

Faculty of Law  
Osmania University  
LL.M. Syllabus  
(Revised w.e.f. the Academic Year 2017-2018)

**Duration** : 02 Years  
**Total No. of Semesters** : 04  
**Duration of each semester** : 15 weeks

BRANCH-I

**Jurisprudence**

Year	Semester/ Paper No.	Paper	Marks in End Semester Exam	Marks in Internal exams	Total Marks
First Year- First Semester	I/I	Schools of Jurisprudence and Theories of Law	80	20	100
□	I/II	Sources of Law	80	20	100
First Year- Second Semester	II/III	Hindu and Muslim Jurisprudence	80	20	100
□	II/IV	Theory of Legislation and Interpretation of Statutes	80	20	100
Second Year-Third Semester	III/V	Legal Research Methodology	80	20	100
□	III/VI	Fundamental Legal concepts	80	20	100
Second Year- Fourth Semester	IV/VII	Legislative Drafting	80	20	100
□	IV/VIII	Indian Constitutional Law: The New Challenges Thesis	80	20	100
□	IV/IX	Dissertation	160 for thesis	40 for viva- voce	200
			Grand Total		1000

**SEMESTER-I**

**PAPER-I**

**SCHOOLS OF JURISPRUDENCE AND THEORIES OF LAW  
(Common Paper for All the Branches)**

**UNIT-I**

Nature and scope of Jurisprudence – Classification of Jurisprudence into Schools-Salient features of Analytical, Historical, Philosophical and Sociological Schools.

**UNIT-II**

Meaning of Positivism-Analytical positivism of Bentham and Austin-Kelsen's Pure Theory of Law-Hart's Concept of Law-Dworkin's criticism-Hart-Fuller controversy-Hart-Devlin's debate-Modern trends in Analytical and Normative Jurisprudence-Rawls and Distributive Justice-Nozick and the Minimal State.

**UNIT-III**

Historical and Ancient Indian Jurisprudence-Savigny's concept of Volksgeist-Contribution of Henry Maine; Economic theory of law-Views of Karl Marx and Friedrich Engles; Sociological theories of law-Contribution of Ihering-Contribution of Ehrlich-Duguit's theory of Social Solidarity-Roscoe Pound's Social Engineering and Classification of Interests-American and Scandinavian Realism-Critical Legal Studies Movement.

**UNIT-IV**

Theories of Natural Law-Meaning of Natural Law-History of Natural law – Greek origins-Medieval period-View of St.Thomas Aquinas-Period of

Renaissance/Reformation-Grotius and International Law- Transcendental Idealism-View of Immanuel Kant":Natural Law and Social Contract theories-Stammler and Natural Law with variable content-Fuller and the Morality of Law-Hart on Natural Law-Finnis and Restatement of Natural law-Positivists and Naturalists debate.

### **Suggested Readings:**

- G.W.Paton: A Text book of Jurisprudence, 4<sup>th</sup> Edition; Clarendon Press, Oxford, 1972.
- *R.W.M. Dias*, Jurisprudence. 5<sup>th</sup> Edition; Aditya Books Private Ltd., New Delhi, 1994.
- W.Friedmann: Legal Theory, 5th Edition; Columbia University Press, New York
- Dennis Lloyd: Lloyd's Introduction to Jurisprudence, 6<sup>th</sup> Edition, Sweet and Maxwell, London, 1994.
- Julius Stone: The Province and Function of Law; Associated General Publications Pvt. Ltd. Sydney.
- Howard Davies and David Holdcraft: Jurisprudence: Texts and Commentary; Butterworths, London, Dublin, Edinburgh, 1991.
- S.N.Dhyani: Fundamentals of Jurisprudence: The Indian Approach, 2<sup>nd</sup> Edition, Central Law Agency, Allahabad, 1997.
- Edgar Bodenheimer: Jurisprudence; The Philosophy and Method of the Law, Universal Book Traders, Delhi, 1996.
- Rama Jois, Seeds of Modern Public Law in Ancient Jurisprudence, Eastern Book Company, Lucknow, 1990.
- Rama Jois, Ancient Indian Law-Eternal Values in Manu Smriti, Universal Law Publishing Co., New Delhi, 2002.

## **PAPER –II**

### **SOURCES OF LAW**

#### **UNIT – I**

Meaning of the term 'source' – Classification of sources of law – Formal, material and literary sources – Legal and historical sources – Binding and persuasive sources – Legal sources of English and Indian law – Equity and juristic opinion as source of law.

#### **Unit-II**

Definition of custom – Origin of Custom – Early importance of customary law – Theories as to the nature of customary law – Essentials of valid custom – kinds of custom – Customs and usage – Custom and prescription – Place of custom among various sources – Present position of customary law.

### Unit- III

Precedent as a source of law – Theories as to the nature of judicial function – declaratory theory – Judges as law makers – classification of precedents – Hierarchy of courts in England and India – Doctrine of *stare decisis* – circumstances destroying or weakening the binding force of precedent – overruling of precedents – Doctrine of prospective overruling – *Ratio Decidendi* and obiter dictum – Tests to determine *ratio decidendi* of a case – Precedent and judicial reasoning – Relation of precedent to legislation – Precedent in various Legal systems.

### Unit – IV

Nature of Legislation – classification of Legislation –supreme and subordinate legislation - comparison of case law and statutory law – the growing importance of statutory law – Codification.

#### Suggested Readings:-

1. C.K. Allen : Law in the Making, 7<sup>th</sup> Edition, Universal Law Publishing Co.Pvt. Ltd. Delhi, 1997.
2. Rupert Cross : Precedent in English Law, 3<sup>rd</sup> Edition Clarendron Press Oxford, 1977
3. Benjamin N. Cardozo: The Nature of the Judicial Process, Universal Book Traders, Delhi, 1995
4. Salmond : Jurisprudence, 12<sup>th</sup> Edition, Edited by P.J. Fitzgerald, Sweet & Maxwell, London, 1966.
5. J.C. Gray: The Nature and Sources of the Law, Columbia University Press, New York, 1909.
6. A.Lakshminath : Precedent in the Indian Legal System, Eastern Book Company, Lucknow, 1990.

## **SEMESTER-II**

### **PAPER-III**

## **Hindu and Muslim Jurisprudence**

### **UNIT-I**

Nature of Hindu Jurisprudence – Hindu Concept of Law – Meaning and sources of Dharma – Dharma and Positive Law – Nature of Dharma Shastra – Sources of Hindu Law – Vedas as Fundamental sources of Hindu Jurisprudence - Importance of Shastra Literature – Dharma Sutras as basis of Hindu Jurisprudence – Importance of Dharma, Sutras of Gautama, Apastambha, Boudhayana and Vasistha

### **Unit - II**

Smritis as sources of Hindu Law – The importance of Smritis- Manu smriti, the foundation of the orthodox system, influence of Manu smriti in other countries. Yajnavalkya smriti record of liberal juridical norms controversy regarding Manu Dharmasastra. Importance of Yajnavalkya Smrithis – Comparative study of Manu, and Yajnavalkya with regard to political theories, civil law, law of crimes and position of women – contribution of Narada, Brihaspati and Katyayana – Arthasastra of Koutilya – Tikas and Nibandhanas as sources of Hindu Law – schools of Hindu Law – importance of Mitakshara, Dayabhaga, Vyvahara Mayuka, Smriti Chandrika, Dattaka Chardika and Dattaka Mimamsa – Custom, judicial Decisions and Statutes as sources of Hindu Law.

### **UNIT-III**

Nature of Muslim jurisprudence –history and sources of Muslim Law – The Quran – Traditions – Ijma \_Qiyas \_Istihasan – Istidlal and Istislah – Ijtihad and Taqlid.

### **UNIT-IV**

Formation of various sects in Islam with special reference to Historical and Political background – schools of Muslim Law – Institution of Imamat and Khalifat and their requisites.

**Suggested Readings:-**

1. P.V. Kane: History of Dharma, Sastra, Bhandarkar Oriental Research Institute, Pune, 1958.
2. P.N. Sen : General principles of Hindu Jurisprudence (Tagore law Lectures) Allahabad Law Agency, Allahabad, 1984
3. M.S. Pandit : Outlines of Ancient Hindu Jurisprudence, N.M Tripathi Pvt. Ltd. Bombay, 1989
4. S.K. Purohit : Ancient Indian Legal Philosophy, Deep and Deep, New Delhi, 1994.
5. N.J. Coulson : A history of Islamic Law, Universal Law Publishing Co. Pvt. Ltd. Delhi, 1997 (First Indian Reprint).
6. Joseph Schacht : An Introduction to Islamic Law, Clarendon Press, Oxford, 1966
7. Joseph Schacht : The origins of Muhammadan Jurisprudence, Clarendon Press, Oxford, 1950.
8. Adbur Rahim : The principles of Muhammadan Jurisprudence, (Tagore law Lectures ), Allahabad Law Agency, Allahabad.

**PAPER-IV**  
**THEORY OF LEGISLATION AND INTERPRETATION**  
**OF STATUTES**

**UNIT – I**

Bentham's general principles of legislation – Principle of Utility – Individualistic Utilitarianism – pleasures and pains – their knowledge and measurement – The extensity of Pleasures and Pains – Rational and Irrational criteria of Legislation – Morals and Legislation - their separation – Reasons for erecting certain acts into offences-Principles of the Civil code – objects of the Civil Law – Subsistence, Abundance, Equality and Security. Principles of the Penal Code – Classification of offences – Remedies against the evil of offences – punishments, Assessment of Benthamite theory – The period of Benthamism – Revival of Benthamism.

## Unit-II

Relation between public opinion and legislative formulation – the growth of collectivism – twentieth century legislative trends – judicial legislation – effect of Judge-made law on Parliamentary legislation – Relevance of John Rawls and Robert Nozick – Individual interest to community interest. Law making for social change – the interactions of legal and social change. Limitations on Legislative Authority – Doctrine of *Laissez Faire* – Doctrine of Natural Rights – Doctrine of Reasonableness – Doctrine of Basic structure of the Constitution – The views of Positivists and Naturalists.

## Unit-III

Meaning of the term ‘Statute’ – Meaning of interpretation – Need and Purpose of interpretation of statutes – the subject matter of statutory interpretation – commencement, operation, expiry and repeal of statutes – kinds of statutes – internal and external Aids to interpretation – General Rules of construction under the General Clauses Act, 1897. Basic rules of Interpretation – Literal Rule – Golden Rule – Mischief Rule – rule of Harmonious construction – secondary rules – *Noscitur a sociis- Eiusdem generis* – *expressio unius* rule.

## UNIT – IV

Restrictive and Beneficial construction – Interpretation of Penal Statutes – Interpretation of Welfare Legislations – Interpretation of Taxing Statutes – Interpretation of Statutes conferring powers- Interpretation of codifying and consolidating statutes – Interpretation of directory and mandatory provisions – Interpretation of substantive and procedural statutes. Presumptions in Statutory Interpretations; principles of Constitutional Interpretation – Harmonious Construction – Doctrine of Pith and substance – Colourable legislation – Ancillary powers – occupied field – Residuary power – Doctrine of Repugnancy – Doctrine of Eclipse – Doctrine of Severability –

Doctrine of Immunity of Instrumentality – Doctrine of Implied Rights -  
Doctrine of Prospective Overruling – Doctrine of Basic Structure.

**Suggested Readings:-**

1. Jeremy Bentham : The Theory of Legislation, N.M. Tripathi Pvt. Ltd., Bombay, 1986.
2. W. Friedmann: Law in a changing Society, 2<sup>nd</sup> Ed., Universal Book Traders, Delhi, 1996 (First Indian Reprint)
3. A.V. Dicey : Law and Public Opinion I England, 2<sup>nd</sup> Ed. Universal Book Traders, Delhi, 1996 (First Indian Reprint).
4. W. Jethro Brown : The Underlying Principles of Modern Legislation, Maxwell on the Interpretation of Statutes : 12<sup>th</sup> Ed. Edited by P.St.J. Lagan, N.M. Tripathi Pvt. Ltd., Bombay, 1976
5. Sir Rupert Cross: Statutory Interpretation, 2<sup>nd</sup> Ed. Edited by John Bell and Sir George Engle, Butterworths, London, 1987.
6. G.P. Singh: Principles of Statutory Interpretation, 4<sup>th</sup> Ed. Wadhwa and Company, Nagpur, 1988
7. Vepa P. Sarathi, Interpretation of Statutes (second edition).

### **III SEMESTER**

#### **Paper V**

#### **Legal Research Methodology**

(Common Paper for All the Branches)

##### **Unit-I:**

Meaning of Research-Types of Research-Scientific Method-Social Science Research- Scope and importance of Legal Research-Concepts-Variables Definitions-Relevance of empirical research in law-Induction and Deduction-Case study.

##### **Unit-II:**

Finding the Law-Sources of legal material including e-sources-Law reporting in



India-Using a law library-Survey of available legal material-bibliographical search. Research Methods-Socio-legal research-doctrinal and non-doctrinal research.

### **Unit III:**

Research tools and techniques for collection of data-Observation -Questionnaire-Schedule-Interview-Sampling techniques-Types of sampling. Formulation of Research Problem-Hypothesis-Research Design.

### **Unit-IV:**

Data processing and analysis-Use of Statistics in the analysis and interpretation of data-Use of computers in Legal Research-Report writing. Legal Research and Law Reforms-Types of Research needed for Law Reforms-Analytical Research, Historical Research.

#### Suggested Readings:

- Goode & Hatt: Methods in Social Research:McGraw-Hill Book Company,Singapore 1981
- C.R.Kothari: Research Methodology :Methods and Techniques,2<sup>nd</sup>Edition,WishwaPrakashan,NewDelhi,1995.
- Wilkinson & Bhandarkar, Methodology and Techniques of Social Research,9<sup>th</sup> Edition, Himalaya Publishing Housing, Bombay-Delhi-Nagpur 1994.
- Pauline V Young :Scientific Social Survey and research,3<sup>rd</sup> Edition,PrenticeHall,NewYork,1960.
- B.N.Ghosh, Scientific Method and Social Research;4<sup>th</sup> Edition Sterling Publishers Private Limited ,NewDelhi,1987.
- S.K.Verma & Afzalwani, Legal Research and Methodology; ILLI Publication , New Delhi,
- Hans Raj, Theory and Practice in Social Research;4<sup>th</sup> Edition, Surjeet Publicatios,NewDelhi,1992.

## **Paper VI**

### **Fundamental Legal Concepts**

#### **UNIT-I**

Rights and Duties: The Concept of legal right – characteristics of right – Legal rights in wider sense of right – kinds of legal rights – Rights duties correlation – Duties – function of duty – structure of duty – Enforceability – sanction – conflicting duties – future duties-Persons – Nature of Personality – natural and artificial –Legal status of Unborn, Minor, lunatic, drunken, dead persons and lower animals. Theories of Corporate personality – Corporate Sole and Corporate Aggregate – uses and purposes of corporate personality – Acts and liability of corporation – The State as corporation – Unincorporated Associations.

#### **UNIT-II**

Obligation – definition of obligation – chose in action –chose in possession – nature and kinds of obligation – source of obligation innominate obligations- Liability-Definition and nature of liability –kinds of Liability – Theories of remedial and penal liability – Vicarious Liability – Absolute or strict Liability – General and Conditional Liability –acts – classes of wrongful acts – causation – Mens rea, Intention, motives, malice, negligence – theories of Negligence – Mistake of Law and Mistake of Fact – Accident- Measure of criminal and civil liability.

#### **UNIT-III**

Possession – importance of possession – possession in fact and possession in Law – Corpus Possession – animus Possidendi – theories of possession – Savigny, Ihering, Salmond, Holmes, Pollock –Possession in Roman and English law- Kinds of Possession – Possessory remedies.

#### **UNIT-IV**

Property – Definition of Property – kinds of property – ownership of material things – movable and immovable property – real and personal property – Rights in re propria- Re-aliena-Leases-servitudes – securities- modes of acquisition – possession – prescription – agreement –inheritance – theories of property – Titles – Definition of titles – Vestitive facts – Acts in the Law – Agreement – Classes of Agreements- Void and voidable agreements.

### **Suggested Readings:-**

1. Dias R.W.M. Jurisprudence, 5<sup>th</sup> Edn. 1994 Butterworth's & Co and Aditya Books Pvt. Ltd New Delhi
2. Salmond on Jurisprudence 12<sup>th</sup> Edn. 1995 Sweet and Maxwell, Ltd. London.
3. Paton G.W. A text book on Jurisprudence, 4<sup>th</sup> Edn, 1972, oxford university press.
4. V.D. Mahajan Jurisprudence and Legal Theory, 1996 – reprint Eastern Book Company, Lucknow.

