

**DEGREE OF THE 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 Junior LL.M. Examination and the Second called the Senior LL.M. Examination, after keeping two terms for the Junior LL.M. Examination and two terms for the Senior LL.M. Examination.

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.

JUNIOR LL.M. EXAMINATION—Group I

Paper I: Jurisprudence (Compulsory)

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

(a) Positivism :

- (1) Austin's Theory of Law: His Success and Critics, viz. Halland, Salmond, J. C. Gray and H. L. A. Hart.
- (2) Kelsen's Pure Theory of Law.

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

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

(d) **Nature and Theories of the Sources of Law** :

Legislation, codification and Interpretation of Statutes—Theory of Judicial Precedent and Judicial Reasoning—Customs—Non-legal or historical- or Non-formal sources of Law.

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

(f) **Nature and Scope of Jurisprudence** :

Books recommended

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| (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) Holland | : | 'Jurisprudence' |
| (5) J. C. Gray | : | 'The Nature and Sources of Law' |
| (6) Salmond | : | 'Jurisprudence' (Ed. Fitzgerald) |
| (7) Dias | : | 'Jurisprudence' (Ch. 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' (Ch. I, II, III, VII, IX, X, XI, XII, XIII, XIV, XV, XVI, XVII, XVIII) |
| (12) Buckland | : | 'Reflections on Jurisprudence' |
| (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)

Judicial Review, Fundamental Rights, Directive Principles of State Policy and Federal Principles in India and Article 311.

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

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| (1) Basu | : | 'Commentary on the Constitution of India' |
| (2) Seervai | : | 'Constitutional Law of India' |
| (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.

Papers III & IV : Public International Law .. 200 marks

Books recommended

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| (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 & Materials' |
| (6) Briggs | : | 'The Law of Nations' |

- (7) G. Schwarzenberger : 'International Law'
- (8) Jenk : 'Common Law of Mankind'
- (9) Lauterpacht : 'Recogniton 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 Internationl Law .. 200 marks

Books recommended

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

Group II : Family Law

Papers III & IV : Muslim 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'
- (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

Indemnity, Guarantee, Agency, Bailment, Sale of Goods Act, Partnership, Arbitration.

Books recommended

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| (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' |
| (11) Russell | : 'Arbitration' |
| (12) Paruck | : 'Arbitration' |
| (13) Basu N. D. | : 'The Arbitration Act'. |

Group IV : Law of Crimes and Torts

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

Group V

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

SENIOR LL.M. EXAMINATION

Group I : Jurisprudence, International Law and Constitutional Law

- Paper I : Legal Theory
(Theories of Justice, Sociological Jurisprudence, Historical Jurisprudence)
- Paper II : Interpretation of Legislation and Judicial Process and Comparative Law.
- Paper III : Comparative Constitutional Law.
(Remaining portion of the Indian Constitution and the Constitutions of U.K., U.S.A., Canada, Australia and Switzerland).
- Paper IV : Administrative Law in India, U.K., U.S.A. and France.

Group II : Family Law

Papers I, II & III : Hindu Law

Paper IV : Law of Wills.

Group III : Commercial Law

Paper I : Company Law, Insolvency, Banking, Companies Act.

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

Papers III & IV : Labour Laws.

or

Papers III & IV : Taxation Laws.

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.

Law R. 17 (New) :

A candidate at the Junior LL.M. Examination, who obtains—

- (1) at least 36% of the marks separately in each paper, and (ii) at least obtains 48% of the total marks in papers all taken together, shall be declared to have passed the Junior LL.M. Examination.

A candidate who has obtained 36% in each paper and 42% in the aggregate shall, at his option, be allowed to keep terms for Part II on a clear understanding that a candidate who has exercised his option to keep terms for Part II Examination under the provisions of this ordinance shall not be permitted to appear again in the Part I Examination and that the marks so obtained by him shall be carried forward.

- (2) No candidate shall be admitted to the Senior LL.M. Course unless he fulfils the requirements as mentioned above.
- (3) To pass the LL.M. Degree Examination, a candidate must have passed the Junior LL.M. Examination and shall be required to obtain at least 36% of the marks separately in each paper at Senior LL.M. Examination and at least 48% of the total marks obtainable, both at Junior and Senior LL.M. Examinations taken together.

(4) Award of Classes shall be under :

- (i) A successful candidate obtaining 70 % or more marks in Junior and Senior LL.M 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 Junior and Senior LL.M. Examinations taken together will be placed in the First Class.
 - (iii) A successful candidate obtaining less than 60% of the total marks in Junior and Senior LL.M. Examination taken together will be placed in the Second Class.
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