



MOHANLAL SUKHADIA UNIVERSITY, UDAIPUR

FACULTY OF LAW

THIRD SEMESTER MASTER OF LAWS

(BUSINESS LAW BRANCH)

PAPER – III (PAPER CODE - 51903) (PAPER NAME – LAW OF EXPORT IMPORT REGULATIONS)

Max. Marks: 100 (80 External + 20 Internal)

Min. Marks: 40

Unit I: Introduction:

- a. State Control over import and export of goods from rigidity to liberalization,
- b. Impact of regulation on economy
- c. The Basic Needs of Export and Import Trade: Goods, Services, Transportation,
- d. International Regime: WTO agreement, WTO and tariff restrictions, WTO and non-tariff restrictions, Investment and transfer of technology, Quote restriction and anti dumping, Permissible regulations, Quarantine regulation, Dumping of discarded technology and goods in international market, Reduction of subsidies and counter measures

Unit II: General Law on Control of Imports and Exports:

- a. General scheme,
- b. Legislative control,
- c. Power of control : Central government and RBI,
- d. Foreign Trade Development and Regulation Act 1992,
- e. Restrictions under customs law, Prohibition and penalties
- f. Export- Import formulation : Guiding features,
- g. Control Under FEMA, Foreign Exchange and currency, Import of goods, Export promotion councils, Export oriented units and export processing zones, Control of Exports: Quality control, Regulation on goods, Conservation of foreign exchange, Foreign exchange management, Currency transfer, Investment in foreign countries

Unit III: Exam Policy:

- a. Changing Dimensions: Investment Policy : NRIs, FIIs (Foreign institutional Investors), FDIs, Joint venture, Promotion on foreign trade, Agricultural products, Textile and cloths, Jewellery, Service Sector;
- b. Law relating to Customs : Prohibition on importation and exportation of goods, Control of smuggling activities in export- import trade, Levy of, and exemption from, customs duties, Clearance of imported goods and export goods, Conveyance and warehousing of goods

Unit IV: Regulation on Investment:

- a. Borrowing and lending of money and foreign currency,
- b. Securities abroad-issue of, Immovable property- purchase abroad,
- c. Establishment of business outside,
- d. Issue of derivatives and foreign securities-GDR (Global depositories receipts), ADR (American depository receipts) and URO,
- e. Investment in Indian Banks,
- f. Repatriation and Surrender of Foreign Securities,
- g. Technology Transfer : Restrictive terms in Technology Transfer Agreements, Automatic approval schemes

SELECT BIBLIOGRAPHY

1. Government of India, Handbook of Import Export Procedures
2. Government of India Import and Export Policy (1997-2002)
3. Foreign Trade Development and Regulation Act 1992 and Rules Foreign
4. Exchange Management Act 1999
5. Customs Manual (Latest edition) Final Treaty of GATT, 1994