territory of India-Constitutional Provisions-Legislative Provisions (GST)(d). Nature of Indian Constitution-Federal, Unitary, Quasi-federal, Co-operative Federal, Competitive Federal**UNIT-III: JUDICIAL FUNCTIONS-UNION AND STATE LEVEL**(a). Supreme Court and High Courts: Composition-Collegium System for Selection of Judges (including Transfer of Judges)(b).Jurisdictions of Judiciary: Contempt Jurisdiction-Advisory Jurisdiction- Original Jurisdiction-Appellate Jurisdiction-Revisional Jurisdiction-Review Jurisdiction-Curative Jurisdiction **UNIT-IV: AMENDMENT OF CONSTITUTION-PROCEDURE AND POWER****(**a). Amendment to Constitution-Doctrine of Basic Structure- Doctrine of Implied Limitation (on the Amending Power of Parliament)(b).Various Committee Reports and **Recommendations for Review of Constitution** **UNIT-V: MISCELLANEOUS**(a). Recruitment, Conditions of Service, Suspension and Termination (b). Doctrine of Legitimate Interest (c). Election Commission of India-Powers and Functions (d). Finance Commission-Power, Function and Distribution of Finances(e). Constitutional and Statutory Provisions for the Protection of Human Rights(f). Constitutional and Statutory Provisions for SC, ST, Minority, Women, Children and Differently-abled Persons |

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| **LL.M.: 203-OPEN (EXTERNAL)****LAW AND SOCIAL TRANSFORMATION IN INDIA****UNIT I: Law and Social Change*** Law as an instrument of social change with reference to Sociological

 School of Jurisprudence* Law as the product of tradition and culture with reference to

 Historical School of Jurisprudence**Religion and the Law*** Religion and Secularism
* Reform of Law on Secular Lines-Hindu Law, Muslim Law, Christian Law and Parsi Law Vis-a-Vis Uniform Family Code
* Freedom of Religion and Non-Discrimination on the Basis of Religion under Indian Constitution
* Religious Minorities and Law-Articles 29 and 30 of Constitution of India

**UNIT II: LAW AND VULNERABLE SECTIONS****Women and Law** * Crimes against Women
* Gender Injustice and Its Various Forms
* National Commission of Women-Power, Function and Limitation
* Emancipation, empowerment and Women led Development
* International Ramifications-CEDAW, UDHR
* Constitution of India and Other Statutory Provisions Specially for Women

**Children and the Law*** International Norms Governing Rights of Children
* National Commission for Protection of Child Rights
* Child labour, Child Trafficking, Adoption and Related Problems
* Children and Education, Children and Maintenance
* Juvenile Justice-Abandoned and Delinquent Children

**UNIT III: Community and Law** * Caste, Class and Social or Educational Backwardness
* Non-Discrimination on the Ground of Caste
* Protective Discrimination and Its Various Dimensions in Constitution and Other Statutes : Scheduled Castes, Scheduled Tribes and Other Backward Communities
* Economic Backwardness and Affirmative Action of States including Social Welfare Schemes
* Health Insurance, Swachh Bharat Aviyan
* Right to Right to Education, Right to Employment, Right to Livelihood, Right to Environment, Right to Shelter, Right to Pure Drinking Water, Right to Road, Free Legal Aid

**UNIT IV: Reforms of Court Process*** Criminal law: Inquisitorial System; Plea Bargaining; Compounding and Payment of Compensation to Victims
* Civil Law: Confrontation v. Consensus, ADRS-Mediation and Conciliation; Lok Adalats, Democratic Decentralization and Local Self-government, Social Action Litigation and Relaxation of Rule of Locus Standi

