



THE WEST BENGAL NATIONAL UNIVERSITY OF JURIDICAL SCIENCES,
KOLKATA

The Agenda of the Twenty-Seventh Meeting of the Academic
Council of the W.B. National University of Juridical Sciences,
Kolkata

to be held on 26th August, 2016

at Dr. Ambedkar Bhavan,

Salt Lake, Kolkata

Agenda for the 27th Academic Council Meeting, The WBNUJS on 26.08.2016

Agenda		
Sl. No.	Subject	Page
1.	Confirmation of minutes of 26 th meeting	1
2.	Relaxation of the duration of completion of Course of one year Master of Law (LL.M) / M.Phil / Ph.D at WBNUJS	5
3.	Request for amendment of Academic and Examination Rules from Coordinator, Credit Course cell	14
4.	Introduction of an One Year Post Graduate Diploma In Corporate, Commercial and Industrial Laws (PGDCCIL), an Executive Diploma Program For HPCL	17
5.	Amendment in Ph.D Regulations 2012 for extension of maximum of six years from five years for tenure of submission of Ph.D thesis	39
6.	Introduction of MA in Business Laws with the help of technology provider IPLeaders	57
7.	Introduction of online certificate courses in Skill Based Legal Education with the help of our technology provider IPLeaders	83
8.	Introduction of certificate course on Intellectual Property Rights through The Centre For Regulatory Studies, Governance And Public Policy (CRSGPP)	105
Report		
R1	Report on admission of students to B.A. LL.B (Hons.) and LL.M courses in 2016-2017	115
R2	Report on Credit Courses conducted in 2016-2017	124
R3	Report on successful Ph.D scholars	126
R4	Report on reconstitution of the Undergraduate Council of WBNUJS	127
R5	Report on students of B.A. LL.B course scheduled to graduate in 2016-2017 (as on date)	129
R6	Report on permission to continue 9 th semester at NLU, Delhi for Ms. Sachi Juneja on extraordinary and delicate health issues	133

and any other agenda/matter with the permission of the Chair.

Decided
 that Ms. Sachi Juneja
 should write the report
 herself upon the
 report of NLU,
 Delhi on the
 as per the
 approval of
 the
 NLU,
 Delhi.

1. Confirmation of minutes of 26th meeting

The minutes of the 26th Academic Council Meeting held on 5th February 2016 are put up for perusal and confirmation of the honourable members.

**MINUTES OF THE TWENTY-SIXTH MEETING OF THE ACADEMIC COUNCIL, WBNUJS
HELD ON 5TH FEBRUARY, 2016 at Dr. Ambedkar Bhavan, 12 LB Block, Sector – III, Salt
Lake, Kolkata – 700098.**

The twenty-sixth meeting of the Academic Council was held on Friday, 5th February 2016 at Dr. Ambedkar Bhavan, Salt Lake, Kolkata – 700 098.

The following members were present:-

1. PROF. (DR.) P. ISHWARA BHAT,

Vice-Chancellor, Chairman, Academic Council, WBNUJS, Kolkata.

2. PROF. (DR.) ARUP KUMAR PODDAR

Member, Academic Council.

3. PROF. (DR.) SREENIVASULU N. S.

Member, Academic Council.

4. PROF. (DR.) T. V. G. N. S. SUDHAKAR

Member, Academic Council.

5. DR. BIKRAMJIT DE

Member, Academic Council

6. DR. ANIRBAN MAZUMDER

Member, Academic Council.

7. MS. VANEETA PATNAIK

Member, Academic Council.

DR. R. PARAMESWARAN, Registrar (Acting), WBNUJS, was also present in the Academic Council Meeting.

PROF. (JUSTICE) (RETD.) ALTAMAS KABIR, PROF. B. B. PANDEY, PROF. (DR.) A. LAKSHMINATH, PROF. (DR.) AMITA DHANDA, MR. ASOK DEB, DIRECTOR, CENTRAL FORENSIC LABORATORY, KOLKATA, VICE CHANCELLOR, WEST BENGAL UNIVERSITY OF TECHNOLOGY, KOLKATA and PROF. (DR.) M. K. SINHA, , could not attend the meeting due to their preoccupations.

The Vice Chancellor welcomed all the members and extended good wishes to all the participants:

Minutes of the 26th Academic Council Meeting

Sl. No.	Agenda Items	Resolution	Remarks/ Action Taken
1	<i>Confirmation of Minutes of the 25th A.C. meeting, NUJS.</i>	The honourable members went through the minutes of the 25 th meeting and confirmed the same.	
2.	<i>List of passed students who will be awarded degree in LL.B, LL.M and Ph.D course during the forthcoming Convocation 2016</i>	The Honourable members approved the award of degree to the successful LL.B, LL.M and Ph.D students during the Convocation 2016. The Honourable members also authorised Vice Chancellor to approve the results of candidates whose results are awaited subject to passing the subjects and fulfilling requirements of award of degree. Results of awaited candidates to be obtained by 18 th February 2016.	
3	<i>University medals and endowment medals</i>	The Honourable members approved the list of medal winners.	

4	<i>Conferment of LL.D Honoris Causa to Sri Kailas Satyarthi for effectively championing Child Rights</i>	The Honourable members appreciated the step and approved the proposal of conferring LL.D Honoris Causa to Sri Kailas Satyarthi for his distinguished public service through enforcement of rights of children.	
5	<i>List of examiners for Ph.D and LL.M thesis/dissertation</i>	The Vice Chancellor explained the need of having more member of examiners since the different field of study particularly in the specialization subjects. The Honourable members approved and authorised Vice Chancellor to add names of examiners in the list which shall be placed before the next Academic Council meeting for ratification.	
6	<i>Ratification for extension of time for submission of Ph.D thesis beyond the term 05 years</i>	The Honourable members ratified and approved the extension as given by the Doctoral Committee, in respect of Mr. Shameek Sen and Mr. Sanjay Kumar.	
7	<i>Course on Consumer Law – A proposal for introducing Post Graduate Diploma and Certificate Courses on Consumer Law</i>	The Honourable members ratified the course on Consumer Law and approved the same.	
8	<i>Ratification of NUJS Guidelines on Protection of Students from Sexual Harassment during Internship, 2014</i>	The Honourable members ratified the NUJS Guidelines on Protection of Students from Sexual Harassment during Internship, 2014 and approved the same.	

9	<i>Proposal for approval for medals instituted by Students Juridical Association of WBNUJS to be awarded during Convocation</i>	The Honourable members approved the proposal and ruled that for this year medals will be awarded during the Convocation. It is also directed by the Academic Council that for future, Medal Committee will formulate norms for selection of medal winners.	
REPORTS			
R1	<i>Report on Credit Courses conducted in 2015-2016</i>	The Honourable members noted and appreciated.	
R2	<i>Report on NUJS Merit cum Means Scholarship – 2015-2016</i>	The Honourable members noted and appreciated.	
ADDITIONAL AGENDA			
AA1	<i>To create an Institutional collaboration for research and academic activities with Asian Institute of Public Policy and Development Studies at Kolkata</i>	The Honourable members accepted the proposal for collaboration with Asian Institute of Public Policy and Development Studies, Kolkata for the purpose of promoting Research and academic activities and approved the Memorandum of Understanding (MOU). The draft MOU is attached herewith.	

Put up for confirmation by the honourable members.

2. Relaxation of the duration of completion of Course of one year Master of Law (LL.M) / M.Phil / Ph.D at WBNUJS

As per earlier Regulations for Master of Law (2 years LL.M) the permitted duration for students to complete the course was for a maximum period of four years from the date of admission to complete the requirements of the degree. As per the present Regulations, (1 year LL.M) the maximum period is two years from the date of admission.

It has been seen that girl students in particular are having difficulty in completing the course within the stipulated time permitted due to issues such as Marriage, Pregnancy, and Pregnancy related health issues. Towards this it is proposed that the relaxed guidelines as promoted by UGC for women candidates may be adopted to facilitate such girl students towards their completion of their post graduate education. In case of old Regulation candidates, the duration may be extended for an additional period of two years and in case of one year LL.M it may be extended for one additional year.

The relevant regulations (as at Annexure 1) and the UGC (Minimum Standards and Procedure for Award of M.Phil/Ph.D Degrees) Regulations (as at Annexure 2) are annexed.

Submitted for directions.

Encl: Annexure 1: (Regulations for Master of Law)

Annexure 2: (UGC Regulations - Minimum Standards and Procedure for Award of M.Phil/Ph.D Degrees)

*Handle members
Approved by
to extend
one year.*

**THE WEST BENGAL NATIONAL UNIVERSITY OF
JURIDICAL SCIENCES, KOLKATA**

**Master of Law (LL.M.) -
Regulations**

(Revised vide 25th Academic Council Meeting dated 17 August 2015)



2013

1. Degrees Offered

University offers full-time LL.M. Degree with specialization in

- (a) Corporate and Commercial Law; and
- (b) International and Comparative Law.

2. Administration of LL.M.

2.1 There shall be constituted a Centre of Post-Graduate Legal Studies (CPGLS) and a Post Graduate Curriculum Committee (PGCC)

2.2 The Vice-Chancellor in coordination with CPGLS and PGCC is responsible for the general supervision of LL.M. Degree at the University. The CPGLS and PGCC shall perform the functions in accordance with this Regulation.

2.3 The CPGLS would consist of minimum 10 faculty members and such other staff as may be required for the administration of LL.M. A minimum of 8 faculty members of CPGLS would be at the level of Professor/Associate Professor. The members of the CPGLS are nominated by the Vice-Chancellor.

2.4 The CPGLS is responsible for:

- (a) recommending admission (as per Regulation 3), reviewing the students' progress and arranging for the supervision and examination of the student.
- (b) reviewing and monitoring the conduct of the LL.M. examination and dissertation.
- (c) ensuring compliance with the LL.M. Regulations.
- (d) disclosing the information required under the UGC Guidelines for introduction of One Year LL.M. Degree Programme, 2012.

2.5 The PGCC shall consist of such number of Professors and Associate Professors forming part of CPGLS as may be required. The members of the PGCC are nominated by the Vice-Chancellor.

2.6 The PGCC is responsible for formulating, reviewing and revising the LL.M. curriculum on a regular basis.

3. Admission

3.1 The requirements for admission to LL.M. program are as follows:

- a) The candidate must have completed a bachelor's degree in Law (LL.B.) with a percentage of at least 55 or an equivalent cumulative grade point average from any Indian University recognised by UGC or any equivalent degree offered by a foreign University;

Explanation: In case of degree by foreign University, the factor of equivalence would be decided by the CPGLS.

- b) The candidate must have been allotted with a seat through the All India Admission Test for LL.M. organized by NUJS coupled with the requisite merit in the form of work experience, publications and statement of purposes.

Explanation: The Admission test shall be conducted for 70 marks. The work experience, publications and statement of purposes shall be evaluated out of 30 marks.

- 3.2 Provisional admission may be offered, subject to the approval of CPGLS, for an applicant, whose result is due, to undertake the program provided the result / provisional degree certificate is submitted before the beginning of the first semester examination.

In case, the provisionally admitted candidate fails to submit the result / provisional degree certificate before the beginning of the first semester examination, the provisional admission of the candidate shall stand cancelled.

4. Duration of the Course

- 4.1 University offers a full-time one-year LL.M. program spread over two semesters.
- 4.2 Students are allowed a maximum of two years from the date of admission to complete the requirements of the degree.

5. The Course Details

- 5.1 Students in each stream of specialization are required to pass nine papers and a dissertation.
- 5.2 Out of the nine papers, students are required to pass the following three compulsory papers of three credits each.
- (i) Research Methods and Legal Writing
 - (ii) Comparative Public Law/Systems of Governance
 - (iii) Law and Justice in a Globalizing World
- 5.3 Students specializing in 'Corporate and Commercial Law' shall pass the following four papers of two credits each.
- (i) Company Law
 - (ii) International Trade Law
 - (iii) Bankruptcy Law
 - (iv) Competition Law / Investment Law
- 5.4 Students specializing in 'International and Comparative Law' shall pass the following four papers of two credits each.
- (i) Public International Law
 - (ii) International Organizations
 - (iii) Air and Space Law
 - (iv) International Human Rights Law / International Criminal Law

- 5.5 Students are required to take two optional papers from the range of papers on offer during the concerned semester barring the papers already studied.

Explanation: Maximum two optional papers for each branch would be offered in each semester in addition to the option to choose a branch specific paper from the other branch.

Note: The detailed structure of papers to be taught in each semester is given in schedule I.

6. Project Work and Examination

- 6.1 Student shall be allowed to take end-semester examination in a paper only if the minimum attendance requirement fixed by the University is fulfilled.

- 6.1.1. Any student so debarred under 6.1 would be eligible to appear for the examination in that paper only in subsequent academic year after duly attending the course.

- * 6.2 Each paper is assessed based on the following components and marks:

Sl. No.	Name of the Component	Marks Allocated
1	Internal assessment (Test)	20
2	Project	20
3	Presentation	10
4	End Semester Examination	50
	TOTAL	100

However, the concerned course teacher shall have the discretion to change the components and marks with prior approval of the Vice Chancellor.

- 6.3 A student must secure a minimum of fifty percent marks in each paper and dissertation in order to fulfil the requirements of the Degree.

6.3.1. A student failing to conform to the above requirement in any of the papers shall appear in the repeat examination for that paper as and when it is held and secure the minimum marks prescribed in 6.3.

* Amended vide 23rd Academic Council meeting dated 21 June 2014

6.4 Grading system

Percentage of Marks	Grade	Grade Value
70% and above	E (Excellent)	7
65% and above but below 70%	A+ (Distinction)	6
60% and above but below 65%	A (Very Good)	5
55% and above but below 60%	B+ (Good)	4
50% and above but below 55%	B (Pass)	3
Below 50%	F (Fail)	0

7. Dissertation

7.1 Student is required to submit a dissertation containing minimum of 30,000 words (**main text**) in the partial fulfilment of the Degree.

7.2 Dissertation carries three credits and a total of 200 marks, which includes the following components and marks.

Sl. No.	Components	Marks
1	Synopsis	10
2	Synopsis Presentation	15
3	Pre-submission Presentation	25
4	Thesis	150

7.3 Student is required to finalize the dissertation topic and intimate the **AR (Academics) within 7 days after the puja vacations along with a detailed synopsis (minimum 5000 words)** for evaluation and approval of the dissertation topic.

- 7.4 An initial presentation of the topic shall be made before the CPGLS after the submission of the synopsis but within **20 days after the puja vacations**.
- 7.5 After the successful completion of initial presentation, a guide shall be assigned to the student by the CPGLS based on the feasibility and subject-matter expertise of the concerned faculty.
- 7.6 **Each guide should have not more than 5 candidates.**
- 7.7 **After the completion of writing dissertation to the satisfaction of the guide**, student is required to make a pre-submission presentation before CPGLS during the period between **15 April** and **30 April** of the concerned year with an advance notice of 15 days to the office of AR (Academics).
- 7.8 Final written-submission (thesis) shall be submitted within one month from the date of pre-submission presentation. Five hard copies of the thesis must be submitted along with a softcopy in pdf format to the office of AR (Academics).
- 7.9 Thesis shall be assessed by both an internal and an external examiner selected by the CPGLS.
- * 7.10 In case the assessment of thesis component as mentioned in 7.2 by the internal and external examiners varies by more than 15% (fifteen percent), the assessment of thesis shall be referred to the third examiner, and the third examiner will invariably **be** an external examiner, as decided by the Chairman of the CPGLS for assessment.

The average of two nearest marks given by examiners shall be the final marks for determination of result.

* Amended vide 24th Academic Council meeting dated 21 January 2015

Addition:

Note: A student failing to conform to any requirement mentioned above has to redo the entire dissertation by following the norms in the next academic year.

8. **Any issue not covered by the foregoing rules, shall be governed by the decision of the Vice-Chancellor.**

Schedule - I

DETAILED STRUCTURE OF THE PAPERS TO BE TAUGHT IN EACH SEMESTER

1. Corporate and Commercial Law Specialization

- Semester I:** (a) Research Methods and Legal Writing
(b) Comparative Public Law/Systems of Governance
(c) Company Law
(d) International Trade Law
(e) Optional Paper - I

- Semester II:** (a) Law and Justice in a Globalizing World
(b) Bankruptcy Law
(c) Competition Law / Investment Law
(d) Optional Paper - II
(e) Dissertation

2. International and Comparative Law Specialization

- Semester I:** (a) Research Methods and Legal Writing
(b) Comparative Public Law/Systems of Governance
(c) Public International Law
(d) International Organizations
(e) Optional Paper - I

- Semester II:** (a) Law and Justice in a Globalizing World
(b) Air and Space Law
(c) International Human Rights Law / International Criminal Law
(d) Optional Paper - II
(e) Dissertation

**Press Information Bureau
Government of India**

Date: 12th April 2016

INITIATIVES OF THE UGC

1. UGC (Minimum Standards and Procedure for Award of M.Phil / Ph.D. Degrees) Regulations

- (i) Women Candidates and Persons with Disability (more than 40% disability) may be allowed a relaxation of one year for M.Phil and two years for Ph.D. In addition, women candidates may be provided Maternity Leave/Child Care Leave once in the entire duration of M.Phil/Ph.D. for up to 240 days.
- (ii) In case of relocation of an M.Phil/Ph.D. woman scholar due to marriage or otherwise, research data shall be allowed to be transferred to the University to which the scholar intends to relocate provided a) all other conditions in these regulations are followed and b) the research work does not pertain to a project secured by the parent institution/ supervisor from any funding agency. The scholar will give credit to the parent guide and institution for the part of research already done.
- (iii) Award of degrees to candidates registered for the M.Phil/Ph.D. programme prior to July 11, 2009 shall be governed by the provisions of the then existing Ordinances / Bylaws / Regulations of the Institution awarding the degrees and they shall be exempted from the requirement of the minimum eligibility condition of National Eligibility Test/State Level Eligibility Test/State Eligibility Test for recruitment and appointment of Assistant Professor or equivalent positions in Universities/Colleges/ Institutions subject to the fulfillment of the following conditions:
 - (a) Ph.D. degree of the candidate awarded in regular mode only;
 - (b) Evaluation of the Ph.D. thesis by at least two external examiners;
 - (c) Open Ph.D. viva voce of the candidate had been conducted.
 - (d) Candidate has two research publications from his/her Ph.D. work out of which at least one must be in a refereed journal;
 - (e) Candidate has made at least two presentations in conferences/seminars, based on his/her Ph.D. work;(a) to (e) are to be certified by the Vice-Chancellor/ Pro-Vice-Chancellor/ Dean (Academic Affairs)/Dean (University Instructions)”

3. Request for amendment of Academic and Examination Rules from Coordinator, Credit

Course cell

Mr. Pranaav Gupta, Coordinator, Credit Course cell, has proposed an amendment to the Academic and Examination Rules 2012.

At present under Rule 18.1 there is a cap of 3 credit courses that a student can sign up to and earn maximum of 9 credits in a semester.

Due to the wide range of courses that are being offered, he proposes (as at Annexure 3) to do away with the cap on courses and keep the cap on the number of credits a student can earn unchanged as 9.

Put up for perusal and approval of the honourable members.

Encl: Annexure 3: (Application from Coordinator, Credit Course cell, proposing an amendment to the Academic and Examination Rules 2012)

*one prof
in ASSO
one ASSO
BASICALLY WILL EXAMINE
W/ PROPOSED CHGS.*

*Prof
- Dr. Podd.
- Dr. Anirudh
- Dr. Anita Pulitani
- Anupama Ghoshal
- Dr. ...*

*A sub committee
shall be constituted to study
proposal regarding
change of Academic
regulations*

in the Acad Council

ANNEXURE - 3



Assistant Registrar Academics <a.r.academics@nujs.edu>

Amendment to Academic Examination Rules

Assistant Registrar Academics <a.r.academics@nujs.edu>
To: creditcoursecell@nujs.edu
Cc: Assistant Registrar Academics <a.r.academics@nujs.edu>

Mon, Jul 25, 2016 at 4:25 PM

Dear Pranav,

With regard to your application on the above subject, I am directed to inform you that the U. G. Council has taken the following decision:

"The matter to be placed before Academic Council for consideration".

This is for your information.

Thanking you,

D. Basu

obo

Assistant Registrar (Academic)

Office of the Assistant Registrar (Academic)

The West Bengal National University of Juridical Sciences, Kolkata

Dr. Ambedkar Bhavan, 12 LB Block, Sector-III

Salt Lake City, Kolkata, West Bengal, India

Ph: 00-33-2335-0534/7379/2806/2809/2811/2812, Ext. 1110/1100/1090

Fax: 00-33-2335-0511/7422

E-mail ID: a.r.academics@nujs.edu

Mr. D. Basu

P1. Keep it as a
agenda point for
the coming
Academic Council
meeting.

25/7/16



Assistant Registrar Academics <a.r.academics@nujs.edu>

Fwd: request for amendment to academic examination rules

Credit Course Cell <creditcoursecell@nujs.edu>
To: a.r.academics@nujs.edu

Fri, Jul 22, 2016 at 4:01 PM

Dear sir,

Could you please place this before the UGC in today's meeting.

Best,

Pranaav.

----- Forwarded message -----

From: Credit Course Cell <creditcoursecell@nujs.edu>
Date: Thursday 21 July 2016
Subject: request for amendment to academic examination rules
To: "sandeep_nls@yahoo.com" <sandeep_nls@yahoo.com>

*Director to H.D. Board
for keeping open
to AC*

Dear sir,

We write to you in your capacity as member of the UGC.

We would like to propose an amendment to the academic examination rules. Currently under Rule 18.1 there is a cap of 3 credit courses that a student can sign up to and earn maximum of 9 credits in a semester.

Due to the wide range of courses that are being offered, we would like to do away with the cap on courses and keep the cap on the number of credits a student can earn unchanged as 9.

We would be grateful if you could circulate this to the UG Council Members.

Warmly,

Pranaav.

Co-ordinator Credit Course Cell.

For consideration of U.G. Council, PLS

Chairman, U.G. Council, PLS

[Signature]
22/7/16

-A' The matter to be placed before AC for consideration.

[Signature]
22/7/16

[Signature]
22/7/16

[Signature]

[Signature]
22.07.16

[Signature]
22/07/16

Amish Chatterjee
22/07/16

*H.D. Board
P.L. Infor H.D. to the
applicant 22/7/16
keep it for use
repl. Acad. Com.
keeping
22/7/16*

4. Introduction of an One Year Post Graduate Diploma In Corporate, Commercial and Industrial Laws (PGDCCIL), an Executive Diploma Program For HPCL Executives

The Centre for Financial and Regulatory Governance Studies, WBNUJS, which proposes to collaborate with HPCL for the training of its executives approaches this as an interdisciplinary and collaborative mission and the methodology to evaluate, discuss, recommend solutions and otherwise address the critical financial, regulatory, and policy challenges of the day. The CFRGS will be responsible for running of the course. It is proposed to be organised in the –

1st quarter: November 3rd week, 2016 (21-26 Nov, 2016)

2nd quarter: 3rd week February 2017 (20-25 Feb, 2017)

3rd quarter: 2/3rd week May, 2017

4th quarter: 3rd week August 2017

The detailed course outline is attached as Annexure "4".

Put up for perusal and approval of the honourable members.

Encl: Annexure 4: (Detailed course outline of One Year Post Graduate Diploma In Corporate, Commercial and Industrial Laws (PGDCCIL).

