

LL.M. SYLLABUS 2009-10

LL.M. – II year (Final)

- Paper – I Judicial Process
- Paper – II Research Methodology
- Paper – III Law of Industrial and Intellectual property.
- Paper – IV Law relating to International trade.
- Paper – V Dissertation & Viva-Voce.

Marking Pattern

Every paper shall be evaluated internally (30 marks each) and theory paper (70 marks each). Dissertation will carry 150 marks & viva voce will be of 50 marks.

LL.M. – II Year (Final)

1) Paper – I Judicial Process

Unit – I : Nature of Judicial process – judicial process as an instrument of social ordering, judicial process and creativity in law, tools and techniques of judicial creativity and precedent.

Unit – II : Special dimensions of judicial process in constitutional adjudications – notions of judicial review, Role in constitutional adjudication, tools and techniques in policy making and creativity in constitutional adjudication, varieties of judicial and juristic activism, problems of accountability and judicial law making.

Unit – III : Judicial process in India – Indian debate on the role of judges and on the notion of judicial review, independence of judiciary and the political nature of judicial process, judicial activism and creativity of the Supreme Court, judicial process in pursuit of constitutional goals and values, Institutional liability of courts and judicial activism – scope and limits.

Unit – IV : The concepts of justice – Dharma in Indian thought, Dharma as foundation of legal ordering, concept and various theories of justice in the western thought, relation between law and justice.

2) Paper – II Research Methodology

Unit – I : Objectives of; legal education, clinical legal education – legal aid, legal literacy, legal survey and law reform.

Unit – II : Research methods – socio legal research, doctrinal and non-doctrinal, relevance of empirical research, induction and deduction

Unit – III : Identification of problem of research – what is research problem, survey of available literature and bibliographical research, legislative materials including subordinate legislation, notification and policy statements, decisional materials including foreign decisions, methods of discovering the ‘rule of the case’, discovering judicial conflict in the area pertaining to the research problem and the reasons thereof, juristic writings, compilation of the list of reports or special studies conducted relevant to the problem.

Unit – IV: Preparation of the research design – formulation of the research problem, devising tools and techniques for collection of data : methodology, methods for the collection of statutory and case materials and juristic literature, Use of historical and comparative research materials, observation studies, questionnaires/interview, case studies, sampling procedure, scaling techniques, jurimetrics, computerized research, classification and tabulation of data, Analysis of data.

3) Paper – III Law of Industrial and Intellectual Property.

Unit – I : Concept of Intellectual Property and its economic importance.
International scenario, TRIPS and other Treaties.
Law relating to Patents, Indian Patent Act, 1970
(along with amendments)

Unit – II : Introduction to copyright, The Copyright Act, 1957.
Copyright vis-à-vis Digital Technology.
Software Copyright.

Unit – III : Industrial Design – Need for Protection of Industrial designs,
The Designs Act, 2000.
Protection for Integrated Circuit Layout Designs.

Unit – IV : Law relating to Trade Mark and Passing off.
Exhaustion of Right in Trade Mark.
Domain Name Dispute and Cyber squatting.
Law relating to Geographical Indication and Traditional
Knowledge.

4) Paper – IV Law Relating to International Trade.

Unit – I : Introduction to International Trade Law.

Formation of International Commercial Contracts.

International Sales Law.

Carriage of Goods by Land, Water and Air.

Unit – II : International Commercial arbitration

Regulation of International Trade – Custom and Central Excise Clearance.

Unit – III : Foreign Exchange Regulation and Management.

Foreign Exchange related Taxation matters.

Foreign Direct Investment and Transfer of Technology.

Unit – IV : WTO obligations, conceptual framework and agreement.

Trade in Services.

Competition Laws – Introduction, Economic theories of competition, Regulation and control of anti competitive practices (International and National Perspective).

6) Paper VI: Dissertation