## COURSE STRUCTURE

**L.L.M. ONE YEAR (2023-2024)**

**GROUP - B**

**CYBER LAW**

**FIRST SEMESTER EXAMINATION**

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| **Code No.** | **Paper** | **L** | **Credits** |
| LLM 101 | Research Methods and Legal Writing | 5 | 3 |
| LLM 102 | Comparative Public Law | 5 | 3 |
| LLM 103 | Law and Justice in a Globalizing World | 5 | 3 |
| LLM 104-B | The Emerging Jurisprudence of Cyber Space | 5 | 2 |
| LLM 105-B | Cyber Law and Contemporary Trends | 5 | 2 |
|  | Sub Total | 25 | 13 |

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| **Code No.** | **Paper** | **L** | **Credits** |
| LLM 101 | Research Methods and Legal Writing | 5 | 3 |

**Objectives:**

The main objective of this course is to acquaint the student of law with the scientific method of social science research. This course is expected to provide the knowledge of the technique of selection, collection and interpretation of primary and secondary data in socio legal research. Emphasis would be laid on practical training in conducting research in this course. By the end of the course the students are expected to develop a scientific approach to socio legal problems. They should be able to design and execute small scale research problems.

**Unit-I**

**Introduction of Legal Research**

* Meaning; objectives and scope of legal research.
* Socio-legal Research in India
* Research Method *vis-à-vis* Research Methodology
* Kind of Legal Research- Doctrinal and Non-Doctrinal legal research; Inter/ Multidisciplinary, etc.
* Arm chair research *vis-à-vis* empirical research

**Unit-II**

**Research Design and Techniques**

* Primary and Secondary -Source
* Workable Hypothesis – formulation and evaluation
* Major steps in research design
* Sampling
* Survey and Case Study method

**Unit-III**

**Research Tools and Data Processing**

* Observation
* Interview and Schedule
* Questionnaire
* Socio - Metrics and Jurimetrics
* Data processing (deductions and Inductions) analysis and interpretation of data.

**Unit-IV**

**Legal Writing**

* Essentials of good legal writing
* Structured Legal Writing; Organization of Legal Material
* Report / Article writing in legal research
* Use of definitions, maxims, concepts, principles, doctrines in legal research
* Modern- Technology- Computer, Internet, etc.
* Citation, Reference and Footnoting Methodology
* Book review and case comments
* Dissertation and Thesis Writing
* Plagiarism as an offence in Research.

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| **Code No.** | **Paper** | **L** | **Credits** |
| LLM 102 | Comparative Public Law | 5 | 3 |

**Unit-I**

**Introduction**

* Meaning and definition of Public Law
* Concept of Public Law
* Globalization of Comparative Public Law
* Constitutionalism and Rule of Law

**Unit-II**

**Tools of Comparative Public Law**

* Constitutional Law- Forms of Government, Separation of Power
* Legislative Mechanism – Supremacy of Legislature
* Typology of Federalism – USA, INDIA

**Unit-III**

**Public Interest Litigation – US, INDIA**

* Public Interest Litigation movement and Independence of Judiciary
* Judicial Activism
* Judicial Accountability

**Unit-IV**

**Ombudsman**

* Ombudsman in Scandinavian countries
* International Scenario – Common law and Civil law
* Indian Scenario

1. Lokpal (Ombudsman)
2. Lokayukta

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| **Code No.** | **Paper** | **L** | **Credits** |
| LLM 103 | Law and Justice in a Globalizing World | 5 | 3 |

**Unit-I**

**Introduction**

* Meaning and significance of Globalization
* Concept of Global Justice
* Social, Political and economic dimensions of globalization.

**Unit-II**

**Historical and Central Challenges to Global Justice**

* Global Poverty
* Armed Conflict
* Nationalist practices
* Crimes against Humanity
* Environment and Health

**Unit-III**

**Role and Reformation of Global Institutions**

* States, Sovereignty and Transnational Law
* Economic and Trade Institutions- MNC’s
* Structural reforms of United Nations – Security Council
* International Judicial Institutions.