Call for Annexure 4

FO, 020
Approved by the

EXECUTIVE DIPLOMA PROGRAM FOR HPCL EXECUTIVES

ONE YEAR POST GRADUATE DIPLOMA IN CORPORATE, COMMERCIAL AND INDUSTRIAL LAWS (PGDCCIL)

The Centre for Financial and Regulatory Governance Studies, which proposes to collaborate with HPCL for the training of its executives approaches this as an interdisciplinary and collaborative mission and the methodology to evaluate, discuss, recommend solutions and otherwise address the critical financial, regulatory, and policy challenges of the day. The detailed course outline is provided for below. The CFRGS will be responsible for running of the course. It is proposed to be organised in the -

1st quarter: November 3rd week, 2016 (21-26 Nov, 2016)

2nd quarter: 3rd week February 2017 (20-25 Feb, 2017)

3rd quarter: 2/3rd week May, 2017

4th quarter: 3rd week August 2017

ONE YEAR POST GRADUATE DIPLOMA
IN
CORPORATE, COMMERCIAL AND INDUSTRIAL
LAWS
(PGDCCIL)

b

PAPER I: GENERAL PRINCIPLES OF LAW

I. MODULE I: INTRODUCTION TO LAW

1.1. Nature and Sources of Law

- 1.1.1 Meaning of Law
- 1.1.2 Classification of Law
- 1.1.3 Operative Tools of Law
- 1.1.4 Sources of Law

1.2. Theory and Nature of Political Institutions

- 1.2.1 Concept of State or Nation
- 1.2.2 Forms of Government
- 1.2.3 Organs of Government

1.3. Constitution of India

- 1.3.1 Preamble
- 1.3.2 Fundamental Rights and Directive Principles of State Policy
- 1.3.3 Fundamental Duties
- 1.3.4 Relationship between Union & State
- 1.3.5 Judiciary
- 1.3.6 Emergency and Amendment Provision

II. MODULE II: INDIAN JUDICIAL AND LEGAL SYSTEM

2.1. Indian Judiciary under Indian Constitution

- 2.1.1 Hierarchy & Composition of the Indian Judiciary
- 2.1.2 Appointments, Trainings, Retirements and Removal of Judges
- 2.1.3 Independence of Judiciary

2.2. Judicial Systems: Courts and Procedures

- 2.2.1 Civil Courts Structure and Procedures
- 2.2.2 Criminal Court Structure and Procedures

2.3. Quasi-Judicial Framework

- 2.3.1 Consumer Commissions
- 2.3.2 Administrative Tribunals
- 2.3.3 Telecom Dispute Settlement and Appellate Tribunal
- 2.3.4 Company Law Board
- 2.3.5 National Green Tribunal
- 2.3.6 IT Tribunal / PF Appellate Tribunal

2.4. Alternate Means of Dispute Resolution

- 2.4.1 Arbitration
- 2.4.2 Conciliation
- 2.4.3 Negotiation
- 2.4.4 Mediation
- 2.4.5 Ombudsman

PAPER II: LAW OF CONTRACTS

I. MODULE I: FUNDAMENTALS OF LAW OF CONTRACTS

- 1.1. **Essentials of Law of Contracts**
 - 1.1.1 Introduction to Indian Contract Act 1872
 - 1.1.2 Agreement & Contract - Meaning
 - 1.1.3 Essential Elements of Valid Contract - An Overview
 - 1.1.4 Kinds of Contracts
 - 1.1.5 Government Contracts
- 1.2. Discharge and Breach of Contract
- 1.3. Remedies for Breach of a Contract

II. MODULE II: APPLIED CONTRACTS

- 2.1. Contract of Pledge
- 2.2. Contract of Agency
- 2.3. Contracts of Indemnity and Guarantee
- 2.4. Contract of Bailment

III. MODULE III: NEGOTIATION AND CONTRACT DRAFTING

- 3.1 Contract drafting essentials- Elements of a contract
- 3.2 Drafting guidelines and checklists
- 3.3 Pointers and checklists to ensure a risk-free contract
- 3.4 Boilerplate clauses - Importance and customization
- 3.5 Negotiation essentials - Important points that every entrepreneur or his advisor should know, Negotiation soft skills
- 3.6 Inclusion of commercial intent in contracts
- 3.7 Negotiating and drafting sample agreements - Non-disclosure agreements, shareholders' Agreement, Commercial lease
- 3.8 Elements of principal to principal contract and its difference with General Contract.

IV. MODULE IV: INTERNATIONAL CONTRACT LAW: NORMS AND DRAFTING GUIDELINES

- 4.1. **International Contractual Negotiations**
 - 4.1.1. Pre-Contractual Liability
 - 4.1.2. Ascertaining Credit-Worthiness of the Foreign Party
 - 4.1.3. Choices to be made by the Parties
- 4.2. **Principles for Drafting of International Commercial Contracts**
 - 4.2.1. Important Norms And Conditions Of International Trade Contracts
 - 4.2.2. Standard Form Contracts
 - 4.2.3. Commercial Contracts
 - 4.2.4. Engineering Contracts
 - 4.2.5. International Transfer of Technology Agreements
 - 4.2.6. International Commercial Agency / Franchise Contracts
- 4.3. **Norms for Drafting International Commercial Contracts**
 - 4.3.1. Role of International Contracts in International Commerce
 - 4.3.2. Parties to the transactions
 - 4.3.3. Drafting of International Contracts for Sale of Goods

4.3.4. Sample draft of International Contract for Sale of Goods

V. **MODULE V: LAW RELATING TO TENDERS and BIDDING**

- 5.1. Nature, Scope and Meaning of Tender and Tendering Process
- 5.2. Tendering Process and Guidelines
- 5.3. Tendering Construction Contracts
- 5.4. Tendering Consultant Contracts
- 5.5. Public Sector Tendering
- 5.6. Sub-Contract Tendering
- 5.7. Tendering Risks
- 5.8. PFI-PPP-DBFO Contracts
- 5.9. Turning tenders into Contracts
- 5.10. Tender Abuses

e

PAPER III - INTRODUCTION TO LABOUR LAW AND INDUSTRIAL LAW

I. MODULE I - PHILOSOPHY OF LABOUR LAWS

- 1.1. Introduction
- 1.2. Approach to Labour Law and Labour Relations
- 1.3. Basis of Labour Relations Law
- 1.4. **Constitutional Directives and Limitations to Labour Law**
 - 1.4.1. Constitutional Directives to Labour Laws
 - 1.4.2. Constitutional Limitations on Labour Laws
- 1.5. Social Justice and Labour Laws
- 1.6. Public Interest Litigation for Enforcement of Labour Law
- 1.7. Industrial Adjudication
- 1.8. The Concept and Philosophy of Labour Welfare
- 1.9. Effect of Socio-Economic Conditions of Labour Law

II. MODULE II - LABOUR LAWS - CONCEPT, ORIGIN, OBJECTIVES AND CLASSIFICATION

- 2.1. **The Concept of Labour Legislations**
 - 2.1.1. General Introduction
 - 2.1.2. Industrial Revolution and the need for Labour Legislations
 - 2.1.3. The Main Ingredients of Labour Legislations
 - 2.1.4. Principles of Social Justice, Social Equality, Social Security, National Economy and Labour Legislations
- 2.2. **Origin of Labour Legislations**
 - 2.2.1. Introduction
 - 2.2.2. Factors Influencing Labour Legislations
- 2.3. **Objectives of the Labour Legislations**
 - 2.3.1. Different Objectives
 - 2.3.2. The Classification of Labour Legislations
 - 2.3.3. The Regulative Labour Legislations
 - 2.3.4. The Protective Labour Legislations
 - 2.3.5. Wage-Related Labour Legislations
 - 2.3.6. Social Security Labour Legislations
 - 2.3.7. Welfare Labour Legislations

III. MODULE III - TRADE UNION AND COLLECTIVE BARGAINING

- 3.1. **Freedom of Association:**
 - 3.1.1. International Norms: right to form association of industrial and unorganized labour.
 - 3.1.2. Constitutional and legal aspects of right to form association in India.
- 3.2. **Concept and Process of Collective Bargaining:**
 - 3.2.1. Nature, Definition and Theories of collective Bargaining.
 - 3.2.2. Advantages, Disadvantages and Comparative appraisal.
 - 3.2.3. Types of bargaining at different levels - plant level, industry level and national level.
- 3.3. **Legal Control of Collective Bargaining Endeavours:**

- 3.3.1. Strikes and Lockouts under IDA and BIR. (Case Laws)
- 3.3.2. Gherao.
- 3.4. Factors Affecting Collective Bargaining:**
 - 3.4.1. Multi-unionism. (Case Laws)
 - 3.4.2. Other factors.
 - 3.4.3. Conditions for successful functioning comparative analysis.
 - 3.4.4. Policies towards worker's participation in Management -Role of State.
- 3.5. History of Trade Unionism:**
 - 3.5.1. History of the Trade Union Movement with reference to India.
- 3.6. Need, objectives and functions.**
 - 3.6.1. The character of present trade unions.
- 3.7. Trade Unions under the Law:**
 - 3.7.1. Registration of Trade Unions under the Trade Unions Act 1927.
 - 3.7.2. Bombay Industrial Relation Act, 1956 (Relevant Sections)
 - 3.7.3. MRTU & PULP Act 1971. (Case Laws)
- 3.8. Rights and Liabilities of Registered Trade Unions under the T. U. Act. And MRTU and PULP Act.**
 - 3.8.1. Rights and Liabilities of registered Trade Union under the Trade Union Act.
 - 3.8.2. Recognition of trade union as a bargaining agent.
 - 3.8.3. Rights, Privileges and Duties of Recognised Unions.
 - 3.8.4. Unfair Labour Practices and victimization

PAPER IV - LAW RELATING TO INDUSTRIAL RELATIONS

- I** **MODULE I - INDIAN CONSTITUTION AND LABOUR LEGISLATIONS**
- 1.1. Introduction
 - 1.2. Preamble of Indian Constitution and Labour Legislations
 - 1.3. Fundamental Rights and Labour Legislations
 - 1.4. Directive Principles of State Policy and Labour Legislations
 - 1.5. Judicial Wisdom of the Courts and Labour Legislations
 - 1.6. Conclusion
- II** **MODULE II - LABOUR LAWS, INDUSTRIAL RELATIONS & HUMAN RESOURCE DEVELOPMENT**
- 2.1. Introduction
 - 2.2. Conceptual Basis
 - 2.3. HRD Implications for Strategic Industrial Relations Management
 - 2.4. Labour Laws Orientation
 - 2.5. Conclusion
- III** **MODULE III - INDUSTRIAL DISPUTES ACT, 1947**
- 3.1. Definition
 - 3.2. Authorities for the settlement of disputes
 - 3.3. Methods of settlement
 - 3.4. Conciliation, arbitration and adjudication
 - 3.5. Strikes and lockouts
 - 3.6. Lay off and retrenchment
 - 3.7. Change of service conditions
- IV** **MODULE IV: INDUSTRIAL EMPLOYMENT (STANDING ORDERS) ACT, 1946**
- 4.1. Introduction
 - 4.2. Object
 - 4.3. Scope and Coverage
 - 4.4. Concept and nature of Standing Orders
 - 4.5. Certificate
 - 4.6. Applicability
 - 4.7. Interpretation
 - 4.8. Appeal
 - 4.9. Disciplinary actions and grievance procedure

PAPER V- LAW REALTING TO WAGES AND MONETARY BENEFITS

I MODULE I: THEORIES AND FACETS OF WAGES

- 1.1. Definition of Wages.
- 1.2. Theories of Wages.
 - 1.2.1. Facets of Wages.
 - 1.2.2. Minimum, Fair and Living Wages.
 - 1.2.3. Basic Wage.
 - 1.2.4. Bonus as Deferred Wage or share of profit.
 - 1.2.5. Allowances and Concessions.

II MODULE II: A NATIONAL WAGE POLICY, PROBLEMS AND PERSPECTIVE

- 2.1. Wage Board and Pay Commission:
- 2.2. International Standardization: Role of ILO Convention and recommendations relating to Wages
- 2.3. Constitutional perspective on Wages:
 - 2.3.1. Constitutional Ideals.
 - 2.3.2. Denial of Minimum Wage as Forced Labour.
 - 2.3.3. Right to Work.
 - 2.3.4. Living Wages.
 - 2.3.5. Equal Pay for equal Work
- 2.4. Wage Differentials:
 - 2.4.1. Factors of Differential Wages
 - 2.4.2. Capacity of Industry and Wage Fixation
 - 2.4.3. Private Sector and Public Sector - Difference in Wages.
- 2.5. Wages, Price and Tax:
 - 2.5.1. Increase of Wages - Impact on Price.
 - 2.5.2. Increase in Price - Impact on Wages
 - 2.5.3. Impact of Tax on Wages and Price.
- 2.6. Wages and Consumer.

III MODULE III - MINIMUM WAGE AND LEGISLATIONS REGULATING WAGES AND MONETARY BENEFITS

- 3.1. Basis under the Minimum Wages Act, 1947
- 3.2. Power of State Government to fix different rates for certain employments.
- 3.3. Procedure for fixation and work.
- 3.4. Fixation of hours of work.
- 3.5. Overtime.
- 3.6. Procedure for disposal of claims.
- 3.7. Offences and penalties and Exemptions.
- 3.8. Concepts of Dearness Allowance and Principles for determination of D.A.
- 3.9. Constitutional provisions in respect of wages and remuneration.
- 3.10. Payment of Wages Act, 1936
- 3.11. Minimum Wages Act, 1948.
- 3.12. Payment of Bonus Act, 1965
- 3.13. Equal Remuneration Act, 1976
- 3.14. The Payment of Gratuity Act 1972

IV **MODULE IV - LEGISLATIONS REGULATING SERVICE CONDITION OF AND MONETARY BENEFITS OF OUTSOURCED MANPOWER**

- 4.1. **Contract Labour (R&A) Act, 1972 and Central Rules**
 - 4.1.1 Provisions and judicial view with regard to Regulation of Contract Labour
 - 4.1.2 Provisions and judicial view with regard to Abolition of Contract Labour System
 - 4.1.3 Test of Sham and Bogus Contract
 - 4.1.4 Precautions while engaging contract labourers.
 - 4.1.5 Role of Principle Employer & Contractor.
- 4.2. Apprentices Act, 1961

V **MODULE V - FIXED TERM EMPLOYMENT**

- 5.1 Concepts of Fixed Term Employment
- 5.2 Legislations regarding Fixed Term Employment
- 5.3 Advantages of Fixed Term Employment
- 5.4 Procedure to engage fixed terms employees
- 5.5 Draft templates for Fixed terms engagement

PAPER VI - LAW RELATING TO SOCIAL SECURITY AND SAFETY MEASURES

I MODULE I - SOCIAL SECURITY LEGISLATIONS - AN OVERVIEW

- 1.1. Introduction
- 1.2. Problems and Prospects

II MODULE II - LEGISLATIONS RELATING TO SOCIAL SECURITY & SAFETY MEASURES - PART I

- 2.1. The Workmen's Compensation Act, 1923
- 2.2. The Employees' State Insurance Act, 1948
- 2.3. Employees Provident Fund and Miscellaneous Provisions Act, 1952
- 2.4. Child Labour (Prohibition and Regulation) Act, 1986

III MODULE III - LEGISLATIONS RELATING TO SOCIAL SECURITY & SAFETY MEASURES - PART II

- 3.3. Maternity Benefit Act, 1961
- 3.4. **Factory Act, 1948**
 - 3.4.1 Provisions of Factories Act to extent of compliances in respect of Manpower
 - 3.4.2 Provisions with regard to Leave, CDO, Overtime, working hours, weekly off
 - 3.4.3 Hazardous process
 - 3.4.4 Provisions with regard to Medical examination of workers under various State Rules.
 - 3.4.5 Provisions with regard to engagement of Safety Officers under various State Rules.
 - 3.4.6 Provisions with regard to Medical facilities under Various State Rules.
- 3.5. The Employer's Liability Act, 1938
- 3.6. Fatal Accidents Act, 1855
- 3.7. Provisions of Factories Act/Rules vis-à-vis provisions of Shops and Establishments Act (Of respective States).

k

PAPER VII: LAW OF CORPORATE MANAGEMENT AND GOVERNANCE

I MODULE I: CORPORATE INCORPORATION AND MANAGEMENT

- 1.1. Incorporation of Company**
 - 1.1.1. Certificate of Incorporation
 - 1.1.2. Memorandum and Articles of Association
 - 1.1.3. Doctrine of Ultra Vires
 - 1.1.4. Doctrine of Indoor Management
- 1.2. Directors**
 - 1.2.1. Directors: Appointment, Removal, Position, Powers and Duties of Directors.
 - 1.2.2. Audit Committee: Its Role.
 - 1.2.3. Company Secretary: Qualification, Appointment and Duties
 - 1.2.4. Officer who is in default: Definition of Officer who is in default
 - 1.2.5. Liability of independent directors.
- 1.3. Meetings**
 - 1.3.1. Types of Meetings
 - 1.3.2. Procedure of calling meeting
 - 1.3.3. Company's resolutions and its kinds

II MODULE II: OPPRESSION & MISMANAGEMENT AND INVESTIGATION

- 2.1. Oppression and Mismanagement**
 - 2.1.1. Rule in Foss v. Harbottle
 - 2.2.2. Prevention of Oppression
 - 2.2.3. Prevention of Mismanagement
 - 2.2.4. Role & Powers of the Company Law Board
 - 2.2.5. Role & Powers of Central Government
- 2.2. Company Investigation

III MODULE III: CORPORATE LIQUIDATION

- 3.1. Winding up of Companies
- 3.2. Mode of winding up of the companies
- 3.3. Compulsory Winding up under the Order of the Tribunal
- 3.4. Voluntary winding up
- 3.5. Contributories
- 3.6. Payment of liabilities

IV MODULE IV: CORPORATE GOVERNANCE AND SOCIAL RESPONSIBILITY

- 4.1. Importance of Corporate Governance
- 4.2. Different system of Corporate Governance
- 4.3. Impact of Legal Traditions and the Rule of Law on Corporate Governance
- 4.4. Legal Reforms of Corporate Governance in India
- 4.5. Reports of the various Committees on Corporate Governance
- 4.6. Emerging Trend based on the recommendation of the Committees in the Companies Act 1956 and the Listing Agreement with Special reference to Clause 49.
- 4.7. Corporate Social and Environmental Responsibility

1

V

MODULE V: MEASURES FOR PREVENTION OF CURRPOTION IN THE ESTABLISHMENT:

- 5.1 Provisions of Prevention of Corruption Act.
- 5.2 Judicial view with regard to sanction by the Employer
- 5.3 Impact of outcome of criminal case on services of the delinquent employee.
- 5.4 Judicial view with regard to stay on the conviction order / sentence order.

PAPER VIII: COMPETITION LAWS

I MODULE I: INTRODUCTION TO COMPETITION LAW:

- 1.1. **Introduction to Competition Law**
 - 1.1.1. Competition: An Introduction
 - 1.1.2. Definition of Competition
 - 1.1.3. Definition of Competition Law
 - 1.1.4. Objectives of Competition Law
- 1.2. **History of Competition Law**
 - 1.2.1. History of Competition Law in India
 - 1.2.2. Raghavan Committee Report
- 1.3. Competition Law in USA, UK and Europe: with special focus on Sherman's Act
- 1.4. International co-operation for competition

II MODULE II: COMPETITION LAW: CORE PRINCIPLES

- 2.1. **Anti-competitive Agreement**
 - 2.1.1. Appreciable adverse effect
 - 2.2.2. Horizontal and Vertical agreements
 - 2.2.3. Effects doctrine
- 2.2. **Prohibition of anti-competitive agreements**
 - 2.2.1. Concerted practices and parallel behaviour
 - 2.2.2. Cartel and Cartelisation
 - 2.2.3. Bid rigging and collusive bidding
 - 2.2.4. Tie-in-arrangements
 - 2.2.5. Exclusive supply agreement
 - 2.2.6. Resale price maintenance agreement
- 2.3. **Abuse of Dominant Position**
 - 2.3.1. Relevant market
 - 2.3.2. Predatory behaviour
 - 2.3.3. Predatory pricing
 - 2.3.4. Discriminatory practices
 - 2.3.5. Relevant market

III MODULE III: COMPETITION COMMISSION IN INDIA

- 3.1. Establishment and composition
- 3.2. Duties
- 3.3. Procedure for inquiry
- 3.4. Powers
- 3.5. Competition fund
- 3.6. Competition Advocacy

IV MODULE IV: PUBLIC SECTOR AND COMPETITION LAW

- 4.1. Anticompetitive Agreements
- 4.2. Abuse of Dominance
- 4.3. Regulation and Combination

PAPERIX: CONSUMER PROTECTION LAWS

- I** MODULE-I: AN INTRODUCTION TO CONSUMER PROTECTION LAW AND POLICIES
- 1.1. Development of market and consumer relations
 - 1.2. Globalization and consumerism
 - 1.3. Consumer movement in the global context
 - 1.4. Legal frame work and policy challenges
- II** MODULE-II: CONSUMER RIGHTS
- 2.1. Genesis of the consumer rights - UN role
 - 2.2. Right to safety
 - 2.3. Right to be informed
 - 2.4. Right to choose
 - 2.5. Right to be heard and assured.
 - 2.6. Right to Re-dressal
 - 2.7. Right to consumer education
- III** MODULE-III: LEGISLATIVE FRAMEWORK ON CONSUMER PROTECTION IN INDIA
- 3.1. Evolutionary steps of Consumer Protection Laws in India- a historical perspective
 - 3.2. **Some Consumer friendly Legislations**
 - 3.2.1. Prevention of Food Adulteration Act, 1954
 - 3.2.2. Standards of Weights and Measures Act, 1976
 - 3.2.3. The Drugs and Magic Remedies (Objectionable Advertisement) Act 1954
 - 3.2.4. MRTP Act
 - 3.2.5. Sale of Goods Act, 1930
 - 3.3. Consumer Protection Act, 1986-the vision of the legislation
- IV** MODULE-IV: SALIENT FEATURES OF CONSUMER PROTECTION ACT
- 4.1. Objective of the legislation
 - 4.2. Definitions
 - 4.3. Three tire system of grievance redressal system
 - 4.4. Jurisdiction of the Consumer Fora's
 - 4.5. Complainants that can be made under the C.P. Act.
 - 4.6. Relief available to consumer
 - 4.7. Appeals, limitations, adjournments and other procedures
 - 4.8. Amendments to C.P. Act
 - 4.9. An Appraisal of C.P. Act with all its amendments
 - 4.10. Advisory Councils
- V** MODULE-V: CASE LAW IN CONSUMER PROTECTION
- 5.1. Goods - Case laws on manufacturing defects
 - 5.2. Service Sector - Airlines, Banking, Insurance, Housing
 - 5.3. Medical negligence
 - 5.4. Lawyers negligence
- V** MODULE-VI: EMERGING ISSUES IN CONSUMER PROTECTION AND LAW

- 6.1. WTO and Consumer Protection
- 6.2. E-Commerce and Consumer Rights
- 6.3. Role of Civil Society in Consumer Protection
- 6.4. Access to justice and Consumer Laws
- 6.5. ADR in resolution of Consumer disputes
- 6.6. Data protection

**PAPER X: INTELLECTUAL PROPERTY RIGHTS LAWS, INFORMATION TECHNOLOGY
RIGHT TO INFORMATION LAWS**

I MODULE-I: INFORMATION TECHNOLOGY AND LAW

- 1.1 Legal structure governing the Internet, electronic contracts and digital signatures
- 1.2 Data protection under Indian law
- 1.3 Offences under Information Technology Act
- 1.4 Electronic evidence and the law
- 1.5 Intermediary liability and compliance
- 1.6 Payment gateways and legal documentation
- 1.7 Cloud computing agreements and End-User License Agreements (EULA), privacy issues on the Internet.
- 1.8 Essential Information Technology Contracts
- 1.9 Outsourcing contracts
- 1.10 Steps to deal with online intellectual property infringement

II MODULE-II: INTELLECTUAL PROPERTY RIGHTS AND IP MONETIZATION

2.1 Copyright:

- 2.1.1 Rights available to copyright owner
- 2.1.2 Originality and Idea-Expression dichotomy
- 2.1.3 Infringement of copyright and Exceptions to infringement (including fair use)
- 2.1.4 Copyright protection on internet
- 2.1.5 Digital Millennium Copyright Act, software piracy.

2.2 Patents:

- 2.2.1 Patent Act
- 2.2.2 Components of a patent application
- 2.2.3 International patent registrations
- 2.2.4 Rights available to patent holders
- 2.2.5 Requirements of novelty
- 2.2.6 Inventive step and industrial application,
- 2.2.7 Product and process patents
- 2.2.8 Assignment and revocation
- 2.2.9 Patenting of biotechnology inventions and pharmaceutical products.

2.3 Trademark Act:

- 2.3.1 Registration of trademark
- 2.3.2 Steps for international registration of trademark
- 2.3.3 Rights available to trademark owner
- 2.3.4 Goodwill
- 2.3.5 Different types of marks such as service marks

2.4 Monetization of intellectual property - Licensing and franchising agreements

2.5 Trade secret law, employment contracts and protection of software

III **MODULE-III: KEY TAKEAWAYS**

- 3.1 How to obtain copyright, trademark and patent registration in India
- 3.2 Procedure for international registration of trademarks and patents
- 3.3 How to enforce IP rights against imported items and fake products
- 3.4 DRM technologies and copyright law
- 3.5 Special court orders for protecting and enforcing IP rights
- 3.6 How to draft end-user license agreements (EULAs)

IV **MODULE-IV: RIGHT TO INFORMATION ACT AND CENTRAL RULES**

- 4.1 Objective of Right to Information.
- 4.2 Provisions & Salient features of Right of Information Act and Rules.
- 4.3 Judicial view on various provision of Right to Information Act.
- 4.4 How to deal with vexatious RTI Applications / Applicants.

PAPER XI: PRINCIPLES OF DRAFTING & PLEADINGS AND PRINCIPLES OF INTERPRETATION OF STATUTES.

I MODULE-I: PRINCIPLES OF DRAFTING & PLEADINGS

- 1.1 Pre-requisites of legal drafting
- 1.2 Types and stages of drafting
- 1.3 Do's and Don'ts of drafting
- 1.4 Kinds and objectives of Pleading
- 1.5 Contents of Pleading
- 1.6 Fundamental Rules of Pleading

II MODULE-II: PRINCIPLES OF INTERPRETATION OF STATUTES.

