

LL.M. SYLLABUS 2009-10

LL.M. – I year (Previous)

- Paper – I Law of social transformation in India.
- Paper – II Indian Constitutional law- New challenges.
- Paper – III Corporate law and management.
- Paper – IV Legal Theory.
- Paper – V Insurance law.
- Paper – VI Law relating to Banking and Negotiable instruments.

Marking Pattern

Every paper shall be evaluated internally (30 marks each) and theory paper (70 marks each).

LL.M. – I Year

1. Paper – I Law and Social Transformation in India

Unit – I :

Law and social change – Law as an instrument of social change, Law as the product of traditions and culture.

Unit – II :

Religion and the law – religion as divisive factor, reform of law on secular lines, freedom of religion and non discrimination on the basis of religion, religious minorities.

Unit – III :

Women/children and law – crime against women, gender injustice, women commission and empowerment of women. Child labour, sexual exploitation, education, adoption and related problems.

Unit – IV :

Community/modernization in law – caste as a divisive factor, protective discrimination of S.C., S.T. and backward classes, statutory provisions for reservation. Modernization as a value, modernisation of social institutions through law, reforms of law.

2. Paper – II Indian Constitutional Law : The new challenges

Unit – I : Federalism

Unit – II :

Emerging regime of new rights and remedies, Freedom of Press and challenges of new scientific development, reading directive principles and fundamental duties into fundamental rights.

Unit – III :

Separation of powers : stresses and strain.

Unit – IV :

Democratic process – Election, nexus of politics with criminals and the business, coalition government, grass root democracy.

3. Paper – III Corporate Law and Management

Unit – I :

Historical perspective of company legislation.

Basic concepts – Corporate personality, Memorandum and articles of association.

Director and managerial personnel, company meetings.

Unit – II :

Majority rule and prevention of oppression and mismanagement.

Reconstruction, Amalgamation, Merger and Take over.

Winding up of companies.

Unit – III :

Corporation finance – scope and objectives.

Capital needs, capitalization.

Equity finance, Debt finance.

Corporate fund raising,

Unit – IV :

Protection of Investors and creditors.

Corporate governance and SEBI regulations.

Concept of corporate social responsibility.

4. Paper IV Legal Theory

Unit-I

1- Nature and Scope of Jurisprudence

2- Branches of Jurisprudence

Unit-II

Analytical School

a) Austin as father of English Jurisprudence

- b) Bentham's Definition of Law
- c) Pure Theory of Law

Unit-III

Historical School

- 1. Friedvich Kasl Von Savigny
- 2. Puchta d Glerke
- 3. Sir Henry Maine

Unit – IV

Natural Law School

- 1. Contribution of Herbert Spencer
- 2. Contribution of Fuller in the revival of Natural Law

Unit – V

Sociological School of Jurisprudence

- 1. Theory of Social Solidarity
- 2. Rosco-pound-Theory of Social Engineering
- 3. Leon Dugit

Unit – VI

Realistic Jurisprudence

- 1. Realism-Meaning
- 2. Law is what the judge-decides

Unit – VII

Henry Maine

- 1. Indian Legal System
- 2. Anthropological Approach to the Modern Indian Legal System

Unit –VIII

- 1. Social Justice
- 2. Rawls-A Theory of Justice

Unit – IX

Sources of Law

- a) Precedent & Legislation including delegated Legislation
- b) Legal Concept
 - i) Legal Right
 - ii) Theories of Right

- c) Rights are Correlative to duties.
- d) Possession & Ownership
- e) Legal Personality

Note:-

This paper shall be of 100 marks out of which 70 marks are the Written examination and 30 marks for internal assessment. In the light of views expressed in workshops, the criteria for internal assessment is laid don as follows;

A. Home assignment or Workshops	25 marks
B. Contact Class attendance	05 marks

	30 marks

5. Paper V Insurance Law

Unit – I :

Introduction, general principles of Insurance law.
 Insurance law in India – The Insurance Act 1938, The Insurance Regulatory Authority Act 2000.

Unit – II :

Life insurance and insurance against accidents – nature, scope, circumstances affecting the risk, persons entitled to payment and settlement of claim.
 The fatal accidents Act 1855, assessment of compensation, contributory negligence.
 The personal injuries(compensation insurance) Act 1968.
 Compulsory insurance.

Unit – III :

Marine insurance – nature, scope, classification of marine policies, The marine insurance Act 1968, insurable interest, insurable value, marine insurance policy, voyage deviation, perils of the sea, assignment of policy and return of premium.

Unit – IV:

Property insurance – fire insurance, the emergency risk (factories and goods) insurance, Policies covering risk of explosion, accidental loss, damage to property, risk of storm and tempest, glass-plate , burglary, theft and live stock policies. Goods in transit insurance, Agricultural insurance.

6. Paper VI : Law relating to Banking and negotiable instruments.

Unit – I :

Law relating to Banking Companies in India.
Social control over Banking.

Unit – II :

The Central Bank – characteristics, functions, objective and organisational structure.

Unit – III :

Relationship of Banker and customers.
Recent trends of Banking system in India.
Reforms in Indian Banking Law.

Unit – IV :

Negotiable instruments – meaning, trends, transfer, negotiation, holder and holder in due course, presentment and payment, liabilities of parties.