

SCHEDULE "A"

LL.M. Two years (Four Semester) Degree Course shall be divided into two parts comprising of Four Semesters.

PART-I

SEMESTER I: COMPULSORY PAPERS

- Paper-I : Legal Philosophy
- Paper-II : Indian Constitutional Law
Legal and Social Science Research Methods.(Project
Paper-III : Work)

SEMESTER II: BUSINESS ORGANIZATION

- Paper-IV : Business Organization (Company Law Excluding
Management)
- Paper-V : Business Management (Company Management
and
Administration)
- Paper-VI : Law relating to Multination/Corporations/Regulations
of
Labour Management Relations.

SEMESTER III : CONTRACT AND INSURANCE

- Paper-VII : General Principles of Contract
- Paper-VIII : Specific Contracts
- Paper-IX : Insurance

PART-II

SEMESTER –IV :

The IVth Semester shall be devoted to writing a dissertation on an approved topic and teaching assignment of at least 10 periods on select modules related to the topic of dissertation in the presence of two Senior Teachers. A student is also required, at least one month before the submission of the dissertation, to present a Seminar on the topic of Dissertation before the Faculty Committee. Only on the approval of the Faculty Committee the student shall be allowed to submit the dissertation for examination. The Faculty Committee shall give due consideration to the report of the above referred two teachers in allowing the submission of the dissertation for examination. The date of the submission of the dissertation shall be decided by the University Department of Law of the University.

SYLLABUS OF THE COMPULSORY PAPERS

SEMESTER-I

PAPER : C-I : LEGAL PHILOSOPHY :

1. Concepts of Jurisprudence, Legal theory and Legal Philosophy, Scope of Legal Philosophy, Schools of Jurisprudence; Relevance of Social Science and their relations with Law.
2. Philosophical School :
 - a) Frederick Georg Wihel Hegel
 - b) Immanuel Kant
3. Analytical Legal Position :

Ideological Basis of the Rise of Positivism; Austinian Theory of Law; HLA Hart, Hans Kelsen.
4. Sociological Realist Theory
5. American Realist Theory
6. Historical Jurisprudence: Fredrick Karl Von Savigny and Sir Henry Summer Maine.
7. Natural Law: Characteristics of Natural Law: History of Natural Law

Thought: Classical Natural Law; Decline and Revival of Natural Law.
8. Marxist Theory of Law
9. Law and Morals
10. Sources of Law: Custom; Precedent and Legislation.
11. Legal Rights: Hohifieldian of Property.
12. Concept and Theories of Property.
13. Concept and Theories of Legal Personality.

PAPER : C-II : INDIAN CONSTITUTIONAL LAW :

1. Indian Federalism :

Conceptual position. Cooperative Federalism, Indian Federalism from the British Raj to the present time. Nature of the Indian Constitution.

2. Distribution of Legislative Powers:

The scheme of distribution of Legislative Powers in India.

The Judicial approach and the present position.

Sarkaria's Recommendations.

3. The Supreme Court :

Jurisdiction and powers of the Supreme Court: Independence of Judiciary, its role as the guardian of the Constitution, Supreme Court of Indian and Social Jurisprudence.

4. Right to Equality :

Its scope, permissible classification. New approach to Article 14, Equality of opportunity in matters of Public employment and in admission to educational Institutions.

5. Right to Freedom of Speech and Expression :

The area of the Freedom and its limitations (Special emphasis shall be paid to the liberty of press as interpreted by the Supreme Court).

6. Right to Life and Personal Liberty :

The changing dimensions of personal liberty. Impact of Maneka Gandhi case on Criminal Justice.

7. Right to Freedom of Religion :

The scope of the Freedom and the State Control. Individual's Freedom Vs Freedom of the Denomination.

8. Amending Powers :

Scope of the Constituent Power, Amending Process; The process in action, limitations and the Judicial Response.

PAPER : C-III : LEGAL AND SOCIAL RESEARCH METHOD :

PART-A: STUDY

1. Introduction :

Meaning and objectives of Research; kinds of Research; Importance of Research; Criteria of Good Research; Problems of Researchers in India.

2. Formulation of the Research Problems :

Selection of Problem; Different steps in formulating the Problem; Illustrations.

3. Research Methodology :

Procedural Guideline regarding the Research Process; Defining the Research problems; Survey of the Literature; Working Hypothesis; Preparation of Research Design. Determination of Sample Design Collection of Data; Observation; Personal Interviews; Questionnaires and Schedules; Analysis of Data; Test of Hypothesis; Preparation of the Report.

4. Thesis Writing :

Importance of Report Writing:

a) Different steps in writing Research Report: Layout of Research

writing; Preliminary; Main Text: Conclusion and Observation.

b) Mechanics of writing a Research Report: Practical Aspect, Physical Design. Treatment of quotation; Footnotes, Documentation Style; Abbreviations, Bibliography, Index etc.

PART-B: STUDY

1. Formulation of one Research Problem; Involvement of Research Methodology; Preparation of the Report, i.e. Project Report.
2. One Exercise involving questions about the Legal and Social Science Research Methods.