- 1.1 Principles of construction and interpretation
- 1.2 **Basic Rules of Interpretation of Statutes.**
 - 1.2.1 The Literal Rule
 - 1.2.2 The Golden Rule
 - 1.2.3 The Mischief Rule
- 1.3 Rule of harmonious construction
- 1.4 Modern Principles of Interpretation and its application
- 1.5 Other Rules of Interpretation

PAPER XII: SEXUAL HARRASMENT COMPLIANCE

I MODULE-I: UNDERSTANDING SEXUAL HARASSMENT IN AN ORGANISATIONAL CONTEXT

- 1.1. Psychology of sexual harassment and participation of women in the workplace.
- 1.2. History of fight against sexual harassment in India
- 1.3. Role of employer in prevention of sexual harassment and employer's responsibilities under-sexual harassment prevention laws.
- 1.4. Key roadblocks for organisations in implementation of 2013 Act
- 1.5. Relevance of the act for employees, committee members, HR personnel, in-house lawyers, accountants and secretaries
- 1.6. Role and tasks of a Sexual Harassment Prevention and Workplace Diversity Expert

II MODULE-II: SEXUAL HARASSMENT LAW IN INDIA

- 2.1. Vishakha Guidelines and the Sexual Harassment of Women - comparison of compliance requirements and responsibility levels of employers and organizations.
- 2.2. Fulfilling the mandatory duties of employees under Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013
- 2.3. **Consequences of violation of obligations**
 - 2.3.1. Non-constitution of ICC
 - 2.3.2. Non-implementation the decision of the ICC
 - 2.3.3. Reputation hazards for businesses in connection with sexual harassment laws
- 2.4. Risk mitigation of employers' liabilities - D&O and Employment Practices Liability Insurance
- 2.5. **Anti-sexual harassment audits**
 - 2.5.1. Necessity and objective of a sexual harassment audit
 - 2.5.2. Professionals and officers involved in an audit and their roles
 - 2.5.3. Reporting and information collection systems for audit
- 2.6. Components of an audit
- 2.7. Methods for assessment of the skill-level of committee members
- 2.8. Compliance Audits & its Drafting

III MODULE III: INTERNAL COMPLAINTS COMMITTEE (ICC)

- 3.1. Constitution of ICC and its proceedings
- 3.2. Statutory Compliance Requirement of ICC
- ~~3.3. Employer's duties with respect to ICC~~
- 3.4. Procedure and timelines for the ICC to decide a sexual harassment complaint
- 3.5. Decision-making process
- 3.6. Inquiry-related powers
- 3.7. Guidelines on quantifying penalties
- 3.8. How to evaluate evidence
- 3.9. How to handle frivolous complaints
- 3.10. Handling sexual harassment complaints in government departments and public sector bodies

IV **MODULE IV: CREATING AND IMPLEMENTING AN ANTI-SEXUAL HARASSMENT POLICY & STANDARD PRACTICES**

4.1. Preparatory steps in implementation

- 4.1.1. Management and employee participation / inputs to identify the needs of the organization
- 4.1.2. Explaining reputational and other risks of non-compliance and onboarding relevant officers towards legal compliance and sensitization
- 4.1.3. Developing a uniform and consistent management stance on sexual harassment

4.2. Identifying risks and objectives of the organization

- 4.3. Drafting a need-based sexual-harassment prevention policy
- 4.4. Scope of a sexual harassment prevention policy and variations
- 4.5. Essential elements of a sexual harassment prevention policy
- 4.6. Checklist for drafting a custom-sexual harassment prevention policy
- 4.7. Drafting policies for specific cases and other related company policies
- 4.8. Dissemination and publicity of sexual harassment policy

V **MODULE V: SENSITISATION AND TRAINING OF EMPLOYEES**

5.1. Knowledge components of a sensitization program -

- 5.1.1. What acts constitute sexual harassment?
- 5.1.2. Steps for filing a complaint and reliefs.
- 5.1.3. Under which circumstances does the act accord protection to workingwomen?
- 5.1.4. What should the defendant do in case of a complaint against him?
- 5.1.4. How to handle a complaint that is not genuine?
- 5.1.5. How should male and transgender employees deal with sexual harassment at workplace?

5.2. Implementation of workshops for sensitization

- 5.2.1. Planning a workshop
- 5.2.2. Simulation activities
- 5.2.3. How to communicate with the employees
- 5.2.4. Participative decision making at workshops
- 5.2.5. Modes of sensitisation - workshop, intranet or video-conferencing

5.3. Content generation for sensitization - case studies

- 5.4. Evaluation techniques and frequency
- 5.5. Provision of take-away information kit and
- 5.6. Sample presentations

5. Amendment in Ph.D Regulations 2012 for extension of maximum of six years from five years for tenure of submission of Ph.D thesis

Additionally, the women candidates and persons with disability (more than 40% disability) may be allowed a relaxation of one year for M.Phil and two years for Ph.D in the minimum duration. In addition, the women candidates may be provided maternity leave/child care leave once in the entire duration of M.Phil/Ph.D for up to 240 days, in view of the MHRD notification dated 5th May 2016 (copy attached as Annexure 5A).

Accordingly, if approved, Rule 8.2(d) of Ph.D Regulations may be amended accordingly.

Submitted for perusal and approval of the honourable members.

Encl: Annexure 5: (Existing M.Phil/Ph.D rules)

Annexure 5A:(MHRD notification dated 5th May 2016)

Approved

Ph.D. REGULATIONS 2012

[Adopted under the WB National University of Juridical Sciences

Act 1999 and following the guidelines of the University Grants Commission (Minimum Standards and Procedure for award of M.Phil./Ph.D. Degree), Regulations 2009]

THE WEST BENGAL NATIONAL UNIVERSITY OF JURIDICAL SCIENCES

**12 LB BLOCK, SALT LAKE CITY, KOLKATA
700098, INDIA**

Amended and Revised as on 18/08/16

**THE WB NUJS REGULATIONS GOVERNING AWARD
OF THE DEGREE OF DOCTOR OF PHILOSOPHY
(Ph.D.) 2012**

1. TITLE AND COMMENCEMENT

1.1 These Regulations shall be called the Regulations governing the standards and procedures for the award of the degree of Doctor of Philosophy [Ph.D.] of the West Bengal National University of Juridical Sciences (NUJS), Kolkata.

1.2 These Regulations shall come into force from the date of assent by the Academic Council.

2. DEFINITIONS

In these Regulations, unless the context otherwise requires

2.1 "Approved list of Examiners" means the panel of examiners chosen by the Vice Chancellor, recommended by the Academic Council and approved and appointed by the Executive Council of the University for adjudicating/evaluating the Ph.D. thesis.

2.2 "Candidate" means any person who satisfies the prescribed eligibility conditions as stated later in Section 5 and who intends to register for the Ph.D. degree;

2.3 "Co-guide" means the recognized supervisor(s) who supervises the Ph.D. work of a candidate jointly with the guide satisfying eligibility as in Section 4 below;

2.4 "Course work" means the compulsory preparatory study to be undertaken by a candidate as prescribed by Doctoral Committee;

2.5 "Degree" means the degree of Doctor of Philosophy [Ph.D.];

2.6 "Doctoral Committee (Ph.D.)" means the Committee constituted by the Vice Chancellor and approved by the Academic Council.

2.7 "Foreign candidate" means any person who is a foreign national with a valid foreign Passport, satisfying the prescribed eligibility conditions as stated later in Section 5 and who intends to register for the degree, with a valid research visa;

2.8 "Guide" means the recognized supervisor for the research work of a candidate satisfying eligibility as in Section 4 below to oversee the research work of a candidate;

2.8A* Guide means a guide appointed for the purpose of supervising course work in relation to particular candidate appointed by the Doctoral Committee

2.9 "University" means the West Bengal National University of Juridical Sciences, Kolkata.

3. CONSTITUTION AND FUNCTIONS OF THE DOCTORAL COMMITTEE (Ph.D.)

3.1 The Doctoral Committee (Ph.D.) shall consist of

(a) the Vice Chancellor,

(b) Seven members designated by the Vice Chancellor for three years among the Professors, Associate Professors and Assistant Professors of the University having Ph D degree.

The Vice Chancellor shall be the Chairperson of the Doctoral Committee (Ph.D.). Wherever the Vice Chancellor shall be absent, the senior most Professor of Law of the University shall be the Chairperson. The Assistant Registrar (Academic) shall be the secretary of the committee. Any research guide who is not a member of the Doctoral Committee (Ph.D.) may be specially invited whenever the presentation of his/her candidate before the Doctoral Committee (Ph.D.) is held.

3.2 The Doctoral Committee (Ph.D.) shall

(a) Prepare the list of recognized guides and co-guides

(b) Conduct pre-registration colloquium as in 6.5 below,

(c) Allocate guides and co-guides

(d) Assess annual progress reports of a candidate submitted as in Section 7 below, and offer possible suggestions for improvement, if any, regarding the progress of research work to the candidate;

(e) Conduct pre-submission colloquium as in 8.1 below;

(f) Conduct open viva-voce of the candidate as in 8.6 below.

*** Approved by Academic Council vide its 24 meeting dated 21st January 2015**

4. ELIGIBILITY CRITERIA FOR RECOGNITION AS GUIDE

4.1 Professors, Associate Professors and Assistant Professors working in the University are eligible to be recognized as Ph.D. Guides if they have a Ph.D. in that subject and involved in the research.

4.2 Faculty who attain superannuation or resign their jobs will forfeit recognition as Guide / Co-guide. However, such a person shall sign a letter that he/ she shall have the responsibility of continuing to guide candidates who were registered under him / her, before getting relieved from the University.

4.3 A Guide / Co-guide may supervise not more than eight candidates at a time.

5. ELIGIBILITY CRITERIA FOR A CANDIDATE

Any candidate who satisfies the following conditions is eligible to seek registration for Ph.D. in the University upon application for provisional registration after going through these Regulations and Guidelines for Ph.D. which shall be supplied along with the application.

5.1 The candidate shall have Masters Degree of any University recognized by UGC or an equivalent Masters degree of foreign University, with a minimum of 55% marks or equivalent Cumulative Grade Point Average (CGPA). However, this condition is relaxed to 50% in case of candidates belonging to SC and ST.

Explanation:

In case of foreign University, the factor of equivalence shall be decided by the Doctoral committee (Ph. D)

5.2 Entrance Test: Admission to Ph.D. shall be through an Entrance Test and Interview. Applications for Entrance Test shall be invited once a year in the month of July, depending on the vacancies existing in each specialized area.

5.3 The Entrance Test shall consist of one paper of 80 marks with 3 hours duration. The syllabus of the paper shall cover, Law and Social Transformation in India, Indian Constitutional Law: the New Challenges, Judicial Process and Legal Education and Research Methodology.

5.4 Depending on the vacancies available in the University, candidates shall be called for Interview in the ratio 1:3 based on the marks scored in the Entrance Test. The Interview shall be for 20 marks to be conducted by the Doctoral Committee (Ph.D).

5.5 Candidates who have qualified for UGC/SLET/SET/JRF fellowships are exempted from the Entrance Test.

5.6 Candidates with M Phil degree from any recognized University are exempted from Entrance Test.

5.7 Foreign candidates who have LL M degree from a foreign university or Indian University with a minimum of 55% marks or equivalent Cumulative Grade Point Average (CGPA) shall be exempted from the requirement of entrance test, provided that the Doctoral Committee (Ph.D) is satisfied about their research proposal.

5.8 Provisional Registration: Selected candidates shall apply in the prescribed form for Provisional Registration as Doctoral Candidates after payment of stipulated fee to the University.

6. REGULAR REGISTRATION

6.1 The provisionally registered candidates (Including candidates who have qualified for UGC JRF/NET/SLET/SET or having M Phil degree) shall undergo Ph.D. Course Work of one semester duration from the date of Provisional Registration, prescribed by the University in:

- (a) Advanced Research Methodology (100 marks), and
- (b) Research proposal along with the Review of Literature in the area of research (200 marks).
- (c) *Subject Paper (100 marks).

The syllabus for Advanced Research Methodology shall be common and evaluation for 50 marks shall be based on Tutorials, Seminars, Assignments and Evaluation for 50 marks shall be based on a Written Test.

*** Approved by Academic Council vide its 24 meeting dated 21st January 2015**

6.2 After 16 weeks of Course Work, which shall consist a minimum of 32 hours of contact classes, the University shall conduct a Written

Assessment Test for Advanced Research methodology paper. The Doctoral Committee (Ph.D) shall assess for 200 marks in total: (a) Review of Literature submitted in writing (50 Marks); (b) Seminar presentations preceded by submission of Seminar Report/s (50 Marks) and (c) *Research Proposal in the area of research 50 marks and its presentation (50 Marks).

6.2A * Subject paper would include preparation of an exhaustive module (around 800 pages) in the area of research in consultation with the Guide appointed by the University (30 marks) and written examination on the module (70 marks).

6.3 Candidates who are unsuccessful in the Course Work shall be permitted to re-appear for Assessment within one year from the date of announcement of the results. Provisional Registration of a candidate who fails in the Assessment of Course Work in two attempts shall be canceled.

6.4 Allocation of Guide and Co-Guide

The allocation of the Guide and Co-Guide for a selected student shall be decided by the Doctoral Committee (Ph.D) in a formal manner depending on the number of student per faculty member, the available specialization among the faculty supervisors, and the research interest of the student as indicated during interview by the student. The allotment/allocation of Guide and Co-Guide shall not be left to the individual student or teacher. The co-guide may be from outside the University also.

*** Approved by Academic Council vide its 24 meeting dated 21st January 2015**

6.5 Pre-registration Colloquium:

(a) After successful completion of Course Work a candidate, in consultation with his / her Guide, shall identify the Title of the proposed research topic within a month of announcement of results. The candidate shall then prepare a Synopsis in consultation with his / her Guide and shall submit ten hard copies of the Ph.D. Synopsis of five thousand words along with a soft copy to the University. On the request of Guide, Doctoral Committee (Ph.D) shall organize a meeting at the earliest from the receipt of the Synopsis to conduct the Pre-registration Colloquium.

(b) The Doctoral Committee (Ph.D) may suggest changes, if necessary, in the title/scope methodology of the topic selected for research, based on the performance of the candidate in the Preregistration Colloquium.

(c) The Doctoral Committee (Ph.D) shall assess the preparedness of the candidate for the research to be undertaken. It may, however, ask the candidate to present the Colloquium again if the performance/preparedness of the candidate in the first instance is not satisfactory. Only one re-appearance is permitted within 6 months from the date of the first Colloquium.

(d) The failure of the candidate to successfully complete the pre registration colloquium after the second attempt shall result in the cancellation of Provisional Registration.

6.6* Ph.D. Registration: Application for Registration with prescribed fees shall be submitted to the University within one month from the date of informing the candidates about the successful completion of Preregistration Colloquium along with 10 hard copies of the Synopsis and a soft copy of the synopsis through the Guide and co-guide, if any, after successful completion of the Pre-registration Colloquium. The regular registration of the candidate shall date back to the date of the provisional registration.

6.7 The Ph.D. Registration is valid for FIVE years only from the date of Provisional Registration.

* Approved by Academic Council vide its 24 meeting dated 15th June 2015

7. PROGRESS OF WORK

7.1* After the Regular Registration, a candidate is required to submit the following twice (January & July) to the University:

- (a) Progress Report of Research Work done,
- (b) Prescribed fees,
- (c) Recommendation of the Guide regarding progress of research.

7.1A* The candidate shall pay the prescribed annual fee once in year from the date of provisional registration.

7.2 The Annual Progress Report shall be placed before to the Doctoral Committee (Ph.D) within 15 days of receipt. The Doctoral Committee (Ph.D) shall assess the Progress Report and send its comments.

7.3 Failure to submit two Consecutive Progress Reports shall entail cancellation of registration.

7.4 The candidate shall publish at least two research articles as main author, based on his / her Research Work in journals of repute in order to be eligible to submit the final thesis.

8. SUBMISSION OF THESIS AND EVALUATION

8.1 Pre-submission Colloquium:

- (a) The candidate is eligible to submit his / her Thesis only after completing 3 years of Research Work from the date of his / her provisional Registration.
- (b) The candidate has to submit 10 copies of the Synopsis of his / her Ph.D. Thesis highlighting contents of the Thesis and enclose evidences of two research publications in the area of research in Journals/books of repute in the form of acceptance letters or published papers, to the University.
- (c) The Chairperson of the Doctoral Committee (Ph.D) shall organize the Pre-Submission Colloquium meeting before the faculty members in the University at the earliest.
- (d) The Doctoral Committee (Ph.D) shall advise and offer suggestions to the candidate for the finalization of the Thesis.
- (e) The decision of the Doctoral Committee (Ph.D) shall be communicated to the candidate.
- (f) If the Doctoral Committee (Ph.D) is not satisfied with the Pre-thesis Submission Colloquium of a candidate, it may ask the candidate to appear for the Colloquium again after a gap of one month.

* Approved by Academic Council vide its 24 meeting dated 21st January 2015

8.2 Submission of Ph.D. Thesis:

(a) After the successful completion of pre-submission colloquium, the candidate shall submit a soft copy of the final thesis.

(b) The candidate shall prepare a Thesis embodying results of original research and submit 5 copies of his / her Ph.D. Thesis along with five copies of abstract of not more than thousand words and the electronic version of the Thesis in .pdf format (3 discs) for evaluation.

(c) A certificate duly signed by the Guide and Co-guide, if any, indicating his / her supervision of the candidate and bonafide character of the work, along with a declaration by the candidate about the originality and the fact that it has not been previously submitted by the candidate either for award of any Degree or Diploma to this or any other University, shall be enclosed along with the Thesis.

(d) If any candidate fails to submit his / her Ph.D. Thesis within five years, he / she may apply to University for extension of his / her Registration for a maximum of two more years, with the recommendation of the Doctoral Committee, through the Guide, by remitting a penalty of Rs. 25,000/- in addition to the annual fee.

(e) If a candidate fails to submit Thesis even after seven years, his / her Ph.D. Registration is annulled.

8.3 Evaluation of the Ph.D. Thesis: The Thesis shall be evaluated by three external examiners selected by the Vice Chancellor from the list of six examiners shortlisted by the Vice Chancellor in consultation with the Guide from the approved list of examiners.

8.4 Evaluation Reports:

(a) The External Examiners shall send the Evaluation Report to the University.

(b) Apart from the Evaluation Report, each Examiner is required to submit a Short Report in the prescribed proforma duly signed and sent as Hard Copy/ FAX/ Scanned Image by E-mail.

8.5 Decision about Evaluation:

(a) For award of Ph D degree there shall be unanimous recommendation by all the three external examiners that the thesis be accepted for the award of Ph D degree.

(b) If a minimum of two out of three of the External Examiners reject the Thesis outright, the University shall notify rejection of the Thesis and cancellation of Ph.D. Registration.

(c) If one of the External Examiners rejects the thesis, the thesis shall be referred to another examiner. If this Examiner also rejects the Thesis, the University shall notify Rejection of the Thesis and cancellation of Ph.D. Registration.

(d) If any one or more of the Examiners recommend/s revision and reevaluation of the Thesis, then the candidate shall revise the Thesis based on the suggestions made by the Examiner(s) and submit the Revised Thesis, duly certified by the Guide and with payment of the prescribed fees to the University. The University shall send the Revised Thesis at the earliest to the same Examiner(s).

(e) If any Examiner recommends the award of degree after incorporating the suggested revisions / corrections, such modifications shall be complied with by the candidate. The Revised Thesis shall be submitted to the University along with the prescribed fees.

8.6 Viva-Voce Examination:

(a) After receipt of three positive reports from the examiners, open Viva-Voce examination shall be conducted by the University in the presence of the members of the Doctoral Committee (Ph.D), research guide, one local external law professor, members of the Faculty, research scholars and students by giving wide publicity.

(b) If the candidate desires, the viva-voce examination may be held via video conferencing after payment of necessary additional fees prescribed by the University.

8.7 The Ph.D. degree would be awarded if three examiners give positive reports and the candidate successfully completes viva voce examination.

8.8 Ph.D. Notification: The Ph.D. Declaration Notification shall be done by the Registrar on the Official Letter Head.

9. CHANGE OF TITLE / GUIDE

9.1 A candidate desiring to change the title of the Thesis shall apply to the University with 10 copies of revised Synopsis and changed Title through the Guide after paying the prescribed fee.

9.2 The University shall seek the opinion of the Doctoral Committee (Ph:D) for the change of title. Such a change can be permitted anytime before the Pre-thesis Submission Colloquium.

9.3 If a candidate decides to change the topic of research, his / her regular registration stands canceled, and the candidate has to undergo the Regular Registration process again and may apply for pre-submission colloquium only after a period of three years from the date of registration of change.

9.4 Generally, change of Guide is not permissible. It may be permitted only under exceptional circumstances such as death / disability / other medical conditions of the Guide or legal actions on the Guide by the administration. However, if there is any written complaint about conflict between the Guide and the candidate, the University shall refer the matter to the Doctoral Committee (Ph.D) for final decision.

10. Any issue not covered by the foregoing Regulations, shall be governed by the decision of the Vice-Chancellor.

11. The earlier rules/regulations governing the award of the Degree of Doctor of Philosophy (Ph.D.) of NUJS are hereby repealed.

MINISTRY OF HUMAN RESOURCE DEVELOPMENT

UNIVERSITY GRANTS COMMISSION
NOTIFICATION

New Delhi, the 5th May, 2016

University Grants Commission (Minimum Standards and Procedure for Award of M.Phil./Ph.D Degrees) Regulations, 2016

[In supersession of the UGC (Minimum Standards and Procedure for Awards of M.Phil./Ph.D. Degree) Regulation, 2009, notified in The Gazette of India [No. 28, Part III- Section 4] for the week July 11-July 17, 2009]

No. F. 1-2/2009(EC/PS)V(I) Vol. II - In exercise of the powers conferred by clauses (f) and (g) of sub-section (1) of Section 26 of the University Grants Commission Act, 1956 (3 of 1956), and in supersession of the UGC (Minimum Standards and Procedure for Awards of M.Phil./Ph.D. Degree) Regulation, 2009, notified in The Gazette of India [No. 28, Part III-Section 4] for the week July 11 — July 17, 2009, the University Grants Commission hereby makes the following Regulations, namely:-

1. Short title, Application and Commencement:

- 1.1 These Regulations may be called University Grants Commission (Minimum Standards and Procedure for Award of M.Phil./Ph.D. Degrees) Regulations, 2016.
- 1.2 They shall apply to every University established or incorporated by or under a Central Act, a Provincial Act, or a State Act, every affiliated college, and every Institution Deemed to be a University under Section 3 of UGC Act, 1956.
- 1.3 They shall come into force from the date of their publication in the Gazette of India.

2. Eligibility criteria for admission to the M.Phil. programme:

- 2.1 Candidates for admission to the M.Phil. programme shall have a Master's degree or a professional degree declared equivalent to the Master's degree by the corresponding statutory regulatory body, with at least 55% marks in aggregate or its equivalent grade 'B' in the UGC 7-point scale (or an equivalent grade in a point scale wherever grading system is followed) or an equivalent degree from a foreign educational Institution accredited by an Assessment and Accreditation Agency which is approved, recognized or authorized by an authority, established or incorporated under a law in its home country or any other statutory authority in that country for the purpose of assessing, accrediting or assuring quality and standards of educational institutions.
- 2.2 A relaxation of 5% of marks, from 55% to 50%, or an equivalent relaxation of grade, may be allowed for those belonging to SC/ST/OBC(non-creamy layer)/Differently-Abled and other categories of candidates as per the decision of the Commission from time to time, or for those who had obtained their Master's degree prior to 19th September, 1991. The eligibility marks of 55% (or an equivalent grade in a point scale wherever grading system is followed) and the relaxation of 5% to the categories mentioned above are permissible based only on the qualifying marks without including the grace mark procedures.

3. Eligibility criteria for admission to Ph.D. programme:

Subject to the conditions stipulated in these Regulations, the following persons are eligible to seek admission to the Ph.D. programme:

- 3.1 Master's Degree holders satisfying the criteria stipulated under Clause 2 above.
- 3.2 Candidates who have cleared the M.Phil. course work with at least 55% marks in aggregate or its equivalent grade 'B' in the UGC 7-point scale (or an equivalent grade in a point scale wherever grading system is followed) and successfully completing the M.Phil. Degree shall be eligible to proceed to do research work leading to the Ph. D. Degree in the same Institution in an integrated programme. A relaxation of 5% of marks, from 55% to 50%, or an equivalent relaxation of grade, may be allowed for those belonging to SC/ST/OBC(non-creamy layer)/Differently-abled and other categories of candidates as per the decision of the Commission from time to time.

