

**MASTER OF LAWS (LL.M.)**

(New Course)

**Law O. 6 (New) :**

No candidate shall be admitted to the examination for the Degree of LL.M. unless he has passed the Final Examination for the Degree of LL.B. in this University or an Examination of another statutory university recognised as equivalent thereto—

(a) not less than two years previously if he has passed the Final Examination for the Degree of LL.B. under the New Rules.

*and*

(b) not less than three years previously if he has passed the Second Examination for the Degree of LL.B. under the Old Rules, provided that a candidate need not read for more than 2 years under the guidance of a recognised University Teacher.

**Law O. 6-A (New) :**

A candidate for the Degree of Master of Laws must have obtained (1) the Degree of Bachelor of Laws of this University or a Degree recognised as equivalent thereto, and (2) passed the LL.M. Degree Examination in two parts, the first called the LL.M. Part I Examination and the Second called the LL.M. Part II Examination, after keeping two terms for the LL.M. Part I Examination and two terms for the LL.M. Part II Examination, irrespective of a candidate passing LL.M. Part I and LL.M. Part II in the first instance.

It is provided that a candidate after keeping terms for either Part-I or Part-II will appear at that examination and it is further provided that a candidate thus appearing at either Part-I or Part-II examination and fails to pass that examination will be eligible for admission to Part-I and Part-II examinations simultaneously.

**Law R. 12 (New) :**

Candidates for the written examination will be examined in any one of the five groups consisting of eight papers, two being compulsory in each group.

LL.M. PART I EXAMINATION—GROUP I

**Paper I : Jurisprudence ( Compulsory )**

This Paper will comprise Positivism, Natural Law and Analytical Jurisprudence.

**( a ) Positivism :**

Austin's Theory of Law : His Success and Critics, Viz. Halland, Salmond, J. C. Gray and H. L. A. Hart.

**( b ) Natural Law :** From the Ancient times to the Modern days.

**( c ) Problems of Definition of Law.**

**( d ) Analysis of Legal Concepts :** Right Duty, Wrong, Kinds of Rights, Concept of Personality, Possession, Ownership, Liability. Classification of Law : Principles,

**( e ) Nature and Scope of Jurisprudence.**

*Books recommended*

- (1) Austin : ' The Province of Jurisprudence Determined '  
( Intro. by H. L. A. Hart )
- (2) Jethro-Brown : ' The Austinian Theory of Law '
- (3) Austin : ' Lectures on Jurisprudence '
- (4) Halland : ' Jurisprudence '
- (5) J. C. Gray : ' The Nature and Source of Law '
- (6) Salmond : ' Jurisprudence ' ( Ed. Fitzgerald )
- (7) Dias : ' Jurisprudence ' ( Chrs. 16, 17, 18, 19 to be omitted. )
- (8) Paton : ' A Text-book of Jurisprudence '
- (9) Vinogradoff : ' Common Sense in Law '
- (10) Friedmann : ' Legal Theory ' ( Chrs. 5 to 12, 19, 20, 21, 22  
31, 33 only )
- (11) Bodenheimer : ' Jurisprudence ' ( Chrs. I, II, III, VII, IX, X, XI,  
XII, XIII, XIV, XV, XVI, XVII, XVIII )
- (12) Buckland : ' Reflections on Jurisprudence '

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- (13) Hart : 'The Concept of Law'  
(14) Manning : 'Austin Today in Modern Legal Theories'  
(15) Kelsen : 'Pure Theory of Law', 50 L.Q. R. 474,  
51, L.Q.R. 517  
(16) Kelsen : 'General Theory of Law and State,  
(17) Allen : 'Law in the Making'  
(18) J. Stone : 'Legal System and Lawyer's Reasonings'  
(19) A.P.d'Entreves: 'Natural Law'  
(20) Honfeld : 'Fundamental Legal Conception'.

**Paper II : Constitutional Law of India ( Compulsory )**

- (1) Judicial Review.  
(2) Supreme Court and High Courts—their jurisdiction and functions.  
(3) Fundamental Rights.  
(4) Directive Principles of State Policy.

**Articles**

Part I—1, 2, 3, 4

Part III

Part IV

Part V—Art. 73, Ch. IV

Part VI—Art. 162, Ch. V, VI

Part XI

Part XII—Art. 265, 268 to 281, 285, 286, 287, 288, 289

Part XIII

Part XIV—Art. 311

Part XVIII

Part XX—Art. 368.