SYLLABUS OF SEMESTER-II

SEMESTER-II

PAPER-IV: BUSINESS ORGANIZATION (COMPANY LAW EXCLUDING MANAGEMENT)

1. Company as a legal person, Lifting the veil of Corporate Personality.
2. Legal position of the promoters of a company; pre-incorporation contracts vis-s-vis, promoters.
3. Prospectus-Definition, Contents and Liability in case of false representation in the prospectus.
4. Memorandum and Articles of Association-Contents Alteration and Legal Effects.
5. The Objects Clause of memorandum of Association and Doctrine of Ultra Vires.
6. Share Capital-kind of share Capital; Procedure for increase and reduction of share-Capital.
7. Charges : Floating Charge and Fixed Charge, Circumstances when floating charge becomes a fixed charge.
8. Protection of the interests of minority shareholders.

PAPER-V: BUSINESS MANAGEMENT (COMPANY MANAGEMENT OF ADMINISTRATION)

1. Structure of corporate management in India with comparative study of England and Continental Countries.
2. Division of powers between company in General Meeting and Board of Directors.
3. Legal Position of Directors and Criminal Liability of Officers of the Company.
4. Judicial and Administrative remedies in the case of Management.

5. Appointment, Removal and Remuneration of Directors, Managing Director and Manager.
6. Appointment of the Secretary of the Company, his qualification duties and legal position.
7. Investigation, Special Audit, Cost Audit.
8. Borrowing powers of a company and its Directors, Effects of Doctrine of Constructive Notice and Indoor Management.

PAPER-VI: REGULATIONS OF LABOUR MANAGEMENT RELATIONS :

1. Industrial Concept under the Industries Dispute Act, 1947. Such as Industry, Workman, Industrial Dispute, Award.
2. Reference Mechanism of Dispute under Industrial Dispute Act, 1947.
3. Industrial Adjudication under Industrial Dispute Act, 1947
4. Regulation of Management's Prerogatives before the authorities under the Industrial Dispute Act, 1947.
5. Constitution and Functions of Industrial Tribunal and Labour Court and Conciliation Officer.
6. Strike and Lock Out.

Concepts, Nature & Statutory Regulation of Strike and Lock outs, Rights to Strike and the Nature.

7. Voluntary Arbitration : (Under I. D. Act, 1947)
Registration of Trade Union and its
Cancellation. Rights & Liabilities of Trade
Unions.
Immunities of Trade Unions.
8. Industrial Employment (Standing Orders) Act,
1946, Standing Orders and Certification.
Modification of Standing Orders.
Nature of Standing Orders Certified Under the Act.

SYLLABUS OF SEMESTER-III

CONTRACT AND INSURANCE

PAPER-VII: GENERAL PRINCIPLE OF CONTRACT

1. Formation of Contract: A critical study of offer and acceptance, communication, acceptance and revocation of the terms and acceptance.
2. Standard form contract.
3. Doctrine of Consideration and Privity of Contract; Controversy regarding the abolition of Consideration.
4. Capacity to contract: Nature of Minor's Agreement and the Doctrine of Restitution.
5. Important of Consent: Its Existence and Absence.
6. Public Policy and Contracts: Agreements relating to restrain in trade and wagering agreements.
7. Discharge of contracts with special reference to the doctrine of Frustration.
8. Implied Contract.
9. Breach of Contract and Remedies available with special reference to the general principles of the Assessment of Damages.

PAPER-VIII: SPECIFIC CONTRACTS :

1. Contract of Agency: Definition, Nature, Creation, Ratification, Rights and Duties, Termination, Liability of Principal for Misrepresentation and Fraud by Agent, Agent's Personal liability.
2. Contract of Indemnity: Definition, Characteristics, Control of Insurance as contract of Indemnity.
3. Contract of Guarantee: Definition, Characteristics, Difference between Indemnity and Guarantee, Surety-Right & Liabilities Discharge Surety.

4. Contract of Bailment: Definition, Rights and Liabilities of Bailor and Bailee, Lien-General and Particular. Contract of Pledge: Definition, Difference between Bailment and Pledge Right. Rights and Liabilities of Pledger and Pledgee.

PAPER-IX: INSURANCE:

1. Nature and definition of the Contract of Insurance, Distinction between Life, Fire and Marine Insurance Contract.
2. Insurance and Wagering Contracts.
3. Insurable interests: Its essentials.
4. Indemnity as the Controlling Principle of Insurance Laws.
5. An insurance contract is a contract of *Uberrima fidei*, i.e. of utmost good-faith.
6. Doctrine of subrogation; its essentials. Subrogation as a necessary corollary of the principle of indemnity.
7. Meaning; Scope and Elements of Risk, Proximate cause under Insurance and Re-Insurance Contracts.
8. Double Insurance and Re-insurance.
9. Meaning of the Term 'Fire', 'Loss by Fire' in fire Insurance Policies.
10. Meaning, form, Characters and Kinds of Warranties, Effect of Breach of Warranty, Difference between Warranty and Representation.
11. Nationalisation and Regulation of Insurance Business.

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