3.3 A person whose M.Phil. dissertation has been evaluated and the viva voce is pending may be admitted to the Ph.D. programme of the same Institution;

3.4 Candidates possessing a Degree considered equivalent to M.Phil. Degree of an Indian Institution, from a Foreign Educational Institution accredited by an Assessment and Accreditation Agency which is approved, recognized or authorized by an authority, established or incorporated under a law in its home country or any other statutory authority in that country for the purpose of assessing, accrediting or assuring quality and standards of educational institutions, shall be eligible for admission to Ph.D. programme.

4. Duration of the Programme:

4.1 M.Phil. programme shall be for a minimum duration of two (2) consecutive semesters / one year and a maximum of four (4) consecutive semesters / two years.

4.2 Ph.D. programme shall be for a minimum duration of three years, including course work and a maximum of six years.

4.3 Extension beyond the above limits will be governed by the relevant clauses as stipulated in the Statute/Ordinance of the individual Institution concerned.

4.4 The women candidates and Persons with Disability (more than 40% disability) may be allowed a relaxation of one year for M.Phil and two years for Ph.D. in the maximum duration. In addition, the women candidates may be provided Maternity Leave/Child Care Leave once in the entire duration of M.Phil/Ph.D. for up to 240 days.

5. Procedure for admission:

5.1 All Universities and Institutions Deemed to be Universities shall admit M.Phil/Ph.D. students through an Entrance Test conducted at the level of Individual University/Institution Deemed to be a University. The University/Institution Deemed to be a University may decide separate terms and conditions for Ph.D. Entrance Test for those students who qualify UGC-NET (including JRF)/UGC-CSIR NET (including JRF)/SLET/GATE/teacher fellowship holder or have passed M.Phil programme. Similar approach may be adopted in respect of Entrance Test for M.Phil programme.

5.2 Higher Educational Institutions (HEIs) referred to in sub-clause 1.2 above and Colleges under them which are allowed to conduct M.Phil. and/or Ph.D. programmes, shall:

5.2.1 decide on an annual basis through their academic bodies a predetermined and manageable number of M.Phil. and/or Ph.D. scholars to be admitted depending on the number of available Research Supervisors and other academic and physical facilities available, keeping in mind the norms regarding the scholar- teacher ratio (as indicated in Para 6.5), laboratory, library and such other facilities:

5.2.2 notify well in advance in the institutional website and through advertisement in at least two (2) national newspapers, of which at least one (1) shall be in the regional language, the number of seats for admission, subject/discipline-wise distribution of available seats, criteria for admission, procedure for admission, examination centre(s) where entrance test(s) shall be conducted and all other relevant information for the benefit of the candidates;

5.2.3 adhere to the National/State-level reservation policy, as applicable.

5.3 The admission shall be based on the criteria notified by the Institution, keeping in view the guidelines/norms in this regard issued by the UGC and other statutory bodies concerned, and taking into account the reservation policy of the Central/State Government from time to time.

5.4 HEIs as mentioned in Clause 1.2 shall admit candidates by a two stage process through:

5.4.1 An Entrance Test shall be qualifying with qualifying marks as 50%. The syllabus of the Entrance Test shall consist of 50% of research methodology and 50% shall be

subject specific. The Entrance Test shall be conducted at the Centre(s) notified in advance (changes of Centres, if any, also to be notified well in advance) at the level of the individual HEI as mentioned in clause 1.2: and

- 5.4.2 An interview/*viva-voce* to be organized by the HEI as mentioned in clause 1.2 when the candidates are required to discuss their research interest/area through a presentation before a duly constituted Department Research Committee.
- 5.5 The interview/*viva voce* shall also consider the following aspects, viz. whether:
- 5.5.1 the candidate possesses the competence for the proposed research;
- 5.5.2 the research work can be suitably undertaken at the Institution/College;
- 5.5.3 the proposed area of research can contribute to new/additional knowledge.
- 5.6 The University shall maintain the list of all the M.Phil. / Ph.D. registered students on its website on year-wise basis. The list shall include the name of the registered candidate, topic of his/her research, name of his/her supervisor/co-supervisor, date of enrolment/registration.
6. **Allocation of Research Supervisor:** Eligibility criteria to be a Research Supervisor, Co- Supervisor, Number of M.Phil./Ph.D. scholars permissible per Supervisor, etc.
- 6.1 Any regular Professor of the University/Institution Deemed to be a University/College with at least five research publications in refereed journals and any regular Associate/Assistant Professor of the university/institution deemed to be a university/college with a Ph.D. degree and at least two research publications in refereed journals may be recognized as Research Supervisor.
- Provided that in areas/disciplines where there is no or only a limited number of refereed journals, the Institution may relax the above condition for recognition of a person as Research Supervisor with reasons recorded in writing.
- 6.2 Only a full time regular teacher of the concerned University/Institution Deemed to be a University/College can act as a supervisor. The external supervisors are not allowed. However, Co-Supervisor can be allowed in inter-disciplinary areas from other departments of the same institute or from other related institutions with the approval of the Research Advisory Committee.
- 6.3 The allocation of Research Supervisor for a selected research scholar shall be decided by the Department concerned depending on the number of scholars per Research Supervisor, the available specialization among the Supervisors and research interests of the scholars as indicated by them at the time of interview/*viva voce*.
- 6.4 In case of topics which are of inter-disciplinary nature where the Department concerned feels that the expertise in the Department has to be supplemented from outside, the Department may appoint a Research Supervisor from the Department itself, who shall be known as the Research Supervisor, and a Co-Supervisor from outside the Department/ Faculty/College/Institution on such terms and conditions as may be specified and agreed upon by the consenting Institutions/Colleges.
- 6.5 A Research Supervisor/Co-supervisor who is a Professor, at any given point of time, cannot guide more than three (3) M.Phil. and Eight (8) Ph.D. scholars. An Associate Professor as Research Supervisor can guide up to a maximum of two (2) M.Phil. and six (6) Ph.D. scholars and an Assistant Professor as Research Supervisor can guide up to a maximum of one (1) M.Phil. and four (4) Ph.D. scholars.
- 6.6 In case of relocation of an M.Phil./Ph.D. woman scholar due to marriage or otherwise, the research data shall be allowed to be transferred to the University to which the scholar intends to relocate provided all the other conditions in these regulations are followed in letter and spirit and the research work does not pertain to the project secured by the parent institution/ supervisor from any funding agency. The scholar will however give due credit to the parent guide and the institution for the part of research already done.
7. **Course Work:** Credit Requirements, number, duration, syllabus, minimum standards for completion, etc.
- 7.1 The credit assigned to the M.Phil. or Ph.D. course work shall be a minimum of 08 credits and a maximum of 16 credits.

- 7.2 The course work shall be treated as prerequisite for M.Phil./Ph.D. preparation. A minimum of four credits shall be assigned to one or more courses on Research Methodology which could cover areas such as quantitative methods, computer applications, research ethics and review of published research in the relevant field, training, field work, etc. Other courses shall be advanced level courses preparing the students for M.Phil./Ph.D. degree.
- 7.3 All courses prescribed for M.Phil. and Ph.D. course work shall be in conformity with the credit hour instructional requirement and shall specify content, instructional and assessment methods. They shall be duly approved by the authorized academic bodies.
- 7.4 The Department where the scholar pursues his/her research shall prescribe the course(s) to him/her based on the recommendations of the Research Advisory Committee, as stipulated under sub-Clause 8.1 below, of the research scholar.
- 7.5 All candidates admitted to the M.Phil. and Ph.D. programmes shall be required to complete the course work prescribed by the Department during the initial one or two semesters.
- 7.6 Candidates already holding M. Phil. degree and admitted to the Ph.D. programme, or those who have already completed the course work in M.Phil. and have been permitted to proceed to the Ph.D. in integrated course, may be exempted by the Department from the Ph.D. course work. All other candidates admitted to the Ph.D. programme shall be required to complete the Ph.D. course work prescribed by the Department.
- 7.7 Grades in the course work, including research methodology courses shall be finalized after a combined assessment by the Research Advisory Committee and the Department and the final grades shall be communicated to the Institution/College.
- 7.8 A M.Phil./Ph.D. scholar has to obtain a minimum of 55% of marks or its equivalent grade in the UGC 7-point scale (or an equivalent grade/CGPA in a point scale wherever grading system is followed) in the course work in order to be eligible to continue in the programme and submit the dissertation/thesis.
8. **Research Advisory Committee and its functions:**
- 8.1 There shall be a Research Advisory Committee, or an equivalent body for similar purpose as defined in the Statutes/Ordinances of the Institution concerned, for each M.Phil. and Ph.D. scholar. The Research Supervisor of the scholar shall be the Convener of this Committee. This Committee shall have the following responsibilities:
- 8.1.1 To review the research proposal and finalize the topic of research;
- 8.1.2 To guide the research scholar to develop the study design and methodology of research and identify the course(s) that he/she may have to do.
- 8.1.3 To periodically review and assist in the progress of the research work of the research scholar.
- 8.2 A research scholar shall appear before the Research Advisory Committee once in six months to make a presentation of the progress of his/her work for evaluation and further guidance. The six monthly progress reports shall be submitted by the Research Advisory Committee to the Institution/College with a copy to the research scholar.
- 8.3 In case the progress of the research scholar is unsatisfactory, the Research Advisory Committee shall record the reasons for the same and suggest corrective measures. If the research scholar fails to implement these corrective measures, the Research Advisory Committee may recommend to the Institution/College with specific reasons for cancellation of the registration of the research scholar.
9. **Evaluation and Assessment Methods, minimum standards/credits for award of the degree, etc.:**
- 9.1 The overall minimum credit requirement, including credit for the course work, for the award of M.Phil. degree shall not be less than 24 credits.
- 9.2 Upon satisfactory completion of course work, and obtaining the marks/grade prescribed in sub-clauses 7.8 above, as the case may be, the M.Phil./Ph.D. scholar shall be required to undertake research work

- and produce a draft dissertation/thesis within a reasonable time, as stipulated by the Institution concerned based on these Regulations.
- 9.3 Prior to the submission of the dissertation/thesis, the scholar shall make a presentation in the Department before the Research Advisory Committee of the Institution concerned which shall also be open to all faculty members and other research scholars. The feedback and comments obtained from them may be suitably incorporated into the draft dissertation/thesis in consultation with the Research Advisory Committee.
- 9.4 M.Phil scholars shall present at least one (1) research paper in a conference/seminar and Ph.D. scholars must publish at least one (1) research paper in refereed journal and make two paper presentations in conferences/seminars before the submission of the dissertation/thesis for adjudication, and produce evidence for the same in the form of presentation certificates and/or reprints.
- 9.5 The Academic Council (or its equivalent body) of the Institution shall evolve a mechanism using well developed software and gadgets to detect plagiarism and other forms of academic dishonesty. While submitting for evaluation, the dissertation/thesis shall have an undertaking from the research scholar and a certificate from the Research Supervisor attesting to the originality of the work, vouching that there is no plagiarism and that the work has not been submitted for the award of any other degree/diploma of the same Institution where the work was carried out, or to any other Institution.
- 9.6 The M.Phil. dissertation submitted by a research scholar shall be evaluated by his/her Research Supervisor and at least one external examiner who is not in the employment of the Institution/College. The *viva-voce* examination, based among other things, on the critiques given in the evaluation report, shall be conducted by both of them together, and shall be open to be attended by Members of the Research Advisory Committee, all faculty members of the Department, other research scholars and other interested experts/ researchers.
- 9.7 The Ph.D. thesis submitted by a research scholar shall be evaluated by his/her Research Supervisor and at least two external examiners, who are not in employment of the Institution/College, of whom one examiner may be from outside the country. The *viva-voce* examination, based among other things, on the critiques given in the evaluation report, shall be conducted by the Research Supervisor and at least one of the two external examiners, and shall be open to be attended by Members of the Research Advisory Committee, all faculty members of the Department, other research scholars and other interested experts/researchers.
- 9.8 The public *viva-voce* of the research scholar to defend the dissertation/thesis shall be conducted only if the evaluation report(s) of the external examiner(s) on the dissertation/thesis is/are satisfactory and include a specific recommendation for conducting the *viva-voce* examination. If the evaluation report of the external examiner in case of M.Phil. dissertation, or one of the evaluation reports of the external examiner in case of Ph.D. thesis, is unsatisfactory and does not recommend *viva-voce*, the Institution shall send the dissertation/ thesis to another external examiner out of the approved panel of examiners and the *viva-voce* examination shall be held only if the report of the latest examiner is satisfactory. If the report of the latest examiner is also unsatisfactory, the dissertation/ thesis shall be rejected and the research scholar shall be declared ineligible for the award of the degree.
- 9.9 The Institutions shall develop appropriate methods so as to complete the entire process of evaluation of M.Phil. dissertation/ Ph.D. thesis within a period of six months from the date of submission of the dissertation/thesis.
10. Academic, administrative and infrastructure requirement to be fulfilled by Colleges for getting recognition for offering M.Phil./Ph.D. programmes:
- 10.1 Colleges may be considered eligible to offer M.Phil./Ph.D programmes only if they satisfy the availability of eligible Research Supervisors, required infrastructure and supporting administrative and research promotion facilities as per these Regulations.
- 10.2 Post-graduate Departments of Colleges, Research laboratories of Government of India/State Government with at least two Ph.D. qualified teachers/scientists/other academic staff in the Department concerned along with required infrastructure, supporting administrative and research promotion facilities as per these Regulations, stipulated under sub-clause 10.3, shall be considered eligible to offer M.Phil./Ph.D. programmes. Colleges should additionally have the necessary recognition by the

Institution under which they operate to offer M.Phil/Ph.D. programme.

- 10.3 Colleges with adequate facilities for research as mentioned below alone shall offer M.Phil/Ph. D. programmes:
- 10.3.1 In case of science and technology disciplines, exclusive research laboratories with sophisticated equipment as specified by the Institution concerned with provision for adequate space per research scholar along with computer facilities and essential software, and uninterrupted power and water supply;
- 10.3.2 Examined library resources including latest books, Indian and International journals, e-journals, extended working hours for all disciplines, adequate space for research scholars in the Department/ library for reading, writing and storing study and research materials;
- 10.3.3 Colleges may also access the required facilities of the neighbouring Institutions/Colleges, or of those Institutions/Colleges/R&D laboratories/Organizations which have the required facilities.
11. **Treatment of Ph.D / M.Phil. through Distance Mode/Part-time:**
- 11.1 Notwithstanding anything contained in these Regulations or any other Rule or Regulation, for the time being in force, no University; Institution, Deemed to be a University and College shall conduct M.Phil. and Ph.D. Programmes through distance education mode.
- 11.2 Part-time Ph.D will be allowed provided all the conditions mentioned in the extant Ph.D Regulations are met.
12. **Award of M.Phil/Ph.D. degrees prior to Notification of these Regulations, or degrees awarded by foreign Universities:**
- 12.1 Award of degrees to candidates registered for the M.Phil/Ph.D. programme on or after July 11, 2009 till the date of Notification of these Regulations shall be governed by the provisions of the UGC (Minimum Standards and procedure for Awards of M.Phil/Ph.D Degree) Regulation, 2009.
- 12.2 If the M.Phil./Ph.D. degree is awarded by a Foreign University, the Indian Institution considering such a degree shall refer the issue to a Standing Committee constituted by the concerned institution for the purpose of determining the equivalence of the degree awarded by the foreign University.
13. **Depository with INFLIBNET:**
- 13.1 Following the successful completion of the evaluation process and before the announcement of the award of the M.Phil./Ph.D. degree(s), the Institution concerned shall submit an electronic copy of the M.Phil. dissertation /Ph. D. thesis to the INFLIBNET, for hosting the same so as to make it accessible to all Institutions/Colleges.
- 13.2 Prior to the actual award of the degree, the degree-awarding Institution shall issue a provisional Certificate to the effect that the Degree has been awarded in accordance with the provisions of these UGC Regulations, 2016.

Prof. JASPAL S. SANDHU, Secy.

[ADVT.-III/4/Exty./143(113)]

6. Introduction of MA in Business Laws with the help of technology provider IPLeaders

The university intends to start a 2-years online "Masters in Business Law (M.A. in Business Laws)" course which offers three specializations depending on the subject chosen:

- *Corporate Governance and Statutory Compliances*
- *Intellectual Property and Cyber Law*
- *M&A, Investment and Institutional Finance*
- *Drafting, Negotiation and Dispute Resolution*

Brief syllabus, content development processes, teaching methodology, technology description, testing and certification procedure followed by a detailed syllabus is attached as Annexure "6".

Put up for perusal and approval of the honourable members.

Encl: Annexure 6: (Brief syllabus, content development processes, teaching methodology, technology description, testing and certification procedure and a detailed syllabus of 2-years online "Masters in Business Law (M.A. in Business Laws)" course).

Approved

ANNEXURE - 6

Draft for discussion

Privileged and confidential

Proposal
M.A. (BUSINESS LAWS)
(with the help of our technology provider iPleaders)

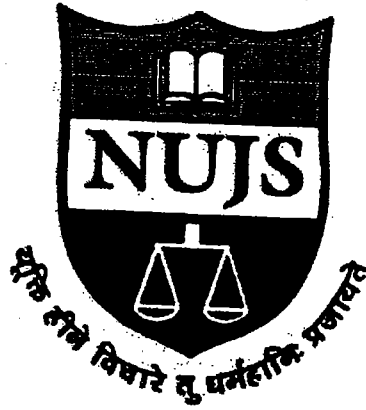


TABLE OF CONTENTS

Proposal	3
	8
	13
Teaching Methodology, Content Creation, Technology and Testing	29
Course Structure	31

Proposed course

The university intends to start a 2-years online "Masters in Business Law (M.A. in Business Laws)" course which offers three specializations depending on the subject chosen:

- *Corporate Governance and Statutory Compliances*
- *Intellectual Property and Cyber Law*
- *M&A, Investment and Institutional Finance*
- *Drafting, Negotiation and Dispute Resolution*

The course will be designed in a manner to increase employability of the students through modules which will develop the practical legal skills like contract drafting and negotiation, reducing legal risks of the client and legal due diligence focussing on legal skills that will complement and enhance the managerial abilities of a business professional.

Brief syllabus, content development processes, teaching methodology, technology description, testing and certification procedure is attached in **Annexure 1.A** detailed syllabus is attached in **Annexure 2**.

The university's contribution will be as follows:

- Faculty members who can collaborate and create content, conduct some online classes
- Supervision of quality of e-learning and academic content and testing platform
- Minimum infrastructural requirements as per UGC guidelines
- Awarding the Degree
- Fee receipts and accounting
- Administrative support

The university will take help of its technology partner for technology, outreach and to help the university liaise with experts (see below).

Technology provider and its profile

The university's technology provider iLeaders has offered to assist the University in launching, conducting and enrolling students through the use of advanced technology with respect to the proposed course. In the past, iLeaders has helped NUJS with the following aspects:

- **Technology**
 - State of the art technological support through an integrated online learning system which can be accessed on laptops, mobiles and tablets.
 - Development of e-learning content and audio-visual study materials, management of online content on the platform.
 - A secure testing platform for conducting online tests.
- **Identification of and liaising with experts** including law firm partners, senior associates, bureaucrats and academicians for development of course content and online classes on behalf of the university. The technology partner has linkages with top law firms in India and abroad like AZB Partners, AMSS, Trilegal, Impact Law Ventures, Allen & Overy as well as law firms from Silicon Valley and has helped the university in constituting an industry panel for curriculum development and courses conducted by the university.
(Note: Content for the courses is ultimately vetted by the university.)
- **Outreach** using modern technological tools and physical channels (subject to university supervision) through:
 - Social media outreach, informational and content marketing
 - Collaborations with education service providers and education consultants who advise students on appropriate courses depending on their needs, aspirations and skillsets.
 - Regional representatives in dozens of small cities, which enables us to tap into a massive student pool.
 - Marketing channels and PR representatives to ensure commercial viability and maximum reach of the course.

Regulatory overview

Distance education in India is currently regulated by the 2009 guidelines of the Distance Education Council (although UGC has discontinued the Distance Education Council, it has not passed fresh regulations and the 2009 guidelines are still in force). The course will be developed as per the minimum standards recommended by the UGC.

As per the UGC Handbook on Recognition of Open and Distance Learning (ODL) Institutions, 2009, a State University is entitled to start online courses. Under the guidelines, a masters' course must be for a period of 2 years and must have 64 – 72 credits, corresponding to 30 learning hours per credit. A third-party technology provider may be appointed for technology and related support. The university shall comply with other requirements such as

appointment of required support staff for student admissions and provision of necessary infrastructure and ensuring that study materials are self-learning oriented.

An application for recognition of the university as an institution which offers distance learning courses will also be made to UGC in the prescribed format.

Note that no permission or approval of BCI is required as legal education beyond LL.B is not within the domain of BCI, and Masters in Business Laws degree-earners will not seek to practise law.

The university will be involved in supervising the quality of the academic content and testing processes.

Financial costs

The University need not make any initial financial contributions for developing and starting the course – the technology partner is willing to bear the initial risk of providing necessary technological support and outreach initiatives, until revenues are generated.

In future the course is expected to be run from revenues generated through enrolments– in case that does not happen for some reason, iPleaders shall be capable of bearing the financial costs of providing technology and initial outreach, without any adverse financial or reputational risk on the university. Due to its integral involvement with technology and nationwide outreach, which is critical for the success of an online course, the profits earned from the Course will be shared between the University and iPleaders after deduction of the operating cost.

Launching additional courses will also enable the university to spread the costs of technology and marketing (which are incurred in respect of the current Diploma course in Entrepreneurship Administration and Business Laws) over a larger range of learners and reduce overall costs in comparison to revenues.

List of Annexures

Description	Annexure No.
Teaching methodology, content creation, technology and testing	1
Detailed course syllabus	2

Annexure 1

Teaching Methodology, content creation process, technology and testing

Role of the university-constituted industry panel for content creation

The university has constituted an industry panel comprising top law firm partners, Silicon Valley lawyers, foreign university professors and experienced businessmen – the industry panel regularly helps the university with respect to curriculum development, inputs on teaching, practical insights and periodic regulatory updates on relevant areas of law. Creation of the panel has enabled the university to develop very deep industry linkages with top law firms and companies such as Amarchand Mangaldas, AZB, JSA, Luthra, Cipla, SREI group, etc. Panel members also offer credit courses to the university students from time to time.

Content will be prepared through video interviews, live webinars (conducted by experts from their own office or home), text write-ups and articles - a technology partner, iPleaders will be responsible for conversion of the content into e-learning materials and hosting them on the online learning management system (see the next paragraph). iPleaders has helped the university in the past with the diploma course in Entrepreneurship Administration and Business Laws.

Technology

The course will be conducted through an online learning management system, which will enable students to access study materials from anywhere in the world at their own time and convenience. All study materials will also be accessible on mobile phones and tablets.

Live sessions will also be conducted online – students who miss the session can watch recorded versions. Several experts have strong teaching inclinations and find it extremely convenient to devote time if they can take online sessions from a location of their choice, even if they have a very busy schedule.

Student doubts will be cleared through an online discussion forum and email. We have had a 24 hour response time for doubts in our earlier course.

At least 50 % of the course will be in form of self-learning materials which includes audio-visual and web based textual materials, in compliance with UGC and the former DEB regulations, which have been continued.

Draft for discussion

Privileged and confidential

Test

There will be three subjects per semester. Every subject shall carry 100 marks, out of which 70 marks shall be for the end-term MCQ based online test. 20 marks will be allotted for writing assignments (2 x 10 marks). A 10-mark project which has a subjective task – such as identification of issues or negotiation pointers in a commercial contract will also be administered. A student will therefore be evaluated out of a total of 300 marks each semester. The pass marks will be 50 percent.