***Books recommended***

- (1) Basu : 'Commentary on the Constitution of India'  
(2) Seervai : 'Constitutional Law of India':  
Pub. N. M. Tripathi

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- (3) Dr. M. P. Jain : 'Indian Constitutional Law'
- (4) V. N. Shukla : 'Commentaries on the Constitution of India'
- (5) Alan : 'Constitution and the Fundamental Rights'
- (6) Austin : 'The Indian Constitution'  
'Cornerstone of a Nation'
- (7) Markandan : 'Directive Principles in the Indian Constitution'

**Group I : Jurisprudence, International Law and Constitutional Law**

Papers III & IV : Public International Law.

*or*

Papers III & IV : Private International Law.

*or*

Papers III & IV : Constitutional Law.

**Papers III & IV : Public International Law**

**.. 200 marks**

*Books recommended*

- (1) Oppenheim : 'Public International Law (Two Volumes)'
- (2) L. C. Green : 'International Law Through the Cases'
- (3) G. Schwarzenberger : 'A Manual of International Law'
- (4) Brierly : 'The Law of Nations'
- (5) Bishop : 'International Law—Cases and Materials'
- (6) Briggs : 'The Law of Nations'
- (7) G. Schwarzenberger : 'International Law'
- (8) Jenk : 'Common Law of Mankind'
- (9) Lauterpacht : 'Recognition in International Law'
- (10) G. Schwarzenberger : 'Inclusive Approach to International Law'
- (11) Kelsen : 'General Principles of International Law'
- (12) Sohn : 'Cases and Materials on United Nations Law'
- (13) Clark and Sohn : 'World Peace through World Law'
- (14) Kelsen : 'The Law of United Nations'
- (15) Lawrence : 'International Law'

- (16) Brierly : ' Outlook on International Law '  
(17) Nussbaum : ' A Concise History of Law of Nations

**Private International Law** .. 200 marks.

**Paper III :**

- (1) Nature, Scope and History
- (2) Classification
- (3) Connecting factors and Renvoi
- (4) Jurisdiction
- (5) Domicile
- (6) Procedure
- (7) Foreign Judgment
- (8) Limits of Applications--Foreign Law.

**Paper IV :** Remaining Topics i.e., Topics not covered under Paper-I

*Books recommended*

- (1) Dicey : ' Conflict of Laws '
- (2) Cheshire : ' Private International Law '
- (3) Schmitthoff : ' English Conflict of Laws '
- (4) Wolfe : ' Private International Law '
- (5) Morris : ' Cases on Private International Law '
- (6) Weff and Brown : ' A Casebook on the Conflict of Laws '

**Constitutional Law** .. 200 marks.

**Paper III :** Comparative Federalism in India, U.S.A., Canada & Australia.

**Paper IV :** Parliamentary form of Government in the British Commonwealth.

**Group II : Family Law**

**Papers III & IV :** Muslim Law.

**Group III : Commercial Law**

**Paper III :** General Principles of the Law of Contract and Indian Contract Act, Sec. 1-75

*Books recommended*

- (1) Atiyah : ' An Introduction to the Law of Contract '

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- (2) Anson : 'Principles of the English Law of Contract' (22nd Ed.)
- (3) Cheshire and Fifoot : 'Law of Contract'
- (4) Chitty : 'Contract' (Latest Ed.), Vol. I
- (5) Treitel : 'The Law of Contract' (2nd Ed.)
- (6) Sutton and Stannon : 'Contract'
- (7) Mulla and Pollock : 'Indian Contract Act'
- (8) A. C. Patra : 'The Indian Contract Act' (Vol. I)
- (9) Venkat Rao : 'Indian Contract Act'

**Paper IV : Specific Contracts : Agency, Sale of Goods Act, Partnership.**

*Books recommended*

- (1) Chitty : 'Contract' (Latest Ed.), Vol. II (Relevant Chapters)
- (2) Anson : 'Principles of the English Law of Contract' (22nd Ed.)
- (3) Hanbury : 'Principles of Agency'
- (4) Bowstead : 'Agency'
- (5) Atiyah : 'Sale of Goods'
- (6) Schmitthoff : 'Sale of Goods'
- (7) Lindley : 'Partnership'
- (8) Underhill : 'Partnership'
- (9) Aggrawal : 'Sale of Goods Act'
- (10) S. T. Desai : 'Law of Partnership'.