## **IV SEMESTER**

### **Paper VII**

#### **LEGISLATIVE DRAFTING**

##### **UNIT-I**

Introduction: Legislative Drafting as a science and an art – The scope of Legislative drafting – Its importance in the law – making process-Forms of Legislative instruments: Bills, Acts, Ordinances, Orders, Rules, Circulars and Formal constitutions-Qualities of good drafting: Simplicity, Preciseness, Consistency, Clarity, Brevity, Certainty, Alignment with existing law, Effectiveness.

##### **UNIT-II**

Materials and Preliminaries: Study of analogous legislations that exist in other countries or in other parts of the country – Legislation that already exists on the subject – study of judicial decisions – Constitutional law issues – International treaties-Classification of Statutes : constitutional statutes – taxing statutes – penal statutes – statutes dealing with local government – statutes dealing with particular corporations- statutes dealing with personal law – statutes in the nature of law reforms – statutes dealing with procedure of the courts – social security statutes – repealing and amending statutes etc.

### **UNIT-III**

The mechanism of an Act – various parts of a statute – long title – preamble – enacting clause – short title – extent and application – commencement clause – exceptions and exemptions – principal provisions – procedural provisions – penal provisions – provisions regarding delegated legislation – enforcement machinery contemplated by the statute – temporary provisions - repeal and saving clauses – punctuations – marginal notes- provisos – illustrations – presumptions – non-obstante clauses – retrospective operation – removal of difficulty clause – fictions – explanations.

### **UNIT-IV**

Some flaws in drafting: looseness – obscurity – shabbiness – unenforceability – vagueness. Exclusion of judicial review – use of protection clauses and finally causes – as if enacted in this Act – conclusive evidence clause. Chronology of the process in Parliament – Rules of composition for legislative drafting.

### **Suggested Readings:**

1. Indian Law Institute, The Drafting of Laws (1980)
2. Vepa P. Sarathi, Interpretation of Statutes (second Edition )
3. Allen, Law in the making, Sweet & Max well,
4. Thomson G.C. Legislative Drafting, Butterworth's, London
5. Zander, M., The Law Making Process, Widenfeld and Nicholson, England
6. Renton C'Hee Report, Preparation of Legislation, Sweet and Max Well.

## **Paper VIII**

### **Indian Constitutional Law: The New Challenges**

(Common Paper for All the Branches)

#### UNIT-I

Concept of Federalism-Allocation of resources-Inter State Disputes Central-State Relations-Special status of certain States-Concept of Secularism and religious fanaticism-Definition of State-Need for widening the definition in the wake of recent developments.

#### UNIT-II

Right to Equality-its new dimensions-Protective Discrimination in the wake of privatization –gender Justice-Rights of third gender-Uniform Civil Code-Freedom of Speech and Expression Right to broadcast and telecast-Right to Strike, Harta and Bandh.

#### UNIT-III

New regime of Constitutional Rights-Reading Directive Principles and Fundamental Duties in to Fundamental Rights-Theory of Emanation-Compensatory Jurisprudence-Right to Education-Right to Information-Right to wholesome environment- Doctrine of public trust

#### UNIT-IV

Institutional Dynamics-An overview of functioning of three organs of State with special reference to the Indian experience of post independence era -

Separation of Powers, and theory of checks and Balances-Privileges and Immunities of Legislatures and their members-Judicial Activism and Judicial Accountability-Contempt of Courts-Political Morality and effect of Anti-defection Law

**Suggested Readings:**

- H. M. Seervai, Constitutional Law of India (in 2-Volumes), Universal Book Traders, New Delhi.
- Granville Austin, Indian Constitution-Cornerstone Nation, Clarendon Press, Oxford.
- Constituent Assembly Debates (Official Report),(in 5 Books and 12 Volumes), Lok Sabha Secretariat, New Delhi.
- B.Shiva Rao, Framing of the Indian Constitution (in 5-Volumes), Indian Institute of Public Administration, New Delhi.
- M.P.Jain, Constitutional Law of India, Wadhwa and Co., Nagpur.
- Granville Austin, Working a Democratic Constitution: A History of the Indian Experience, OUP
- Landmark and Recent Articles on relevant topics published in Standard Law Journals like Journal of Indian Law Institute, Indian Bar Review, All India Reporter and Supreme Court Cases & landmark judgments of Indian Higher Judiciary on the given topics.

**Paper IX:  
DISSERTATION**

LL.M. IV Semester students shall have to submit Dissertation on the topic approved by the concerned Committee before the expiry of the date as per the almanac in accordance with guidelines given below. Further the topics for thesis should be got approved before the expiry of the III semester. The candidates who fail to submit the thesis before the stipulated date will have to submit the same along with the next batch.

1. *LL.M. IV Semester students shall prepare a synopsis on the topics allotted to them.*
2. *It must be approved by the Guide and be submitted to the concerned Principals in the first week, after commencement of LL.M. IV semester.*
3. *A Record shall be maintained by the students in which the summary of study and the progress made by them shall be entered once in every 15 days and it is to be signed by the guide in approval of the same.*
4. *Thorough discussion shall be had by the students with the Guide at the end of the study, and the thesis shall be prepared on the lines indicated by the Guide.*
5. *The thesis shall correspond with the notes/record maintained by the Guide.*

The thesis shall be equivalent to two theory papers, and there will be 200 marks out of which 160 shall be for evaluation and 40 shall be for viva-voce examination.

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Faculty of Law  
Osmania University  
LL.M. Syllabus  
(Revised w.e.f. the Academic Year 2017-2018)

**Duration : 02 Years**  
**Total No. of Semesters : 04**  
**Duration of each semester : 15 weeks**

**BRANCH-I**

**Constitutional Law**

Year	Semester/ Paper No.	Paper	Marks in End Semester Exam	Marks in Internal exams	Total Marks
First Year- First Semester	I/I	Schools of Jurisprudence and Theories of Law	80	20	100
□	I/II	Indian Constitutional Law-I	80	20	100
First Year- Second Semester	II/III	Indian Constitutional Law-II	80	20	100
□	III/IV	Comparative Constitutional Law-I	80	20	100
Second Year-Third Semester	III/V	Legal Research Methodology	80	20	100
□	III/VI	Comparative Constitutional Law-II	80	20	100
Second Year- Fourth Semester	IV/VII	Administrative Law	80	20	100
□	IV/VIII	Indian Constitutional Law: The New Challenges Thesis	80	20	100
□	IV/IX	Dissertation	160 for thesis	40 for viva- voce	200
			Grand Total		1000



## SEMESTER-I

### PAPER-I

#### SCHOOLS OF JURISPRUDENCE AND THEORIES OF LAW (Common Paper for All the Branches)

##### UNIT-I

Nature and scope of Jurisprudence Classification of Jurisprudence into Schools Salient features of Analytical, Historical, Philosophical and Sociological Schools.

##### UNIT-II

Meaning of Positivism Analytical positivism of Bentham and Austin-Kelsen's Pure Theory of Law Hart's Concept of Law Dworkin's critique Hart-Fuller controversy Hart-Devlin's debate Modern trends in Analytical and Normative Jurisprudence and Distributive Justice Nozick and the Minimal State.

##### UNIT-III

Historical and Ancient Jurisprudence Savigny's concept of Volksgeist Contribution of Henry Maine; Economic theory of law Views of Karl Marx and Friedrich Engels Sociological theories of law- Contribution of Ehrlich Contribution of E.H. Sutherland theory of Social Solidarity Roscoe Pound's Social Engineering and Classification of International Law American and Scandinavian Realism Critical Legal Studies Movement.

##### UNIT-IV

Theories of Natural Law Meaning of Natural Law History of Natural Law-Greek origins Medieval period View of St Thomas Aquinas Period of Renaissance/Reformation Grotius and International Law- Transcendental Idealism View of Immanuel Kant: Natural Law and Social Contract theory of Hugo Grotius and Natural Law with variable content and the Moral Law Hart on Natural Law and Restatement of Natural Law

## Positivists and Naturalists debate

### **Suggested Readings:**

1. G.W.Paton: A Text book of Jurisprudence, 4<sup>th</sup> Edition; Clarendon Press, Oxford, 1972.
2. *R.W.M. Dias*, Jurisprudence. 5<sup>th</sup> Edition; Aditya Books Private Ltd., New Delhi, 1994.
3. W.Friedmann: Legal Theory, 5th Edition; Columbia University Press, New York
4. Dennis Lloyd: Lloyd's Introduction to Jurisprudence, 6<sup>th</sup> Edition, Sweet and Maxwell, London, 1994.
5. Julius Stone: The Province and Function of Law; Associated General Publications Pvt. Ltd. Sydney.
6. Howard Davies and David Holdcraft: Jurisprudence: Texts and Commentary; Butterworths, London, Dublin, Edinburgh, 1991.
7. S.N.Dhyani: Fundamentals Of Jurisprudence: The Indian Approach, 2<sup>nd</sup> Edition, Central Law Agency, Allahabad, 1997.
8. Edgar Bodenheimer: Jurisprudence; The Philosophy and Method of the Law, Universal Book Traders, Delhi, 1996.
9. Rama Jois, Seeds of Modern Public Law in Ancient Jurisprudence, Eastern Book Company, Lucknow, 1990.
- 10 Rama Jois, Ancient Indian Law-Eternal Values in Manu Smriti, Universal Law Publishing Co., New Delhi, 2002.

## **PAPER –II**

### **Indian Constitutional Law-I**

#### **UNIT-I**

Meaning of Constitution and Constitutional Law-Growth of modern Constitutions Classification - Historical background - Constitution in India after 1857 - Government of India Acts, 1919 & 1935 – Indian Independence Act, 1947 -Framing of Indian Constitution.

#### **UNIT-II**

Indian Constitution - Nature, Salient features, Preamble - Union and its territories -Citizenship - Fundamental Rights - Enforceability against State - General principles.

**UNIT-III**

Enumerated Fundamental Rights- Right to Equality-Right to Freedoms-Right to life and Personal Liberty- Right against Exploitation-Right to Freedom of Religion.

**UNIT-IV**

Cultural and Educational rights-Right to Constitutional remedies-Saving Clauses (Art.31-A, B & C)-Directive Principles of State Policy-Object and Philosophy-Classification-Enforceability-Interrelation of Fundamental Rights and Directive Principles-Fundamental Duties-Importance and enforceability

**Suggested Readings:**

1. H.M.Seervai, Constitutional Law of India (in 2 Volumes), Universal Book Traders, New Delhi.
2. Granville Austin, Indian Constitution-Cornerstone of a Nation, Clarendon Press, Oxford.
3. Constituent Assembly Debates (Official Report), (in 5 Books and 12 Volumes), Lok Sabha Secretariat, New Delhi, 1999.
4. B.Shiva Rao, Framing of the Indian Constitution (in 5 Volumes), Indian Institute of Public Administration. New Delhi.
5. Mopani, Constitutional Law of India, 2005, Wadhwa and Co., Nagpur,
6. Recent Articles on relevant topics published in Standard Law Journals like Journal of Indian Law Institute. Indian Bar Review, All India Reporter and Supreme Court Cases & Landmark judgments of Indian Higher Judiciary on the given topics.

**SEMESTER-II****PAPER-III****INDIAN CONSTITUTIONAL LAW -II****UNIT-I**

The Union Executive and Legislature - their composition, powers and functions -  
The State Executive and Legislature - their composition powers and functions-  
Position of Indian President and Governors of States

**UNIT-II**

The Judiciary - Supreme Court and High Courts - Composition, Jurisdiction , appointment, transfer and removal of Judges Precedents and law making powers – Independence of Judiciary –Judicial Creativity

**UNIT-III**

Relations between Union and States - General Principles - Legislative, Administrative and Financial Relations – Cooperative Federalism - Liability of State in Contracts and Torts - Right to Property.

**UNIT-IV**

Trade, Commerce and intercourse within territory of India – Services under the Union and States - Tribunals - Elections - Emergency Provisions - Amendment of Constitution and Basic Structure Theory

**Suggested Readings:**

1. H.M.Seervai: Constitutional Law of India (in 2 volumes), Universal Book Traders, New Delhi.
2. Granville Austin: Indian Constitution - Cornerstone of a Nation, Clarendon Press, Oxford.
3. B.Shiva Rao (ed): Framing of the Indian Constitution (in 5Volumes) Indian Institute of Public Administration, New Delhi.
4. V.N.Shukla: Constitution of India, Eastern Book Co., Lucknow
5. Constituent Assembly Debates (Official Report), in (5 books and 12 volumes) Lok Sabha Secretariat, New Delhi.
6. M.P.Jain: Constitutional Law of India, Wadhwa and Co., Nagpur
7. D.D.Basu: Commentary on the Constitution of India, S.C.Sarkar & Co., Calcutta.
8. V.D.Mahajan: Constitutional Law of India, Eastern BookCompany.

**PAPER-IV**  
**COMPARATIVE CONSTITUTIONAL LAW - I**  
(British, French and Swiss Constitutions)

**UNIT -I**

Modern Constitutions- Growth and Evolution - Nature and Classification - Unitary, Federal and Confederal- Theory of Separation of Powers.

**UNIT-II**

British Constitution - Salient Features - Rule of Law - Executive, Legislature and Judiciary under the Constitution –Supreme Court of England and House of Lords-Appointment of Judges- Conventions -Parliamentary Sovereignty - Emergency Powers - Bill of Rights.

**UNIT-III**

French Constitution - Salient Features - Executive, Legislature and Judiciary under the Constitution - Constitutional Council - Amendments-Emergency Powers.

**UNIT-IV**

Swiss Constitution - Salient Features - Executive, Legislature and Judiciary under the Constitution - Direct Democracy - Amendments.

**Suggested Readings:**

1. D.D.Basu: Comparative Constitutional Law, Prentice Hall of India, New Delhi.
2. K.C.Wheare: Modern Constitutions, Oxford University Press, London.
3. A.C.Kapoor: Select World Constitutions, S.Chand & Company, New Delhi.
4. C.F.Strong: Modern Political Constitutions, ELB Society, London.
5. A. V.Dicey: An Introduction to the study of Law of the Constitution, Macmillan. Delhi.
6. O.Hood Phillips: Constitutional and Administrative Law, Sweet &Maxwell, London.
7. Herman Finer: Theory and Practice of Modern Government (2 Vol), Methuen & Co., London

8. Dorothy Pickles: French Republic, Methuen & Co. London.
9. M.Y.Pylee: Constitutions of the World. Universal Law Publishing Co. New Delhi.
10. WE.Rappard: The Government of Switzerland.

## SEMESTER-III

### Paper V

### Legal Research Methodology

(Common Paper for All the Branches)

#### Unit-I:

Meaning of Research-Types of Research-Scientific Method-Social Science Research-Importance and importance of Legal Research-Concepts-Variables Definitions-Relevance of empirical research in law-Induction and Deduction as study

#### Unit II:

Finding the law Sources of legal material including law reporting in India Using a law library Survey of available legal materials Bibliographical search. Research Methods legal research doctrinal and non-doctrinal research.

#### Unit III:

Research tools and techniques for collection of data-Observation-Questionnaire-Schedule-Interview-Sampling Techniques-Types of sampling. Formulation of Research Problem Hypothesis Research Design.

**Unit-IV:**

**Data processing and analysis of Statistics in the analysis and interpretation of Use of computers in Legal Research writing Legal Research and Law reforms of Research needed for Law Reforms Analytical Research, Historical Research.**

**Suggested Readings:**

1. Goode & Hatt: Methods in Social Research: McGraw-Hill Book Company, Singapore 1981
2. C.R.Kothari: Research Methodology :Methods and Techniques, 2<sup>nd</sup> Edition, WishwaPrakashan, New Delhi, 1995.
3. Wilkinson & Bhandarkar, Methodology and Techniques of Social Research, 9<sup>th</sup> Edition, Himalaya Publishing Housing, Bombay-Delhi-Nagpur 1994.
4. Pauline V Young :Scientific Social Survey and research, 3<sup>rd</sup> Edition, PrenticeHall, New York, 1960.
5. B.N.Ghosh, Scientific Method and Social Research; 4<sup>th</sup> Edition Sterling Publishers Private Limited, New Delhi, 1987.
6. S.K.Verma & Afzalwani, Legal Research and Methodology; ILI Publication, New Delhi,
7. Hans Raj, Theory and Practice in Social Research; 4<sup>th</sup> Edition, Surjeet Publicatios, New Delhi, 1992.

**PAPER-VI**

**COMPARATIVE CONSTITUTIONAL LAW-II  
(American, Australian and Canadian Constitutions)**

**UNIT- I :**Classification of Constitutions - Federal and Confederal Constitutions- Principles of Federalism - Constitutionalism - Different types of federalism- Doctrine of Separation of powers - Theory of Checks and Balances -Doctrine of Judicial Review.