**UNIT V: Modernization and the Law*** Modernisation as a value: Constitutional Perspectives Reflected in Fundamental Duties.
* Modernisation of Social Institutions through Law.
* Agrarian Reform through Law: Land Reform, Industrialization of Agriculture, Insurance of Agricultural Crops, Provision of Support Prices
* Economic and Industrial Reforms through Law: WTO-Globalisation, Ease of Doing Business, Limited Liability Partnership, Insolvency and Bankruptcy, Digital Economy, Goods and Services Tax Administrative Reforms: Digital Governance, Good Governance RIGHT TO INFORMATION
* Law as Medium to Eradicate Corruption, Mechanism to Ensure Compliance with Tax Liability and Curbing of Black Money
* Democratic Decentralisation and Local Self Government
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|  **LL.M.: 204-OPEN (INTERNAL)****ENVIRONMENTAL LAW II****UNIT-I NATURAL RESOURCES AND THE LAW**1. Legislative Measures for Conservation of Fresh Water, Ground Water and Water Bodies and Their Protection from Pollution and Quality Improvement2. Air Pollution (including Noise Pollution) and Its Control Mechanism including Quality Improvement-Statutory Provisions**UNIT-II: FOREST AND WILD LIFE**1. Legislative Measures forProtection of Wild Life
2. Statutory Provision for Protection and Conservation of Forest-Joint Forest Management-Rights of the Forest Dwellers

**UNIT-III: BIO-DIVERSITY OF INDIA**Legislative Measures for Protection and Conservation of Biodiversities of India**UNIT-IV: GENERAL PROTECTION OF ENVIRONMENT**Definition of Environment-General Power of Central Government to Take Measures to Protect and Improve Environment- Prevention, Control and Abetment of Environmental Pollution-Power of Govt. to Make Rules**UNIT-V: LAW ENFORCEMENT MECHANISM** NATIONAL GREEN TRIBUNAL 1.Normal Judicial Processes for Enforcement of All Environment Related Laws2.Constitution-Power-Function-Jurisdiction of National Green Tribunal-Appellate Authority  |

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| **LL.M.: 205 SPECIAL PAPER- I** **(INTELLECTAL PROPERTY LAW-I)****UNIT I: INTELLECTUAL PROPERTY** What is Intellectual Property-Nature of Intellectual Property and Its Difference with Other Types of Properties-Academic and Economic Significance of Intellectual Property-Nature and Types of Existing Intellectual Property Rights and Further Expansion thereof**UNIT II: PATENTS-I** Definition-Patentable Inventions (Novelty, Inventive-Step, Industrial Application)-Inventions not Patentable-Procedure for Obtaining Patent-Specifications-Revocation of Patents-International Arrangements**UNIT III-PATENTS-II**Compulsory Licences-Working and Non-Working of Patents-Use of Inventions For Purposes of Government and Acquisition of Inventions by Central Government-Infringement of Patents-Rights conferred on- Remedies**UNIT IV: COPY RIGHTS AND RELATED RIGHTS-I**Definition-Works in Which Copyright Subsists-Works in Which Copyright Does Not Subsist-Ownership of Copyright-Rights of Owner-Term of Copyright-Licences of Copyright-Copyright Societies-Registration of Copyright**UNIT V: COPY RIGHTS AND RELATED RIGHTS-II**Effect of Registration of Copyrights and Rights conferred by- Term of Copyright-Infringement and Non-Infringement of Copyright-Remedies-Rights of Broadcasting Organisation (including Televisation)-Performers’ Rights in All Areas -International Copyrights |

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| **LL.M.: 205-SPECIAL PAPER II (CORPORATE LAW-I)** **PRINCIPLES OF CORPORATE LAW AND POLICY****UNIT I: LAW RELATING TO CONTRACTS**1. General Principles and Their Applications
2. Standard Form of Contract
3. E-Contracts
4. Specific Contracts: Agency, Bailment etc.
5. Formation of International Commercial Contracts
6. Enforcement of Contractual Obligation

**UNIT II: FORMS OF BUSINESS ORGANISATIONS** Sole Proprietorships Partnerships  Limited Liability Partnerships Trust Corporations and Other Forms**UNIT III: CORPORATE INCORPORATION** Origin and Development of Corporate Law Essential Ingredients in the Establishment of Corporation (including MOA, AOA and Other Documents) Certificate of Incorporation Concept and Theories of Corporate Personality, Demerits of Corporate Personality Doctrine of Ultra Vires Doctrine of Intra Vires Doctrine of Indoor Management Doctrine of Constructive Notice**UNIT IV: PROSPECTUS**Concept of ProspectusTypes and Contents of ProspectusPublic Issue and private Placement of ProspectusLiability for Misstatement in Prospectus**SHARES AND SHARE CAPITAL**Concept of Shares, Share Capital and Types of SharesIssue, Allotment, Transfer, Forfeiture and Buy-Back of SharesDebentures, Debenture Trust Deed**GUIDELINE OF SECURITY EXCHANGE BOARD OF INDIA** |