**Unit-IV**

**Models to Achieve Global Justice**

* Social Contract and Social Justice
* Sarvodaya Model of Justice
* Multi Culturalism and Cosmopolitanism
* Significance of Human Rights Education
* Impact of globalization on judicial process and administration of justice

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| **Code No.** | **Paper** | **L** | **Credits** |
| LLM 104-B | The Emerging Jurisprudence Of Cyber Space | 5 | 2 |

1. **Defining Cyber Space**

* Understanding Cyber Space
* Interface of Technology and Law Defining Cyber Laws

1. **Jurisdiction in Cyber Space**

* Concept of Jurisdiction
* Internet Jurisdiction
* Indian Context of Jurisdiction
* International position of Internet Jurisdiction Cases in Cyber Jurisdiction

1. **Understanding Electronic Contracts**

* The Indian Law of Contract
* Construction of Electronic Contracts
* Issues of Security Issues of Privacy Technical Issues in Cyber Contracts

**IV. Types of Electronic Contracts**

* Employment Contracts
* Consultant Agreements
* Contractor Agreements
* Sales, Re – Seller and Distributor Agreements
* Non – Disclosure Agreements Software
* Development & Licensing Agreements
* Shrink Wrap Contract Source Code
* Escrow Agreements

**V. Cyber Contracts & Indian Legal Position**

* Legal Issues in Cyber Contracts
* Cyber Contract and IT Act 2000
* Indian Law on Shrink Wrap Contracts Drafting of Cyber Contracts

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| **Code No.** | **Paper** | **L** | **Credits** |
| LLM 105-B | Cyber Law and Contemporary Trends | 5 | 2 |

**Cyber Law and Contemporary Trends**

1. **Fundamentals of Cyber Law**

* Conceptual and theoretical perspective of cyber law.
* Computer and Web Technology
* Development of Cyber Law – National and International Perspective

1. **Cyber Law: Legal Issues and Challenges in India, USA and EU**

* Data Protection , Cyber Security
* Legal recognition of Digital Evidence
* Recognition of liability in the digital world
* Jurisdiction Issues in Transnational Crimes

**III**. **Cyber Law : International Perspectives**

* Budapest Convention on Cybercrime
* ICANN’s core principles and the domain names disputes
* Net neutrality and the EU electronic communications regulatory framework
* Web Content Accessibility Guidelines (WCAG) 2.0

1. **Cyber Law – Contemporary Trends**

* Impact of cyber warfare on privacy, identity theft
* International law governing Censorship, online privacy, copyright regulations
* Online Intermediaries in the governance of Internet
* Social Networking Sites vis-à-vis Human Rights

**Suggested Readings:**

* Yatindra Singh : Cyber Laws
* Ajit Narayanan and Bennum (ed.) : Law, Computer Science and Artificial Intelligence.
* Linda Brennam and Victoria Johnson : Social, ethical and policy implication of information Technology. 4.Kamath Nandan : Law relating to Computer, Internet and E-Commerce.
* Arvind Singhal and Everett Rogers : India’s Communication Revolution : From Bullock Carts to
* Cyber Marts
* Lawrence Lessing : Code and other Laws of cyberspace.
* Mike Godwin : Cyber Rights Defencing free speech in the Digital Age.

**COURSE STRUCTURE**

**L.L.M. ONE YEAR (2023-2024)**

**GROUP - B**

**CYBER LAW**

**SECOND SEMESTER EXAMINATION**

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| **Code No.** | **Paper** | **L** | **Credits** |
| LLM 201-B | E-Commerce & Taxation | 5 | 2 |
| LLM 202-B | Cyber Crime | 5 | 2 |
| LLM 203-B | Law Relating to Cyber Space and E- Commerce | 5 | 2 |
| LLM 204-B | Dissertation | **-** | **5** |
| LLM 205-B | Viva Voice |
|  | **SUB TOTAL** | **15** | **11** |

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| **Code No.** | **Paper** | **L** | **Credits** |
| LLM 201-B | E-Commerce & Taxation | 5 | 2 |

1. **E-Commerce – Salient Features** **L – 1**

* One – line contracts
* Mail Box rule
* Privity of Contracts
* Jurisdiction issues in E-Commerce
* Electronic Data Interchange

**II**. **Security and Evidence in E-Commerce** **L – 2**

* Dual Key Encryption
* Digital Signatures
* Security issues in E-Commerce
* Evidence related issues
* UNCITRAL model law of E-Commerce
* Indian Legal Position on E-Commerce
* IT Act 2000/ Indian Evidence Act/ Draft law on E-Commerce

III. E-Banking and Legal Issues L – 3

* Electronic Money
* Regulating e – transactions
* Role of RBI and Legal issues
* Transnational Transactions of E – Cash
* Credit Card and Internet
* Laws relating to Internet credit cards
* Secure Electronic Transactions

IV. Taxation Issues in Cyber Space L – 4

* Indian Tax System
* Transactions in E – Commerce
* Taxing Internet Commerce
* Indirect Taxes
* Tax evasion in Cyber Space\

1. International Taxation in E – Commerce L – 5

* Understanding International Taxation
* Fixed place vs. Website
* Permanent Establishments
* Double Taxation
* Role of ISPs
* OECD initiatives in International Taxation