Annexure 2

Course Structure

- The course will be a two years' online Masters in Business Laws (M.A. in Business Laws) course with specialisations in "*Corporate Governance and Statutory Compliances, Intellectual Property and Cyber Law, M&A, Investment and Institutional Finance, Drafting, Negotiation and Dispute Resolution*" and can be completed in a maximum of [four] years. The Masters in Business Laws course will be of 64 credits and shall have the following components:

- Foundation/Compulsory Papers (8 papers)
- Optional/Specialization Papers (4 papers)

Elective 1- Corporate Governance and Statutory Compliances

(refer to the serial no.s for a detailed explanation of what will be taught under each course head)

Semester I	S. No.	Semester II	S. No.
Introduction to legal systems and legal concepts	1	Corporate Governance and Corporate Social Responsibility	4
Commercial Contracts, Drafting and Negotiation	2	Business Centric Dispute Resolution - Law and Strategy - Arbitration, Mediation and Negotiation - Litigation Strategy - Regulatory Litigation	5
Business Structuring, Accountancy and Law, Taxation	3	Intellectual Property Law, Information Technology Law and Management	6
Semester III	S. No.	Semester IV	S. No.
Employment and labour laws – compliance, strategy and dispute resolution	7	Corporate Finance, Investment Laws and Compliances	10
Government Procurement, Tendering Process and Government Contracts	8	Legal risk management, sectoral, regulatory and statutory compliances	11
Import-Export and Customs Laws	9	Merger & Acquisitions and Competition Law	12

Elective 2- Intellectual Property and Cyber Law

Semester I	S. No.	Semester II	S. No.
Introduction to legal systems and legal concepts	1	Corporate Governance and Corporate Social Responsibility	4
Commercial Contracts, Drafting and Negotiation	2	Business Centric Dispute Resolution - Law and Strategy - Arbitration, Mediation and Negotiation - Litigation Strategy - Regulatory Litigation	5
Business Structuring, Accountancy and Law, Taxation of Intellectual Property and Software	3	Introduction to Information Technology Laws in India and Cyber Security	6A
Semester III	S. No.	Semester IV	S. No.
Laws of copyright and trademark	7A	Laws of e-Commerce, Online Payment and Encryptions	10A
Patent laws and business strategy	8A	Monetizing Intellectual Property & Documentation - Licensing, Assignment - Technology transfer, franchising	11A
Employment Law, HR Practices in IT industry	9A	Outsourcing law and management, Cloud Computing, Data Protection and Online Reputation Management	12A

Elective 3- M&A, Investment and Institutional Finance

Semester I	S. No.	Semester II	S. No.
Introduction to legal systems and legal concepts	1	Corporate Governance and Corporate Social Responsibility	4
Commercial Contracts, Drafting and Negotiation	2	Business Centric Dispute Resolution - Law and Strategy - Arbitration, Mediation and Negotiation - Litigation Strategy - Regulatory Litigation	5
Business Structuring, Accountancy and Law, Taxation	3	Intellectual Property Law, Information Technology Law and Management	6
Semester III	S. No.	Semester IV	S. No.
Equity Investment, Negotiation and Documentation	7B	Securities Market, Law and Regulatory Practices	10B
Debt Financing, Negotiation and Documentation	8B	Management Practices and Law	11B
Foreign Direct Investment in private and Public limited companies	9B	Merger & Acquisitions and Competition Law	12

Elective 4- Drafting, Negotiation and Dispute Resolution

Semester I	S. No.	Semester II	S. No.
Introduction to legal systems and legal concepts	1	Corporate Governance and Corporate Social Responsibility	4
Drafting and Negotiation of Commercial Contracts	2	Regulatory disputes, domestic and cross-border regulatory dispute resolution, litigation and enforcement issues	5C
Business Structuring, Accountancy and Law, Taxation	3	Information Technology Law and IT Contracts: Drafting and Negotiation	6C
Semester III	S. No.	Semester IV	S. No.
Arbitration Practice, Procedure & Enforcement	7C	Business Centric Dispute Resolution Processes: Negotiation, mediation and expert determination	10C
Government Procurement, Tendering Process and Government Contracts	8	Monetizing Intellectual Property & Documentation (Contractual perspective) - Licensing, Cross-licensing, Assignment - Technology transfer, franchising	11A
Employment, industrial and labour disputes, standing orders and collective bargaining	9C	Drafting and negotiation of M&A, Financing and Investment Contracts, restructuring and bankruptcy-related arrangements,	12C

1. Introduction to law and legal systems

- Indian legal system, federalism and constitutionalism
- Legislation, Enforcement of laws and Adjudication
- Judicial system in India and hierarchy of courts
- Criminal and Civil legal and justice system
- Concept of Jurisdiction
- Regulatory tribunals and their functions
- Principles of administrative law
- Private dispute resolution mechanisms
- International Law and its impact on business

2. Commercial Contracts, Drafting and Negotiation

- Ingredients of a valid contract
- Validity of standard form contracts
- Electronic contracts - contracts by email, browsewrap, shrinkwrap and clickwrap contracts, digital signatures
- Enforceability of electronic contracts
- Relevance of procedural requirements for contractual validity and enforcement - Registration, stamping, attestation, notarization, apostillation
- Remedies for breach of contract and practical considerations
- Contract drafting and practical considerations
 - Essential clauses in any commercial agreement - definitions clause, obligations of parties, determination of milestones and timelines, payment modalities, waivers, assignment, applicable law, representations and warranties, covenants, indemnities, termination, events of default and material adverse change clauses, taxes, force majeure
 - Common drafting errors and efficient drafting techniques to minimize risk of disputes
- Contract negotiation - Theories and practical case studies

3. Business Structuring, Accountancy and Law, Taxation

- Different forms of business structures - Sole proprietorship, partnership, LLP and companies
- Co-founder arrangements
- Structuring a partnership/ LLP - Partnership Deed, LLP Agreement, registration requirement and procedure, number of partners, designated partners, sharing of profits, dissolution of partnership, default rules under Partnership Act and LLP Act.
- Structuring a company - Formation and incorporation: Reservation of Name, Director Identification Number and Digital Signature, Forms to be submitted to Registrar of companies for incorporation, Drafting Memorandum and Articles of Association, Types of Share Capital, Annual and periodic compliances.

- One person company
 - Hybrid structures and their relevance
 - **Non-profit businesses and hybrid models**
 - Law related to formation of trusts and societies
 - Procedure and key issues for incorporation of a trust / society / non-profit company
 - Tax benefits for a non-profit
 - Considerations while choosing an optimal business structure
 - Taxation of different business structures
 - Joint ventures and association of persons
 - Accounting and the law
 - Corporate income tax, minimum alternate tax, tax on issuance of capital
 - **Indirect taxes:** Excise duty, service tax and VAT - Applicability, how to obtain registration, computation of the tax, when to make payment
- 4. Corporate Governance and Corporate Social Responsibility**
- Introduction to corporate governance - Shareholders' rights vis-à-vis managers
 - Appointment and removal of directors
 - Corporate communications and reporting systems
 - Procedures for corporate decision-making
 - Related party transactions and conflict of interest
 - Powers and responsibilities of the board of directors and key managerial personnel, delegation of functions by directors
 - Independent directors and committees of directors
 - Directors' supervision of accounts and auditing, responsibilities for financial fraud
 - Governance mechanisms in private companies, public companies and listed companies
 - Repatriation of profit, regulation of managerial remuneration, divisible profits and dividend
 - Governance-related compliance requirements around key business transactions - raising investments, obtaining loans, exits, sale of business undertaking
 - Corporate governance of public sector undertakings
 - Corporate social responsibility - Voluntary instruments and the 2013 Companies Act and rules
- 5. Business Centric Dispute Resolution - Law and Strategy**
- Dispute resolution methods - litigation, arbitration, expert determination, mediation and conciliation
 - Types of business disputes and choice of appropriate dispute resolution method
 - Arbitration:

- o Arbitrator appointment strategy. institutional vs. ad hoc arbitration, how to demand suitable interim measures
- o Drafting efficient arbitration clauses
- o How to minimize delay in arbitration proceedings
- o International commercial arbitration
- o Enforcement strategies, grounds for challenge of arbitral awards,
- o Anti-suit injunctions
- Mediation: Strategies and relevance in commercial disputes
- Role of negotiation in dispute situations
- Litigation Strategy for domestic and cross-border disputes
- Regulatory Litigation - show cause notices and how to respond to them, remedies against adverse orders of adjudicating officers and tribunals, appellate tribunals, settlement with regulators

5C: Regulatory disputes, domestic and cross-border regulatory dispute resolution, litigation and enforcement issues

- Sectors / regulators covered: Electricity Disputes, Debt Recovery Tribunal, SEBI, Tax regulators, Competition Commission disputes, Case study of USFDA in India and Indian pharmaceutical sector, Resolution of domain name disputes
- Role of ombudsman
- Investigative powers of regulatory authorities: Competition Commission, SEBI and income tax authorities
- Pre-dispute clarificatory processes - Informal guidance by SEBI, Advance Ruling by Income Tax Authorities
- Regulatory violations, penalties and imprisonment under business-related legislations: tax, intellectual property, competition, legal metrology, etc.
- Application of plea bargaining to corporate and white-collar crime
- Compounding and regularization of regulatory violations
- Offshore jurisdiction of regulators: Indian Competition Commission and Tax Authorities, US Securities law
- Enforcement issues in dispute resolution:
 - o Execution petitions
 - o Enforcement of foreign court decrees in India and Indian court decrees abroad
 - o Regulatory approvals required for enforcement of court orders e.g. FIPB approval for enforcement of indemnity or exits

6. Intellectual Property Law, Information Technology Law and Management

- Relevance of information technology law for businessmen
- Legal structure governing the Internet
- Data protection under Indian law and privacy issues

- Legal documents necessary for offering software or providing online services
 - Cloud computing agreements
 - End-User License Agreements (EULA)
 - Payment gateway issues
 - Terms of Service
 - Privacy Policies
- Process charts to detect online IP infringement
- Steps for dealing with intellectual property infringements on the internet
 - Introduction to intermediary responsibility
 - Takedown notices and cease-and-desist notices
 - Content censorship and blocking of websites

6A. Introduction to Information Technology Laws in India and Cyber Security

- Relevance of information technology law for businessmen
- Legal structure governing the Internet
- Legal documents necessary for offering software or providing online services
 - Cloud computing agreements
 - End-User License Agreements (EULA)
 - Payment gateway issues
 - Terms of Service
 - Privacy Policies
- Data protection under Indian law and privacy issues
- Remedies for credit card fraud, identity and data theft
- Measures to prevent data theft
- 'Reasonable security practices' and ISO certifications
- Encryption standards for secure transmission

6C. Information Technology Law and IT Contracts: Drafting and Negotiation

- Relevance of information technology law for businessmen
- Legal structure governing the Internet
- Data protection under Indian law and privacy issues
- Remedies for credit card fraud, identity and data theft
- Measures to prevent data theft
- 'Reasonable security practices' and ISO certifications
- Encryption standards for secure transmission
- **IT Contracts**

- Cloud computing agreements
- End-User License Agreements (EULA)
- MSA and SWA
- Software escrow
- E-commerce contracts
- Website Development and Maintenance Agreement
- Domain Name Transfer and Settlement Agreement
- Terms of Service
- Privacy Policies

7. Employment and labour laws

- Employment agreements and key clauses
- Employment contracts of senior management
- Labour law compliance requirements for employees and workers (applicability, registers, notices, filing requirements) -
 - Factories law and Shops and Establishments Act
 - Contract labour regulation
 - Professional Tax Act
 - Remuneration-related laws and compliance: Minimum Wages Act, Payment of Bonus Act, Equal Remuneration Act, etc.
 - Regulation for interns and apprentices
- Relaxations for small businesses
- Social security legislation – Gratuity, Provident Fund, Employees State Insurance
- Standing orders
- Non-compete agreements, non-disclosure agreements, lock-ins
- Employee sharing/deputation
- Attrition management
- Collective bargaining and trade unionism, industrial disputes tribunal, labour courts

7A. Law of Copyright and Trademark

- **Copyright Law**
 - Introduction - Copyright protection of different kinds of 'works', rights available to copyright owner, originality and idea-expression dichotomy,
 - Infringement of copyright, remedies against infringement exceptions to infringement (including fair use), copyright protection on internet, Anton-Pillar and John Doe orders, amendments to copyright law,
 - Copyright protection of software,

- How to establish copyright in legal proceedings
- Registration of copyright
- Copyright societies, royalties to authors, performer's rights and broadcasting rights, Digital Millennium Copyright Act, software piracy
- Digital rights management

Trademark Law:

- Introduction to trademarks and what can be trademarked
- Unconventional trademarks
- How to register trademark, trademark search, series marks, service marks, passing-off and cross-border reputation claims, domain names and cyber-squatting, steps for international registration of trademark under Madrid Protocol
- International protection of trademarks,
- Rights available to trademark owner, goodwill, remedies for cross-border infringement of trademarks
- Remedies for infringement
- Exceptions to infringement, trademark of personal names, honest concurrent use

7B. Equity investment, negotiation and documentation

- Introduction to raising equity investment - types of investors, investor goals
- Financial investments, strategic investments and joint ventures - impact on documentation and business structure
- Stages in an investment transaction
- Non-disclosure agreements and negotiation pointers
- Due diligence
- Operational mechanics of a termsheet and shareholders agreement
- Legal and commercial implications of equity and hybrid securities
- Private equity investments
- Negotiating term-sheets and shareholders agreements, such as:
 - Liquidation preference
 - Governance provisions
 - Founder restrictions and lock-ins
 - Tag-Along, Drag Along, Pre-emption
 - ROFOs and ROFRs
 - Anti-dilution and ratchets
 - Exit-related provisions such as buy-backs, put-options, IPOs
 - Case studies

7C: Arbitration Practice, Procedure & Enforcement

- Drafting effective arbitration clauses
- Arbitrability – which disputes can be resolved by arbitration?
- Challenges to arbitration agreements, arbitrators and awards
- Concerns governing choice of an arbitral institution
- Governing law, seat and choice of institution in international arbitration
- Role of courts and judicial system in arbitration
- Drafting effective interim applications and claims
- Grounds for challenge of domestic and international arbitral awards
- Arbitration with Government-bodies as a party to the transaction
- Institutional and *ad hoc* arbitration
- Amendments in Indian arbitration law and their implications
- Online and fast-track arbitration
- Powers of arbitrators and reliefs that can be granted
- Enforcement of:
 - Foreign arbitral awards in India
 - Domestic awards in offshore jurisdictions

8. Government Procurement, Tendering Process and Government Contracts

- Conceptual understanding of government contracts and article 14
- Promissory estoppel
- General financial rules and draft Public Procurement Bill
- Tender processes
- Single-stage and two-stage bidding procedures
- Introduction to CVC norms
- Public private partnerships and concession agreements
- Remedies in case of unfair or discriminatory treatment against a bidder
- Unfair bidding practices

8A. Patent law and business strategy

- Criteria for patentability
- Registration of patents - How to identify prior art, conduct patent search, components of a patent application
- How to draft a patent specification
- Patent prosecution and opposition
- Patent claim scope
- International patent registration under PCT and Paris Convention
- Software patents – Indian and US laws

- Issues in biotechnology and pharmaceutical patents
- Assignment and revocation of patents
- Patent landscaping and patent portfolio management
- Non-practising entities and trolls
- Research institutions, patents and invention disclosure forms

8B. Debt Financing, Negotiation and Documentation

- Types of loans and facility arrangements with banks
- Strategic reasons for obtaining debt from other sources – non-banking finance companies, group companies, issue of bonds
- Clauses under loan agreements
- Security requirements
- Compliance requirements for obtaining loans
- External Commercial Borrowings - Regulation of Foreign loans
- Creation of security in favour of foreigners
- Syndicated loans - documentation, negotiation and formats

9. Import-Export and Customs Laws

- Foreign Trade Development Regulation Act and Foreign Trade Policy
- Steps in import transactions
- Import-export by courier and post
- Multi-modal transport laws, customs ports, container and logistics arrangements in international trade
- Determination of import duty
- Export procedure and export duty
- Practical relevance of warehousing
- Incentive schemes for exporters
 - Capital goods incentive scheme
 - Duty drawbacks and duty free import authorization scheme
 - Advance Authorization scheme
 - SEZs and their strategic advantage

9A. Employment Law, HR Practices in IT industry

- Employment contracts of senior managers and employees – Claw-back provisions, golden parachutes, caps on remuneration
- Applicability of standing orders to IT industry
- Employee incentives and perquisites - Stock options, stock purchase schemes, revenue share and profit share arrangements

- Lock-ins and employment bonds
- Anti-poaching arrangements and competition law
- Managing HR and protection of Intellectual Property
 - NDA agreement
 - Work for hire agreement
 - Clauses in Employment Agreement

9B. Foreign Direct Investment in private and public companies

- FEMA, FDI Policy and regulations:
 - FDI in different business structures - Companies, Trust, LLP
 - Sectoral regulations
 - Entry-related issues - approval route, conditionalities and sectoral regulations
 - Pricing restrictions
 - Exit related issues
- Determination of foreign ownership
- FDI in large corporate houses and groups
- Bank accounts for foreigners and handling foreign exchange
- Valuation, compliance and filing requirements
- Relaxations for foreign venture capital investors
- Regulatory issues surrounding exits with foreign investors
- SEBI and RBI regulations on listed company investments and exits
- Sectoral and FIPB approval applications

9C. Employment, industrial and labour disputes, standing orders and collective bargaining

- **Terms of employment of labourers and collective bargaining**
- Importance of standing orders, how to frame and get approval for a standing order for an industrial establishment/ factory
- Matters that must be addressed in a standing order, model standing orders
- What happens if contractual terms/ letter of appointment conflict with standing orders?
- Process for modification or changing terms of employment
- Understanding the collective bargaining process
- - Recognized and un-recognized trade unions - Why is recognition important?
- - Strikes: Under which circumstances is a strike considered lawful? When are strikes prohibited?
- - Special provisions for public utility services
- Outcomes of collective bargaining:
 - Employer and labourer settlements
 - Settlements pursuant to conciliation proceedings
 - Specimen settlement agreement

-
- **Disputes with industrial workers and labourers over employment terms**
- • In which situations does a labour court or tribunal have the authority to resolve an industrial dispute?
- • How can a dispute which is not notified by the government be resolved?
- • Use of statutory arbitration under Industrial Disputes Act by employer and labourers
- • Disputes under industries not covered by the Industrial Disputes Act
- • Enforcement of settlement agreements and awards of labour courts/ arbitral tribunals
- • Handling disputes pertaining to sexual harassment
-
- **Obligations in case of business transfers, termination or inability to give work**
- • Comparison of lay-off, retrenchment and lockout
- • Notice, compensation and other obligations of employers in case of lay-off, lockout and retrenchment of workmen
- • In which order must workmen be retrenched?
- • When is an employer not under an obligation to compensate workmen for the above actions?
- • Employers' obligations towards employees in case of a business transfer
- • M&A and employment issues

10. Corporate Finance, Investment Laws and Compliances

- Sources of corporate finance and their comparative evaluation:
 - Equity finance
 - Debt finance - Bonds and loans
 - Hybrid instruments - warrants and convertible notes
 - Conversion mechanics and regulatory requirements
 - Legal issues around raising investment:
 - Stages in an investment transaction and associated documentation
 - Strategic and financial investments
 - Investment documentation - shareholders agreements, share subscription agreements, share purchase agreements, articles of association, exit rights documentation
 - Types of loans and their features - Working capital loans, cash credit and overdraft facilities, term loans, revolving loans, secured and unsecured loans
 - Regulatory compliances for raising equity and debt finance
 - Companies Act
 - Foreign Exchange laws
 - Securities laws
 - Refinancing arrangements and the law
 - Finance and liquidity crises - Introduction to restructuring
- #### **10A. Laws of e-Commerce, Online Payment and Encryptions**

- E-commerce and the law
 - Regulations in India
 - FDI in e-commerce and business structures
 - Security issues in E-commerce
- Electronic payment systems
- Payment and Settlement Systems Act and RBI regulations
- Understanding online payment and transactions
- Payment gateway arrangements
- Crypto-currencies and the law
- Taxation issues in E-commerce

10B. Securities Market, Law and Regulatory Practices

- Eligibility criteria for accessing public capital
- Listing of equity instruments - Initial public offers (IPOs), follow-on public offers (FPOs), Rights issues, Qualified Institutions Placement
- SME platform and relaxations for listing of small and medium enterprises
- Listing of debt instruments
- Listing on overseas exchanges - ADRs and GDRs, overseas subsidiary listing
- Overseas issuance of debt - foreign currency convertible bonds (FCCBs) and foreign currency exchangeable bonds (FCEBs)

10C: Business Centric Dispute Resolution Processes: Negotiation, mediation and expert determination

Negotiation

- What is negotiation?
- What are the basics of principled negotiation – SWOT Analysis, ZOPA, WATNA, MLATNA, BATNA
- How to prepare for a principled negotiation?
- Deal negotiation vs. dispute negotiation
- Negotiation in post dispute situations
- Enforceability of pre and post-litigation and arbitration negotiated settlements
- Settlement agreements and role of court approval
- Negotiation vs. other dispute settlement mechanisms
- Principled vs. demand-based or adversarial negotiation
- Cost of negotiation and alternatives to negotiation
- Role of lawyers in negotiation
- Practical negotiation tips

Mediation

Institutional and court-annexed mediation in India

Mediation at domestic and international level

Expert determination

- When is expert determination useful?
- Relevance of expert determination findings in dispute resolution
- Comparison of expert determination and other dispute resolution methods
- Court's and arbitrator's powers to involve experts in traditional disputes
- Enforceability of expert's findings

11. Legal risk management, sectoral, regulatory and statutory compliances

- Legal risk management - identifying and minimizing risks, building processes
- Internal company policies, allocation of responsibility amongst officers, imposing contractual obligations, reporting structures
- Recruitment policy, compensation policy, performance management policy, leave policy, medical policy, sexual harassment policy, data protection and confidentiality policy, grievance redressal policy, whistleblower policy, emergency policies, media communications policy, social media and blogging policy
- Insurance: Fire and Special Peril, Transportation, Keyman Insurance, Terrorism Insurance, Group Insurance, Public Liability Insurance, Professional Liability Insurance, Director's and Officer's (D&O) Insurance.
- Sectoral regulators and licensing requirements
 - Introduction to SEBI and financial sector
 - Telecom regulation
 - Insurance sector

11A. Monetizing Intellectual Property & Documentation

- Acquiring IPs – JV, licensing, M&A, JD, Patent pooling
- IP Audit, IP Valuation, IP Securitization
- Licensing agreements and negotiation
- Open source licenses, creative commons
- Regulatory requirements for licensing of copyright, trademark and patent
- Cross-licensing strategies for technology companies
- Franchising and merchandising agreements and negotiation
- Business models of non-practising entities (NPEs) and patent trolls
- Assignment agreements: Regulatory compliance and negotiation
- Technology transfer models and arrangements

- Procedures for Technology Transfer/ Commercialization – JV, Subsidiary, Outright third party transfer
- IP regime and transfer strategy
- Licensing of IP – Protection against IP spill over
- Managing Trade secrets
- Transfer of Technical Knowledge/IP of research institutes
- Taxation and Accounting issues in transfer of IPs
 - Software taxation
 - Trademark Assignment

11B. Management Practices and Law

- Legal risk management - identifying and minimizing risks
- Building processes
- Internal company policies, allocation of responsibility amongst officers, imposing contractual obligations, reporting structures
- Recruitment policy, compensation policy, performance management policy, leave policy, medical policy, sexual harassment policy, data protection and confidentiality policy, grievance redressal policy, whistle-blower policy, emergency policies, media communications policy, social media and blogging policy
- **Insurance:** Fire and Special Peril, Transportation, Keyman Insurance, Terrorism Insurance, Group Insurance, Public Liability Insurance, Professional Liability Insurance, Director's and Officer's (D&O) Insurance.

12. Mergers & Acquisitions (M&As) and Competition Law

M&As

- Methods of acquisition - share purchase, asset purchase, sale of undertaking
- Stages in an M&A transaction
- Payment mechanisms for M&As
- Indemnities, representations and warranties and other key clauses of M&A transactions
- Court approved mergers
- Tax issues in M&A
- Employment issues in M&A

Competition issues

- Introduction to combinations
- Competition Commission approvals
- Exemption thresholds for mergers
- How to respond to CCI notices and investigations
- Appeals against adverse CCI orders

12A. Outsourcing law, Cloud Computing, Data Protection and Online Reputation Management

Cloud computing agreements and the law

- Performance management metrics and service level agreements - Downtime and related terms, Service credits, Allocation of third-party dependency risk, Sample case studies, Cyber security issues on the cloud, Data protection and cloud computing, e-discovery in the cloud, Location and ownership of data, Data migration and retention issues
- Data mining and big data

Outsourcing and the law

- Choosing an outsourcing destination and role of law
- Legal mechanisms for outsourcing:
 - Service agreements
 - Joint venture
 - Captive outsourcing
- Intellectual property issues
- Service Levels, performance and personnel management
- Data security
- Choice of law and dispute settlement
- Master Services Agreements and Statement of Work
- Taxation of outsourced services

Online reputation management

- Reputational risks and legal strategy: Online defamation, Hate speech on internet, Leakage of confidential information, Online misrepresentation, identity theft and fraud, Industry perceptions and scandals, Intellectual property issues
- Dealing with intermediaries
- Dealing with social media platforms
- Legal strategy and processes for handling reputational crises
- Organizational policies for reputation management: social media policy, blogging policy, media communications policies, customer grievance and engagement policies

12C. Drafting and negotiation of M&A, Financing and Investment Contracts, restructuring and bankruptcy-related arrangements

M&As

Methods of acquisition - share purchase, asset purchase, sale of undertaking

- Stages in an M&A transaction
- Payment mechanisms for M&As

- Indemnities, representations and warranties and other key clauses of M&A transactions
- Court approved mergers
- Tax issues in M&A
- Employment issues in M&A

Financing and Investment Contracts

- Term Sheet
- Conducting due diligence
- Shareholders Agreement
- Share Purchase Agreement
- Non-Disclosure Agreement
- Syndicate Loan Agreement
- Bridge Loan Agreement
- Loan Agreement
- ECB Contracts
- Debenture Trust Deeds
- Share pledge agreements
- Escrow agreements
- Security Trustee Agreements

Restructuring and bankruptcy-related arrangements

- Anatomy of restructuring deals in India
- Strategic reasons for restructuring
- Scheme of arrangement
- Inter-creditor arrangement
- Corporate debt restructuring (CDR) documentation
- Winding up petition
- Insolvency and Bankruptcy Code
- Asset restructuring
- Spin offs and divestitures
- Carve outs and Split Offs
- International Dimensions of Bankruptcy

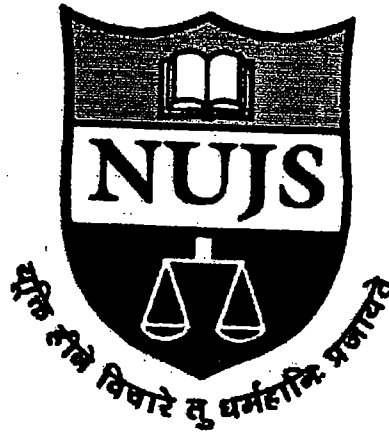
7. Introduction of online certificate courses in Skill Based Legal Education with the help of our technology provider IPLeders

The university intends to start online certificate courses in Skill Based Legal Education with the help of our technology provider IPLeders.