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| **LL.M.: 205-SPECIAL PAPER I (CRIMINAL LAW I)****CRIMINAL LAW IN INDIA****UNIT-I: CRIME AND CRIMINAL LAW**1. Elements of Crime: Mens Rea: Motive-Intention (including Common Intention and Common Object)-Knowledge-Recklessness-Negligence; Actus Reus: Voluntary and Involuntary
2. Strict Liability-Joint and Constructive Liability

**UNIT-II: INCOHATE OFFENCES AND OFFENCES AGAINST STATE**1. Abetment-Incitement, intentional Aid and Conspiring-Criminal Conspiracy-Attempt to Commit Offences including Attempts to Commit Suicide
2. Sedition-Terrorists and Disruptive Activities-Threat to National Security

**UNI T-III: GENERAL DEFENSES**1. Age-Mistake of Fact-Necessity-Intoxication (Voluntary and in-Voluntary)-Unsoundness of Mind-Consent-Compulsion by Threat- Superior’s Order-Exercise of Private etc.

**UNIT-IV: OFFENCES AGAINST HUMAN BODY**1. Culpable Homicide-Murder-Rash and Negligent Killing-Kidnapping from Lawful Guardianship-Kidnapping from India-Abduction-Wrongful Confinement-Wrongful Imprisonment

**UNIT-V: OFFENCES AGAINST PROPERTY, SEXUAL OFFENCES AND** O**FFENCES AGAINST MARRIAGE**1. Theft-Extortion-Robbery-Dacoity-Arsening and Damage to Public Property2. Rape, Sodomy (including Homosexuality) and Bestiality-Bigamy and Adultery- 3. Cruelty by One Spouse to Other and His/Her Relatives  |

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| **LL.M.: 301** **INTERPRETATION OF STATUTES****UNIT I: INTRODUCTION TO INTERPRETATION** Meaning, Objects and Scope of Interpretation: Principles and Methods of Legislation-Process of Drafting, Parts of Statutes, Commencement, Repeal and Revival of Statutes, Enabling, Consolidating and Codifying Statutes, Doctrine of Repugnancy **UNIT II: GENERAL PRINCIPLES OF INTERPRETATION OF STATUTES**1) Literal Rule: Characteristics and Criticism2) Golden Rule: Characteristics and Criticism3) Mischief Rule: Characteristics and Criticism**UNIT III: RULES OF CONSTRUCTION** 1. Harmonious Construction
2. Beneficial Construction
3. Restrictive Construction

**UNIT IV: AIDS TO INTERPRETATION** 1). Internal Aids: Title; Preamble, Definition or Interpretation Clause; Headings; Marginal Notes; Punctuation Marks; Illustrations; Proviso, Explanation; Schedule-Legal Fiction and Non-Obstante Clause2). External Aids: Parliamentary History of the Enactment, Legislative History; General Social Policy; Public Policy-Historical Setting; Previous Legislation and Statutes in Pari-materia; Previous Decision, Text Books, Dictionaries, International Conventions, General Clauses3). Subordinate Principles of Interpretation **UNIT V: INTERPRETATION OF VARIOUS STATUTES**1). Penal Statutes2). Remedial Statutes3). Taxing Statutes 4). Constitutional Provisions  |