**Group IV : Law of Crimes and Torts**

**Papers III & IV : General Principles of Torts, Specific Torts.**

**Group V**

**Papers III & IV : Principles of Law of Property, Specific Transfers.**

**LL.M Part-II EXAMINATION (New Course)**

(In force from June 1972)

**Group I : Jurisprudence, International Law and Constitutional Law**

**Paper I** : Legal Philosophy and Legal institutions in a changing society with special reference to India.

**Paper II** : Legislation : Principles, Interpretations and drafting

**Paper III** : Law and the Economic system in India. Government Regulation of Private Enterprise.

(1) Constitutional Framework : Limits over the Union and State Power

(2) Determinating the pattern of Industrialisation, Restrictions on Establishment and Expansion of Industries

(3) Commodity controls

(4) Fiscal, Monetary and Foreign Exchange Regulations

(5) (a) Control over companies under the Companies Act, 1956,  
(b) Monopolies and Restrictive Trade Practices

(6) Informal Techniques of Control of Business.

**Paper IV** : Administrative Law in India, U.K. and U.S.A.

*Books recommended*

**Paper I :**

- (1) Julius Stone : 1. 'Legal system and Lawyer's Reasoning '  
2. 'Human Law and Human Justice '  
3. 'Social Dimensions of Law and Justice '
- (2) Friedman : 'Legal Theory '
- (3) Diaes : 'Jurisprudence '
- (4) Bodenhemer : 'Jurisprudence '
- (5) Patterson : 'Jurisprudence '
- (6) Fuller : 'Law in Quest of Itself '
- (7) Fuller : 'Morality of Law '
- (8) Friedman : 'Law in a Changing Society '
- (9) Sawyer : 'Law in Society '
- (10) Cardozoo : 'The Nature of Judicial Process '
- (11) Rascoe Pound : 'Jurisprudence '
- (12) 'Property Relations in Independent ' : I.L.I.

**Paper II :**

- (1) Bentham : 'Introduction to the Principles of Morals and Legislation
- (2) Dicey : 'Law and Public Opinion in England during the Nineteenth Century'
- (3) Ginsberg (Ed) : 'Law and Public Opinion in England During the Twentieth Century'
- (4) Crais : 'On Statutes'
- (5) Maxwell : 'Interpretation of Statutes'
- (6) Thorton : 'Legislative Drafting'
- (7) Allen : 'Law in the Making'
- (8) Scarman : 'Law Reform.'

**Paper III : Government Regulation of Private Enterprise**

- (1) Indian Law Institute : 'Government Regulation of Private Enterprise'
- (2) Friedmen : 'The State and the Rule of Law in a Mixed Economy'
- (3) Friedman (Ed.): 'Government Enterprise'
- (4) M. P. Jain : 'Administrative Law'
- (5) 'Administrative Process under the Commodity as Act—Indian Law Institute'
- (6) Gunnarn, Myrdal : 'Asian Drama'
- (7) Jagdish Bhagwati : 'The Economics of Underdeveloped Countries'
- (8) Samuelson : 'Economics'
- (9) Jacob : 'Public Control of Private Enterprise of J.I.L.I., July 1971'
- (10) 'The Industries (Development and Regulation) Act, 1951'
- (11) 'Capital Issues (Control) Act, 1947'
- (12) 'The Import and Export (Control) Act, 1947'
- (13) 'The Foreign Exchange (Regulation) Act, 1947'
- (14) 'The Essentials Commodity Act, 1955'
- (15) 'The Companies Act, 1956'
- (16) 'The Report of the Monopolies Inquiry Commission'
- (17) Hazari R. K. : 'Monopolies and their Regulation in India'
- (18) Mason (Ed.) : 'The Corporation in Modern Societies, 1968'
- (19) Hanson (Ed.) : 'Public Enterprise' (1950).



**Paper IV—Administrative Law**

- (1) 'Cases and Material of Administrative Law': Indian Law Institute
- (2) Kagazi: 'Administrative Law'
- (3) Markos: 'Judicial Control of Administrative Action in India'
- (4) 'Principles of Administrative Law': Griffith and Street
- (5) 'Administrative Law': Wade
- (6) 'Administrative Law': Garner
- (7) 'Government Liability': Street.

**Group II : Family Law**

Paper I, II and III : Hindu Law

Paper IV : Law of Wills.

**Group III : Commercial Law**

Paper I : Company Law.

Paper II : Carriage of Goods, Patents, Trade Marks.

Paper III & IV : Labour Laws.

*or*

Paper III & IV : Taxation Laws.