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| **Code No.** | **Paper** | **L** | **Credits** |
| LLM 202-B | Cyber Crime | 5 | 2 |

1. Understanding Cyber Crimes L – 1

* Defining Crime
* Crime in context of Internet – Actus Rea/Mens
* Rea Types of crime in Internet Computing damage in Internet crime

1. Indian Penal Law & Cyber Crimes L – 2

* Fraud
* Hacking
* Mischief
* Trespass
* Defamation
* Stalking
* Spam

1. Obscenity and Pornography L – 3

* Internet and Potential of Obscenity
* Indian Law on Obscenity & Pornography
* Technical and Legal Solutions\
* International efforts
* Changes in Indian Law
* Search and Seizure powers

1. Freedom of Speech & Human Rights Issues in Internet L – 4

* Freedom of Expression in Internet
* Issues of Censorship
* Hate Speech
* Sedition

1. L – 5

* Libel
* Subversion
* Privacy Issues
* International Positions on Free Speech in Internet

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| **Code No.** | **Paper** | **L** | **Credits** |
| LLM 203-B | Law Relating to Cyber Space and E- Commerce | 5 | 2 |

Objective: This course is designed to acquaint the students with the conceptual understanding and knowledge of the technologies in cyber space and to prepare students to deal with emerging issues in e-commerce.

Unit – I L – 2

* Understanding Cyberspace
* Jurisdiction issues in Cyberspace
* Understanding of Cyber Crimes
* Privacy issues on Cyberspace
* Legal Implications of Cloud Computing
* Liability of Intermediary

Unit – II L – 3

* Formation and types of e-Contracts with reference to fundamentals of Indian Contract Law Legal Recognition of Electronic Signatures and e- Records
* Concept and features of e-Commerce
* Concept of e-Governance
* Taxation issues in Cyberspace
* Copyright issues in Cyberspace
* Trademarks and Domain Name Issues in Cyberspace

Suggested Readings:

* Rajesh Talwar, Indian Laws of E-Business, Paperback ISBN13/ 10 / 8170944503 2001
* Stephen Mason Philip Argy Derek Begg Electronic Evidence, Butterworths Law; 2nd Revised edition 2010
* Jonathan Rosenoer, Cyber Law: The Law of the Internet Springer, 1997
* Gerald Ferrera, Margo Reder, Stephen Lichtenstein, Robert Bird, Jonathan Darrow
* Cyber Law: Text and Cases, Cengage Learning, 2011
* Vivek Sood, Cyber Law Simplified, Tata McGraw-Hill Education, 2001
* Pavan Duggal, Cyber Law: The Indian perspective, Saakshar Law Publications, 2002
* Nandan Kamath, Law relating to computers, internet and e-commerce: a guide to cyber laws and the Information Technology Act, 2000, Universal Law Pub, Co; 2000
* Garima Tiwari, Understanding Laws: A legal Quotient Primer, LexisNexis, India
* Harish Chander, Cyber Laws and IT Protection, P H I Learning Pvt. Ltd., 2012
* Vakul Sharma, Information Technology Law and Practice, Universal Law Publishing, 2011
* Diane Rowland, Elizabeth Macdonald, Information Technology Law, Cavendish, 2000
* Chris Reed, Computer Law, 7th Ed. Oxford University Press, 2003
* Dr Subhajit Basu, Global Perspectives on E-Commerce Taxation Law, Ashgate Publishing, Ltd., 2013
* Karnika Seth, Cyber Laws in the Information Technology Age, LexisNexis, Butterworths Wadhwa, Nagpur, 2009
* Chris Reed, Internet Law: Text and Material, Oxford University Press, (2004)
* Garima Tiwari, Understanding Laws Cyber Laws and Cyber Crimes, LexisNexis, India
* Alwyn Didar Singh, E-Commerce in India: Assessments and Strategies for the Developing world, LexisNexis, India, 2008
* Anirudh Rastogi, Cyber Law; Law of Information Technology and Internet, LexisNexis, India, 2014
* Alan Davidson, The Law of Electronic Commerce, Paperback, PHI, 2009
* S.J. Joseph P.T., E-commerce: An Indian Perspective, Paperback, PHI, 2012
* Rajaraman V., Essentials of E-commerce Technology, Paperback, PHI, 2009

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| **Code No.** | **Paper** | **L** | **Credits** |
| LLM 204-B | Dissertation | **-** | 5 |
| LLM 205-B | Viva Voice | **-** |

Subject: Dissertation and Viva

The evaluation of the Dissertation and Viva Voce will be conducted by a Board of Examiners comprising of Dean, Supervisor and senior most faculty member and an External Examiner with the approval of the Hon’ble Vice Chancellor.