**UNIT-II:**U.S. Constitution - Evolution - Salient and Federal features – Structure and Powers of Federal Executive, Legislature and Judiciary – Amendment of Constitution - Distribution of Legislative Powers.

**UNIT-III:** Australian Constitution - Evolution - Salient features – Structure and powers of Commonwealth Legislature, Executive and Judiciary -Amendment of Constitution - Distribution of Legislature powers.

**UNIT-IV:**Canadian Constitution - Evolution and Patriation of Constitution –Salient features - Structure and powers of Dominion Legislature, Executive and Judiciary - Charter of Rights and Freedoms -Distribution of Legislative Powers - Amendment of Constitution.

**Suggested Readings:**

1. D.D.Basu: Comparative Constitutional Law, Prentice Hall of India, New Delhi.
2. K.C.Wheare: Federal Government, Oxford University Press, London.
3. A.C.Kapoor: Select World Constitutions, S.Chand and Company, New Delhi.
4. S.E.Finer, Comparing Constitutions, Clarendon Press, Oxford.
5. Edward S.Corwin: Constitution and What it means today. Princeton University Press;
6. C.Herman Pritchett, The American Constitution, MC.Graw-Hill Book Company, New York.
7. P.H.Lane: Some Principles and Sources of Australian Constitutional Law, Law Book Company of Australia Ltd., Sydney.
8. W.Anstey Wynes: Legislature, Executive and Judicial Powers in Australia, The Law Book Company of Australia Ltd., Sydney.
9. TM.Cooley: The General Principles of Constitutional Law of the United States of America.
10. Laskin: Canadian Constitutional Law, Carswell Co. Ltd. Toronto.
11. F.P.Varcoe: Distribution of Legislative Powers in Canada, Carswell Co. Ltd. Toronto.

## **IV SEMESTER**

### **PAPER –VII**

#### **ADMINISTRATIVE LAW**

**UNIT-I :** Administrative Law-Definition, Scope, Causes for its growth- Difference between Administrative Law and Constitutional Law - Classification of Administrative action - Rule of Law - *Droit Administratiiff*.



**UNIT-II :** Theory of Separation of powers - Delegated Legislation - Classification, Constitutionality and control - Limits of delegated legislation – Principles of Natural Justice, Origin, Evolution - Classification, Principles of fair hearing and rule against bias - exception to the application of Principles of Natural Justice.

**UNIT-III :** Discretionary powers of Administration - Doctrine of Legitimate Expectation - Doctrine of Proportionality - Judicial control and judicial review of administrative action - grounds - Constitutional, Statutory and equitable remedies.

**UNIT-IV :** Public Corporations - Liabilities of State in Contracts and Torts - Promissory Estoppel- Administrative Tribunals - ombudsman – Lokpal and Lokayukta - Central Vigilance Commission -Right to Information.

**Suggested Readings:**

1. H.W.R. Wade Administrative Law, Clarendon Press, Oxford.
2. Garner: Administrative Law, Butterworths, London.
3. J.A.G. Griffith and H.Street : Principles of Administrative Law, Pitman Publishing, New York.
4. S.A.De Smith: Judicial Review of Administrative Action, Stevens and Sons, London.
5. M.P.Jain & S.N .Jain: Principles of Administrative Law, Wadhva and Company, Nagpur.
6. S.P.Sathe: Administrative Law, Butterworths, new Delhi.
7. I.P.Massey: Administrative Law, EBC, Lucknow
8. K.C.Davis: Administrative Law & Government, West Publishing Co., St. Paul Minn.
9. David Foulkes: Administrative Law. Butterworths. London.
10. Dr.Abdul Rayees Khan: Administrative Law, K.K.PubJicatiolls, Hyderabad.

## SEMESTER-IV

### Paper VIII

#### Indian Constitutional Law: The New Challenges

(Common Paper for All the Branches)

##### UNIT-I

Concept of Federalism-Allocation of resources-Inter State Disputes -Central-State Relations-Special status of certain States-Concept of Secularism and religious fanaticism-Definition of State-Need for widening the definition in the wake of recent developments.

##### UNIT-II

Right to Equality-its new dimensions-Protective Discrimination in the wake of privatization -gender Justice-Rights of third gender-Uniform Civil Code-Freedom of Speech and Expression -Right to broadcast and telecast-Right to Strike, hartal and Bandh.

##### UNIT-III

New regime of Constitutional Rights-Reading Directive Principles and Fundamental Duties in to Fundamental Rights-Theory of Emanation-Compensatory Jurisprudence-Right to Education-Right to Information-Right to wholesome environment- Doctrine of public trust

## UNIT-IV

Institutional Dynamics-An overview of functioning of three organs of State with special reference to the Indian experience of post independence era -Separation of Powers, and theory of checks and Balances-Privileges and Immunities of Legislatures and their members- Judicial Activism and Judicial Accountability-Contempt of Courts- Political Morality and effect of Anti-defection Law

Suggested Readings:

1. H. M. Seervai, Constitutional Law of India (in 2-Volumes), Universal Book Traders, New Delhi.
2. Granville Austin, Indian Constitution Cornerstone Nation, Clarendon Press, Oxford.
3. Constituent Assembly Debates (Official Report),(in 5 Books and 12 Volumes), Lok Sabha Secretariat, New Delhi.
4. B.Shiva Rao, Framing of the Indian Constitution (in 5-Volumes), Indian Institute of Public Administration, New Delhi.
5. M.P.Jain, Constitutional Law of India, Wadhwa and Co., Nagpur.
6. Granville Austin, Working a Democratic Constitution: A History of the Indian Experience, OUP
7. Landmark and Recent Articles on relevant topics published in Standard Law Journals like Journal of Indian Law Institute, Indian Bar Review, All India Reporter and Supreme Court Cases & landmark judgments of Indian Higher Judiciary on the given topics.

## Paper IX: DISSERTATION

LL.M. IV Semester students ~~shall~~ have to submit Dissertation on the topic approved by the concerned Committee before the expiry of the date as per the almanac in accordance with guidelines given below. Further the topics ~~list~~ should be got approved before the expiry of the III semester. The candidates who fail to

submit the thesis before the stipulated date will have to submit the same along with the next batch.

1. *LL.M. IV Semester students shall prepare a synopsis on the topics allotted to them.*
2. *It must be approved by the Guide and be submitted to the concerned Principals in the first week, after commencement of LL.M. IV semester.*
3. *A Record shall be maintained by the students in which the summary of study and the progress made by them shall be entered once in every 15 days and it is to be signed by the guide in approval of the same.*
4. *Thorough discussion shall be had by the students with the Guide at the end of the study, and the thesis shall be prepared on the lines indicated by the Guide.*
5. *The thesis shall correspond with the notes/record maintained by the Guide.*

The thesis shall be equivalent to two theory papers, and there will be 200 marks out of which 160 shall be for evaluation and 40 shall be for viva-voce examination.

FACULTY OF LAW  
OSMANIA UNIVERSITY  
LL.M. Syllabus  
(Revised w.e.f. the Academic Year 2017-2018)

**Duration** : 02 Years  
**Total No. of Semesters** : 04  
**Duration of each semester** : 15 weeks

BRANCH-III

## International Law

Year	Semester / Paper No.	Paper	Marks in End-Semester Exam	Marks in Internal exam	Total Marks
First Year- First Semester	I/I	Schools of Jurisprudence and Theories of Law	80	20	100
□	I/II	International Law of Peace	80	20	100
First Year- Second Semester	II/III	International Law of war, Neutrality and Refugee Law	80	20	100
□	II/IV	International Institutions	80	20	100
Second Year- Third Semester	III/V	Legal Research Methodology	80	20	100
□	III/VI	Conflict of Laws	80	20	100
Second Year- Fourth Semester	IV/VII	Law of Sea, Air and Outer Space	80	20	100
□	IV/VIII	Indian Constitutional Law: The New Challenges	80	20	100
□	IV/IX	Dissertation	160 for thesis	40 for viva-voce	200
<b>Grand Total</b>					<b>1000</b>

**Branch-III  
International Law**

**SEMESTER-I**

**PAPER-I**

**SCHOOLS OF JURISPRUDENCE AND THEORIES OF LAW  
(Common Paper for All the Branches)**

**UNIT -I**

Nature and scope of Jurisprudence Classification of Jurisprudence into Schools Salient features of Analytical, Historical, Philosophical and Sociological Schools.

**UNIT -II**

Meaning of Positivism Analytical positivism of Bentham and Austin- Kelsen's Pure Theory of Law Hart's Concept of Law Dworkin's criticism Hart-Fuller controversy Hart-Devlin's debate Modern trends in Analytical and Normative Jurisprudence Rawls and Distributive Justice Nozick and the Minimal State.

**UNIT -III**

Historical and Ancient Indian Jurisprudence Savigny's concept of Volksgeist Contribution of Henry Maine; Economic theory of law Views of Karl Marx and Friedrich Engels Sociological theories of law- Contribution of Ihering Contribution of Ehrlich Duguits theory of Social Solidarity Roscoe Pound's Social Engineering and Classification of Interests American and Scandinavian Realism Critical Legal Studies Movement.

**UNIT -IV**

Theories of Natural Law Meaning of Natural Law History of Natural Law- Greek origins Medieval period View of St. Thomas Aquinas Period of Renaissance/Reformation Grotius and International Law- Transcendental Idealism View of Immanuel Kant: Natural Law and Social Contract theories Stammler and Natural Law with variable content Fuller and the Morality of Law Hart on Natural Law Finnis and Restatement of Natural Law Positivists and Naturalists debate

**Suggested Readings:**

- G.W.Paton: A Text book of Jurisprudence, 4<sup>th</sup> Edition; Clarendon Press, Oxford, 1972.
- *R.W.M. Dias*, Jurisprudence. 5<sup>th</sup> Edition; Aditya Books Private Ltd., New Delhi, 1994.
- W.Friedmann: Legal Theory, 5th Edition; Columbia University Press, New York
- Dennis Lloyd: Lloyd's Introduction to Jurisprudence, 6<sup>th</sup> Edition, Sweet and Maxwell, London, 1994.
- Julius Stone: The Province and Function of Law; Associated General Publications Pvt. Ltd. Sydney.
- Howard Davies and David Holdcraft: Jurisprudence: Texts and Commentary; Butterworths, London, Dublin, Edinburgh, 1991.
- S.N.Dhyani: Fundamentals Of Jurisprudence: The Indian Approach, 2<sup>nd</sup> Edition, Central Law Agency, Allahabad, 1997.
- Edgar Bodenheimer: Jurisprudence; The Philosophy and Method of the Law, Universal Book Traders, Delhi, 1996.
- Rama Jois, Seeds of Modern Public Law in Ancient Jurisprudence, Eastern Book Company, Lucknow, 1990.
- Rama Jois, Ancient Indian Law-Eternal Values in Manu Smriti, Universal Law Publishing Co., New Delhi, 2002.

**PAPER –II****INTERNATIONAL LAW OF PEACE  
(Excluding Law of the Sea, Air and Outer Space)****UNIT-1**

Definition, Scope and Importance of International law - Development · and Schools of International Law - International Law and Municipal Law - Sources of International Law - Subjects of International Law

**UNIT-II**

State Sovereignty - Impact of recent developments on the concept of · sovereignty - Recognition of States - State Succession - State · Responsibility - State Territory and Jurisdiction (excluding Law of Sea, Air and Outer Space)

**UNIT-III**

Acquisition of State Territory, Boundaries; International Rivers; Nationality - Extradition - Asylum.

#### UNIT-IV

Diplomatic and Consular Agents and their immunities and privileges-Treaties: Conclusion, Performance, Interpretation and Termination.

Suggested Readings:

1. Brownlie: Principles of Public International Law, Second Edition, (Oxford, 1973).
2. Oppenheim: International Law, Vol. I (Peace) Ninth Edition, (U.K. 1992).
3. Sorensen Ed-: Manual of Public International Law (London, 1968).
4. Malcolm Shaw: International Law, Fourth Edition (London, 1997).
5. LC. Green: International Law through Cases, Fourth Edition (1978).
6. D.W. Greig: International Law Reprinted (London, 1978).
7. D.J. Harris: Cases and Materials on International Law, Third Edition, (London, 1983).

## SEMESTER-II

### PAPER-III

#### INTERNATIONAL LAW OF WAR, NEUTRALITY AND REFUGEE LAW

#### UNIT-I

Geneva Convention 1864 - Air Convention 1907 - Development Laws of Land Warfare - Four Geneva Conventions of 1949 - Two Addl. Protocols I and II, 1977 - Belligerent occupation - Geneva Conference on IHL in Armed Conflicts - Conventions on Chemical Weapons - Laws of Maritime Warfare - Prize Courts Laws - Laws of Air warfare - War Crimes - Doctrine of Post-liminium and recapture - Termination of War.

#### UNIT-II

Mode of Settlement of Disputes - Negotiation, Mediation, Good Offices, Conciliation Arbitration, Judicial Settlement. Compulsive settlement of Disputes - Retorsion, Reprisals, Pacific Blockade - Intervention - Compulsive settlement by the United Nations Organisation- Definition and Characteristics of War, Commencement of War and effects of the outbreak of war - Enemy Character.

#### UNIT-III



Neutrality : Kinds of Neutrality - Development of the institution of Neutrality under League of Nations and UNO-  
 Characteristics of Neutrality - Rights and Duties of Belligerent States - Neutral States - Commencement of end of neutrality - violation neutrality - Right of Angary - Blockade: Concept of Blockade, Establishment of Blockade - Effectiveness of Blockade - Breach of Blockade, Consequences of Breach of Blockade, Kinds of Blockade - Contraband - Concept of Contraband, Capture of Contraband and consequences - Doctrine of Continuous Voyage - Neutral Services and consequences - Visitation: Capture and Trial of Neutral Vessels.

#### UNIT-IV

Refugee - Concept, Definition and Meaning. - Development of Law relating to Refugees - Conventions relating to Status of Refugees, 1951 - Protocol relating to the Status of Refugees, 1967 - Measures adopted by the Asian, African Consultation Committee - 8th Session at Bangkok and Addendum 1967 - Other International Instruments to which India is a State Party - UNHCR Commissioner for Refugees - Powers and Functions.

#### Suggested Readings:

1. Oppenheim: International Law, Vo1.2, Seventh Edition.
2. Julius Stone: Legal Control of International Conflicts, (1954).
3. Me.Dougal and Feliciano: Law and Minimum World Public Order (Yale, 1961).
4. D.Schindler and J.Toman : The Law of Armed Conflicts (Geneva1973).
5. Richard Falk(ed) .The International Law of Civil War (1971 ).
6. Julius Stone: Aggression and World Order, (1958).
7. J.G. Starke: Introduction to International Law, Butterworths, NewDelhi, 1994.
8. M.C.Nair and Watts: The legal effects of war, 4th Edn. (London) 1966.

## PAPER-IV

### INTERNATIONAL INSTITUTIONS

#### UNIT-I

League of Nations - Origin and Organs - Role of League of Nations in maintenance of International Peace - Causes for the League's failure- Nations Organization - Genesis - San Francisco Conference- Adoption Ratification of the Charter - Purposes and Principles of United Nations Organization.

#### UNIT-II

Membership of the U.N.O. - Composition - Functions and Procedure of General Assembly and Security Council, Economic and Social Council, Trusteeship Council and Secretariat.

#### UNIT-III

International Court of Justice - Composition, Powers and Jurisdiction- I Rights - Collective security - Regional Arrangements - Disarmament International Criminal Court - Composition, Powers and Jurisdiction.

#### UNIT-IV

Specialized Agencies: ILO, UNESCO, WHO, IAEC- the Institutions relating to International Economic Law: IMF. IBRD. GATT, WTO Centre for Settlement of Investment Disputes.

#### Suggested Readings

1. Schermers: International Institutional Law. Vols. I & II. 1980.
2. Goodrich & Hambro : Charter of the United Nations, Commentary & Documents 2nd Edition, 1949.
3. D.W. Bowet : the Law of International Institutions, 4th Ed. 2nd Indian Reprint, 1995.
4. Louis B.Sohn : Recent Cases on United Nations Law, Supplement: 1963.Alexandrovicz: World Economic Agencies, 1962.
5. Kelsen: The Law of the United Nations. 1964.
6. Jenks: The Prospects of 'International Adjudication. 1964.
7. J.G. Starke: Introduction to International Law, Butterworths, New Delhi. 1994 (First Indian Reprint).