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| **LL.M.: 302****SOCIO-ECONOMIC OFFENCES** **UNIT-I: INTRODUCTION**Concept of Social and Economic Offences: Indian Approaches to Socio-Economic Offences-Notions of Privileged Class Deviance-Indian Development-Official Deviance: Deviance by Legislators, Judges, Bureaucrats etc), Permissible Unit of Discretionary Powers, The Chambal Valley Dacoit, Vinoba Mission and Jai Prakash Mission-in 1959 and 1971, Chagla Commission Report, LIC Mudra Affair, Das Commission Report on Pratap Singh Kario, Grower Commission Report on Devrajurs, Murti Commission Report, The Ibakkar Natrajan Report on Fair Fax**UNIT-II:** Police DevianceStructures of Legal Restraints on Police Powers in India, Unconstitutionality of ‘Third Degree’ Methods and Use of Fatal Force by Police, Encounter Killings and Police Atrocities, Plea of Superior Orders, Rape and Related Forms of Gender Based Aggression by Police and Para-Military Forces, Reforms, Suggestions-especially by National Police Commission**UNIT-III:** Professional DevianceJournalists, Teachers, Doctors, Lawyers, Engineers, Architects and Publishers-Unethical Practices of India Bar, Lentin Commission Report, Press Council on Unprofessional and Unethical Journalism and Non-Discharge of Their Responsibilities, Medical Malpractice and Criminal Cases in Medical Negligence**UNIT-IV:** (a). Trade Union Deviance (Including Teachers, Lawyers/Urban Property Earner); (b). Deviance on Electoral Process (Ragging, Booth Capturing, Impersonation, Corrupt Practices); (c). Deviance by Politically Influential People-Bofors Scandal, Fodder Scam; (d). Gender based Aggression by Socially, Economically and Politically Powerful**UNIT-V:** Response of Indian Legal Order to Deviance of Privileged ClassesVigilance Commission, Public Accounts Committee, Ombudsman (Lokpal and Lokayukyas), Commission of Inquiry, Prevention of Corruption through Laws in the areas of Money Laundering, Foreign Exchange, Siphoning of Funds, Stashing of Black Money in Foreign Countries, Benami Properties, Becoming Fugitives after Non-payment of Loans-Digital Economy |

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| **LL.M.: 303** **PRIVATE INTERNATIONAL LAW (CONFLICT OF LAWS)** **UNIT I: INTRODUCTION**Definition, Nature, Scope and Importance of Private International Law-Unification of Private International Law-Hague Conventions of Private International Law-Blurring the Distinction between Public and Private International Law-Expanding Horizon of Private International Law (Globalization and Digital Commercial Transactions)-Theories of Public International Law**UNIT II: JURISDICTION****(1). Subjects of Private International Law-**Natural Person-Legal Person- Properties, State-Immunity of States and Its Properties(2). Categories of Jurisdiction-Conflict of Jurisdiction-Process for Determining Jurisdiction(3). Brussels Convention**UNIT III: CHOICE OF LAW AND FOREIGN JUDGMENTS**(1).Presence of Foreign Element and Its Proof-Classification of Cause of Action-Classification of Foreign Law; Characterization-Primary and Secondary; Renvoi-Single and Double; Connecting Factor and Its Role or Relevance (2).Recognition of Foreign Judgments by Courts-Enforcement of Foreign Judgments by Courts-Exclusion from Enforceability **UNIT IV: DOMICILE**(1). Meaning-Domicile of Origin-Domicile of Choice-Domicile of Dependants; Fugitives; Women(2). Acquiring of Domicile-De-Recognition of Domicile and Relinquishment of Domicile**UNIT V: SELECTED AREAS OF CONFLICT**(1). CONTRACT(2). TORT(3). MARRIAGE AND MATRIMONIAL CAUSES; (4). **SUCCESSION** **(5). ARBITRAL AWARDS** |

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| **LL.M.: 304****PROJECT WRITING (Practical)****Object of this Course:** To orient and train the students with Research before they take up the DISSERTATION in the final semester. (1). Each student will be supervised by a permanent teacher of the department which will be decided through the departmental affairs committee.(2). The students shall have to be individually registered under the supervising-teacher. (3). Selection of the “topic title” for the project work will be determined by the student and the supervising teacher.(4). Full marks for this course shall be 100, out of which 70 marks will be for Write-up and 30 for Viva-voce.(5). The student concerned has to submit the final PROJECT WRITING at least one month before the scheduled semester examination.(5). In lieu of written examination, the students will submit write-ups by following Research Methodology and there will be an open seminar presentation followed by question to be asked if there is any.(6). The examination for this paper will be conducted preferably by one internal and an external examiner, to be appointed by the University Authority.(7). In implementing the above guidelines the decision of the departmental affairs committee shall be final and binding on all.  |