*Books recommended*

**Paper I : Company Law**

Indian Companies Act

Palmer : 'Company Law'

'Indian Company Law'—K. M. Ghosh

'The Companies Act'—R. H. Pandia

'Commentaries on the Companies Act'—K. Venkobe Rao

'Company Law'—Gover

'Charlesworth Company Law'—T. E. Card

'Indian Company Law—' Sethna

Proceedings of the Seminar on the Indian Law Institution, current problems of Corporate Law, Management and Practice.

**Paper II : Carriage of Goods, Trade Mark and Patents & Designs**

'Carriage of Goods'—Carver

'Carriage of Goods by Road'—O. Caher

- 'Trade-marks'—Kerley
- 'Terrel on the Law of Patents', Ed. by Gny Aldous & Feloner
- 'Steven's Mercantile Law', Ed. by Mont Gomerie
- 'The Trade Merchandise Marks Act'—K. S. Shawaksha

**Paper III : Income-tax**

- 'Income-tax'—Kanga & Palkhiwala
- The Indian Income-tax Act & Rules
- 'Income-tax'—Ayer
- 'Harward Tax series—Indian' by N. A. Palkhiwala

**Paper IV : Sales-tax & Estate Duty**

- Bombay Sales-tax Act & Rules
- Central Sales-tax Act & Rules
- 'The Central Sales-tax Act'—R. V. Patel
- 'The Principles of Sales-tax Laws'—K Chaturvedi
- The Estate Duty Act & Rules :
- 'Estate Duty'—Nanavaty
- 'Green's Death Duties', Ed. by D. J. Lawday & E. J. Mawn
- 'Estate Duty'—Diamond.

**Group IV : Law of Crimes and Torts**

- Paper I : History and Principles of Criminal Law.
- Paper II : Specific Offences.
- Paper III : Criminology and Penology.
- Paper IV : Criminal Procedure and Evidence.

**Group V : Property**

- Paper I : Equity and Trusts.
- Paper II : Land Tenures, Land Acquisition, etc.
- Paper III : Patents, Copyright, Trade Marks.
- Paper IV : Law of Wills.

**Standard of passing the Examination (LL.M.)**

**Law R. 17 (New) :**

A candidate appearing either at the LL.M. Part-I or LL.M. Part-II examination and who obtains at least 36% of the marks in each paper and at least obtains 48% of the total marks in papers all taken together, shall be declared to have passed the respective Part of LL.M. Examination.

- (a) A candidate having passed either Part-I or Part-II examination and appearing at the remaining part of the LL.M. examination shall be required to obtain at least 36% of the marks separately in each paper of that part examination and at least 48% of the total marks obtainable both at Part-I and Part-II examinations taken together.
- (b) A candidate having failed to pass either Part-I or Part-II examination and appearing in the whole examination (i.e., Part-I and Part-II examinations simultaneously) shall be required to obtain at least 36% of the marks separately in each paper and 48% of the total marks obtainable in the whole examination. (i.e. Part-I and Part-II examinations together)

**Award of Classes shall be under :**

- (i) A successful candidate obtaining 70% or more marks in Part-I & Part-II Examinations taken together will be placed in the First Class with Distinction.
- (ii) A successful candidate obtaining 60% or more marks but less than 70% of the total marks in Part-I and Part-II Examinations taken together will be placed in the First Class.
- (iii) A successful candidate obtaining less than 60% of the total marks but 48% and above in Part-I and Part-II. Examinations taken together will be placed in the Second Class.

Maneklal Navroji  
Law College, Laldar-  
Waja, Ahmedabad-2  
hi 2/16/60

**DIPLOMA IN LABOUR LAWS AND PRACTICE\***

**Law O. 8 :**

No candidate shall be admitted to the examination of the Diploma in Labour Laws and Practice unless he has passed M.L.W. Examination or LL.B. Degree Examination of this University or of any other University recognised as equivalent thereto or M.S.W. Examination and after passing the said examination has duly kept two terms. The candidate shall be required to keep two-thirds of the attendance of the total number of lectures.

**Law R. 18 :**

Candidates will be required to answer the following three papers each carrying 100 marks and of three hours' duration.

**Paper I :**

- |                                    |               |
|------------------------------------|---------------|
| (i) Factories Act                  | .. 50 marks   |
| (ii) Workmen's Compensation Act    | } .. 50 marks |
| (iii) Payment of Wages Act         |               |
| (iv) State Employees Insurance Act |               |

**Paper II :**

- |                                 |             |
|---------------------------------|-------------|
| (i) Bombay Industrial Relations | .. 40 marks |
| (ii) Industrial Disputes Act    | .. 40 marks |
| (iii) Provident Fund Act        | .. 20 marks |

**Paper III :**

- |  |             |
|--|-------------|
| (i) Labour Economics—General Principles, Labour movement, Relationship between Labour and Capital. | .. 70 marks |
| (ii) Trade Unions Act  | .. 30 marks |

\*Examination will be taken on the strength of the laws as they stood before six months of the examination i.e. as they stood on the 1st April for October Examination and on 1st October for April Examination.