## III Semester

### Paper-V

### Legal Research Methodology

#### Unit-I:

Meaning of Research-Types of Research-Scientific Method-Social Research-Scope and importance of Legal Research-Concepts-Variations-Definitions-Relevance of empirical research in law-Deduction and Case study

#### Unit-II:

Finding the law-Sources of legal material including case law reporting in India-Using a law library-Survey of available legal materials-graphical search. Research Methods-legal research-doctrinal and non-doctrinal research.

#### Unit III:

Research tools and techniques for collection of data-Observation-Questionnaire-Schedule-Interview-Sampling techniques-Types of Formulation of Research Problem-Hypothesis-Research Design.

#### Unit-IV:

Data processing and analysis-Use of Statistics in the analysis and interpretation of data-Use of computers in Legal Research-writing. Legal Research and Law Reform-Types of Research needed for Law Reform-Analytical Research, Historical Research.

#### Suggested Readings:

1. Goode & Hatt: Methods in Social Research:McGraw-Hill Book Company,Singapore 1981
2. C.R.Kothari: Research Methodology :Methods and Techniques,2<sup>nd</sup> Edition,WishwaPrakashan,NewDelhi,1995.
3. Wilkinson & Bhandarkar, Methodology and Techniques of Social Research,9<sup>th</sup> Edition, Himalaya Publishing Housing, Bombay-Delhi-Nagpur 1994.
4. Pauline V Young :Scientific Social Survey and research,3<sup>rd</sup> Edition,PrenticeHall,NewYork,1960.

5. B.N.Ghosh, Scientific Method and Social Research;4<sup>th</sup> Edition Sterling Publishers Private Limited ,NewDelhi,1987.
6. S.K.Verma & Afzalwani, Legal Research and Methodology; ILI Publication, New Delhi,
7. Hans Raj, Theory and Practice in Social Research;4th Edition, Surjeet Publicatios,NewDelhi,1992.

## PAPER-VI CONFLICT OF LAWS

### Unit-I

Nature and Scope of Conflict of Laws - Modem Theories -Classification.

### Unit-II

The Doctrine of Renvoi - Domicile - Jurisdiction of English Courts. Exclusion of Foreign Law that would not be applicable i.e., Foreign Revenue and Penal Laws of foreign nations repugnant to Public Policy.

### Unit-III

Meaning and Matrimonial causes - Inter-country adoptions - Legitimation - International Contracts - Torts with special reference to Multinational Corporations and Commercial activities.

### Unit-IV

Law of Movables and Immovables - The recognition and enforcement of foreign Judgments - Procedure.

### Suggested Readings:

1. Cheshire and Brack: Private International Law, 1992 Edn. Butterworths, London.
2. Kahn Freund: General Problems of Private International law
3. Craveson: Conflict of Laws.
4. Westlake: Private International Law.
5. Dicey: Conflict of Laws.

## IV SEMESTER

### PAPER-VII

### LAW OF SEA, AIR AND OUTER SPACE

#### UNIT-I

Law of the Sea: Evolution of the Law of the Sea - Concepts of Mare Liberum and Mare Clausum, Development of the concept of territorial sea - Theories relating to Territorial Sea - Freedoms of the High Seas - Continental Shelf - Developments before 1958 - Gulf of Paria Treaty - Truman's Proclamation on Continental Shelf - United Nations Conference on the Law of the Sea (UNCLOS) I - 1958 - Convention on Continental Shelf - 1982 Convention on the Law of the Sea (UNCLOS) III.

#### UNIT-II

Exclusive Economic Zone - Evolution of the concept - Developments before 1970 - Developments after 1970 - 1982 Convention (UNCLOS) II - Exploration and Exploitation of the resources of the Sea Bed and Ocean Floor - International Straits - The Geneva Conventions of 1958 - Common Heritage of Mankind & common concern of mankind- Archipelagic States - International Straits-Bays and Gulfs - International agreements on the Law of the Sea - Law of the Sea Tribunal.

#### UNIT-III

Air Law - Development of Air Law during the 20th Century up to World War II, World War-I to World War II - Post war developments - Sovereignty over Air and Space - Pre-Chicago Convention position - Post Chicago Convention Developments - Extent of Air Space - Civil Aviation under Chicago Convention - Five Freedoms - Agreement and Two freedoms Agreement - Sabotage.

#### UNIT-IV

Space Law - Definition, Scope and nature - Legal status of Outer Space - Altitude limits of National Sovereignty - Internationalisation of Outer Space - Celestial Bodies - Peaceful uses of Outer space - Military uses of Outer Space and Celestial Bodies and demilitarization - Liability for damages caused by space objects - Astronauts in Distress - Registration of space objects - Problems of pollution of Outer space.

### Suggested Readings:

1. John C. Columbus: The International Law of the Sea, 6th Edn. 1967, London.
2. Myers Mc.Dougal and William Burke: The Public Order of the Oceans: A Contemporary International Law of the Sea, 1962, New Heaven, London.
3. Shigen Oda: International Control of Sea Resources, 1963. Laiden.
4. Bowett D. W.: The Law of the Sea, Manchester Dobbs Ferry Oceana, 1967. Shawcross and Beaumont: Air Law, Butterworths, 1978, Kingsway, London.
5. S.Bhat: Studies in Aerospace Law: From Competition to Cooperation, Sterling Publishers, 1974, New Delhi.
6. Jerome Marchoff World Peace through Space Law, The Michie Company, Charlottesville, 1967, Virginia.
7. Cooper and Vlastic: Explorations in Aerospace Law, McGill University Press, 1968, Montreal.

## PAPER-VIII

### INDIAN CONSTITUTIONAL LAW:THE NEW CHALLENGES (Common to All Branches)

#### UNIT-I

Concept of Federalism-Allocation of resources-Inter State Disputes -C State Relations-Special status of certain States-Concept of Secularism religious fanaticism-Definition of State-Need for widening the definition wake of recent developments.

#### UNIT-II

Right to Equality-its new dimensions-Protective Discrimination in the v privatization -gender Justice-Rights of third gender-Uniform Civil Freedom of Speech and Expression -Right to broadcast and telecast-R Strike,HartaandBandh.

#### UNIT-III

New regime of Constitutional Rights-Reading Directive Principles

Fundamental Duties to Fundamental Rights  
 Compensatory Jurisprudence  
 Right to Education  
 Right to Information  
 Right to wholesome environment- Doctrine of public trust  
 UNIT-IV

Institutional Dynamics-An overview of functioning of three organs of state with special reference to the Indian experience of post independence  
 Separation of Powers, and theory of checks and Balances-Privileges and Immunities of Legislatures and their members-Judicial Activism and Accountability-Contempt of Courts-Political Morality and effect of defection Law

### Suggested Readings

1. H. M. Seervai, Constitutional Law of India (in 2-Volumes), Universal Law Traders, New Delhi.
2. Granville Austin, Indian Constitution, Oxford University Press, Oxford.
3. Constituent Assembly Debates (Official Report),(in 5 Books and 5 Volumes),Lok Sabha Secretariat, New Delhi.
4. B.Shiva Rao, Framing of the Indian Constitution (in 5-Volumes),Institute of Public Administration, New Delhi.
5. M.P.Jain, Constitutional Law of India, Wadhwa and Co., Nagpur.
6. Granville Austin, Working a Democratic Constitution: A History of the Indian Experience, OUP
7. Landmark and Recent Articles on relevant topics published in Standard Journals like Journal of Indian Law Institute, Indian Bar Review, All India Reporter and Supreme Court Cases & landmark judgments of Indian Judiciary on the given topics.

## PAPER IX

### DISSERTATION

LL.M. IV Semester students have to submit thesis on the topic approved by the concerned Committee before the expiry of the date mentioned in the almanac in accordance with guidelines given below. Further the thesis should be got approved before the expiry of the III semester. Candidates who fail to submit thesis before the stipulated date will have to

submit the same along with the next batch.

LL.M. IV Semester students shall prepare a synopsis on the topics allotted to them.

It must be approved by the Guide and be submitted to the concerned Principals in the first week, after commencement of LL.M. IV semester.

A Record shall be maintained by the students in which the summary of study and the progress made by them shall be entered once in every 15 days and it is to be signed by the guide in approval of the same.

Thorough discussion shall be had by the students with the Guide at the end of the study, and the thesis shall be prepared on the lines indicated by the Guide.

The thesis shall correspond with the notes/record maintained by the Guide.

The thesis shall be equivalent to two theory papers, and there will be 200 marks out of which 170 shall be for evaluation and 70 shall be for *viva-voce examination*.

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## Faculty of Law, Osmania University

## LL.M. Syllabus

(Revised w.e.f. the Academic Year 2017-2018)

**Duration** : 02 Years  
**Total No. of Semesters** : 04  
**Duration of each semester** : 15 weeks

**BRANCH-IV**  
**CORPORATE AND SECURITIES LAWS**

Year	Semester/ Paper No.	Paper	Marks in End-Semester Exam	Marks in Internal exam	Total Marks
First Year- First Semester	I/I	Schools of Jurisprudence and Theories of Law	80	20	100
<input type="checkbox"/>	I/II	Law on Corporate Contracts	80	20	100
First Year- Second Semester	II/III	Modern Company Law	80	20	100
<input type="checkbox"/>	II/IV	Law of Insurance and Carriage	80	20	100
Second Year- Third Semester	III/V	Legal Research Methodology	80	20	100
<input type="checkbox"/>	III/VI	Law of Banking and Negotiable Instruments	80	20	100
Second Year- Fourth Semester	IV/VII	Corporate and Securities Laws	80	20	100
<input type="checkbox"/>	IV/VIII	Indian Constitutional Law: The New Challenges	80	20	100
<input type="checkbox"/>	IV/IX	Dissertation	160 for thesis	40 for viva-voce	200
			Grand Total	1000	1000

**SEMESTER-I****PAPER-I****SCHOOLS OF JURISPRUDENCE AND THEORIES OF LAW**  
(Common Paper for All the Branches)**UNIT -I**

Nature and scope of Jurisprudence Classification of Jurisprudence into Schools Salient features of Analytical, Historical, Philosophical and Sociological Schools.

**UNIT -II**

Meaning of Positivism Analytical positivism of Bentham and Austin- Kelsen's Pure Theory of Law Hart's Concept of Law Dworkin's criticism Hart Fuller controversy Hart Devlin's debate Modern trends in Analytical and Normative Jurisprudence Rawls and Distributive Justice Nozick and the Minimal State.

**UNIT -III**

Historical and Ancient Indian Jurisprudence Savigny's concept of Volksgeist Contribution of Henry Maine; Economic theory of Laws of Karl Marx and Friedrich Engels Sociological theories of law- Contribution of Ihering Contribution of Ehrlich Durkheim's theory of Social Solidarity Roscoe Pound's Social Engineering and Classification of -Interests American and Scandinavian Realism Critical Legal Studies Movement.

**UNIT -IV**

Theories of Natural Law Meaning of Natural Law History of Natural Law- Greek origins Medieval period View of St. Thomas Aquinas Period of Renaissance/Reformation Grotius and International Law- Transcendental Idealism View of Immanuel Kant: Natural Law and Social Contract theories Stammler and Natural Law with variable content Fuller and the Morality of Law Hart on Natural Law Finnis and Restatement of Natural Law Positivists and Naturalists debate.

**Suggested Readings:**

1. G.W.Paton: A Text book of Jurisprudence, 4<sup>th</sup> Edition; Clarendon Press, Oxford, 1972.
2. R.W.M. Dias, Jurisprudence. 5<sup>th</sup> Edition; Aditya Books Private Ltd., New Delhi, 1994.
3. W.Friedmann: Legal Theory, 5th Edition; Columbia University Press, New York
4. Dennis Lloyd: Lloyd's Introduction to Jurisprudence, 6<sup>th</sup> Edition, Sweet and Maxwell, London, 1994.
5. Julius Stone: The Province and Function of Law; Associated General Publications Pvt. Ltd. Sydney.
6. Howard Davies and David Holdcraft: Jurisprudence: Texts and Commentary; Butterworths, London, Dublin, Edinburgh, 1991.
7. S.N.Dhyani: Fundamentals of Jurisprudence: The Indian Approach, 2<sup>nd</sup> Edition, Central Law Agency, Allahabad, 1997.
8. Edgar Bodenheimer: Jurisprudence; The Philosophy and Method of the Law, Universal Book Traders, Delhi, 1996.
9. Rama Jois, Seeds of Modern Public Law in Ancient Jurisprudence, Eastern Book Company, Lucknow, 1990.
10. Rama Jois, Ancient Indian Law-Eternal Values in Manu Smriti, Universal Law Publishing Co., New Delhi, 2002.

## PAPER –II

### LAW ON CORPORATE CONTRACTS

#### Unit - I

Meaning of Intellectual Property Rights - General framework of IPR Laws in India - Copyright Act, Trademarks Act and Designs Act etc. -Contracts relating to transfer of IPRs - Licensing, Assignment, Sale and Mortgage etc. - Application of general Principles of Contract to IPR contracts - Breach of IPR contracts and Remedies therefor.

#### Unit - II

Alternative Dispute Resolution - Meaning of ADR - Evolution of ADR Mechanism - Advantages of ADR - Arbitration, Conciliation and Mediation - Salient features of Arbitration and Conciliation Act -Appointment and Removal of Arbitrators and Conciliators - Passing of Award - Section 89 of CPC. 1908 and Sections 10 and 11 of Indian Contract Act vis-a-vis ADR.

#### Unit - III

International Commercial Arbitration - Meaning and Definition -Application of Indian Contract Act 1872 to International Commercial Contracts and Arbitration Agreements - General Principles of Private International Law relating to International Commercial Arbitration -UNCITRAL Model.

## Unit - IV

E-Commerce - meaning and nature - Salient features of the Information Technology Act, 2000 - Impact of the IT Act 2000 on Law of Contracts, Law of Evidence, Law of Crimes - Application of Intellectual Property Laws to Cyber Contracts - Cyber Offences - Breach of Cyber Contracts - Remedies - Fora for Redressal of Cyber Disputes-Infrastructural contracts international Federation of Consulting Engineers approved contracts

## Suggested Readings:

1. Anson's Law of Contracts - Clarendon Press, Oxford, UK.
2. TS Venkatesh Iyer - Law of Contracts, S Gogia and Company, Hyd.
3. Avtar Singh - LaW of Contracts, Eastern Book Company, Lucknow.
4. P.Narayanan, Intellectual Property Law. Ed, Eastern Law House, Kolkata,
5. W.R.Cornish, Intellectual Property: Patents, Copyright, Trade Marks and Allied Rights, Sweet and Maxwell, London.
7. Hillary E.Pearson & Miller CG, Commercial Exploitation of Intellectual Property, Universal Book Traders, New Delhi.
8. David Bainbridge, Intellectual Property, Pearson Education Limited, London.
9. B.L.Wadhwa, Law Relating to Patents, Trademarks, Copyright, Designs & Geographical Indications, Universal Law Publishing Co. Ltd., New Delhi.
10. Prof. Willem Hoyng & Frank Eijsvogels, Global Patent Litigation, Wolters Kluwer, Bedfordshire, U.K.
11. Eric M.Dobrusin, Esq., Katherine E.White. intellectual Property Litigation: Pretrial Practice, Wolters Kluwer, Bedfordshire, U.K.
12. GB.Reddy, Intellectual Property Rights and the Law, Gogia Law Agency, Hyderabad.
13. Dr. Avatar Singh - Law of Arbitration and Conciliation including ADR system - Eastern Book Company - Lucknow.
14. Venu Gopal K.K - Justice Bachawat's Law of Arbitration and Conciliation Including commercial, international and ADR
15. P.C.Rao & William - Alternative dispute resolution , Universal Law Sheffield Publishing Ltd.

16. GK.Kwatra - The Arbitration and Conciliation Law of India (with case law on UNCITRAL model law on Arbitration). The Indian Council of Arbitration.

## SEMESTER-II

### PAPER-III

## Modern Company Law

### Unit-I:

Company-History and evolution - History of Company law in England and India-The Convergence of Corporate Legal System in modern times - The Companies Act,1956-The Companies Act,2013 and its impact on corporate structure ,corporate governance and investor protection in India-LLP as a type of Corporate vehicle

### Unit-II:

Formation, Registration and Incorporation of company : Nature and kinds of company - Promoters: Position, duties and liabilities - Mode and consequences of incorporation, - Uses and abuses of the corporate form, lifting of corporate veil, - Memorandum of Association, alteration and the doctrine of ultra vires, - Articles of association, binding nature, alteration, relation with memorandum of association, doctrine of constructive notice and indoor management-exceptions.