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| **LL.M.: 305 SPECIAL PAPER II** **(INTELLECTAL PROPERTY LAW-II)****UNIT I: TRADE MARKS**Definition-Conditions for Registration of Trade Mark-Procedure for Registration of Trade Mark-Effect of Registration of Trade Mark and Rights Conferred by-Procedures of Registration of TM- Effect and Rights Conferred on Registration of TM-Infringement of Trademark-Remedies-Provisions for Collective Marks-Doctrine of Deceptive Similarity-Passing Off**UNIT II: INDUSTRIAL DESIGN**Definition-Registration of Designs-Copyright in Designs-Industrial and International Exhibitions –Piracy of Registered Design-Rights conferred by-Remedies**UNIT III: GEOGRAPHICAL INDICATIONS I**Definition-Distinction between Geographical Indications and Trade Mark and Collective Mark-Prohibited Geographical Indications-Homonymous Geographical Indications-Conditions for Registration of Geographical Indications-Procedure of Registration of GIs**UNIT IV: GEOGRAPHICAL INDICATIONS II**Special Provisions Relating to Trade Marks and Prior-Effect of Registration of Geographical Indications and Rights Conferred by-Application of Geographical indication-Falsifying and Falsely Applying Geographical Indication-Remedies-Items Protected as Geographical Indication (North East and Whole India)-Cancellation or Varying of Registration**UNIT V: TRADE SECRET AND CONFIDENTIAL INFORMATION**Definition-Importance of Trade Secret and CI in Economic and Business World-Trade Secret and CI in Common Law-Trade Secret and CI in Contract-Shortcomings in Existing Legal Framework of Trade Secret and CI-Search for Strong and Effective Trade Secret and CI-Trade Secrets and CI Protection of Other Countries |

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| **LL.M.: 305 SPECIAL PAPER II (CORPORATE LAW-II)** **(CORPORATE MANAGEMENT AND GOVERNANCE)****UNIT I: CORPORATE MANAGEMENT*** Directors: Appointment, Removal, Position, Powers and Duties
* Audit Committee: Its Role
* Company Secretary: Qualification, Appointment and Duties
* Officer Who Is In Default
* Liability of Independent Directors

**UNIT II: OPPRESSION AND MIMANAGEMNET*** Meeting: meaning, Types and Purpose of Meeting
* Procedure for Different Meetings: Notice, Quorum, Agenda, Resolution, Voting, Decision
* Meetings, Majority Rule and Minority Protection
* Role and Powers of the Company Law Board and Central Government To Deal With Oppression and Mis-Management

**UNIT III: AMALGAMATION, RECONSTRUCTION, MERGER, DE-MERGER AND TAKE-OVER OF COMPANIES*** Meaning of the Terms
* Statutory Provisions
* Procedures of Amalgamation, Reconstruction, Merger, De-merger and Take-over
* Powers of Court/Tribunal
* INSOLVANCY AND BANKRUPTSY: Definitions- Insolvency Resolution and Liquidation for Corporate Persons- Insolvency Resolution and Bankruptcy for Individuals and Partnerships Firms- Regulation of Insolvency Professionals, Agencies and Information Utilities
* Procedures of Winding Up of Company-Voluntary Winding-Up and Statutory Winding-Up

**UNIT IV: CORPORATE GOVERNANCE*** Importance of Corporate Governance
* Different System of Corporate Governance
* Impact of Legal Traditions and the Rule of Law on Corporate Governance
* Legal Reforms of Corporate Governance in India
* Rep[orts of Various Committees on Corporate Governance
* Emerging Trend Based on Recommendation of the Committees of Companies Act and Listing Agreement with Special Reference to Clause 49