The detailed course outline is attached as Annexure "7".

Put up for perusal and approval of the honourable members.

Encl: Annexure 7: (detailed course outline of online certificate courses in Skill Based Legal Education with the help of our technology provider IPLeders).



**ONLINE CERTIFICATE COURSES IN SKILL BASED
LEGAL EDUCATION**

WITH

NATIONAL UNIVERSITY OF JURIDICAL SCIENCES

(with the help of our technology provider iPleaders)

17th August 2016

Course 1: Certificate in Commercial Contract Drafting and Negotiation

Target Audience: Lawyers, accountants (CAs, cost accountants, etc.), finance professionals, company secretaries and law students

Course fees: Rs 8000 (Introductory Fees: Rs 5000)

Duration: 4 months

Eligibility: Pursuing or completed any undergraduate course from a recognised university/college in India or abroad.

Module I - Introduction to basic principles of law of contract

- Statutory provisions – offer, acceptance, communication, proposal, invitation of treat
- Ingredients of a valid contract
- Consideration
- Validity of standard form contracts
- Contracts by minor

Module II- Breach of contract and Remedies for breach of contract and Termination

- Breach
 - Actual breach
 - Time is of essence
 - Anticipatory breach
- Termination and Expiry of term
- Grounds for termination
 - termination on expiry of the term
 - termination at will or for convenience
 - termination for cause
 - material breach
 - event of default and exit
 - accelerated termination
 - termination due to change of control
 - termination due to death or disability
 - force majeure
- Remedies for breach of contract

- o equitable reliefs - declaratory judgment, injunction, specific performance
- o Rescission of contract
- o Damages
 - Compensatory damages
 - Liquidated damages
 - Punitive damages
 - Nominal damages

Module III- Contract drafting and practical considerations

- Format and structure of a business contract
- How to read a contract for the first time
- How to proof-read a contract
- Tone and format – deed v commercial contracts?
- Avoiding legalese
- Important information needed before drafting an agreement – How to get necessary information from your client?
- Amendments and renewal of contracts
 - o Different ways to draft a renewal clause
 - o How to draft an amendment
 - o How to add parties to a contract (e.g. loan agreement, partnership agreement, shareholder agreement)
- How and when to use a schedule in a contract
- Unique features of statement of work (there is a standing contract, fresh consideration for each work, etc.)

Module IV- Drafting principles – Structuring, grammar and basics

- Organization – Structure of a contract
- Precision – avoiding ambiguity, creating certainty
- Contract language – avoiding archaic language, repetition, and Term of Art
- Formatting, layout and typography
- Usage of verbs —shall, will, must, may, can, deem
- Usage of adverbs and adjectives and qualifiers to qualify duties and choices
- Usage of noun/pronoun, genders, defined terms
- Usage of and/ or
- Usage of punctuations
- Writing values, ages, dates

- Usage of implied, express and standard terminology (reasonable, material, substantial)
- Referencing within the agreement
- Importance of a Term Sheet

Module V- Operational and commercial clauses

- Payments and interest
 - Payment clauses
 - Purpose
 - Goods default
 - Clauses
- Interest clauses
 - A clause: charging interest for late payment
 - Penalties and rates of interest
 - Force majeure and payments
 - The importance of waiving rights – or not
 - Assignment and novation
- Assignment and Transfer of rights
 - Difference
 - Drafting issues
 - What can be assigned and what cannot be

Module VI- Risk mitigation clauses

- Guarantees, Indemnities, Representations & Warranties and Limitation of Liabilities
 - How a guarantee works – bank guarantee, performance guarantee, promoter guarantee, parent guarantee
 - Drafting an indemnity clause
 - Regulatory restrictions on enforcement of indemnity clause
 - Consequences of breach of representations and warranties clause
- Conditions and other Contract Terms
 - Covenants in a contract
 - Types of conditions - conditions precedent/subsequent, material adverse change

Module VII- Boilerplate clauses in commercial agreements

- Title, recitals, definitions clause, table of content,
- Defining obligations of parties
- Interpretation
 - Importance
 - Headings and titles

- Usual interpretation clauses
- Notice and communications
 - Purpose of a clause
 - Problematic clauses?
 - Relevant case law
- Waiver
 - Purpose
 - Effect
 - Clause
 - How does it work?
 - Variation
 - The remedies addendum
- Invalidity and severance
 - Purpose
 - Invalid clauses – and consequences
 - Blue pencil test
 - Repair
 - Clause
 - Bolt-ons
- Joint and several liability
 - Purpose
 - Clause
 - Bolt-ons
- Force majeure
 - Purpose
 - A partisan view of risk
 - What is force majeure?
 - Effect
 - Procedure
 - Clause
- Entire agreement clauses
 - Purpose
 - Problem
 - A new purpose
 - The law
 - Drafting
 - Clause
- Governing law, jurisdiction and dispute resolution clauses
 - How to select a governing law
 - How to identify appropriate jurisdiction

- How to write effective dispute resolution clauses
- Confidentiality, non-compete, non-solicit, exclusivity clauses
 - Doing without a confidentiality agreement
 - A confidentiality agreement: the practice
 - A definition: What is confidential?
 - Clause outline
 - Exclusivity clause
 - Non-compete clause
 - Non-solicit clause
 - Sample clauses

Module VIII- Drafting different types of contracts

Note: Use explanations and examples of the unique features of each contract liberally while explaining the concepts in different parts of this module. Don't need to explain each contract from beginning to end here. Detailed explanation of each contract will be in the module on the relevant topic. E.g. Co-founder agreements will be explained in detail in the module on business structuring. In this module, you can simply give a brief explanation of the unique nature of each contract, or you can hyperlink the contracts from here to such explanation.

- Co-founders Agreement
- Partnership Agreement
- Employment Agreement
- Non-disclosure Agreements
- MOA and AOA
- Security agreements
- Loan agreements
- Trust Deed
- Shareholders Agreement
- Franchising and Licensing Agreement
- Key business agreements and contractual risk mitigation - Distribution agreement, Marketing Agreement, Commercial leases, Consultancy Agreement, Collaboration/Co-branding Agreement, Advertising Agreement

Module IX- Electronic contracts

- Contracts by email, browsewrap, shrinkwrap and clickwrap contracts, digital signatures

- Validity of electronic communication
- Enforceability of electronic contracts
- Sample IT Contracts

Module X- Procedural requirements for contractual validity and enforcement

- Registration requirements
- Stamping
- Attestation
- Notarization
- Apostillation

Module XI- Contract negotiation

- Identification and appreciation of commercial intent
- Practical case studies (e.g. Steve Jobs' negotiation)
 - o AT & T and iPhone
 - o Apple books and Amazon
 - o Disney
 - o Gorilla Glass

Module XII- Contract drafting – Practice Exercises

Course 2: Certificate in Intellectual Property Law

Target Audience: Lawyers, accountants (CAs, cost accountants, etc.), finance professionals, company secretaries and law students

Course fees: Rs 8000 (Introductory Fees: Rs 5000)

Duration: 4 months

Eligibility: Perusing or completed any undergraduate course from a recognised university/college in India or abroad.

Module I: Introduction to Intellectual Property Law

Chapter 1: Introduction to Intellectual Property Law

This module gives a brief introduction to the principles of intellectual property law ("IP") and the legal framework in India governing IP. It also gives an overview to the importance of businesses to protect their IP portfolio/ assets.

Chapter 2: International IP treaties and conventions

Module II: Copyright Law for Early Stage Business

Chapter 1: How early stage business can use copyright law to protect important works

In this chapter, you will learn the strategic importance of copyright protection for businesses. This chapter also gives a brief introduction to copyright law in India. We will discuss the following topics in this chapter:

- What categories of "works" can be copyrighted? Understanding Idea-expression debate
- Rights available with a copyright owner under the Copyright Act, 1957
- Moral rights
- Duration of copyright protection for each category of work

Chapter 2: Procedure for copyright registration

This chapter discusses the detailed procedure for copyright registration in India and whether there is a necessity for registration.

Chapter 3: Techniques for commercial exploitation of copyright

A business may not always be capable of utilizing the full commercial potential of a copyrighted work all by itself. However, business owners can make a profit from commercial exploitation of the copyrighted works through various mechanisms. In this chapter we will discuss about:

- Copyright Licensing
- Copyright assignment
- Open source licensing
- Phonographic and performance licenses

Chapter 4: Copyright infringement and practical remedies

In this chapter, we will discuss about various practical remedies for copyright infringement and how to protect your business from copyright infringement. In this chapter we will discuss about:

- Dealing with copyright infringement in India
- Understanding copyright infringement
- Take down notices/ legal notices- precautions before issuing notices
 - Remedies to prevent or stop copyright infringement

- Monetary damages. Claims over profits from copyright infringement, destroying infringed material
- Criminal offences- Bailability of offences under the Copyright Act, 1957
- John Doe orders, Anton Pillar orders [including qua timet (apprehensive) actions]
- Remedies available in respect of imported goods that violate copyright
 - Fair use defence to copyright infringement
 - Digital rights management tools and privacy

Chapter 5: Copyright in Cyberspace

In this chapter, we will discuss about copyright issues in cyber space, including protection of software, databases, websites, etc. and how to protect the digital assets of the company interlinking the same with the provisions of the Information Technology Act, 2000. We will also analyse an interesting case study of *Oracle-Google copyright dispute*.

Sample document: (Handouts)

- *Sample Takedown Notice*
- *Format for notice of registration to customs commissioner*
- *Software Licensing Agreement*

Module III: Trademark Law

Chapter 1: Introduction to Trademarks

In this chapter, we will give a brief introduction to trade mark law and its relevance for business. We will also discuss how to create a trade mark strategy and its correlation with brand management. In this chapter, we will also discuss the following:

- Selecting a Trademark
- Legal restrictions of adopting a mark
- Types of marks
- Relevance to name of business entity in identification/selection of a mark

Chapter 2: Procedure for Trademark Registration

In this chapter, we will discuss about the procedure and stages of trademark registration in India and in multiple other countries. This chapter will teach the following:

- Conducting a trade mark search
- Trademark Registration
 - National
 - International Trademark Registration (Madrid protocol)

Chapter 3: Methods for commercial exploitation of trademarks

A business may commercially exploit its trademark by manufacturing its goods, or it may permit other entities to manufacture goods under its own brand name – through licensing or franchising arrangements. It may even sell a particular mark to another entity (known as assignment under trademark law). In this chapter, we will discuss about two important ways for commercial exploitation of trademarks – i) Assignment of trademark and ii) Trademark licensing.

We will also discuss the concepts of registered user and permitted user.

Sample document (Handout)

- *Sample Trademark assignment agreement*

Chapter 4: Trademark opposition and litigation

In this chapter, we will discuss about different methods of enforcing trademark infringement including, the following:

- Opposition to trademark claims
- Enforcement of trademark
- Passing off and trademark infringement
- Criminal prosecution
- Rectification of trade marks
- Groundless threat proceedings
- Remedies for cross-border infringement of trademarks

Exceptions to infringement, trademark of personal names, honest and concurrent use, prior user etc.

Chapter 5: Trademark infringement in Cyber-Space

- Google adwords and trademark issues
- Fake/ counterfeit products on e-commerce portals
- Domain name disputes and Cybersquatting
- Parallel importation

Module IV: Patent Law

Chapter 1: Introduction to patent law

In this chapter, we will give a brief introduction to patent law in India. We will discuss what constitutes a patentable product and things that cannot be patented in India.

Chapter 2: Patent application and registration process

In this chapter, we will discuss in details about the patent application process in India and other countries, including filing process, preparation of patent specification. Here are the list of topics that have been discussed in this chapter:

- Ownership of patent
- Patent search (Invalidation Search, Patentability Search & Freedom to operate search)
- Provisional and complete specification
-
- Advantages of filing a provisional application
 - Component of a patent specification
 - Registration process
 - Patent application in multiple countries (PCT route)
- *Annexure: (Handout)*
 - *Sample Patent Specification*

Chapter 3: Patent licensing and assignment

- Licensing and assignment procedure and agreements
- Cross-licensing
- Compulsory licensing and the law in India

Chapter 4: Patent litigation

- Office action response filing
- Pre-grant and post-grant opposition
- Remedies
- Defences

Module V: Other IPR - Trade secrets and Designs

Chapter 1: Trade Secrets and Confidential Information

Chapter 2: Designs Act

Module VI: IP Management and Monetization – Introduction to commercial exploitation of Intellectual property

Chapter 1: Negotiating licensing and franchising agreements

Intellectual property is acquired so that it can be exploited for commercial purposes. A business may either use intellectual property rights (IPRs) to generate revenues by itself or its business may also sell the IPRs permanently (through an assignment), or it may allow other entities to use its IPRs through licensing, franchising or technology transfer. In this chapter we will discuss the important clauses that must be present in a licensing or franchising agreement.

Chapter 2: Technology transfer - A primer

In this chapter, we will be discussing about concept of technology transfer, common issues in technology transfer.

Chapter 3: Issues in Intellectual property management

In this chapter we will focus on methods of enforcement such as investigations which are industry specific. We will also focus on the need for trademarks and patents to renewed periodically.

Chapter 4: Employees and intellectual property

During the course of employment, employees routinely create intellectual property for the employer. Do you actually own the IP created by your employees? In this chapter you will learn about different mechanisms to protect the IP created by employees from future litigation or claim from the employee himself or third parties (such as new employers) and the remedies available under the law including the Indian Contract Act. Moreover, we have also discussed an interesting case study related to confidential information of India's F1 Racing team, Force India.

- *Sample agreement: (Handout)*
Sample Work-for-Hire Agreement
- *Employment Agreement with extensive IP clauses*

Course 3: Certification in Anti-Sexual Harassment Law

Target Audience: Lawyers, accountants (CAs, cost accountants, etc.), finance professionals, company secretaries and law students

Course fees: Rs 8000 (Introductory Fees: Rs 5000)

Duration: 4 months

Eligibility: Perusing or completed any undergraduate course from a recognised university/college in India or abroad.

MODULE I: Anti-sexual harassment law in India and career opportunities

- History of fight against sexual harassment in India
- What you can expect to learn and achieve from this course
- Vishakha Guidelines and the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 – comparison of compliance requirements and responsibility levels of employers and organizations
- Key roadblocks for organisations in implementation of 2013 Act

- Relevance of the act for lawyers, in-house legal counsels, accountants and secretaries
- New career opportunities for young learners like you in this area
- Skillsets required to be developed to explore such career options

MODULE II: Employer's duties under anti-sexual harassment law

- **Mandatory duties of employees under Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013**
- Gaps and pain points in fulfilling the mandatory duties of employees under Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013
- How can trained people like you support organizations in effective implementation of the law:
 - Providing necessary facilities to the member of ICC
 - Preparation of annual reports
 - Communication and training for employees
 - Modifying employment agreements and policy in light of anti-sexual harassment law
 - Creating and implementing an anti-sexual harassment policy & standard practices
 - Sample notices for display in organizational premises
 - Reporting and other compliances
 - Other statutory requirements
- **Consequences of violation of obligations**
 - Non-constitution of ICC
 - Non-implementation the decision of the ICC
 - Reputation hazards for businesses in connection with sexual harassment laws
- **Anti-sexual harassment audits to detect risks and gaps in implementation**
 - Necessity and objective of a sexual harassment audit
 - Professionals and officers involved in an audit and their roles
 - Reporting and information collection systems for audit
 - Components of an audit
 - Suggested format for audit report

MODULE III: Sensitisation and training of employees

- **Typical gaps in execution of sensitization initiatives**
- **Knowledge components of a sensitization program**
 - What acts constitute sexual harassment?
 - What should you do in case you face sexual harassment? Steps for filing a complaint and reliefs.
 - Under which circumstances does the act accord protection to working women?
 - What should the defendant do in case of a complaint against him?
 - How to handle a complaint that is not genuine?
 - How should male and transgender employees deal with sexual harassment at workplace?
- **Implementation of workshops for sensitization**
 - Planning a workshop
 - Simulation activities

- o How to communicate with the employees
- o Participative decision making at workshops

MODULE IV: Setting up ICC and Decision making process

- Challenges faced in setting up ICC and handling cases
- Constitution of ICC
- ICC's compliance obligations under the act
- Employer's duties with respect to ICC
- How ICC should handle complaints?
- Procedure and timelines for the ICC to decide a sexual harassment complaint
- How enquiry process works?
- Legal issues in decision making process - understanding principles of natural justice
- Powers of ICC
- Handling false complaints

- Gender-neutral framework for handling complaints

Course 4: Certificate in Business Laws

Target Audience: Lawyers, accountants (CAs, cost accountants, etc.), finance professionals, company secretaries and law students

Course fees: Rs 15000

Duration: 4 months

Eligibility: Pursuing or completed any undergraduate course from a recognised university/college in India or abroad.

MODULE I: Structuring a Business

Co-founders agreements

Structuring a partnership / LLP

- Partnership Deed, LLP Agreement, registration requirement and procedure, number of partners, designated partners, sharing of profits, dissolution of partnership, default rules under Partnership Act and LLP Act.

Structuring a company

- Formation and incorporation- private company, one person company: Reservation of Name, Director Identification Number and Digital Signature, Forms to be submitted to Registrar of companies for incorporation, Memorandum and Articles of Association, Types of Share Capital, Annual and periodic compliances.

Non-profit businesses and hybrid models

- Procedure and key issues for incorporation of a trust / society / non-profit company
- Tax benefits for a non-profit
- Hybrid structures and their relevance

Key takeaways

- How to draft partnership deeds and LLP agreements
- Drafting memorandum and articles of association of companies
- Process, checklists and flowcharts for incorporation of partnership, company and LLP
- How to start a non-profit venture, and process for claiming various government incentives for non-profits
- Advisor agreement

Sample contracts and templates

- Partnership Deed
- LLP Agreement
- Co-Founder's Agreement
- Memorandum and Articles of Association (as per Companies Act, 2013)

MODULE II: Business Licenses, Compliance and Taxation

Business licenses and compliance

- Labour law compliances
- Trade licenses
- Industrial licensing and environmental compliance (for large companies, particularly manufacturers)
- MSMED Act: Advantages of registration, Registration process, money recovery procedures for startups, effective payment-related dispute resolution mechanisms, Sample disclosure to be made under MSMED Act

- **Corporate taxation**

- Corporate income tax, Minimum Alternate Tax (MAT), taxation of software product and SAAS companies, tax on issue of capital (e.g. equity, bonus shares and convertible instruments) to different entities, transfer pricing
- How TDS works – including forms, modes and timelines of for payment double taxation avoidance provisions and agreements, tax on software
- **Indirect Taxes:** How and when to obtain registration for Central Sales Tax, VAT, Service Tax, Excise Duty

MODULE III: Corporate Governance

- Introduction to corporate governance: how does a company manages its activities?
- Models of corporate governance: Indian and international practices
- Regulation of listed companies
- Regulation of foreign companies doing business in India
- Instruments of control: Board of Directors, Shareholders' Meetings, legal instruments
- Shareholders' Agreement, charters of the company
- Related party transactions

- Different types of company meetings- Board Meetings, Committee Meetings, Shareholders' meetings
- Corporate governance related compliances
- Appointment of Directors, Roles of Directors, Director's liabilities, duties and liabilities of executives
- Independent director – Appointment, roles and liabilities
- Laws of executive compensation
- Role of Shareholders in corporate governance
- Corporate communications and reporting systems
- Repatriation of profit, divisible profits and dividend
- How an outsider should deal with a company?
- Corporate Social Responsibility

MODULE IV: Raising investment and loans

- Introduction to raising investment – financial and strategic investment
- Business structuring and investment
- Angel investments and regulation of angel funds
- Steps in an investment transaction – negotiation, drafting and legal strategy
- Understanding non-disclosure agreements (NDAs)
- Transfer of shares
- Shareholders Agreements and how to negotiate them
- Exit issues in investment transactions
- How do you raise investment or loans to finance a business?
- Essential issues in loan agreement
- Bank guarantees and securities

Key takeaways

- How to negotiate shareholders agreements and termsheets (with case studies)
- How to negotiate shareholders agreements with investors

Sample agreements and documents

- Non-disclosure agreement
- Shareholders and share subscription agreement
- Term sheet
- Sample loan agreement from a domestic bank

MODULE V: Employee Management and Office Policies

- Employment agreement
- Labour law compliances
- Legal forms of incentives and perquisites
- Structuring ESOP& ESPS
- Intellectual property and employees
- Non-compete agreements, non-disclosure agreements
- Employee sharing/deputation
- Attrition management

- Trade licenses
- Industrial licensing and environmental compliance (for large companies, particularly manufacturers)
- Advisor Agreement
- Internal company policies, security systems, allocation of responsibility amongst officers, imposing contractual obligations, reporting structure
- Recruitment policy, compensation policy, performance management policy, leave policy, medical policy, sexual harassment policy, data protection and confidentiality policy, grievance redressal policy, whistleblower policy, emergency policies, media communications policy, social media and blogging policy

Sample agreements and documents

- Employment agreement
- Employee-sharing arrangement
- Sample ESOP Plan
- Sample board resolution approving ESOP Plan
- Sample letter for granting stock options

MODULE VI: Arbitration and Dispute Resolution

- How to avoid disputes and drainage of resources through courtroom battles
- Arbitration, negotiation, arbitration clauses in contracts
- Structuring arbitration for speedy and fair resolution
- How to develop a dispute settlement strategy
- How to use anti-suit injunctions in international transactions
- Introduction to commercial mediation proceedings

Key Takeaways

- Sample clauses for institutional arbitration (from renowned arbitration institutions)
- Sample clauses for ad hoc arbitration and their pros and cons
- How to draft a customized arbitration clause for speedy and cost-effective arbitration
- When to apply for anti-suit injunction

MODULE VII: Intellectual Property Rights and Technology Law Basics

- **Copyright:** Copyright Act, Rights available to copyright owner, Originality and Idea-Expression dichotomy, infringement of copyright, Exceptions to infringement (including fair use), Copyright protection on internet, Digital Millennium Copyright Act, software piracy.
- **Patents:** Patent Act, components of a patent application, international patent registrations, rights available to patent holders, requirements of novelty, inventive step and industrial application, product and process patents, assignment and revocation, Patenting of biotechnology inventions and pharmaceutical products.
- **Trademark Act:** Registration of trademark, steps for international registration of trademark, rights available to trademark owner, Goodwill, different types of marks such as service marks
- Monetization of intellectual property - Licensing and franchising agreements

- Trade secret law, employment contracts and protection of software
- Steps to deal with online intellectual property infringement
- Intermediary liability and compliance
- Data protection under Indian law

Key Takeaways

- How to obtain copyright, trademark and patent registration in India
- Procedure for international registration of trademarks and patents
- How to enforce IP rights against imported items and fake products
- DRM technologies and copyright law
- Special court orders for protecting and enforcing IP rights
- How to draft end-user license agreements (EULAs)

Sample Agreements

- IP License Agreement
- Franchisee Agreement
- Assignment Agreement
- End-User License Agreement

MODULE VIII: Negotiation and Contract Drafting

- Contract drafting essentials – Elements of a contract
- How to become proficient at drafting contracts – drafting guidelines and checklists
- Pointers and checklists to ensure a risk-free contract
- Boilerplate clauses – Importance and customization
- Negotiation essentials – Important points that every entrepreneur or his advisor should know, negotiation soft skills
- Inclusion of commercial intent in contracts
- Negotiating and drafting sample agreements

Teaching methodology and operational framework for all certificate courses

The course will be conducted through an online learning management system, which will enable students to access study materials from anywhere in the world at their own time and convenience. All the study material which includes text, videos, drafting exercises, templates and regular tests will be available only within the LMS (including mobile phones and tablets) and can be accessed using your login id for the LMS. Students will have access to the course content for a period of 1 year from the date of joining in the course.