### Unit-III:

Capital Formation : Prospectus: Issues, contents, Kinds, liability for misstatements, statement in lieu of prospectus- The nature and classification of company securities-SHARE CAPITAL AND DEBENTURES-General principles of allotment of Shares- Statutory share certificate, its objects and effects- Transfer of shares- Share capital, reduction of share capital-DEPOSITS BY COMPANIES-Duties of court to protect interests of creditors and shareholders- Debentures, kinds, remedies of debenture holders.



## PAPER IV

### LAW OF INSURANCE AND CARRIAGE

#### Unit - I

Nature of Insurance and types of insurance - definition of insurance -history - contract of insurance - classification of insurance contracts-Kinds of Insurance Policies - Insurable Interest - Premium - Risk -Assignment.

#### UNIT - II

Role of insurance in Economic Development - Redressal of Consumer grievance - Role of the "OMBUDSMAN"- IRDA Regulations 2000 - Disclosures - The Insurance Act 1938 as amended by the IRDA Act 1999 - Constitution of IRDA and its powers and functions -IRDA Regulations- Role of IRDA on Insurance Companies-Redressal of Grievances by IRDAI

#### Unit - III

Special Doctrines relating to Insurance - Doctrine of Reinstatement -Doctrine of Subrogation - Doctrine of Contribution - Difference between contribution and subrogation - Proximity clause. Marine Insurance -Definition and nature of Insurance Contracts - Classification of Marine Insurance Policies - Marine claims - Voyage - Deviation - Perils of Sea - Warranties in Marine Insurance - Losses and abandonment - Relevant provisions of the Motor Vehicles Act.

#### Unit-IV

Carriage of goods by road - Multinodal Transportation of Goods Act 1993- Law of Carriage by Sea - The Carriers Act 1865, The Railways Act, 1899, The Air Act 1972, the Carriage by Sea Act, 1925.

#### Suggested Readings:

1. K.S.N. Murthy and KV S Sarma: Modern Law of Insurance in India, N.M.Tripathi pvt. Ltd. Bombay.
2. Ravi Pulirani and Iahesh Pulirani :Manual of Insurance Law, Bharat Law House Pvt. Ltd., New Delhi.
3. Brijnandan Singh: ew Insurance Law, University Book Company. Allahabad.

4. J. Nagar: The Hand Book of Insurance Regulatory and Development Authority, University Book Company, Allahabad.
5. B.C.Mitra: The Law relating to Marine Insurance, University Book Company, Allahabad.
6. E.R.Hardy Ivamy: General Principles of Insurance Law, Butterworths, London.
7. Michael Parkington: Insurance Law, Sweet and Maxwell, London.
8. Dr. Avtar Singh: Law of Carriage, Air, Land and Sea, EBC, Lucknow.
9. Journal of IRDA monthly since 2002.

## **SEMESTER-III**

### **Paper V**

### **Legal Research Methodology**

(Common Paper for All the Branches)

#### Unit-I:

Meaning of Research-Types of Research-Scientific Method of Social Research Scope and importance of Legal Research-Concepts-Variables Definitions-Relevance of empirical research in law-Inductive and Deductive Casestudy

#### Unit-II:

Finding the Law Sources of legal material including sources Law reporting in India Using a law library Survey of available legal materials Bibliographical search. Research Methods Sociolegal research doctrinal and non-doctrinal research.

#### Unit III:

Research tools and techniques for collection of data-Observation -Questionnaire-Schedule-Interview-Sampling techniques-Types of Prof. Formulation of Research Problem Hypothesis Research Design.



#### Unit-IV:

Data processing and analysis of Statistics in the analysis and interpretation of Use of computers in Legal Research writing. Legal Research and Lawns Types of Research needed for Law Reforms Analytical Research, Historical Research.

#### Suggested Readings:

1. Goode & Hatt: Methods in Social Research:McGraw-Hill Book Company,Singapore 1981
2. C.R.Kothari: Research Methodology :Methods and Techniques,2<sup>nd</sup>Edition,WishwaPrakashan,NewDelhi,1995.
3. Wilkinson & Bhandarkar, Methodology and Techniques of Social Research,9th Edition, Himalaya Publishing Housing, Bombay-Delhi-Nagpur 1994.
4. Pauline V Young :Scientific Social Survey and research,3<sup>rd</sup> Edition,PrenticeHall,NewYork,1960.
5. B.N.Ghosh, Scientific Method and Social Research;4<sup>th</sup> Edition Sterling Publishers Private Limited ,NewDelhi,1987.
6. S.K.Verma & Afzalwani, Legal Research and Methodology; ILLI Publication, New Delhi,
7. Hans Raj, Theory and Practice in Social Research;4th Edition, Surjeet Publicatios,NewDelhi,1992.

**PAPER VI**  
**LAW OF BANKING & NEGOTIABLE INSTRUMENTS**

**UNIT-I**

Historical background of Banking system - Evolution of Banks - Classification of Banks and other Financial institutions - Functions of Banks - Recent trends in Banking system-e-Banking system

**UNIT-II**

Relationship between Banker and Customer - Definition - Rights and Duties - types of customers - Customer accounts - Overdrafts Bankers lien and combination accounts - Appropriation of payments-Claytons Rule - Pass Book - Forgery, Negligence, Mistake, Wrongful endorsements - Legal protection to paying Banker collecting Banker Lawful dishonour of Cheques - Effect of Wrongful dishonour of Cheques.

**UNIT-III**

Kinds of negotiable instruments, Customary / Deemed Negotiable instruments - Essential features. Crossing of Cheques - Holder in due course and Holder for value - Liability of maker of Notes and acceptor of Bills Drawer of Cheques - Liability of discharge of Endorser -Consideration Effect of Endorsement - Accommodation - Discharge from Liability of Notes, Bills and Cheques. Noting and protest - Presumptions as to negotiable instruments-dishonour of cheques

**UNIT-IV**

Bank Guarantees - Kinds of Guarantees - Rights and Obligations of Bankers - Letters of Credit - Types of Letters of Credit - Advances secured by collateral security - Advances against Goods and Documents of titles to Goods - Recommendations of committees in improving the Banking system RBI and its promotional role in relation to commercial Banks - Banking Regulation Act 1949 - The Securitisation of Assets - Reconstruction of Financial Assets and enforcement of security Interest Act - Salient features.

**Suggested Readings:**

1. Sheldon: Practice and Law of Banking , Pitman Publ., Toronto.

2. Tanna: Banking Law and Practice in India , India Law House, New Delhi.
3. Lord Chorley and P.E.Smart: Leading Cases in the Law of Banking
4. Bashyam and Adiga , Bharat Law House, New Delhi.
5. Arora & Kalra : All India Banking Law Judgements in 4 Vols,Punjab Law Agency, Delhi.
6. L.C.Goyle: Law of Banking and Bankers, Eastern Law House, New Delhi.

## SEMESTER-IV

### PAPER- VII

### CORPORATE AND SECURITIE LAWS

#### Unit-I

Securities Contracts (Regulation) Act, 1956 – Interpretation Clause - Meaning Definition of Stock Exchange -Recognition of Stock Exchange - Contract Securities -Listing of securities - Securities Appellate Tribunal (SAT)- Constitution Powers and Functions - Appeals from orders of SAT – Title to Dividends-Securities and Exchange Board of India Act, 1992 -Interpretation Clause-Establishment Securities and Exchange Board of India - Constitution,Powers and Functions Registration of Stock Brokers , Sub-brokers ,& Share Transfer Agents - Prohibition of Manipulative and Deceptive practices-Inside Trading and Substantial Acquisition of Securities or Control-Adjudication of disputes- Appeals to Securities Appellate Tribunal,HCs & SC- Capital Markets regulations.

#### Unit-II

Depositories Act, 1996 - Definition of Depository Board and Beneficial Owner Certificate of Commencement of Business - Rights and obligations of Depository participants, issuers and beneficial Owners  
Competition Act, 2002- Applicability of the Act - Definitions –Prohibition of agreements - abuse of Dominant position and Regulation of combinations

Competition Commission of India -Powers-- Functions - Power of Central Government to supersede Commission -Penalties - Appeals - Competition Adjudicator  
NCALT: Powers and Jurisdiction, Position under the Finance Act

### Unit-III

Foreign Exchange Management Act, 1999 - Definitions - Regulation and Management of Foreign Exchange - Authorised Person - Contravention - penalties - adjudication and Appeal - FEMA Appellate Tribunal: Powers and Jurisdiction, Director of Enforcement : Powers and Functions

### Unit-IV

Non-banking finance Companies - Formation and regulation of NBFC's-Consumer Protection Act, 1986 - Salient Features - Definitions of complainant, Consumer, Manufacturer, Consumer Dispute, Service, Goods, Unfair Trade Practices - Liability of Companies to consumers- Basic Features of the GST Act,2017  
Corporate Governance -International dimensions of Company. Law.

#### Suggested Readings:

1. Palmer - Company Law.

2. Ramayya: Guide to the Companies Act, in three volumes,Wadhwa and Company, Nagpur.

3. Avtar Singh: Company Law, Eastern Book Company

4. H.K.Saharay: Principles and Practice of Company Law in India, Prentice Hall of India Private Limited, New Delhi.

5. S.M.Shah: Lectures on Company Law, N.M. Tripathi Private Ltd.

Bombay.

6. Chalesworth & Cain: Company Law, Geoffrey Morse, Stevens and Sons, London.

7. L.C.B. Grover: The Principles of Modern Company Law, Stevens

and Sons, London.

8. Pennigton: Company Law, Butterworths, London. Taxmann's Publications Journal on SEBI and Corporate Laws.

9. Pahwa : Law relating to non-Banking financial companies  
B.K.Pahwa.

## Paper VIII

### Indian Constitutional Law: The New Challenges

(Common Paper for All the Branches)

#### UNIT-I

Concept of Federalism-Allocation of resources-Inter State Disputes -C  
State Relations-Special status of certain States-Concept of Secularism  
religious fanaticism-Definition of State-Need for widening the definition  
wake of recent developments.

#### UNIT-II

Right to Equality-its new dimensions-Protective Discrimination in the v  
privatization -gender Justice-Rights of third gender-Uniform Civil  
Freedom of Speech and Expression -Right to broadcast and telecast-R  
Strike,HartaandBandh.

#### UNIT-III

New regime of Constitutional Rights-Reading Directive Principles  
Fundamental Duties to Fundamental Rights-Theory of Emanation  
Compensatory Jurisprudence-Right to Education-Right to Information  
Right to wholesome environment- Doctrine of public trust

#### UNIT-IV

Institutional Dynamics-An overview of functioning of three organs of  
with special reference to the Indian experience of post independence  
Separation of Powers, and theory of checks and Balances-Privilege  
Immunities of Legislatures and their members-Judicial Activism and  
Accountability-Contempt of Courts-Political Morality and effect of  
defection Law

Suggested Readings:

1. H. M. Seervai, Constitutional Law of India (in 2-  
Volumes), Universal Book Traders, New Delhi.

2. Granville Austin, Indian Constitution, Clarendon Press, Oxford.
3. Constituent Assembly Debates (Official Report),(in 5 Books and 12 Volumes),Lok Sabha Secretariat, New Delhi.
4. B.Shiva Rao, Framing of the Indian Constitution (in 5-Volumes),Indian Institute of Public Administration, New Delhi.
5. M.P.Jain, Constitutional Law of India, Wadhwa and Co., Nagpur.
6. Granville Austin, Working a Democratic Constitution: A History of the Indian Experience, OUP
7. Landmark and Recent Articles on relevant topics published in Standard Law Journals like Journal of Indian Law Institute, Indian Bar Review, All India Reporter and Supreme Court Cases & landmark judgments of Indian Higher Judiciary on the given topics.

### Paper IX: DISSERTATION

LL.M. IV Semester students shall have to submit Dissertation on the topic approved by the concerned Committee before the expiry of the semester as per the almanac in accordance with guidelines given below. Further topics for this should be got approved before the expiry of the 1<sup>st</sup> semester. The candidates who fail to submit before the stipulated date will have to submit along with the next batch.

1. *LL.M. IV Semester students shall prepare a synopsis on the topics allotted to them.*
2. *It must be approved by the Guide and be submitted to the concerned Principals in the first week, after commencement of LL.M. IV semester.*
3. *A Record shall be maintained by the students in which the summary of study and the progress made by them shall be entered once in every 15 days and it is to be signed by the guide in approval of the same.*

4. *Thorough discussion shall be had by the students with the Guide at the end of the study, and the thesis shall be prepared on the lines indicated by the Guide.*
5. *The thesis shall correspond with the notes/record maintained by the Guide.*

The thesis shall be equivalent to two theory papers, and there will be 200 marks out of which 160 shall be for evaluation and 40 shall be for *viva-voce examination*.

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Faculty of Law  
Osmania University  
LL.M. Syllabus  
(Revised w.e.f. the Academic Year 2017-2018)

**Duration** : 02 Years  
**Total No. of Semesters** : 04  
**Duration of each Semester** : 15 weeks

BRANCH-V

**Labour and Employment Laws**

Year	Semester/ Paper No.	Paper	Marks in End Semester Exam	Marks in Internal exams	Total Marks
First Year- First Semester	I/I	Schools of Jurisprudence and Theories of Law	80	20	100
□	I/II	Collective Bargaining and Trade Union Law	80	20	100
First Year- Second Semester	II/III	Resolution of Industrial Disputes	80	20	100
□	II/IV	Labour Management Relations and Law relating to Civil servants	80	20	100
Second Year-Third Semester	III/V	Legal Research Methodology	80	20	100
□	III/VI	International Labour Organisation	80	20	100
Second Year- Fourth Semester	IV/VII	Social Security Law	80	20	100
□	IV/VIII	Indian Constitutional Law: The New Challenges Thesis	80	20	100
□	IV/IX	Dissertation	160 for thesis	40 for viva- voce	200
			Grand Total		1000



**PAPER-I****SCHOOLS OF JURISPRUDENCE AND THEORIES OF LAW**  
(Common Paper for All the Branches)**UNIT-I**

Nature and scope of Jurisprudence Classification of Jurisprudence Schools  
Salient features of Analytical, Historical, Philosophical, Sociological Schools.

**UNIT-II**

Meaning of Positivism Analytical positivism of Bentham and Austin-  
Pure Theory of Law Hart's Concept of Law Dworkin's critique Hart Fuller  
controversy Hart Devlin's debate Modern trends in Analytical and Normative  
Jurisprudence Rawls and Distributive Justice Nozick and the Minimal State.

**UNIT-III**

Historical and Ancient Indian Jurisprudence Savigny's concept Volksgeist  
Contribution of Henry Maine; Economic theory of law of Karl Marx and  
Friedrich Engels Sociological theories of law- Contribution of Ihering  
Contribution of Ehrlich Durkheim's theory of Social Solidarity Roscoe Pound's  
Social Engineering and Classification of American and Scandinavian  
Realism Critical Legal Studies Movement.

**UNIT-IV**

Theories of Natural Law Meaning of Natural Law History of Natural Law-Greek  
origins Medieval period View of St. Thomas Aquinas Period of  
Renaissance/Reformation Grotius and International Law- Transcendental  
Idealism View of Immanuel Kant: Natural Law and Social contract theories  
Stammler and Natural Law with variable content Fuller and the Morality of Law  
Hart on Natural Law Rawls and Restatement of Natural Law Positivists and  
Naturalists debate.

**Suggested Readings:**

1. G.W.Paton: A Text book of Jurisprudence, 4<sup>th</sup> Edition; Clarendon Press, Oxford, 1972.
2. R.W.M. Dias, Jurisprudence. 5<sup>th</sup> Edition; Aditya Books Private Ltd., New Delhi, 1994.
3. W.Friedmann: Legal Theory, 5th Edition; Columbia University Press, New York
4. Dennis Lloyd: Lloyd's Introduction to Jurisprudence, 6<sup>th</sup> Edition,

- Sweet and Maxwell, London, 1994.
5. Julius Stone: The Province and Function of Law; Associated General Publications Pvt. Ltd. Sydney.
  6. Howard Davies and David Holdcraft: Jurisprudence: Texts and Commentary; Butterworths, London, Dublin, Edinburgh, 1991.
  7. S.N.Dhyani: Fundamentals of Jurisprudence: The Indian Approach, 2<sup>nd</sup> Edition, Central Law Agency, Allahabad, 1997.
  8. Edgar Bodenheimer: Jurisprudence; The Philosophy and Method of the Law, Universal Book Traders, Delhi, 1996.
  9. Rama Jois, Seeds of Modern Public Law in Ancient Jurisprudence, Eastern Book Company, Lucknow, 1990.
  10. Rama Jois, Ancient Indian Law-Eternal Values in Manu Smriti, Universal Law Publishing Co., New Delhi, 2002.