**UNIT V: CORPORATE SOCIAL RESPONSIBILITY*** Evolution of the Concept
* Dimensions of CSR
* Legislations and CSR
* Dimensions of Corporate Social and Environmental Responsibility
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| **LL.M.: 305 SPECIAL PAPER II (CRIMINAL LAW-II)** **COMPARATIVE CRIMINAL PROCEDURE****Unit-I: INTRODUCTION**(1).Criminal Justice Process Models: Adversarial Model, Inquisitorial Model (2).Basic Principles of Criminal Jurisprudence: Presumption of innocence, Proving of Guilt Beyond Reasonable Doubt and Fair Trial(3).Functionaries in the Criminal Justice System-Their Role, Powers and Limitations on the Powers: The Police and Investigation, Public Prosecutor & His (Her) Role, The Defense Counsel and His (Her) Role, The Trial Court and Prison Authorities**UNIT-II: ARREST AND DETENTION** Arrest (including Detention)and Questioning of the Accused, Right to Counsel, Evidentiary Value of Statements, Articles Seized and Collected by the Police, Role of Prosecutor and the Judicial Officers in Investigation**UNIT-III: FAIR TRAIL**Principal Features of Fair Trail, Plea Bargaining, Admissibility and Inadmissibility of Evidence, Expert Evidence, Appeal to the Court in Awarding Appropriate Punishment**UNIT-IV: CORRECTION AND AFTER CARE SERVICES****Institutional Correction-After-care Services in India, Role of the Courts in Correctional Programmes****UNIT-V:** **PREVENTIVE MEASURES**Preventive measures in India: Provisions in the Criminal Procedure Code, Public Interest Litigation - Directions for Criminal Prosecution, Protection of Witnesses, Compensation to Victims |

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| **LL.M.: 401** **HUMAN RIGHTS LAW****UNIT I:** **General Introduction to Human Rights**1.1. Meaning, Concept and Classification of Human Rights1.2. Theories and Sources of Human Rights1.3. Relationship between Human Rights and Human Duties1.4. Justifiability of Human Rights**UNIT II:** **Evolution of Human Rights**2.1. Changing Dimensions of Human Rights and Duties2.2. Role of United Nations Organization (UNO)2.3. Universal Declaration of Human Rights, 19482.4. International Covenant on Civil and Political Rights, 1966 and International Covenant on Economic, Social and Cultural Rights, 1966**UNIT III:** **Human Rights of Vulnerable and Marginal Groups**3.1. The Convention on the Rights of the Child, 19893.2. The Convention on the Elimination of All Forms of Discrimination against Women, 19793.3. The Convention Relating to the Status of Refugees, 19513.4. The Convention on the Rights of Persons with Disabilities, 2006**UNIT IV:** **Protection of Human Rights in India**4.1. Part III of the Constitution of India and Human Rights4.2. Protection of Human Rights Act, 19934.3. Police and Human Rights4.4. Judiciary and Human Rights**UNIT V:** **The New Millennium and Human Rights**5.1. Right to Environment5.2. Internally Displaced Persons5.3. Rights of Migrant Workers5.4. State Sovereignty; Terrorism; Illegal Immigration |

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| **INTERNATIONAL TRADE LAW****LL.M.: 402****Unit I: THEORIES AND EVOLUTION**(1).Theories of International Trade: Theory of Absolute Advantage of Adam Smith-Theory of Comparative Advantage of David Ricardo, etc.(2).Relation between International Trade and Economic Development(3). Historical Background of World Trade Organization (WTO)-Origin and Development(4). AGREEMENT ESTABLISHING WTO **Unit II: WTO AGREEMENT PART I**(1).Organizational Structure of WTO (2).General Principles and Fundamental Rules of WTO(3).Dispute Settlement Body (DSB): Implementation of WTO Agreements and Rulings(4). Areas Where Negotiations Are on and Ministerial Conference is to Make those Agreements Binding(5). Trade Policy Review Mechanism **Unit III: WTO AGREEMENTS-PART II****(**1). General Agreements on Trade and Tariff, 1947(2). General Agreement on Trade and Tariff, 1994(3). Agriculture(4). Sanitary and Phytosanitary Measures(5). Textiles and Clothing     **Unit IV: WTO AGREEMENTS-PART III**(1). Technical Barriers to Trade(2). Trade-Related Investment Measures(3). Anti-dumping(4). Customs Valuation(5). Preshipment Inspection     **Unit V: WTO AGREEMENTS-PART IV**(1). Rules of Origin     (2). Import Licensing(3). Subsidies and Countervailing Measures (4). Safeguards(5). General Agreement on Trade in Services(5). Trade Related Aspects of Intellectual Property Rights |