**Standard of passing the Examination**

**Law R. 19 :**

To pass the examination the candidates must have (a) obtained 33% marks in each paper and (b) obtained 50% or more of the total marks obtainable.

Those of the successful candidates who obtain 66% or more of the total marks obtainable will be placed in First Class and those obtaining less than 66% will be placed in Second Class.

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**DIPLOMA IN TAXATION LAWS AND PRACTICE\***

**Law O. 9 :**

No candidate shall be admitted to the examination of the Diploma in Taxation Law and Practice unless he has passed the B.Com. or the LL.B. Degree Examination of this University recognised as equivalent thereto and has after passing the said examination duly kept his terms in this University. The candidate shall be required to keep two-thirds of the attendance of the total number of lectures.

**Law R. 20 :**

Candidates will be required to answer the following three papers each carrying 100 marks and of three hours' duration :

**Paper I ;**

Income-tax and Practice .. 100 marks

**Paper II :**

(i) Estate Duty .. 40 ,,  
(ii) Sales-tax Law .. 60 ,,

**Paper III : General Principles of Accountancy .. 70 marks**

Wealth-tax ... 15 ,,

Gift-tax ... 15 ,,

**Law R. 21 :**

The syllabus in the various subjects will be as under :

**Paper I : Income-tax and Practice :**

1. The general system of administration of Indian Income-tax procedure for making and adjusting assessment and for refund of claims.
2. Study of important rules, notifications, orders and the methods of computations of assessments.

\*Examination will be taken on the strength of the laws as they stood before six months of the examinations i.e. as they stood on the 1st April for October Examination and on 1st October for April Examination.

3. Methods of assessment under various Sections, particularly, Sec. 7 to 12C, 13, 23A, 24, 25A, 26A, 28, 30 to 33B, 35, 48 to 490 of the Income-tax Act.
4. The computations of the assessable profit for Income-tax purposes.
5. "Pay as you earn" scheme and practical effect.
6. The preparation of the usual forms of Return and Repayment claims.
7. General Reliefs and Allowances.
8. The computation of tax payable and tax repayable including Refunds of various types.
9. Appellate Tribunal Rules.
10. General principles regarding double taxation relief.
11. General principles relating to fraud and incorrect returns.

*changes in force from June 1974.*  
**Paper II : Sales-tax Law (and General Principles of Accountancy).**

1. General Sales-tax and Bombay Sales-tax Act with Rules and Practice.
2. General Principles of the Sales-tax Act.
3. Accountancy—Accounts including Liquidator's Accounts; Partnership Accounts and Company Accounts including Reconstruction and Amalgamation.

**Paper III : Estate Duty**

1. Provisions of the Estate Duty Act.
2. Rules and Practice and Case Law.

**Standard of passing the Examination**

**Law R. 22 :**

To pass the examination, the candidate must have (a) obtained 33 % marks in each paper, and (b) obtained 50% of the total marks obtainable.

Those of the successful candidates who obtain 66% or more of the total marks obtainable will be placed in First Class and those obtaining less than 66% will be placed in Second Class.

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૨. ૧૯૩૫ના વર્ષમાં ઉપાયેલ લો કેકલેટીના અભ્યાસક્રમની પુનઃચિત્રીકરણના

794) ઉપરોક્ત ઇન ટેકસેશન લોઝ એન્ડ પ્રોકેટીશ" અભ્યાસક્રમના પ્રશ્નપત્ર-૨ અને ૩ના  
વિગતોમાં ઇપબુલ લોઈ તે નીચે મુજબ સુધારી વનચવા વિનવતી છે: 17(74)

Paper-II (1) Sales Tax Law.

introduce  
from  
June 1974

(1) General sales Tax & Bombay Sales Tax Act with  
rules & practice.

(2) General Principles of the sales Tax Act.

(2) Estate Duty:

(1) Provisions of the Estate Duty Act.

(2) Rules and Practice & case Law.

Paper-III (1) General Principles of  
Accountancy.

Accountancy-Accounts including liquidators Accounts  
Partnership Accounts & Company Accounts including  
Reconstruction & Amalgamation.

(2) Wealth Tax.

(3) Gift Tax.