All the tests will be conducted online and can be attempted by you at the comfort of your home or office.

Admission

Admissions will be made on a rolling basis throughout the year. Students will have access to the course materials for a period of 1 year from the date of purchase.

Test

- A 50 marks online test will be administered, which will allow them to take test on any day within one year (after an initial period of 4 months).
- Test will get auto-activated after 4 months from date of purchase and provisional E-certificate issued instantly on achieving the passing marks.
- Hard-copy certificate will be issued at pre-defined time in a year – twice a year.
- The examination will have multiple choice questions testing conceptual knowledge and application of principles based on hypothetical scenarios.
- The passing mark for the test is set at 40 %.
- Some subjective questions/drafting exercise/practical exercises/continuous writing assignments may also be included in the exam depending on the course and on approval of the Course Coordinator appointed by NUJS. In case of subjective questions correction may be undertaken by university or iLeaders designated staff members who are suitably qualified.

Re- examination

- Re-examination will be conducted twice in a year. The first set of re-exam would be conducted in the month of June and the second set of re- exam will be conducted in the month of December.

8. Introduction of certificate course on Intellectual Property Rights through The Centre For Regulatory Studies, Governance And Public Policy (CRSGPP), WBNUJS

The university intends to start a certificate course on Intellectual Property Rights through The Centre For Regulatory Studies, Governance And Public Policy (CRSGPP), WBNUJS.

The detailed course outline is attached as Annexure "8".

Put up for perusal and approval of the honourable members.

Encl: Annexure 8: (detailed syllabus and course outline of certificate course on Intellectual Property Rights).

Approved

**SYLLABUS FOR CERTIFICATE COURSE PREPARED BY
THE CENTRE FOR REGULATORY STUDIES,
GOVERNANCE AND PUBLIC POLICY (CRSGPP), WBNUJS
FOR THE APPROVAL BY ACADEMIC COUNCIL OF
WBNUJS.**

Objective of the Course:

Intellectual property (IP) refers to the creations of the human mind like inventions, literary and artistic works, and symbols, names, images and designs used in trade and business. The most noticeable difference between intellectual property and other forms of property is that, intellectual property is intangible, that is, it cannot be defined or identified by its own physical parameters. It must be expressed in some discernible way to be protectable. Generally, it encompasses four separate and distinct types of intangible property namely — patents, trademarks, copyrights, and trade secrets, which collectively are referred to as “intellectual property.” However, the scope and definition of intellectual property is constantly evolving with the inclusion of newer forms under the gambit of intellectual property. In recent times, geographical indications, protection of plant varieties, protection for semi-conductors and integrated circuits, undisclosed information in the form of trade secrets and traditional knowledge accumulated over centuries have been brought under the umbrella of intellectual property.

The premise underlying Intellectual Property throughout its history has been that the recognition and rewards associated with ownership of inventions and creative works stimulate further inventive and creative activity that, in turn, stimulates economic growth. Over a period of time and particularly in contemporary corporate paradigm, ideas and knowledge have become increasingly important parts of trade. Most of the value of high technology products and new medicines lies in the amount of invention, innovation, research, design and testing involved.

The Intellectual Property System in India comprises several legislations, rules, and policies that protect different forms of intellectual property. Copyrights are regulated under the Copyright Act, 1957; patents under the Patents Act, 1970; trademarks under Trade and Merchandise Marks Act 1958; and designs under Designs Act, 1911. With the establishment of WTO and India being signatory to the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS), several new legislations were passed for the protection of intellectual property rights to meet the international obligations. These included: Trade Marks, called the Trade Mark Act, 1999; Designs Act, 1911 was replaced by the Designs Act, 2000; the Copyright Act, 1957 amended a number of times, the latest is called Copyright (Amendment) Act, 2012; and the latest amendments made to the Patents Act, 1970 in 2005. Besides, new legislations on geographical indications and plant varieties were also enacted. These are called Geographical Indications of Goods (Registration and Protection) Act, 1999, and Protection of Plant Varieties and Farmers’ Rights Act, 2001 respectively.

At the multilateral level, the successful conclusion of the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) in the World Trade Organization elevates the protection and enforcement of IPRs to the level of solemn international commitment. It is strongly felt that under the global competitive environment, stronger IPR protection increases incentives for innovation and raises returns to international technology transfer.

Course Outline:

The Course will be spread over the following 5 Modules.

MODULE 1

A. INTRODUCTION TO IPR

- Concept of Property
- Concept of Intellectual Property
- Justifications for Intellectual Property
- Need for Protection

B. COPYRIGHT

- Concept and content of copyright
 - Concept of copyright
 - Subject matter of copyright
- Variants of copyright law application
 - Authors' Rights
 - Performers' Rights
 - Broadcasters' Rights
- Copyright and its extension
 - Rights under copyright.
 - Relation between ownership and extent to copyright
 - Assignment of a copyright
 - Licensing of a copyright
- Registration of copyright: forum and procedure
- Exception clauses: Fair Use and Fair Dealing
- Offences and remedies
- Some pertinent conundrums:
 - Issues between public interest and copyright
 - The creative commons proposition
 - Plausible solutions

MODULE 2

A. TRADEMARK

- Introduction:
 - What is a trade mark?
 - Why do we need a trade mark?
 - What are the different types of trade mark?
 - Distinction between a trade mark and a trade dress?
- Contemporary perception of unconventional and non-traditional trademarks
- Need for protection of trade marks
- Process of registration of trademarks, and the functions and powers of the Trade Mark Registry
- Consequences of unauthorised use of registered and unregistered trade marks
- The relationship between domain names and trade marks
- Interface between trade mark law and consumer law
- Analysis of the use of trade marks for advertisements
- Offences, penalties, forums and procedures for relevant dispute resolution mechanisms

B. TRADE SECRETS

- Basics of trade secrets
 - Definition of a trade secret
 - Type of information that could be a trade secret
- Trade secret management programme
 - The 10 steps to build up a trade secret management programme
- Misappropriation of trade secrets
 - Definition
 - How trade secret gets stolen
 - Protection of trade secrets
- Violation of trade secrets
 - How to establish violation of trade secrets
 - Remedies
- A trade secret audit
 - How to conduct a trade secret audit.

MODULE 3

A. PATENTS

- Introduction:
 - What is a patent?
 - What is the rationale/justification for having patents
- Concept of 'patentable subject matter'
- concept of 'novelty'
- concept of 'inventive step' and the issue of 'obviousness'
- concept of 'industrial application'
- concept of 'sufficiency' test
- excluded inventions (those contrary to *ordre public* or morality)
- Product patents and process patents
- Patents and computer programmes
- How to obtain a patent?
- Rights and obligations of patentee
- Transfer of patent rights
- Revocation and surrender of patents
- Patentable inventions under the Patents Act, 1977; and salient features of the Patents (Amendment) Act, 2005
- Offences, penalties and procedure of dispute resolution mechanism.
- Patent Laws and Public Policy:
 - The WTO, the WIPO Development Agenda & Compulsory Licensing
 - Access to Knowledge, Access to Essential Medicines and the Open Source Model – justifications and viability

B. INDUSTRIAL DESIGNS

- Concept of Registrable Designs
- What is not a Design
- Novelty & Originality
- Procedure for Registration of Designs

- Copyright under Design
- Assignment, Transmission, Licenses
- Procedure for Cancellation of Design
- Infringement
- Remedies

MODULE 4

A. SEMI-CONDUCTORS & INTEGRATED CIRCUITS

- Objective of the Semi-conductor Integrated Circuits Layout Design Act, 2000
- Meaning of circuit, integrated circuit, semi-conductor, lay-out design and transistor
- Requisites for registration of a layout design
- Absolute grounds for prohibitions of registrations
- Procedure for registration
- Rights conferred by registration
- Acts that do not constitute infringements
- Offences, penalties and procedure of dispute resolution mechanism

B. TRADITIONAL KNOWLEDGE

Indigenous and local communities justly cherish traditional knowledge (TK) as a part of their very cultural identities. Maintaining the distinct knowledge systems that give rise to TK can be vital for their future well-being and sustainable development and for their intellectual and cultural vitality. For many communities, TK forms part of a holistic world-view, and is inseparable from their very ways of life and their cultural values, spiritual beliefs and customary legal systems. This means that it is vital to sustain not merely the knowledge but the social and physical environment of which it forms an integral part. TK also has a strong practical component, since it is often developed in part as an intellectual response to the necessities of life: this means that it can be of direct and indirect benefit to society more broadly. There are many examples of important technologies being derived directly from TK. But when others seek to benefit from TK, especially for industrial or commercial advantage, this can lead to concerns that the knowledge has been

misappropriated and that the role and contribution of TK holders has not been recognized and respected.

- Brief Overview
- Key Concepts
 - Definitions and use of terms
 - What are the challenges (basic points of conflict) facing the TK holders
 - What kind of legal protection exists for TK in India: forms of such protection
- Defensive & Positive Protection Models – Recognition of IP Rights in TK
 - Application of IP laws to TK
 - Adaptations of existing IP through *sui generis* exclusive rights
 - Use (nature and manifestation) of *sui generis* exclusive rights
 - Other legal concepts for protection of TK
- The Indian experience: Traditional Knowledge Digital Library and relevant legislations
- Safeguarding TK against unfair and illegitimate takeover
 - Amendment of existing WIPO administered patent systems, (IGCs and COPs) in light of the UN SDGs
 - Practical solutions: capacity-building, increasing leverage and bargaining power

MODULE 5

A. GEOGRAPHICAL INDICATORS

Geographical Indications (“GI”) are those, which identify a good as originating in a place where a given quality, reputation, or other characteristic of the good is essentially attributable to its geographical origin. Some better-known examples of GI are “Champagne,” “Bordeaux,” and “Chianti,” the first two being regions in France and the third, a region in Italy, all famous for their wines.

In the Indian context, ‘Darjeeling Tea’ was the first GI registered under the GI Act. This GI is registered in the name of the Tea Board of India which also hold GI registrations for ‘Nilgiri Tea’ and ‘Assam Tea’. Similarly, the Coffee Board (under the Ministry of Commerce & Industry) has a subsisting registration for ‘Malabar Coffee’. Other well-known GIs include ‘Kashmiri Pashmina’, ‘Mysore Silk’, ‘Lucknow Chickan Craft’ and ‘Feni’. The convention

application for 'Champagne' was filed in September 2008 and is in the process of registration. The Geographical Indications of Goods (Registration and Protection) Act, 1999 came into effect on September 15, 2003. The Act was passed with the goal of providing protection, as a GI, to any agricultural, natural, or manufactured goods, or to any goods of handicraft or industry, including foodstuffs.

- Meaning and Nature
- Who are entitled for Registration
- Conditions & Procedure for Registration
- Offences and Penalties

B. PLANT VARIETIES

With a view to provide for the establishment of an Authority to give an effective system of protection of the rights of plant breeders and farmers, and to encourage the development of new varieties of plants and to give effect to the provisions of TRIPS Agreement, the Government enacted the Protection of Plant Varieties and Farmers' Right Act, 2001. This Act seeks to stimulate investment for research and development both in the public and private sectors for the development of new plant varieties by ensuring appropriate returns on such investments. It also seeks to facilitate the growth of the seed industry in the country through domestic and foreign investment to ensure the availability of high quality seeds and planting material to Indian farmers. It also recognizes the role of farmers as cultivators and conservers and the contribution of traditional, rural and tribal communities to the country's agro biodiversity by rewarding them for their contribution through benefit sharing and protecting the traditional rights of the farmers. The Act also provides for setting up of the Protection of Plant Varieties and Farmer's Rights Authority to promote and develop new varieties of plants and promotes rights of the farmers and breeders.

- What is a Plant Variety
- Need for protection of Plant Variety
- The International Legal Framework
- Objects, Features and Analysis of the Protection of Plant Varieties and Farmer Rights Act, 2001
- The Indian Farmers' Perspective
- The Perspective of the seed industry

- Pertinent conundrums:

- Policy dilemmas: Food Safety versus Food Security
- Development versus Diplomacy: the CBD & WTO TRIPS provisions

Evaluation Pattern: Students will have to appear for a written exam and a viva-vocé session, in addition to submitting a project paper.

The distribution of marks shall be as follows:-

Written Exam of 50 marks each on 5 Modules: 250 Marks

Project : 30 Marks

Viva-Vocé : 20 Marks

Total : 300 Marks

Pass Mark : 150 Marks

Venue: The West Bengal Department of Science and Technology, Salt Lake, Kolkata

Time: Every Saturday for 3 hours from 1pm- 4pm; **Duration:** for 6 months

No of Classes: 72 hours

Commencement of the Course: 1st November, 2016 - 30th April, 2017

R 1. Report on admission of students to B.A. LL.B (Hons.) and LL.M courses in 2016-2017

The admission to B.A. LL.B (Hons.) and LL.M courses, 2016-2017 were held on 23rd to 25th June 2016. Admission was declared closed on 08.08.2016. Final lists of admitted students in the B.A. LL.B (Hons.) and LL.M courses are attached (as at Annexure 9 and 10) for perusal of the honourable members.

Encl: **Annexure 9:** (Final list of admitted students in the B.A. LL.B (Hons.) course 2016-17)

Annexure 10: (Final list of admitted students in the LL.M course 2016-17)

noted
Approved

THE WEST BENGAL NATIONAL UNIVERSITY OF JURIDICAL SCIENCES
LL.B COURSE
1ST YEAR 2016 BATCH

Sl. No.	Roll No.	Name of students	ALL INDIA RANK	ALLOTTED CATEGORY
1	216001	AAKARSH KUMAR	210	AIUnreserved
2	216002	ABHAY SINGH RATHORE	247	AIUnreserved
3	216003	ABHINAV SANKARANARAYANAN	391	NRISponsored
4	216004	ADIT VIKRAMADITYA GARG	187	AIUnreserved
5	216005	ADITI HALDER	5294	AI Scheduled Caste
6	216006	ADITYA KUMAR	4301	AI Scheduled Caste
7	216007	ADRIJA GHOSH	267	StateUnreserved
8	216008	ADYA JOSHI	298	NRISponsored
9	216009	AKRITI KANTI SIRSALEWALA	171	AIUnreserved
10	216010	ANAMIKA KUNDU	228	AIUnreserved
11	216011	ANINDITA DUTTA	147	AIUnreserved
12	216012	ANMOL GUPTA	195	AIUnreserved
13	216013	ANSHUMAN SINGH	3212	AI Scheduled Caste
14	216014	APOORVA SINGH	137	AIUnreserved
15	216015	ASHISH RATAN	220	AIUnreserved
16	216016	ASTHA SRIVASTAVA	208	AIUnreserved
17	216017	ABHIJEET SINGH	74	AIUnreserved
18	216018	AYANA BANERJEE	235	AIUnreserved
19	216019	CHAITANYA AWASTHI	184	AIUnreserved
20	216020	DEEPAK KAILORIA	3775	AI Scheduled Caste
21	216021	DEVANGANA MANDAL	3770	AI Scheduled Caste
22	216022	DISHA CHAKRABORTTY	533	NRISponsored

Sl. No.	Roll No.	Name of students	ALL INDIA RANK	ALLOTTED CATEGORY
23	216023	HARSHIL MANCHANDA	211	AIUnreserved
24	216024	INDRAJEET BANNERJIE	152	AIUnreserved
25	216025	JAYANT RAJENDRA BELGAUMKAR		Foreign National
26	216026	KARISHMA KARTHIK	158	AIUnreserved
27	216027	KARTIKEYA JHA	528	NRISponsored
28	216028	LUMANA UPRETI		Foreign National
29	216029	MAHIMA CHAUHAN	3607	AI Scheduled Caste
30	216030	MANJARI RATHOR	214	AIUnreserved
31	216031	MEHUL SACHAN	161	AIUnreserved
32	216032	MONALISA SARKAR	6945	State Scheduled Caste
33	216033	NARASIMHA KARTHIK SOURIE	168	AIUnreserved
34	216034	PRUTHVI KETAN JASANI	258	AIUnreserved
35	216035	PARTHA SHANKAR		Foreign National
36	216036	PIYUSH TIWARI	213	AIUnreserved
37	216037	PRIYAL RASHES SANGHVI	377	NRISponsored
38	216038	RINZIN DORJEE BHUTIA	10276	State Scheduled Tribe
39	216039	RISHABH KAUSHAL	182	AIUnreserved
40	216040	SAINA SONALI MOHAPATRA	186	AIUnreserved
41	216041	SANNAT SARANGAL	4531	AI Scheduled Caste
42	216042	SARAHNA EKKA	5729	AI Scheduled Tribe
43	216043	PARVA KAUSHAL KHARE	249	AIUnreserved
44	216044	SHIVANGI KUMARI	166	AIUnreserved
45	216045	SHRIYA AMOL KAMAT	292	NRISponsored
46	216046	SHUBHRA BAGHEL	139	AIUnreserved

Sl. No.	Roll No.	Name of students	ALL INDIA RANK	ALLOTTED CATEGORY
47	216047	SIBASISH MISHRA	3376	AIHorizontalSAP
48	216048	SIMRAN MALHOTRA	192	AIUnreserved
49	216049	SREEJAN SARKAR	6587	StateOBCB
50	216050	STEPHEN THOMAS	233	AIUnreserved
51	216051	SUDIPTO HAMBIR	7530	StateScheduledCaste
52	216052	SURYA SHIVARAM VASISHT	221	AIUnreserved
53	216053	SUVIGYA AGARWAL	165	AIUnreserved
54	216054	OMIN SHARMA	265	AIUnreserved
55	216055	ARSH SINHA	331	AIUnreserved
56	216056	VISHWAROOP MONDAL	7860	AI Scheduled Caste
57	216057	VISHAL HABLANI	262	AIUnreserved
58	216058	VISHAKHA KADAM	4790	AI Scheduled Caste
59	216059	PRIYANSHI MANHAS	5008	J&K
60	216060	ABHIDIPTO TARAFDER	807	NRISponsored
61	216061	SAKCHI AGARWAL	1141	NRISponsored
62	216062	URVI PATHAK	1034	NRISponsored
63	216063	SHREYAS SHRIDHAR	1102	NRISponsored
64	216064	PRATYUSHA KAR	1485	NRISponsored
65	216065	AASTHA SHARMA	201	AIUnreserved
66	216066	ABHINAV PAUL PURTY	4807	AI Scheduled Tribe
67	216067	ADHISH ALOK MOHANTY	159	AIUnreserved
68	216068	ADITI B VASANI	227	AIUnreserved
69	216069	ADITYA B AGRAWAL	153	AIUnreserved
70	216070	ADITYA RAI	207	AIUnreserved

Sl. No.	Roll No.	Name of students	ALL INDIA RANK	ALLOTTED CATEGORY
71	216071	ADRISHA	180	AIUnreserved
72	216072	AJAY KUMAR MEENA	4125	AI Scheduled Tribe
73	216073	AKSHAT KAUSHIK	238	AIUnreserved
74	216074	ANIKET SINGH	4576	AI Scheduled Caste
75	216075	APOORV VIJAY JAISWAL	266	AIUnreserved
76	216076	ANSHUMAN PANIGRAHI	246	AIUnreserved
77	216077	ANUSHKA SHARMA	219	AIUnreserved
78	216078	ARYAN MOHINDROO	178	AIUnreserved
79	216079	ASTHA SINGHANIA	193	AIUnreserved
80	216080	ASWATHI MENON	151	AIUnreserved
81	216081	AVNISH KUMAR SINGH	87	AIUnreserved
82	216082	AASHESH SINGH	260	AIUnreserved
83	216083	CHINMAY KALGAONKAR	217	AIUnreserved
84	216084	DEEPTI PANDEY	179	AIUnreserved
85	216085	DHWANI JAYESH PAREKH	449	NRISponsored
86	216086	DIVYA ELIZABETH SEBASTIAN	216	AIUnreserved
87	216087	HARSHVARDHAN LAHIRI	191	AIUnreserved
88	216088	ISHANT JAISWAL	138	AIUnreserved
89	216089	JEHAN JAMSHED DABOO	2017	AI Horizontal SAP
90	216090	KARTIK UPRIT	157	AIUnreserved
91	216091	KUNWAR YASHOVARDHAN KEDIA	378	State NRISponsored
92	216092	MANI MEKHLA	16124	AI Scheduled Tribe
93	216093	MALIKA NANDURU	248	AIUnreserved
94	216094	MD FAIZAN JAWED	2371	State OBCA

Sl. No.	Roll No.	Name of students	ALL INDIA RANK	ALLOTTED CATEGORY
95	216095	MOHAMMED KHALFAN	142	AIUnreserved
96	216096	MUKUL RAJ	173	AIUnreserved
97	216097	RUSHIL GANGURDE	8611	AI Scheduled Caste
98	216098	PARMEET SINGH	243	AIUnreserved
99	216099	PATHLAVATH DIGVIJAY NAIK	5967	AI Scheduled Tribe
100	216100	PRATHAMESH PAREEK	128	AIUnreserved
101	216101	PURNENDU BAIRAGYA	5168	AI Scheduled Caste
102	216102	RISHAB PRASAD	4444	AI Scheduled Tribe
103	216103	SACHI SHAH	156	AIUnreserved
104	216104	SAMIKSHA KOTHARI	181	AIUnreserved
105	216105	SANSKRITI AGARWAL	580	NRISponsored
106	216106	SAURAV PRASHANT RAJURKAR	144	AIUnreserved
107	216107	SHIVAM SINGHANIA	103	AIUnreserved
108	216108	SHRETIMA SHRIVASTAVA	226	AIUnreserved
109	216109	SHREYA GOYAL	1716	NRISponsored
110	216110	SHUBROYOTI MOOKHERJEE	160	AIUnreserved
111	216111	SILPI JAIN	315	StateUnreserved
112	216112	SREEJA PAL	9	AIUnreserved
113	216113	SREEKANTH RAMESH	205	AIUnreserved
114	216114	SUBHASH KAPUR	276	StateUnreserved
115	216115	SUKRITI	222	AIUnreserved
116	216116	SUSHANT SHEKHAR SINGH	5003	AI Scheduled Tribe
117	216117	SWAPNIL SAURABH	150	AIUnreserved
118	216118	TAMALIKA BERA	257	AIUnreserved

Sl. No.	Roll No.	Name of students	ALL INDIA RANK	ALLOTTED CATEGORY
119	216119	UNNATI OMPRAKASH JHUNJHUNWALA	218	AIUnreserved
120	216120	VANI KAUSHIK	5550	AIHorizontalSAP
121	216121	VIBHORE YADAV	199	AIUnreserved
122	216122	YASHPREET SINGH	3248	AIScheduledCaste
123	216123	DEVASHRI MISHRA	752	NRISponsored
124	216124	MUSHARAF NAZIR MALLA	4472	J&K
125	216125	PRANVI MANGLIK	1351	NRISponsored
126	216126	SWARNA SENGUPTA	1552	NRISponsored
127	216127	SARANYA LAL	1582	NRISponsored

Category	Present strength	Vacancy
AIHorizontalSAP	3	0
AIScheduledCaste	13	0
AIScheduledTribe	7	0
AIUnreserved	72	0
Foreign National	3	0
J&K	2	0
NRISponsored	18	0
State NRI Sponsored	1	0
State OBC A	1	0
State OBC B	1	0
State Scheduled Caste	2	0
State Scheduled Tribe	1	0
State Unreserved	3	0

Total

127

0

The W. B. National University of Juridical Sciences

Final PG Admission List

S NO.	ID No.	Applicant Full Name	ALL INDIA RANK	ALLOTTED CATEGORY
1	PG21601	SWASTI MISRA	1400	AIUnreserved
2	PG21602	ABHAY SINGH	735	AIUnreserved
3	PG21603	ABHISHEK KUMAR	1499	AI Scheduled Caste
4	PG21604	SHRUTI GOSWAMI	917	AIUnreserved
5	PG21605	JAISON JOHN	892	AIUnreserved
6	PG21606	PRAVIN SANKALP	2175	AI Horizontal SAP - converted to AIUnreserved
7	PG21607	ANIKET SRIVASTAVA	776	AIUnreserved
8	PG21608	KARTIK AGRE	912	AIUnreserved
9	PG21609	ASHAPURNA BORDOLOI	851	AIUnreserved
10	PG21610	MUHAMMAD SHAMSEER EK	977	AIUnreserved
11	PG21611	SEZOLU NYEKHA	4158	AI Scheduled Tribe
12	PG21612	DEBJIT BHATTACHARJEE	471	AIUnreserved
13	PG21613	MEENAL CHOUBEY	862	AIUnreserved
14	PG21614	MADHAV RAJ	913	AIUnreserved
15	PG21615	GARISHMA BHAYANA	654	AIUnreserved
16	PG21616	IAN RUSSEL MANSHUWA DOONAI RANEE	2473	AI Scheduled Tribe
17	PG21617	SATYAM SINGH PAL	850	AIUnreserved
18	PG21618	KARTIKAY SHARMA	629	AIUnreserved
19	PG21619	NAMRATA CHAUBEY	664	AIUnreserved
20	PG21620	PRIYANKA RANI	3160	AI Scheduled Caste
21	PG21621	PALLAV RANJAN	753	AIUnreserved
22	PG21622	ANANYA BOSE	1026	AIUnreserved
23	PG21623	VIBHUTI SHUKLA	1023	AIUnreserved
24	PG21624	ABHINAV KUMAR	950	AIUnreserved
25	PG21625	RAHUL VICKY	1226	AIUnreserved
26	PG21626	AKSHITA KATOCH	1205	AIUnreserved
27	PG21627	PRAVEEN KUMAR	760	AIUnreserved
28	PG21628	MAYANK GOTHI	908	AIUnreserved

The W. B. National University of Juridical Sciences

Final PG Admission List

S NO.	ID No.	Applicant Full Name	ALL INDIA RANK	ALLOTTED CATEGORY
29	PG21629	RITI NAIK	1319	AIUnreserved
30	PG21630	JAGDISH JENA	961	AIUnreserved
31	PG21631	SACHIN MARUTHI RAOJI	2420	AI Scheduled Tribe
32	PG21633	SRAJAN SRIVASTAVA	485	AIUnreserved
33	PG21634	SUNAKSHI GUPTA	1011	AIUnreserved
34	PG21635	FIRDAUS EBRAHIM	883	AIUnreserved
35	PG21637	VISHAL SINGH	565	AIUnreserved
36	PG21638	KUMARI SHIPRA	1580	AIUnreserved
37	PG21639	YOGENDRA JAIN	746	AIUnreserved
38	PG21641	TANUPRIYA PAL	2057	AIUnreserved
39	PG21642	GARGEE ROYCHOWDHURY	2230	AIUnreserved

Summary

Category	Present Strength	Vacancy
AIUnreserved	34	0
AI Scheduled Caste	2	4
AI Scheduled Tribe	3	0
Total	39	4

MS & announced

Must be AI Unreserved

Sc/ST - if vacant not filled up but it be vacant.