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| **LL.M.: 403 SPECIAL PAPER -III** **INTELLECTUAL PROPERTY LAWS III** **UNIT I-PROTECTION OF TRADITIONAL KNOWLEDGE OF MEDICINAL PLANTS**Key Concepts-Importance of Traditional Knowledge in the Economy of a Country- Bio-Piracy or Bio-Prospecting: Traditional Knowledge Associated with Medicinal Plants of India and Its Causes Emanating from National Laws and International Laws -Search for Viable and Effective Protection of Traditional Knowledge Associated with Medicinal Plants: Positive Protection and Recognition of IP Rights in TK and Defense protection safeguarding against Illegitimate IP Rights over TK **UNIT II: INTERNAONAL TREATIES AND CONVENTIONS ON INTELLECTUAL PROPERTY-I**The Paris Convention for the Protection of Industrial Property- The Berne Convention for the Protection of Literary and Artistic Works- The WIPO Copyright Treaty (WCT)- The Patent Cooperation Treaty (PCT)- The Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure- The Madrid Agreement Concerning the International Registration of Marks and the Protocol Relating to the Madrid Agreement- The Hague Agreement Concerning the International Deposit of Industrial Designs**UNIT II: INTERNATIONAL TREATIES AND CONVENTIONS ON INTELLECTUAL PROPERTY-II**The Trademark Law Treaty (TLT)- The Patent Law Treaty (PLT)- Special Conventions in the Field of Related Rights: The International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations (the “Rome Convention”)- The WIPO Performance and Phonograms Treaty (WPPT)- The International Convention for the Protection of New Varieties of Plants- The Agreement on Trade-Related Aspects of Intellectual Property Rights (“TRIPS”) and WIPO-WTO Cooperation**UNIT IV: TRADE RELATED ASPECTS OF INTELLECTUAL PROPERT RIGHTS (TRIPS-WTO)*** GENERAL PROVISIONS AND BASIC PRINCIPLES
* STANDARDS CONCERNING THE AVAILABILITY, SCOPE AND USE OF INTELLECTUAL PROPERTY RIGHTS- COPYRIGHT AND RELATED RIGHTS- TRADEMARKS- GEOGRAPHICAL INDICATIONS- INDUSTRIAL DESIGNS- PATENTS- LAYOUT-DESIGNS (TOPOGRAPHIES) OF INTEGRATED CIRCUITS- PROTECTION OF UNDISCLOSED INFORMATION- CONTROL OF ANTI-COMPETITIVE PRACTICES IN CONTRACTUAL LICENCES
* ENFORCEMENT OF INTELLECTUAL PROPERTY RIGHTS
* DISPUTE PREVENTION AND SETTLEMENT

**UNIT V: WORLD INTELLECTUAL PROPERTY ORGANISATION (WIPO-UNO)*** History-Mission and Activities-Structure-Administration-Membership-Constitutional Reform-Wider Consultation and Outreach
* Patents-Copyright and Related Rights-Trademarks-Industrial Design and Integrated Circuits-Geographical Indications-Protection against Unfair Competition
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| **LL.M.: 403 SPECIAL PAPER III CORPORATE LAW III** **(COMPETITION AND CONSUMER PROTECTION)****UNIT I: INTRODUCTION TO COMPETITION LAW*** Definition of Competition Law-Objectives of Competition Law
* History of Competition Law (USA, UK, EUROPE)-Relevant Provisions of Sherman’s Act-Indian Scenario with Overview to MRTP Act-Raghavan Committee Report
* International Co-operation for Competition-WTO Agreement

**UNIT II: ANTI-COMPETITIVE AGREMENT, ABUSE OF DOMINANT POSITION AND COMBINATION*** Anti-Competitive Agreement-Appreciable Adverse Effect-Horizontal and vertical Agreements-Effects Doctrine
* Prohibition of Anti-competitive Agreements-Concerted Practices and Parallel Behaviour-Cartel and Cartelisation, Bid Rigging and collusive Bidding-Tie-In-Arrangements-Exclusive Supply Agreement-Resale Price Maintenance Agreement
* Abuse of Dominant Position-Relevant market-Predatory Behaviour-Predatory Pricing-Discriminatory Practices
* Combination-Value of Assets-Turnover-Acquisition-Conglomeration-Joint Venture

**UNIT III: COMPETITION COMMISSION OF INDIA*** Establishment and Composition of Competition Commission
* Duties, Power and Functions of Competition Commission
* Procedure for Inquiry, Competition Fund
* Competition Advocacy, Competition Policy