## PAPER –II

### COLLECTIVE BARGAINING AND TRADE UNION LAW

#### UNIT-I

Freedom of Organization of labour under Indian Constitution and International Labour Organisation - Collective Bargaining: Concept of Collective Bargaining Types of Bargaining- Factors affecting on Collective Bargaining.

#### UNIT-II

The rise and growth of trade union Movement in India, USA and UK - Trade union movement in India before and after independence.

#### UNIT-III

Trade Union, Structure and Functions - Multiplicity of Trade Unions - Inter-Union and Intra-Union Rivalries - Union Security - Closed Shop, Union Shop and Shop Concepts - The Role of outsiders in Trade Unions.

#### UNIT-IV

The Trade Union Act, 1926 - Definition of 'Trade Union' - Registration of Trade Unions-Certificate of Registration - Cancellation of registration- Rights and Liabilities of Registered Trade Unions - Recognition of Unions- Penalties for failure to comply with returns - Cognizance of offences.

#### Suggested Readings:

- I. Y.B.Karnik: The Indian Trade Union, 2nd Rev. Ed. Bombay;

- P.C.Manaktala & Sons, 1966.
2. Mallik: Trade Union Law, S.C. Sarkar & Sons, 1980, Calcutta.
  3. Rideout, B.W.: Trade Unions and the Law, London, Sweet & Masowell, 1979.
  4. K.D. Srinivastava and R.K. Srivastava: The Law relating to Trade Unions in India; 2nd Edn., Lucknow; Eastern Book Company, 1982.
  5. Ludwig Teller: Labour Disputes and Collective Bargaining.
  6. Srinivastava K.D.: Trade Unions and Unfair Labour Practices, 3<sup>d</sup>Edn., Lucknow, Eastern Book Company, 1999.
  7. Sethi S.B.: Law of Trade Unions, Allahabad, Law Book Company, 1966 (Suppl.) 1973.
  - 8 Rao S.B.: Law Relating to Strikes, Lockouts, Lay Off - Retrenchment, Labour Law Agency, Bombay, 1983.
  9. Dr. T.N. Bhagoliwala : Economics of Labour and Social Welfare, 4th Edn., Sahitya Bhavan, 1976, Agra.
  10. Labour Law and Labour Relations: India Law Institute, New Delhi; N.M. Tripathi Private Ltd., Bombay.
  10. Gillian S. Morris and Timothy J. Archer, Collective Labour law (2000), Oxford Publication, London.
  11. International Labour Organisation on Collective Bargaining. Reports of the First and Second National Commissions on Labour.
  12. Khan & Khan: Commentary on Labour and Industrial Laws, Asia Law House, Hyd.

**SEMESTER-II****PAPER-III****RESOLUTION OF INDUSTRIAL DISPUTES****UNIT-I**

Constitutional provisions relating to industry and labour - Reference - Direct adjudicatory authorities -post-natal control by government over adjudicatory authorities - Historical development of Industrial Disputes legislation in India - I.D. Act - Objects and reasons - Definition of industry, appropriate government, industrial dispute, individual dispute, lay-off, lock-out, retrenchment - strike. and definitions of other important terms.

**UNIT-II**

Works Committee - Conciliation Officer - Board of Conciliation - Court of inquiry - Labour Court- Tribunals - National Tribunal - Finality of orders - Constituting tribunals etc. -Notice of change - Setting up of Grievance Settlement Authorities and reference of certain disputes to such authorities - Reference of disputes to Boards, Industrial Tribunal, National Tribunal- Voluntary reference of disputes to arbitration.

**UNIT-III**

Law relating to Strikes and Lockouts - Layoff and retrenchment, special provisions relating to layoff, retrenchment and closure in certain establishments.

**UNIT-IV**

Unfair Labour Practices - Penalties under the Act - offences by employers - conditions of service, to remain unchanged under certain circumstances - provisions for adjudication, power to transfer proceedings, recovery of money from an employer, cognizance of offences, protection of persons.

**Suggested Readings:**

1. O.P. Malhotra: The Law of Industrial Disputes, 5th Ed., 1998, Vol I & II Universal Law Publishing Co., Pvt. Ltd , New Delhi.
- 2.V.G. Goswamy : Labour and Industrial Laws,Central Law Agency, Allahabad.
3. S.N. Misra: Labour and Industrial Laws, Central Law Publications, Allahabad.

4. ILL.: Labour Law and Labour relations Cases and Materials, (Edited by Anand Prakash. S.C. Srivatsava, P. Kalpakam), N.M.Tripati Pvt. Ltd , Bombay.
5. D.O. Sethi J: Commentaries of Industrial Disputes Act, 1947. Vol., 1 & 2, Law Publishing House, Allahabad.
6. K.D. Srivatsava : The Law of Industrial Disputes.
7. Reports of the First (1969) and Second (2002) National Commissions on Labour.
8. Chaturvedi. R.G.: Law and Procedure of Departmental Enquiries and Disciplinary Actions .
9. Khan & Khan: Commentary on Labour and Industrial Laws.ASIA law HOUSE,Hyd

#### PAPER-IV

##### LABOUR MANAGEMENT RELATIONS AND LAW RELATING TO CIVIL SERVANTS

###### UNIT-I

Industrial Employment (Standing Orders) Act 1946 - Standing Order  
Submission of Draft Standing Orders - Conditions for certification of Standing  
Orders(SO) - Appeals - Duration and modification of SO - Penalties and procedure  
Workers participation in Management.

###### UNIT - II

Code of Discipline - Disciplinary proceedings - procedure for disciplinary  
action - Misconduct - Charge sheet - service of charge sheet - power to suspend  
pending enquiry - procedure to conduct a Domestic Enquiry -Report of the  
officer - punishment.

###### UNIT-III

Wages and Bonus: Concept of Wages - Living Wage, Fair Wage and minimum  
wage - Fixation machinery - Payment of Wages Act, 1936 -Minimum Wages Act,  
- Dearness Allowance - Concept of Bonus -Full Bench Formula - Payment of Bonus  
Act, 1965.

###### UNIT-IV

Civil Servants and Fundamental Rights - Doctrine of Pleasure -Opportunity  
being heard and its exceptions - Service Regulations - Kinds of leave and conditions  
of eligibility - Central and State Agencies for recruitment-Constitution of

Service Commission. Judicial Review of Service matters - Jurisdiction of S  
Court and High Courts.

Suggested Readings:

1. K.D. Srivastava: Industrial Employment (Standing Orders) Act, 1947. Eastern Book Company, Lucknow.
2. K.D. Srivastava: Payment of Bonus Act, 1965, 8th Ed., 1997, Eastern Book Company, Lucknow.
3. I.L.I. : Labour Law and Labour Relations -Cases and Materials, (Edited by Anand Prakash, S.C.Srivastava P.Kalpakarn), N.M.Tripati Pvt., Ltd., Bombay.
4. K.D. Srivastava: Commentaries on Payment of Wages Act, 1936, Eastern Book Company, Lucknow.
5. S.N. Misra: Labour and Industrial Laws: Central Law Publications, Allahabad.
6. Badruddin : Management, Workers participation and the Law, Deep and Deep. Publication, New Delhi.
7. V.G. Goswamy: Labour and Industrial Laws, Central Law Agency, Allahabad.
8. H.M. Seervai: Constitutional Law of india (in two Volumes) ,Universal Book Traders, New Delhi.
9. M.P. Jain: Constitutional law of India, 4th Edition, Wadhwa and Company, Nagpur.
10. J.N. Pandey: The Constitutional Law of India, Central Law Agency, Allahabad.
11. H.L. Kumar: Labour laws everybody should know, Universal Law Publishing Co., Delhi.
12. Khan & Khan: Commentary on Labour and Industrial Laws,Asia Law House,Hyderabad.

### III SEMESTER

#### Paper V

### Legal Research Methodology

(Common Paper for All the Branches)

#### Unit-I:

Meaning of Research-Types of Research-Scientific Method-Social Research-Scope and importance of Legal Research-Concepts-Variations-Definitions-Relevance of empirical research in law-Deduction and Case study

#### Unit-II:

Finding the Law Sources of legal material including e-law reporting in India-Using a law library-Survey of available legal materials-Graphical search. Research Methods-Doctrinal research and doctrinal research.

#### Unit III:

Research tools and techniques-collection of data-Observation-Questionnaire-Schedule-Interview-Sampling techniques-Types of Formulation of Research Problem-Hypothesis-Research Design.

#### Unit-IV:

Data processing and analysis-Use of Statistics in the analysis and interpretation of-Use of computers in Legal Research-writing. Legal Research and Law Reform-Types of Research needed for Law Reforms-Analytical Research, Historical Research.

#### Suggested Readings:

1. Goode & Hatt: Methods in Social Research:McGraw-Hill Book Company,Singapore 1981
2. C.R.Kothari: Research Methodology :Methods and Techniques,2"dEdition,WishwaPrakashan,NewDelhi,1995.
3. Wilkinson & Bhandarkar, Methodology and Techniques of Social Research,9th Edition, Himalaya Publishing Housing, Bombay-

Delhi-Nagpur 1994.

4. Pauline V Young :Scientific Social Survey and research,3<sup>rd</sup> Edition,PrenticeHall,NewYork,1960.
5. B.N.Ghosh, Scientific Method and Social Research;4<sup>th</sup> Edition Sterling Publishers Private Limited ,NewDelhi,1987.
6. S.K.Verma & Afzalwani, Legal Research and Methodology; ILLI Publication , New Delhi,
7. Hans Raj, Theory and Practice in Social Research;4th Edition, Surjeet Publicatios,NewDelhi,1992.

## **PAPER-VI**

### **INTERNATIONAL LABOUR ORGANISATION**

#### **UNIT-I**

Origin and Historical Background of ILO - Factors responsible for establishing ILO - Aims and Objectives of ILO - Structure and Functions of various agencies of the ILO - India and ILO.

#### **UNIT-II**

ILO Legislative Procedure - Conventions and Recommendations -Procedure of Adoption, Ratification and Application - Obligation of Members - Registration of Conventions with UNO - Supervisory Mechanism to ensure observance of conventions Commissions of Enquiry - Role of ICJ

#### **UNIT-III**

ILO Conventions and Recommendations relating Basic Human Rights- Freedom of Association - Forced Labour - Abolition of forced labour-Equality of opportunity - Treatment - Empowerment of Women - Social Security - Children and Young Persons - Conditions of Employment-Industrial Relations - Wages, Salary, Health and Welfare - ILO Conventions ratified by India.

#### **UNIT-IV**

ILO - India Relationship - Position of India in the Governing Body- International Labour Office - Tripartisim -Indian Procedure of ratification of Conventions - Constitutional Framework -Administrative Procedure-Tripartite consultation - Indian Labour Conference - Standing Labour Committee - Indian Response to ILO standards relating to Freedom of Association and Collective Bargaining - Eli



of Discrimination in Employment and Occupation - Indian response to un conventions - ILO projects in India.

**Suggested Readings:**

1. I.L.O. Office, Geneva: International Labour Conventions and Recommendations in 3 volumes, Geneva.
2. Vaidyanathan N : I.L.O. Standards for Social Justice and development of labour, Deep and Deep Publications, Delhi.
3. Rawat B.D. : India and I.L.O. RBSA Publishers, Jaipur.
4. S.N.Dhyani : International Labour Organisation and India, Allahabad Law Agency, Allahabad.
5. David A.Morse: The Origin and Evolution of I.L.O. and the Role in the World Community.
6. P.F. Pillai : India and the ILO.
7. United Nations Encyclopedia of International Organisations.
8. Report of National Commission on Labour 1969 (India).
9. Ahmedullah Khan: Commentary on ILO and Indian Response.
10. N.M.Swamy, Impact of ILO Standards On Indian Labour Law.

## IV Semester

### PAPER-VII

#### SOCIAL SECURITY LAW

##### UNIT -I

Concepts of Social Security - The Beveridge Report - Social Security in U.S.A., U.K. and India - Comparative Study - The ILO measures on Social Security.

##### UNIT-II

Constitutional Perspectives-Fundamental Rights and Directive Principles of State Policy relating to Social Security and Labour Welfare- Distinction between Social Insurance and Social Assistance - Development of Social Security Legislation in India - Recommendations of Second National Commission on Labour in India pertaining to Social Security.

Unemployment Insurance - Old Age Pension - Social Security  
Unorganized sector - Concept of outsourcing vis-a-vis social security

#### UNIT-III

The Employees Compensation Act, 1923 - The Employees' State Insurance Act, 1948 - The Maternity Benefit Act, 1961 - Health, Safety and Welfare provisions under the Factories Act, 1948 - The Contract Labour (Abolition and Regulation) Act.

#### UNIT-IV

The Child Labour (Prohibition & Regulation) Act, 1986 - The Chit Funds (Pledging of Labour) Act, 1933 - The Payment of Gratuity Act, 1972 - Employees' Provident Fund & Miscellaneous Provisions Act, 1952 - Inter-State Migrant Workmen (regulations of Conditions of Service) Act, 1976

#### **Suggested Readings:**

1. Srivastava S.C. : Treaties on Social Security and Labour Laws, Eastern Book Company, Lucknow.
2. Jiwitesh Kumar Singh: Labour Economics, Deep and Deep Publications, New Delhi.
3. Y.J. Rao : Factories Laws in A.P., Asia Law House., Hyderabad.
4. K.D.Srivastava : Workmen's Compensation Act, EBC, Lucknow.
5. Mishra S.N. : Labour and Industrial Laws, Central Law Publications, Allahabad.
6. Dr. Goswami Y.G. : Labour and Industrial Laws, Central Law Agency, Allahabad.
7. Report of the First (1969) and Second (2002) National Commissions on Labour, Govt. of India. Ministry of Labour, Employment and Rehabilitation, New Delhi.
8. William Beveridge: Report of Social Insurance and Allied Service.
9. Khan & Khan: Commentary on Labour and Industrial Laws, Asia Law House, Hyderabad.

## Paper VIII

### Indian Constitutional Law: The New Challenges

(Common Paper for All the Branches)

#### UNIT-I

Concept of Federalism-Allocation of resources-Inter State Disputes -Centre-States Relations-Special status of certain States-Concept of Secularism and religious fanaticism-Definition of State-Need for widening the definition in the wake of developments.

#### UNIT-II

Right to Equality-its new dimensions-Protective Discrimination in the wake of privatization -gender Justice-Rights of third gender-Uniform Civil Code-Freedom of Speech and Expression -Right to broadcast and telecast-Right to Bandhs, Right to Strike, Bandhs.

#### UNIT-III

New regime of Constitutional Rights-Reading Directive Principles and Duties in to Fundamental Rights-Theory of Emanation-Compensatory Jurisprudence-Right to Education-Right to Information-Right to wholesome environment- Doctrine of public trust

#### UNIT-IV

Institutional Dynamics-An overview of functioning of three organs of State with special reference to the Indian experience of post independence era -Separation of Powers, and theory of checks and Balances-Privileges and Immunities of Legislature and their members-Judicial Activism and Judicial Accountability-Contempt of Court-Political Morality and effect of Anti-defection Law

Suggested Readings:

1. H. M. Seervai, Constitutional Law of India (in 2-Volumes), Universal Book Traders, New Delhi.
2. Granville Austin, Indian Constitutionalism, Clarendon Press, Oxford.

3. Constituent Assembly Debates (Official Report),(in 5 Books and 12 Volumes),Lok Sabha Secretariat, New Delhi.
4. B.Shiva Rao, Framing of the Indian Constitution (in 5-Volumes),Indian Institute of Public Administration, New Delhi.
5. M.P.Jain, Constitutional Law of India, Wadhwa and Co., Nagpur.
6. Granville Austin, Working a Democratic Constitution: A History of the Indian Experience, OUP
7. Landmark and Recent Articles on relevant topics published in Standard Law Journals like Journal of Indian Law Institute, Indian Bar Review, All India Reporter and Supreme Court Cases & landmark judgments of Indian Higher Judiciary on the given topics.

## Paper IX: DISSERTATION

LL.M. IV Semester students shall have to submit Dissertation on the topic approved by the concerned Committee before the expiry of the date as almanac in accordance with guidelines given below. Further the topics should be got approved before the expiry of the III semester. The candidates fail to submit the thesis before the stipulated date will have to submit the along with the next batch.

1. *LL.M. IV Semester students shall prepare a synopsis on the topics allotted to them.*
2. *It must be approved by the Guide and be submitted to the concerned Principals in the first week, after commencement of LL.M. IV semester.*
3. *A Record shall be maintained by the students in which the summary of study and the progress made by them shall be entered once in every 15 days and it is to be signed by the guide in approval of the same.*
4. *Thorough discussion shall be had by the students with the Guide at the end of the study, and the thesis shall be prepared on the lines indicated by the Guide.*

5. *The thesis shall correspond with the notes/record maintained by the Guide.*

The thesis shall be equivalent to two theory papers, and there will be 200 marks out of which 160 shall be for evaluation and 40 shall be for *viva-voce examination*.