R 2. Report on Credit Courses conducted in 2016-2017

Following credit courses were conducted during the Academic Session 2016-17 by various external/internal faculties. Details are attached (as at Annexure 11) for perusal of the honourable members.

Encl: Annexure 11: (Details of credit courses conducted during the Academic Session 2016-17)

DETAILS OF CREDIT COURSES HELD DURING THIS SEMESTER

SL. NO.	NAME OF THE CREDIT COURSE	NO. OF CREDITS	OFFERED BY	DURATION
1	CREDIT COURSE ON PRIVACY AND THE LAW	2	MR. AGNIDIPTO TARAFDER	JANUARY TO MARCH 2016
2	CREDIT COURSE ON THE TRANSFORMATIVE CONSTITUTIONAW	2	MR. GAUTAM BHATIA	JANUARY 2016
3	CREDIT COURSE ON THE ECONOMIC ANALYSIS OF LAW	1	MR. SROYON MUKHERJEE	4 th TO 11 th JANUARY, 2016
4	CREDIT COURSE ON PATENT SYSTEM IN INDIA EMPHASIZING ON DETAILED PROCEDURAL KNOWHOW	2	MS. DIPANJANA RUDRA	JANUARY TO MARCH 2016
5	CREDIT COURSE ON THE GLOBAL SOUTH	1	MR. VIJAY PRASHAD	4TH TO 9TH JULY, 2016
6	CREDIT COURSE ON CORPORATE COMPLIANCE FOCUSING ON COMPARATIVE ASPECTS	1	DR. NAVAJYOTI SAMANTA	27TH JULY TO 1ST AUGUST, 2016
7	CREDIT COURSE ON THE PARTITION OF INDIA - PROBLEMS AND PERSPECTIVES	1	DR. VENKAT DHULIPALA	18TH TO 21ST JULY, 2016
8	CREDIT COURSE ON ARTICLE 19 (1) (a): FOUNDATIONS AND FUTURES	2	MS. UJWALA UPPALURI	23RD TO 30TH JULY, 2016

R 3. Report on successful Ph.D scholars

Following candidates have successfully completed their Ph.D research work.

<u>Sl. No.</u>	<u>Name of the Candidate</u>
1.	Mr. Deva Prasad M.
2.	Mr. Anirban Chakraborty
3.	Mr. Shameek Sen
4.	Mr. Sanjay Kumar

R 4. Report on reconstitution of the Undergraduate Council of WBNUJS

The Undergraduate Council of the University has been reconstituted by the Vice Chancellor for the academic year 2016-2017, w.e.f. 11.07.2016. The reconstituted Undergraduate Council is as under:

- Prof. (Dr.) Sreenivasulu N. S. – Chairman
- Dr. Sandeepa Bhat B. – Member
- Mr. Faisal Fasih – Member
- Mr. Anirban Chakraborty – Member
- Mr. Sanjit Kr. Chakraborty – Member
- Mr. Mahesh Menon – Member

Encl: Annexure 12: (Office Order No.: 674/Reg/16 dated 5th July 2016 regarding reconstitution of the Undergraduate Council)

The West Bengal National University of Juridical Sciences

Office Order No. : 674/Reg/16

5th July 2016

OFFICE ORDER

The Undergraduate Council is constituted as below for the Academic Year 2016-17 comprising of the following faculties w.e.f. 11.07.2016 for the purpose of Academic and Examination Rules:

Prof. (Dr.) Srinivasulu N.S. - Chairman

Dr. Sandeepa Bhat B. Member

Mr. Faisal Fasih Member

Mr. Anirban Chakraborty Member

Mr. Sanjit Chakraborty Member

Mr. Mahesh Menon Member

This has the approval of the Vice Chancellor.

Sd/-

(S.K. Basu)

Accounts Officer

Copy to :

1. All Members of the Council
2. All Faculty Members
3. University Librarian
4. Accounts Officer
5. AR (Academic)
6. President. SJA
7. PA to Vice Chancellor
8. PA to Registrar



(S.K. Basu)

Accounts Officer

R 5. Report on students of B.A. LL.B course scheduled to graduate in 2016-2017 (as on date)

Attached at Annexure 13 is the list (as on date) of students in the B.A. LL.B (Hons.) course, scheduled to graduate in 2016-17.

Encl: Annexure 13: List (as on date) of students in the B.A. LL.B (Hons.) course, scheduled to graduate in 2016-17

The W.B. National University of Juridical Sciences

Following are the tentative list of students who has successfully completed all 50 subjects of
2011 batch as on 24.08.2016

Sl. No.	ID. No.	Name
1	211002	SATCHIT HARSHA BHOGLE
2	211003	SHYAM GOPAL BALAKRISHNAN
3	211004	AMBIKA VADEHRA
4	211005	KRITIKA VOHRA
5	211006	GAVISH MALHOTRA
6	211008	YASH VIJAYVARGIYA
7	211009	SANCHIT GARG
8	211010	SUMAN PRABHU
9	211011	ARTHAD UTKRANT KURLEKAR
10	211012	PARIKA SINGH
11	211015	DIKSHA D SANYAL
12	211016	RISHIKA RANGARAJAN
13	211020	ADITHYA RAMCHANDRAN IYER
14	211021	SHOBHIT SINGH
15	211022	NIVEDITA S UDUPA
16	211023	SUSHRUTI TRIPATHI
17	211024	KOUSTUBH LAL
18	211026	VIKRAM LAKSHMAN
19	211027	AISHWARYA GIRIDHAR
20	211029	HEMANTH R RAO
21	211030	PRASHANTH K MUKUNDAN
22	211031	TULIKA PAUL
23	211032	AHAAN MOHAN
24	211033	RISHIKA MAYUR LEKHADIA
25	211035	POORVI SHAH
26	211036	NIKITA KAPOOR
27	211038	NUPUR MILIND PANDIT
28	211039	SIDDHARTHA SRIVASTAVA
29	211040	SAURABH KUMAR
30	211041	VIKAS NARAIN
31	211042	PRANJAL SINGH
32	211043	ANKITA MANDAL
33	211044	DISHARI SARKAR
34	211046	ABHISHEK PRAKASH
35	211048	ROMILA MANDAL
36	211049	R SAHANA
37	211051	RAKSHITA N
38	211052	SAROJ KUMAR

[Handwritten signature]
29/8/16

Sl. No.	ID. No.	Name
39	211055	ANUBHAV SINGH
40	211056	MAHPARA JAVED RANA
41	211059	TITUS JAMES
42	211062	RATNAVEL PANDIAN S
43	211064	VISHNU TALLAPRAGADA
44	211066	SIDHANT CHANDALIA
45	211067	SIDHARTH DEB
46	211068	PRATEEK GUPTA
47	211069	ISHA NARAIN
48	211070	SIDDHARTH NARSIPUR
49	211071	RACHANA RAUTRAY
50	211072	GAYATRI LOOMBA
51	211073	S KAAVYA
52	211074	ZUBIN DASH
53	211075	AVINANDAN KUNDU
54	211076	PRASHANT SREENIVASAN
55	211077	ANUSHKA SHETTY
56	211078	BHIMAVARAPU MOULI ARAVIND
57	211080	NARMADA SINGH RANA
58	211084	JIGME NORBU BHUTIA
59	211085	SAURABH MISHRA
60	211086	RAKTIMA ROY
61	211087	MANISHA SHARMA
62	211089	SADHVI SOOD
63	211090	AMBUJ GUPTA
64	211091	SIDHARTH KAUSHIK
65	211092	SANDRA SUSAN MATHEW
66	211093	MANSI PREMAL JHAVERI
67	211094	STUTI BHATNAGAR
68	211095	RAGHUNATH SESHADRI
69	211096	ANANYA KULKARNI
70	211097	ASHUTOSH PRIYADARSHI SHUKLA
71	211098	NAMRATA MUKHERJEE
72	211099	C. AKHILESHWARI REDDY
73	211100	SANIKA SUNIL GOKHALE
74	211101	CHITWAN DEEP SINGH
75	211102	ANAMIKA GODE
76	211103	UTKARSH SONI
77	211104	ANKIT CHAVAN
78	211105	VARTUL
79	211106	ARITRI ROY CHOWDHURY
80	211107	PUNEET RATHSHARMA

[Handwritten signature]
21/8/14

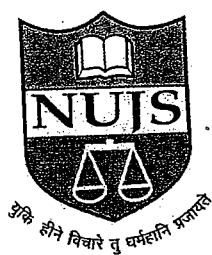
Sl. No.	ID. No.	Name
81	211108	ASMITA ROY
82	211109	ABIN FRANCIS
83	211111	AMAN GUPTA
84	211112	APOORVA SUNDAR
85	211114	UDIT MISRA
86	211115	ASHI GUPTA
87	211116	ISHANI DASH
88	211117	NEETI SUNIL BHATT
89	211118	MEENAKSHI KURPAD R.
90	211120	SHIVAM BHARDWAJ
91	211121	ANIRUDH VOHRA
92	211123	SOHINI CHATTERJEE
93	211124	SREYAN CHATTERJEE
94	211125	ULKA BHATTACHARYYA
95	211127	ASHISH DAHARIYA
96	211128	ASHISH SINGH
97	211129	SHASHANK KUMAR
98	211130	SOUMALYA SAHA
99	211134	ADITYA SHIT
100	211135	ANNAPURNA SHAW
101	211137	ISHAN SHIVAKUMAR
102	211047	ABHAY NANDA
103	210118	NIKHIL SAWLANI
104	210119	NAMAN NANDA
105	210092	DEVAANG AGARWALLA
106	210072	SOMAK MUKHERJEE
107	210088	ADVAIT MALVIYA

P.S. After publication of all result of repeat examination name of more students are likely to be added in the above list.

[Handwritten signature]
21/8/18

R 6. Report on permission to continue 9th semester at NLU, Delhi for Ms. Sachi Juneja on extraordinary and delicate health issues

Ms. Sachi Juneja, who is a student of WBNUJS has been allowed by the Faculty Advisory Committee to continue her studies in NLU, Delhi up to 9th semester, keeping in mind the extraordinary and delicate health condition of Ms. Juneja.



GENERAL MEMORANDUM FOR ACADEMIC COOPERATION AND EXCHANGE

between

The WB National University of Juridical Sciences, Kolkata

and

**The Graduate School of Management
Kyoto University**

The WB National University of Juridical Sciences, Kolkata and the Graduate School of Management (GSM) of Kyoto University, recognizing that the quality of their research and teaching are strengthened by the establishment of international cooperation links, hereby agree to implement an exchange agreement in accordance with the following provisions:

1. OBJECTIVES

The general objective of this agreement is long term research and educational collaboration in fields which are compatible with the orientation of each institution, and which are relevant to the industrial, social, and cultural interests and needs of the countries in which the two institutions are located.

2. ACTIVITIES

2.1 The two institutions agree to promote the following activities:

- a) Exchange of scientific materials, publications, and information
- b) Exchange of students (In case of full semester exchange of students, the signing of student exchange agreement is necessary).
- c) Exchange of faculty members
- d) Collaborative research and development
- e) Joint seminars, workshops, and conferences
- f) Other relevant and mutually beneficial activities

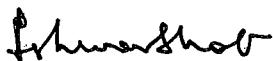
2.2 Financial arrangements for each separate activity shall be discussed and mutually agreed upon by the two institutions prior to commencement.

- 2.3 The two institutions agree to assist visiting students and faculty from the partner institution in finding suitable accommodation and provide them with appropriate work space and other facilities in accordance with local standards, and in accordance with each institution's regulations and resources.
- 2.4. The two institutions agree that, in the event of research collaboration leading to patent rights, copyrights, or other intellectual property rights, a further agreement must be negotiated in each case in accordance with the policies of the two institutions on intellectual property.

3. DURATION, AMENDMENT, REVIEW, AND TERMINATION OF AGREEMENT

- a) This agreement shall be in force for a period of five years from the date of signature by the two institutions. It may be revised, modified, or renewed upon mutual written agreement by the two institutions.
- b) This agreement may be terminated at the request of either institution, provided such request is made in writing at least six months before the termination is to become effective. Any such termination will not cancel or otherwise affect any ongoing activities.
- c) A review of this agreement will be initiated by the two institutions at least six months prior to its expiration in order to evaluate the cooperation, ascertain if it should be continued, and, if so, how it might be improved.

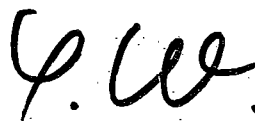
IN WITNESS WHEREOF, this agreement has been signed by the official representatives of each institution:



PROF. P. ISHWARA BHAT
Vice Chancellor

WB National University of Juridical
Sciences, Kolkata

Date 8/10/2016
month/ day/ year



PROF. YASUNAGA WAKABAYASHI
Dean

Graduate School of Management
Kyoto University

Date 7/29/2016
month/ day/ year

Partner LOGO

AIPPDS LOGO

**GENERAL MEMORANDUM FOR
ACADEMIC COOPERATION AND EXCHANGE**

Between

National University of Juridical Sciences, Kolkata

and

**Asian Institute of Public Policy and Development Studies,
Kolkata**

National University of Juridical Sciences (NUJS, Kolkata) and Asian Institute of Public Policy and Development Studies (AIPPDS) Kolkata, recognizing the potential benefits in terms of quality of academic research, teaching and training in matters relating to public policy and the regulatory architecture for inclusive economic growth and socio-economic development agree to implement a general academic agreement in accordance with the following provisions:

1. OBJECTIVES

The general objective of this agreement is to promote long term research and educational collaboration in public policy and development studies that are relevant to the economic, social and cultural interests and needs of different countries with special focus on India and other Asian countries. The mission is to develop a wide body of knowledge and human capital network spanning across different countries for the purpose of contributing in the academic and policy discourses in public policy and development studies.

2. ACTIVITIES

2.1 The parties agree to introduce, develop and promote the following activities:

- a) Masters and Ph.D. program in Public Policy and Development Studies
- b) Admission to the program shall be decided by a Committee constituted by AIPPDS Governing Body. The Committee shall include the Vice-Chancellor of NUJS or any senior faculty that the Vice Chancellor may nominate
- c) Students of NUJS and research fellows of AIPPDS shall be free to choose their primary advisor for pursuing their doctoral studies and Masters' thesis
- d) The relevant rules and regulations regarding grant of Masters and Ph.D. degrees as prescribed by the UGC shall be strictly followed
- e) Exchange of scientific materials, publications and information in accordance with such terms and conditions of the author(s) that the two institutions approve
- f) Exchange of students and research fellows
- g) Exchange of faculty members and resource persons
- h) Collaborative research and development
- i) Joint seminars, workshops and conferences
- j) Other relevant and mutually beneficial activities

2.2 Financial arrangements for each separate activity shall be discussed and mutually agreed upon by the parties prior to commencement.

2.3 NUJS shall provide visiting faculty and research fellows of AIPPDS an appropriate work space and other facilities in accordance with its norms and standards

2.4 NUJS shall also provide appropriate work space to the coordinator of AIPPDS during the

collaboration period.

2.4. The two parties agree that, in the event of research collaboration leading to patent rights, copyrights or other intellectual property rights, a further agreement must be negotiated in each case in accordance with the policies of the two parties on intellectual property.

3. DURATION, AMENDMENT, REVIEW AND TERMINATION OF AGREEMENT

- a) This agreement shall be in force for a period of five years, from the date of signature by both parties. It may be revised, modified or renewed upon mutual written agreement by the two parties.
- b) This agreement may be terminated at the request of either institution, provided such request is made in writing at least six months before the termination is to become effective. Any such termination will not cancel or otherwise affect any ongoing activities.
- c) A review of this agreement will be initiated by both parties at least six months prior to its expiration in order to evaluate the cooperation, ascertain if it should be continued, and, if so, how it might be improved.

IN WITNESS WHEREOF, this agreement has been signed by the official representatives of each party:

Dr. P. Ishwara Bhat
Vice Chancellor

National University of Juridical Sciences
Kolkata

Date _____
month / day / year

Justice Chittatosh Mookerjee
President

Asian Institute of Public Policy and
Development Studies, Kolkata

Date _____
month / day / year

Asian Institute of Public Policy and Development Studies, Kolkata

128/1 Satyen Roy Road, Kolkata - 700 034

Registration No. : S/M/2385

Professor (Dr.) P. Ishwara Bhat,
Vice Chancellor,
West Bengal National University of Juridical Sciences,
Kolkata.

August 24, 2016

Dear Professor Bhat,

You may recall that earlier this year Asian Institute of Public Policy and Development Studies, Kolkata (AIPPDS) had established a MoU with the National University of Juridical Sciences, Kolkata (NUJS) in order to develop MA and Ph.D programs in Public Policy and Development Studies. The objective is to build a network of human capital resources drawn from academia, businesses and civil services across India and abroad and create a knowledge-pool that can enrich academic discourses in public policies and governance issues relevant to broader development goals of respective developing countries. As part of this agreement, the two institutions are committed to starting the Ph.D. program this year and MA program from next year. The Ph.D. program may start this year with four candidates mentioned in the next paragraph who have expressed their interest for pursuing their research program in public policy and development studies. These candidates have already established their credentials in their respective professional careers as senior civil servants, business executives and academics.

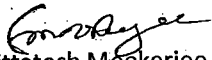
Two of these four candidates are from the Indian Revenue Service cadre: i) Commissioner of Customs, Kolkata, a senior IRS officer who had graduated from the All India Institute of Medical Sciences, New Delhi (AIIMS); and ii) Deputy Commissioner in charge of Service Tax who is already working on GST. She is an MA in Economics from Calcutta University and was a research fellow in Indian Statistical Institute, Kolkata before joining the IRS cadre. The third candidate is a professional computer engineer presently working in IBM, Bangalore graduated from IIM, Calcutta in its mainstream PGDPM program. The fourth is an economist, M.Phil from Delhi School of Economics and a Robert McNamara Fellow of the World Bank. She is presently teaching in Kyoto University, Japan. All four candidates are driven by their motivations to understanding how a set of policies impact specific development objectives and how specific development objectives shape a set of public policies in India's context.

Keeping in view the objective of our collaboration and the profile of the potential Ph.D. candidates as mentioned above, we suggest that the entrance examination for the Ph.D. program under the auspices of MoU between NUJS and AIPPDS may consist of the following tests: i) Research Proposal in 2,500 words; ii) Presentation of the proposal before the Committee of Advisors; and iii) Interview.

We propose to invite applications for admission into the program in the first week of September and complete the admission process by the first week of November 2016. I shall therefore request you to place this proposal before the Academic Council of NUJS and convey the decision of the Council as soon as possible.

Thanking you.

Yours sincerely,


Chittatosh Mookerjee

President

Minutes of the Academic Council
 Meeting dated 26 Aug 2016

- The following members were present in the meeting:
- Prof. (Con) J. Ishwara Bhat - Chairman
 - Prof. (Con) J. Lakshmi Narayanan (Retired) - Vice-Chancellor
 - Prof. (Con) J. Suresh Kumar - Member
 - Prof. (Dr) J. Jagan Mohan Reddy - Member
 - Prof. A. R. Prasad - Member
 - Prof. S. Srinivasulu - Member
 - Prof. T. V. G. Srinivasulu - Member
 - Dr. Anirban Mukherjee - Member
 - Dr. Anupama Ghoshal - Member
 - Ms. J. Lakshmi - Member

The Chairman and Prof. Jagan Mohan Reddy & Prof. Anirban Mukherjee, who have been nominated to the Academic Council to study the various issues, also introduced other members to the Council.

During the meeting, various issues were discussed and decided accordingly:

1. Approval of the minutes of the 12th meeting - approved by the members.
2. Relaxation of the duration of completion of one year course of the (LL.M)/M.Phil/Ph.D at various levels.
3. The flexible process approved for the same as per 2015 course - additional extension of 2 yrs in addition to 4 yrs.
4. For 1 year course one more additional year in addition to 2 years for women candidates.

3. Request for amendment - Aca - Exa -

It is decided that to constitute a sub-committee for the Academic Council members to look into proposal of amendment of Acad & Examinations Rules.

The members of the committee are

Prof. An. Datta

Dr. Girish Chandra

Dr. Sampurna Ghosh

Ms. Vanita Pattnaik

The above committee will recommend the proposed changes.

4. Introduction of new post -

The Honorable members approved the proposal for Post Graduate Diploma in Corporate - Commercial & Industrial Laws (PGDCCIL) & Executive Diploma Program for UCC Executives.

5. Amendment in Ph.D. Regulation - 2012 for extension of maximum of six years for four years for tenure of submission.

The Honorable members approved the extension of one year for up to six years for Ph.D. candidates for women candidates for 40% disability and persons with disability (persons of completion) in addition to the normal tenure of completion.

⑥ Introduction of MA in Business Law with the help of (iii)
 The honorable members approved the offer in Business Law.

⑦ Introduction ~~of~~ of ~~course~~ -

The honorable members approved the offer on the Certificate Course in Skill Based Legal Education with the help of technology under IP leaders.

⑧ Introduction of Certificate - Course on Intellectual Property Rights.

The honorable members approved the above Certificate Course.

R-1 - Repus

noted and appreciated.

R-2 -

noted and appreciated.

R-3 -

appreciated and approved.

R-4 -

noted and appreciated.

R-5 -

The honorable members noted and authorized the University to award degrees.

⑨

2-6
Letter to Admission to continue 7th sem at NCC
Delhi - Jan 43. Sachin Jangal - on extra work & date of
death issues.

The faculty members opposed to stay 7th sem at
at NCC Delhi and finally decided to ~~write~~ ^{write} MS -
Sachin Jangal ~~to~~ shall write the ^{MS -} ~~MS -~~
and send expert at ^{MS -} ~~MS -~~ ^{MS -} ~~MS -~~
subjects of 7th sem. ^{MS -} ~~MS -~~ ^{MS -} ~~MS -~~

~~It is~~ Regarding filling up of vacant seats in
for SC/ST Category, the honorable members decided
to trace the admission policy of the University regarding
conversion of seat vacant seats of SC/ST Category
Admits a way which ~~is~~ shall be applied prospectively
for the current Academic year, no conversion of seats
is ~~is~~ for SC/ST Category is allowed.

Academic & Research Collaborative with AI PP & DS,
Kolkata

The University proposed to allow nominated scholars
of AI PP & DS, Kolkata for Ph.D. Course to continue
without undergoing entrance Admission ⁱⁿ ~~in~~
Ph.D. Since ⁱⁿ ~~in~~ ⁱⁿ ~~in~~
Collaborative with AI PP & DS, Kolkata

The honorable members decided ⁱⁿ ~~in~~ admission to
Ph.D. Candidates shall be as per the prevalent
Regulations of the University. NO unusual route to
be followed to admit in Ph.D without admission test or
entrance examination