**UNIT IV: CONSUMER PROTECTION ACT-CONCEPTUALISATION*** MEANING OF Consumer, Product, Services and objectives of the Act
* Evolutionary Steps of Consumer Protection Laws in India-A Historical Perspective
* Genesis of Consumer Rights-Right to Safety-Right to be Informed-Right to Choose-Right to Get Appropriate Quantity and Quality of the Goods and Services in Return for Money-Right to be Heard and Assured-Right to Redressal-Right to Consumer Education
* Salient Features of Consumer Protection Act

**UNIT V: REDRESSAL MECHANISM FOR CONSUMER**Three Tire System of Grievance Redressal System-Jurisdiction of Consumer Forum-Complaints that Can Be Made under CP Act and Relief Available to Consumers-Appeals-Limitations-Adjournments and Other Procedures-Advisory Councils-Applicability to Competition Laws-Overlapping Areas |

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| **LL.M.: 403 SPECIAL PAPER III****CRIMINAL LAW III (JUVENILE DELINQUENCY)****UNIT-I: CHILDREN AND CHILDHOOD**The Child in India: Realities and Issues-Identification of Categories of Children in Difficult Circumstances: Child Labour, Abused Children, Street Children, Girl Child, Abandoned and Illiterate Children, Inadequately Socialized Affluent Family Children, Children in Armed Conflict, Refugee Children, Children with HIV/AIDS, Trafficked Children.**Unit-II: DELINQUENT JUVENILES**Nature and Definition of Juvenile DelinquencyJuvenile Delinquency in India and Neighboring CountriesCauses and Consequences of Juvenile DelinquencyNational Crime Records Bureau and Juvenile Delinquency**Unit-III: PROTECTION OF CHILDREN IN INTERNATIONAL LAW**From Welfare to Rights: UN Declarations, Conventions, Rules, Protocols and Other Instruments**Unit-IV: LEGAL FRAMEWORK OF JUVENILE JUSTICE IN INDIA**Evolution of Juvenile Justice System in IndiaConstitutional Provisions for Protection of JuvenilesThe Juvenile Justice (Care and Protection of Children) Act, 2015-Salient Features-Procedures in Relation to Children in Conflict with Law-Procedures in Relation to Children in Need of Care and Protection-Rehabilitation and Social Re-integration etc. **Unit-V: POLICY FRAMEWORK**National Children Policies in IndiaNational Commission for Protection of ChildrenAdoption of Children including Foreign Country Adoption |

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| **LL.M.: 404** **DISSERTATION****MODALITIES FOR THIS PAPER:**1. A candidate shall select a topic for his/her dissertation work and submit to the Head of the department with a synopsis, through a permanent teacher of the department as the supervisor, for approval of the departmental affairs committee.
2. The candidate shall be required to submit the Dissertation (Three Copies) at least two weeks before the commencement of Fourth Semester Examination, to the Head of the Department who shall forward the same to the Controller of Examinations for evaluation.
3. The candidate shall be required to secure at least 50% marks in the Dissertation to pass the Examination.
4. The Examiner shall either-

(i)Award at least 50% marks, or, (ii) Return the Dissertation for revision, or, (iii)Reject the Dissertation.1. The candidate who’s Dissertation is returned for revision may revise the dissertation and re-submit it within a period of two months. Failure to submit in time shall result in a declaration that the candidate has failed at the relevant LL.M. Examination.
2. A Dissertation can be revised only once. If the candidate fails to secure pass marks in the revised Dissertation he shall be declared failed in the LL.M. Examination.
3. The candidate whose Dissertation is rejected, may with the approval of the Faculty of Law write a Dissertation on another topic and submit it within a period of six months. And if he fails to secure pass marks in respect of this Dissertation also, he shall be declared failed at LL.M. Degree Examination.
4. A Dissertation shall be examined by a Board of two examiners at least one of them shall necessarily be an external examiner.
5. The evaluation of the two examiners shall be coordinated as hereunder:
6. Each examiner shall award marks out of 140.
7. If the marks awarded by two examiners vary by 30 marks or more, the Dissertation shall be examined by the third examiner, whose decision shall be final.
8. If one of the examiners return the Dissertation for revision or rejects the Dissertation, his decision shall prevail provided that if one of the examiners has rejected the Dissertation and another examiner has returned it for revision, the Dissertation shall be deemed to be rejected.
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