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Faculty of Law  
Osmania University  
LL.M. Syllabus  
(Revised w.e.f. the Academic Year 2017-2018)

**Duration** : 02 Years  
**Total No. of Semesters** : 04  
**Duration of each semester** : 15 weeks

BRANCH-VI

**Crimes and Torts**

Year	Semester/ Paper No.	Paper	Marks in End Semester Exam	Marks in Internal exams	Total Marks
First Year- First Semester	I/I	Schools of Jurisprudence and Theories of Law	80	20	100
□	I/II	General Principles of Criminal Law	80	20	100
First Year- Second Semester	II/III	Criminology and Penology	80	20	100
□	II/IV	Law relating to Socio- Economic Offences	80	20	100
Second Year-Third Semester	III/V	Legal Research Methodology	80	20	100
□	III/VI	General Principles of Law of Torts	80	20	100
Second Year- Fourth Semester	IV/VII	Law Relating to Specific Torts.	80	20	100
□	IV/VIII	Indian Constitutional Law: The New Challenges Thesis	80	20	100
□	IV/IX	Dissertation	160 for thesis	40 for viva- voce	200
			Grand Total		1000

**SEMESTER-I****PAPER-I****SCHOOLS OF JURISPRUDENCE AND THEORIES OF LAW**  
(Common Paper for All the Branches)**UNIT -I**

Nature and scope of Jurisprudence Classification of Jurisprudence into Schools Salient features of Analytical, Historical, Philosophical and Sociological Schools.

**UNIT -II**

Meaning of Positivism Analytical positivism of Bentham and Austin- Kelsen's Pure Theory of Law Hart's Concept of Law Dworkin's criticism Hart Fuller controversy Hart Devlin's debate Modern trends in Analytical and Normative Jurisprudence Rawls and Distributive Justice Nozick and the Minimal State.

**UNIT -III**

Historical and Ancient Indian Jurisprudence Savigny's concept of Volksgeist Contribution of Henry Maine; Economic theory of law Views of Karl Marx and Friedrich Engels Sociological theories of law- Contribution of Ihering Contribution of Ehrlich Duguits theory of Social Solidarity Roscoe Pound's Social Engineering and Classification of Interests American and Scandinavian Realism Critical Legal Studies Movement.

**UNIT -IV**

Theories of Natural Law Meaning of Natural Law History of Natural Law- Greek origins Medieval period View of St. Thomas Aquinas Period of Renaissance/Reformation Grotius and International Law- Transcendental Idealism View of Immanuel Kant: Natural Law and Social Contract theories Stammler and Natural Law with variable content Fuller and the Morality of Law Hart on Natural Law Finnis and Restatement of Natural Law Positivists and Naturalists debate.

**Suggested Readings:**

1. G.W.Paton: A Text book of Jurisprudence, 4<sup>th</sup> Edition; Clarendon Press, Oxford, 1972.

2. *R.W.M. Dias*, Jurisprudence. 5<sup>th</sup> Edition; Aditya Books Private Ltd., New Delhi, 1994.
3. *W.Friedmann*: Legal Theory, 5th Edition; Columbia University Press, New York
4. *Dennis Lloyd*: Lloyd's Introduction to Jurisprudence, 6<sup>th</sup> Edition, Sweet and Maxwell, London, 1994.
5. *Julius Stone*: The Province and Function of Law; Associated General Publications Pvt. Ltd. Sydney.
6. *Howard Davies and David Holdcraft*: Jurisprudence: Texts and Commentary; Butterworths, London, Dublin, Edinburgh, 1991.
7. *S.N.Dhyani*: Fundamentals of Jurisprudence: The Indian Approach, 2<sup>nd</sup> Edition, Central Law Agency, Allahabad, 1997.
8. *Edgar Bodenheimer*: Jurisprudence; The Philosophy and Method of the Law, Universal Book Traders, Delhi, 1996.
9. *Rama Jois*, Seeds of Modern Public Law in Ancient Jurisprudence, Eastern Book Company, Lucknow, 1990.
10. *Rama Jois*, Ancient Indian Law-Eternal Values in Manu Smriti, Universal Law Publishing Co., New Delhi, 2002.

## **PAPER-II**

### **GENERAL PRINCIPLES OF CRIMINAL LAW**

#### **UNIT-I**

Definition and characteristics of Crime - Distinction between moral, civil and criminal wrongs - Origin and Development of the concept of crime-Development and growth of Criminal Law - Sources of Criminal Law.

#### **UNIT-II**

Principles of Criminal Liability - Elements of Crime - Actus reus- Mensrea - Mensrea in Indian Law - Exceptions to the doctrine of mensrea-Exemptions from criminal liability under English Law and Indian Law.

#### **UNIT-III**

Group Liability and vicarious liability in criminal law - Classification of offences - Classification of offenders - Inchoate crimes - Abatement, Conspiracy and Attempt to commit a crime- Cyber crimes.

#### **UNIT-IV**

Investigation of crimes - principles of evidence - devices of investigation - Forensic analysis, narco-analysis. DNA analysis.



**Suggested Readings:**

1. Kenny's: Outline of Criminal Law, Edited by J. W. Cecil Turner, Cambridge University Press, Reprint ,N.M.Tripathi Pvt. Ltd.
2. J.C.Smith and Brian Hogan: Criminal Law , ELBS, Butterworths & Co., London).
3. Glanville Williams: Text Book on Criminal Law,Stevens & Sons. London Eastern Law House, N.M. Tripathi in India).
4. Hari Singh Gour: The Penal Law of India (VoL.I), Law Publishers, Allahabad.
5. Nelsen's: The Indian Penal Code - Revised by S.N. Mulla & G.L.Gupta, Law Book Co., Allahabad.
6. K.D. Gaur: Criminal Law: Cases and Material,N.M. Tripathi Pvt. Ltd., Bombay.
7. Ratanlal & Dhirajlal's : Law of Crimes, Revised by Justice D.A.Desai, Justice. M.L .Jain and Dr. N.R. Madhava Menon, Bharat Law House.

**SEMESTER-II****PAPER-III****CRIMINOLOGY AND PENOLOGY****UNIT-I**

The scope and importance of the study of Criminology - Relation between Criminology, Criminal Policy and Criminal Law - Concept of crime -Legal and criminological concept of crime; Schools of Criminology - Causation of crime - Different theories -Classical School of Criminology - Positive School of Criminology - Anthropological theory of criminal behaviour - Heredity and mental retardation - Social causes of crime.

**UNIT - II**

Sociological theories - Social disorganization theory - Social vulnerable theories - Differential association theory - Economic theory of crime causation - Environmental influences - home and community influences - Broken home-Urban and rural crimes - The influence of media, motion pictures, television and video, press - Caste and community influences - communal riots -Emotional disturbance and other psychological factors - Psychological causation approach to crime.

**UNIT-III**

Concept of punishment - Theories of punishment- Modes of punishment- Imprisonment - Death sentence - Constitutionality of Capital punishment

problem of execution of death sentence - Commutation and Remission  
 Punishment-Imprisonment as a mode of punishment - the prison system  
 Classification of prisoners - Prison education - Prison labour - Prison offences  
 Prison reforms - Open air prisons - Correctional treatment - Rehabilitative techniques  
 - Post release assistance - Recidivism-Resocialisation process - Human Rights of  
 prisoners - Constitutional imperatives - Probation, parole and  
 furlough.

#### UNIT -IV

Juvenile delinquency - Causes and the prevention of juvenile delinquency  
 protection of children - Law of juvenile justice - The Juvenile Justice (Care and  
 Protection of Children) Act - treatment of juvenile offenders - Juvenile courts  
 juvenile boards - Borstal schools -Reformatory schools-Victimology-theory of  
 victimology-- Victims of crimes -compensation to victims - emerging trends in  
 victimology-rehabilitation of victims

#### Suggested Readings:

1. J. Sutherland and Cressey: Principles of Criminology, The Times of India Press, Bombay.
2. W.A. Bonagar : An Introduction to Criminology, Methuen & Co. Ltd., London.
3. H.E. Barnes and N.K. Teeters: New Horizons in Criminology, Prentice Hall of India Pvt., Ltd., New Delhi.
4. Ahmed Siddiqui: Criminology, Problems and Perspectives, Eastern Book Company, Lucknow.
5. N.V. Paranjape : Criminology and Penology, 9th Ed., 1996, Central Law Agency, Allahabad.
6. Katherine S Williams, Text Book On Criminology , Blackstone, London.
7. Manheim, H. Comparative Criminology: A Text Book .
8. J.M. Sethna, Society and the Criminal .
9. W.C.Reckless, The Prevention of Juvenile Delinquency .

**Paper-IV**  
**LAW RELATING TO SOCIO-ECONOMIC OFFENCES**

**UNIT-I**

Socio-economic offences - Concept of white collar crime - Crimes in professions - doctors, lawyers, teachers, engineers, journalists, architects, publishers - Corruption in public life - legislators, judges, bureaucrats - Cyber crimes. Indian approach to socio-economic offences - Regulation and control of socio-economic offences - provisions as to arrest, prosecution, proof and punishment.

**UNIT-II**

Protection of Civil Rights Act, 1955 - Violence Against Women and Children - Immoral Traffic (Prevention) Act, 1956 - Dowry Prohibition Act, 1961 - The Protection of Women from Domestic Violence Act, 2005 - The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2014 - The Protection of Children from Sexual Offences, 2013

**UNIT-III**

Bonded Labour System (Abolition) Act, 1976 - Prevention of Food Adulteration Act, 1954 - Latest law relating to food safety and standards - Essential Commodities Act, 1955 - Law Relating to Food Safety and Standards.

**UNIT -IV**

Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1988 - Narcotic Drugs and Psychotropic Substances Act, 1986 - Prevention of Corruption Act, 1988.

**Suggested Readings:**

1. Edwin Sutherland: White Collar Crime, Yale University press.
2. Law Commission's Report on Socio-economic Offences (Forty-Seventh Report),
3. J.S.P. Singh: Socio-Economic Offences, Sri Sai Law Publications, Faridabad.
4. Upendra Baxi, Liberty and Corruption: The Antulay Case and Beyond .
5. Surendranath Dwevedi and G.S. Bhargava, Political Corruption in India .
6. A.G. Noorani. Minister's Misconduct .
7. B.B. Pande, 'The Nature and Dimensions of Privileged Class

'Deviance' in The Other Side of Development 136 (1987; K.S. Sukhla ed.).

## SEMESTER-III

### Paper V

## Legal Research Methodology

(Common Paper for All the Branches)

#### Unit-I:

Meaning of Research-Types of Research-Scientific Method-Social Research Scope and importance of Legal Research-Concepts-Variable-Definitions-Relevance of empirical research in law-Deduction-Cased study

#### Unit II:

Finding the Law Sources of legal material including law reporting in India Using a law library-Survey of available legal materials- bibliographical search. Research Methods-Sociological research and doctrinal research.

#### Unit III:

Research tools and techniques for collection of data-Observation -Questionnaire-Schedule-Interview-Sampling techniques- Typing of Formulation of Research Problem-Hypothesis-Research Design.

#### Unit-IV:

Data processing and analysis of Statistics in the analysis and interpretation of data of computers in Legal Research writing. Legal Research and Lawns-Types of Research needed for Law Reforms-Analytical Research, Historical Research.

#### Suggested Readings:

1. Goode & Hatt: Methods in Social Research:McGraw-Hill Book Company,Singapore 1981

2. C.R.Kothari: Research Methodology :Methods and Techniques,2<sup>d</sup> Edition,WishwaPrakashan,NewDelhi,1995.
3. Wilkinson & Bhandarkar, Methodology and Techniques of Social Research,9<sup>th</sup> Edition, Himalaya Publishing Housing, Bombay-Delhi-Nagpur 1994.
4. Pauline V Young :Scientific Social Survey and research,3<sup>rd</sup> Edition,PrenticeHall,NewYork,1960.
5. B.N.Ghosh, Scientific Method and Social Research;4<sup>th</sup> Edition Sterling Publishers Private Limited ,NewDelhi,1987 .
6. S.K.Verma & Afzalwani, Legal Research and Methodology; ILLI Publication , New Delhi,
7. Hans Raj, Theory and Practice in Social Research;4<sup>th</sup> Edition, Surjeet Publicatios,NewDelhi,1992.

## PAPER – VI

### GENERAL PRINCIPLES OF LAW OF TORTS

#### Unit-I

Origin and Development of Law of Torts and its importance – Definition and nature of tort - Difference between torts and other forms of obligations- Contracts - Quasi Contracts - Equitable obligations and crimes -Foundation of tortious liability - General Characteristics of tortuous liability- Mental element in tort.

#### Unit-II

Capacity of the Parties to sue and be sued -Immunities, Trade Unions-Married women, children, companies, insane persons, foreign state ambassadors et Joint Tortfeasors - Nature and scope of liability Rule in Merry Weather v Nixon - Applicability in India - Defences.

#### Unit-III

Vicarious liability - State liability - Act of State - Sovereign Immunity -Recent Trends - Strict liability - Absolute liability - Defences.

#### Unit-IV

Remedies - Judicial and Extra Judicial Remedies - Modes of discharge liability in Tort - Death in relation to Tort.

**Suggested Readings:**

1. W.V.H. Rogers: Winfield and Jolowica on Tort, Sweet and Maxwell, London.
2. R.F. Henston and R.A. Buckley: Salmond and Henston on the Law of Torts, Sweet and Maxwell, London, Universal Book Traders, Delhi.
3. Tony Weir: A case book on To11, Sweet and Maxwell, London.
4. Clark and Windsel: Law of Torts, Sweet and Maxwell, London.
5. Friedman: Law in Changing Society, Universal Book Traders, Delhi.
6. Harper and James: Law of Torts.
7. Fleming: Introduction to the Law of Torts.
8. Winfield: Provinces of the Law of Torts.
9. Winfield: On the Law of Torts.
10. Salmond: On the Law of Torts.
11. Harvard Law Review: Selected Essays on the Law of Torts.
12. Atiyah : Vicarious Liability.

**SEMESTER-IV****PAPER –VII****LAW RELATING TO SPECIFIC TORTS****Unit-I**

Trespass to the person - Nervous Shock - Trespass to land - Trespass to goods  
- Nuisance - Injury to servitudes.

**Unit-II**

Negligence - Liability for animals - Liability for land and structures -Liability for  
defective products.

**Unit-III**

Defamation - Abuse of legal process - Deceit and Negligent Misstatement.

**Unit-IV**

Injuries affecting family and service - Relationships - Interference with contracts  
or business relations - Intimidation - Conspiracy – Unlawful competition.

## Suggested Readings

1. W.V.H: Rogers: Winfield and Jolowich on Tort, Sweet and Maxwell, London.
- 2.R.F. Henston and R.A. Buckley: Salmond and Henston on the Law of Torts, Sweet and Maxwell, London, Universal Book Traders, Delhi.
- 3.B.M. Gandhi: Law of Tort, Eastern Book Company, Lucknow.
- 4.Clark and Windzel: Law of Talis, Sweet and Maxwell, London.
- 5.Gregory and Kalven: Law of Torts (Cases and Materials).
6. Chapman: Statutes on the Law of Torts.
- 7.Glanville Williams: Joint Torts and Contributory Negligence.

## Paper VIII

### Indian Constitutional Law: The New Challenges

(Common Paper for All the Branches)

#### UNIT-I

Concept of Federalism-Allocation of resources-Inter State Disputes -C State Relations-Special status of certain States-Concept of Secularism religious fanaticism-Definition of State-Need for widening the definition wake of recent developments.

#### UNIT-II

Right to Equality-its new dimensions-Protective Discrimination in the privatization -gender Justice-Rights of third gender-Uniform Civil Freedom of Speech and Expression -Right to broadcast and telecast-R Strike, Harta and Bandh.

#### UNIT-III

New regime of Constitutional Rights-Reading Directive Principles Fundamental Duties to Fundamental Rights Theory of Emanation Compensatory Jurisprudence Right to Education Right to Information Right to wholesome environment- Doctrine of public trust

#### UNIT-IV

Institutional Dynamics-An overview of functioning of three organs of state with special reference to the Indian experience of post independence  
 Separation of Powers, and theory of checks and Balances-Privileges and Immunities of Legislatures and their members-Judicial Activism and Accountability-Contempt of Courts-Political Morality and effect of defection Law

Suggested Readings:

1. H. M. Seervai, Constitutional Law of India (in 2-Volumes), Universal Book Traders, New Delhi.
2. Granville Austin, Indian Constitution: A Cornerstone Nation, Clarendon Press, Oxford.
3. Constituent Assembly Debates (Official Report),(in 5 Books and 12 Volumes), Lok Sabha Secretariat, New Delhi.
4. B.Shiva Rao, Framing of the Indian Constitution (in 5-Volumes), Indian Institute of Public Administration, New Delhi.
5. M.P.Jain, Constitutional Law of India, Wadhwa and Co., Nagpur.
6. Granville Austin, Working a Democratic Constitution: A History of the Indian Experience, OUP
7. Landmark and Recent Articles on relevant topics published in Standard Law Journals like Journal of Indian Law Institute, Indian Bar Review, All India Reporter and Supreme Court Cases & landmark judgments of Indian Higher Judiciary on the given topics.

### Paper IX: DISSERTATION

LL.M. IV Semester students shall have to submit Dissertation on the topic approved by the concerned Committee before the expiry of the date as per the almanac in accordance with guidelines given below. Further



topics for the thesis should be got approved before the expiry of the semester. The candidates who fail to submit the thesis before the stipulated date will have to submit it along with the next batch.

1. *LL.M. IV Semester students shall prepare a synopsis on the topics allotted to them.*
2. *It must be approved by the Guide and be submitted to the concerned Principals in the first week, after commencement of LL.M. IV semester.*
3. *A Record shall be maintained by the students in which the summary of study and the progress made by them shall be entered once in every 15 days and it is to be signed by the guide in approval of the same.*
4. *Thorough discussion shall be had by the students with the Guide at the end of the study, and the thesis shall be prepared on the lines indicated by the Guide.*
5. *The thesis shall correspond with the notes/record maintained by the Guide.*

The thesis shall be equivalent to two theory papers, and there will be 200 marks out of which 160 shall be for evaluation and 40 shall be for viva-voce examination.

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Faculty of Law  
Osmania University  
LL.M. Syllabus  
(Revised w.e.f. the Academic Year 2017-2018)

**Duration** : 02 Years  
**Total No. of Semesters** : 04  
**Duration of each semester** : 15 weeks

**BRANCH-VII**

**Alternative Dispute Resolution**

Year	Semester/ Paper No.	Paper	Marks in End Semester Exam	Marks in Internal exams	Total Marks
First Year- First Semester	I/I	Schools of Jurisprudence and Theories of Law	80	20	100
□	I/II	Alternative Dispute Resolution: Concepts & Methods	80	20	100
First Year- Second Semester	II/III	Law of Arbitration and Conciliation in India	80	20	100
□	II/IV	Online Dispute Resolution	80	20	100
Second Year-Third Semester	III/V	Legal Research Methodology	80	20	100
□	III/VI	Family Dispute Resolution	80	20	100
Second Year- Fourth Semester	IV/VII	International Commercial Arbitration	80	20	100
□	IV/VIII	Indian Constitutional Law: The New Challenges Thesis	80	20	100
□	IV/IX	Dissertation	160 for thesis	40 for viva- voce	200
			Grand Total		1000

**SEMESTER-I****PAPER-I****SCHOOLS OF JURISPRUDENCE AND THEORIES OF LAW  
(Common Paper for All the Branches)****UNIT-I**

Nature and scope of Jurisprudence Classification of Jurisprudence Schools  
Salient features of Analytical, Historical, Philosophical and Sociological Schools.

**UNIT-II**

Meaning of Positivism Analytical positivism of Bentham and Austin  
Pure Theory of Law's Concept of Law Dworkin's critique Hart/Fuller  
controversy Hart/Devlin's debate Modern trends Analytical and Normative  
Jurisprudence Rawls and Distributive Justice Nozick and the Minimal State.

**UNIT-III**

Historical and Ancient Indian Jurisprudence Savigny's concept Volkgeist  
Contribution of Henry Maine; Economic theory Views of Karl Marx and  
Friedrich Engels Sociological theories of law-Contribution of Ihering  
Contribution of Ehrlich theory of Social Solidarity POUND'S  
Social Engineering and Classification of Interests and Scandinavian  
Realism Critical Legal Studies Movement.

**UNIT-IV**

Theories of Natural Law Meaning of Natural Law History of Natural Law-Greek  
origins Medieval period View of St. Thomas Aquinas Period of  
Renaissance/Reformation and International Law- Transcendental  
Idealism View of Immanuel Kant": Natural Law and Contract theories  
Stammler and Natural Law with variable content and the Morality of Law  
Hart on Natural Law Rawls and Restatement of Natural Law Positivists and  
Naturalists debate

**Suggested Readings:**

1. G.W.Paton: A Text book of Jurisprudence, 4<sup>th</sup> Edition; Clarendon Press, Oxford, 1972.
2. R.W.M. Dias, Jurisprudence. 5<sup>th</sup> Edition; Aditya Books Private Ltd., New

- Delhi, 1994.
3. W.Friedmann: Legal Theory, 5th Edition; Columbia University Press, New York
  4. Dennis Lloyd: Lloyd's Introduction to Jurisprudence, 6<sup>th</sup> Edition, Sweet and Maxwell, London, 1994.
  5. Julius Stone: The Province and Function of Law; Associated General Publications Pvt. Ltd. Sydney.
  6. Howard Davies and David Holdcraft: Jurisprudence: Texts and Commentary; Butterworths, London, Dublin, Edinburgh, 1991.
  7. S.N.Dhyani: Fundamentals of Jurisprudence: The Indian Approach, 2<sup>nd</sup> Edition, Central Law Agency, Allahabad, 1997.
  8. Edgar Bodenheimer: Jurisprudence; The Philosophy and Method of the Law, Universal Book Traders, Delhi, 1996.
  9. Rama Jois, Seeds of Modern Public Law in Ancient Jurisprudence, Eastern Book Company, Lucknow, 1990.
  10. Rama Jois, Ancient Indian Law-Eternal Values in Manu Smriti, Universal Law Publishing Co., New Delhi, 2002.

## PAPER-II

### **ALTERNATIVE DISPUTE RESOLUTION (ADR): CONCEPTS AND METHODS**

#### **Unit-I**

Introduction to ADR-Definition, Meaning and Scope: dispute Resolution through third party settlement; Disputes and kinds of disputes; dispute resolution as a State monopoly Judiciary as the Third estate; Adjudication: Common Law System and Continental System; Adversarial System-Doctrine of Precedent and Judicial Hierarchy; Substantive Law and Procedural Law; Advantages and Disadvantages of Judicial Settlement: Law's Delays-Importance and Advantages of ADR; Emerging Global Trends in Favour of ADR.

#### **UNIT-II**

Procedural Law: Law of Civil Procedure ;Basic Principles: Audi Alteram Partem; Right to Fair Hearing; Nemo Judex in Causa Sua; Cause of Action; Complaint and Written Statement; Framing of Issues: Summons; Discovery, Interrogatories and admissions ;Trial-Summary Procedure; Law of Evidence: Kinds of Evidence: Relevancy and Admissibility of Evidence; Affidavits and Examination of Witnesses; Judgment: Appeals: Execution of Decrees. Need for judicial reforms: Access to Justice-Lord Wolffe's Report in England.

#### **UNIT-III**

ADR Kinds; Arbitration, Mediation, Conciliation, Negotiation and Good offices; Types and Skills of Negotiation ;Hybrid Forms-Med-arb and Arb-med; Binding and Non Binding Arbitration; Need for Professional

Arbitrators and Conciliators; Fast-Track Arbitration : Court-Annexed Arbitration: Section 89 of Civil Procedure Code of India: Institutionalized Arbitration: Permanent Court of Arbitration at Hague.-Arbitration Councils and Associations in USA.UK, Singapore and India

#### UNIT-IV

ADR and its Application in India; ADR in ancient India-Nyaya Panchayats etc; ADR and Its modern applications: Application of ADR in Different Fields: Family, Industrial and Employment: Motor Vehicle Accidents, Medical Negligence, Commercial. Cyber space Disputes: Online Dispute Resolution (ODR): LokPal and Lok Ayukta: Legal Aid

#### ***Suggested Readings:***

1. Dr.Avatar Singh-Law of Arbitration and Conciliation including ADR System, Eastern Book Company, Lucknow.
2. Venu Gopal KK – Justice Bachawat's Law of Arbitration and Conciliation including commercial, international and ADR
3. P.C.Rao & William - Alternative Dispute Resolution, Universal Law Sheffield Publishing Ltd.
4. S. K. Chawla, Law of Arbitration and Conciliation Act 1996-A Commentary, Universal Law Publishing Ltd.
5. Anthony Walton Russell on Law of Arbitration 18thEd. 1970 Stevens & Sons Ltd., London.
- 6 G. K. Kwatra - The Arbitration and Conciliation Law of India (with case law on UNCITRAL model law on Arbitration).The Indian Council of Arbitration.
- 7 N. D. Basu- Arbitration & Conciliation Commentary-Orient Publishing House(1998).
8. John Sutton, Kendall & Judith Gill,- Russell on Arbitration; Sweet & Maxwell, London( 1997).
9. H.C.Johri,CommentaryonArbitration&ConciliationAct,1996;Kamal Law House, Calcutta(!997)
- 10 G.KKwatra-TheNewArbitration&ConciliationLawofIndia,ICA,1998.
11. Relevant Reports of the Law Commission of India.

## SEMESTER-II

### PAPER-III

## Law of Arbitration and Conciliation India

### Unit-I

Evolution of Arbitration Law in India Arbitration Act of- 1940  
 Drawbacks of the-Background of Arbitration and Conciliation  
 Act,1996; Liberalization and globalization of economies and industries  
 UNCITRAL Model Laws on International Commercial Arbitration and  
 International Conciliations; and objectives of the Arbitration and  
 Conciliation Act, 1996; Salient features

### Unit-II

Arbitration and Arbitral agreement definition and essential legal  
 requisites conformity with Indian Contract Act of the Act;  
 Arbitration Agreements and arbitration Clauses; Arbitrable and non  
 arbitrable disputes; constitution and arbitration Appointment of  
 Arbitrators-Qualifications; Independence and Impartiality; Validity of In  
 House Arbitrators; Number of Arbitrators; Procedure for appointment of  
 arbitrators :Presiding Officer of the Arbitration Tribunal-Powers and  
 Functions; Challenge to Arbitrators; Termination of the Mandate of Arbitrator

### Unit-III

Jurisdiction of the arbitration tribunal; Arbitral Procedure and jurisdiction  
 Issues; Interim Measures; Venue etc of the tribunal; Commencement of  
 Proceedings; Claim and Defense; Hearings and Written proceedings  
 Restriction on Court's Intervention in arbitral proceedings; Court's Assistance  
 Applicable Law; Decision-making by tribunal; settlement through  
 conciliation Termination of proceedings Arbitral Award; Definition and  
 Kinds; Decision ex aequo et bono; Form and Contents of award-aside of  
 Award; Finality and Enforcement of Awards; Appealable Orders; Costs;  
 Limitation Recommendations of the Indian Law Commission Regarding  
 Amendments to the 1996 Act.

## Unit-IV

Meaning and Scope of Conciliation; Distinction between Conciliation and mediation; Role of Negotiation in Conciliation; Advantages of Conciliation; Appointment of Conciliators; Conduct of Conciliation proceedings; Qualifications of Conciliators; Role of Conciliator in communication between conciliator and parties inter se; City, Place of Arbitral and Judicial Proceedings during conciliation proceedings; Settlement Agreement-Status Effect; Termination of Conciliation Proceedings; Costs etc.

### Suggested Readings:

1. Dr. Avatar Singh - Law of Arbitration and Conciliation including ADR System - 7th Ed. 2005, Eastern Book Company - Lucknow.
2. Venu Gopal K.K - Justice Bachawat's Law of Arbitration and Conciliation Including commercial, international and ICA 1996, 1999.
3. P.C. Rao & William - Alternative Dispute Resolution 1997 Universal Law Sheffield Publishing Ltd.
4. S.K. Chawla - Law of Arbitration and Conciliation Act 1996 A commentary - (1999) Universal Law Publishing Ltd.
5. Anthony Walton Russell - on Law of Arbitration 1978. Stevens & Sons Ltd., London.
6. G.K. Kwatra, The Arbitration and Conciliation Law of India (with case law on UNCITRAL model law on Arbitration). The Indian Council of Arbitration.
7. N.D. Basu - Arbitration & Conciliation Commentary - Orient Publishing House (1998).
8. Goyal G.C - Arbitration & Conciliation Act, Khetrpal Public Ltd. (1998).
9. John Sutton Kendall & Judith Gill: Russell on Arbitration, Sweet & Maxwell, London (1997).
10. H.C. Johri: Commentary on Arbitration & Conciliation Act, 1996; Law House, Calcutta (1997).
11. G.K. Kwatra: The New Arbitration & Conciliation Law of India, ICA. 1998.
12. Relevant Reports of the Law Commission of India.

## Paper IV Online Dispute Resolution

### Unit I

History and Development of Online Dispute Resolution (ODR) Law and Cyberspace Meaning and scope of Cyberspace; Problems in absence of territoriality in cyberspace communications and transactions; Use of Internet E-commerce and the Problems of online conclusion of contracts; Validity of Online Contract and Arbitration Agreement; Problems of Substitution of Paper Based Documents by Electronic Documents; Clickwrap and Shrinkwrap contracts; Problem of electronic documents; Electronic Data Interchange.

### Unit II

ODR- kinds and uses; Legal issues involved in ODR; Online Negotiation Automated Negotiation, Assisted Negotiation; Online Mediation and Online Arbitration; Cybercourts; Types of Online Communications; E-Mediation and E-Negotiation; Problems of Security Methods of Encryption

### Unit-III

ODR Service Providers and Different Technologies; Legal liability of Service Providers- Kinds of Online Disputes; Party Autonomy; Business to Business (B2B), Business to Consumer (B2C) and Consumer to Consumer (C2C) disputes; Issues of Unequal Balance between the parties and unequal Access to Technology;

### Unit-IV

ODR and Virtual Court; Use of ODR in Normal Litigation; Connected ODR; Examination of Witnesses and Submission of Arguments; Problems and Prospects of Litigation Conferencing; Problems of enforcement of ODR Arbitral Awards under Geneva and New York Conventions; Problems of ODR under the Arbitration and Conciliation Act of 1996; E-Courts in India & Justice System I India Administration of Justice through technology.

Suggested Readings:



1. Dr. Avata Singh Law of Arbitration and Conciliation including ADR system 7<sup>th</sup> Ed. 2005 Eastern Book Company Lucknow.
2. P.C. Rao & William Alternative Dispute Resolution 1<sup>st</sup> Ed.-1997 Universal Law Sheffield Publishing Ltd.
3. H.C. John Commentary on Arbitration & Conciliation Act, 1996 Kamal Law House, Calcutta (1997).
4. G.K. Kwatra The New Arbitration & Conciliation Law India ICA, 1998.
5. Gabrielle Kaufmann  
Online Dispute Resolution: Challenges for Contemporary Justice, Kohler & Thomas Wolters Kluwer, UK Schultz.
6. Relevant Reports of the Law Commission of India.

## SEMESTER-III

### Paper V

### Legal Research Methodology

(Common Paper for All the Branches)

#### Unit-I:

Meaning of Research-Types of Research-Scientific Method-Social Research  
Scope and importance of Legal Research-Concepts-Variables Definitions-Research of empirical research in law-Inductive and Deductive Case study

#### Unit II:

Finding the law Sources of legal material including case law reporting in India  
Using a law library-Survey of available legal materials-Graphical search. Research Methods-Sociological research-doctrinal and non-doctrinal research.

#### Unit III:

Research tools and techniques for collection of data-Observation -Questionnaire-Schedule-Interview-Sampling techniques-Types of Formulation of Research Problem-Hypothesis-Research Design.

## Unit-IV:

Data processing and analysis of Statistics in the analysis and interpretation of data. Use of computers in Legal Research writing. Legal Research and Law Reforms-Types of Research needed for Reforms. Analytical Research, Historical Research.

### Suggested Readings:

1. Goode & Hatt: Methods in Social Research: McGraw-Hill Book Company, Singapore 1981
2. C.R. Kothari: Research Methodology : Methods and Techniques, 2<sup>nd</sup> Edition, Wishwa Prakashan, New Delhi, 1995.
3. Wilkinson & Bhandarkar, Methodology and Techniques of Social Research, 9<sup>th</sup> Edition, Himalaya Publishing Housing, Bombay-Delhi-Nagpur 1994.
4. Pauline V Young : Scientific Social Survey and research, 3<sup>rd</sup> Edition, Prentice Hall, New York, 1960.
5. B.N. Ghosh, Scientific Method and Social Research; 4<sup>th</sup> Edition Sterling Publishers Private Limited, New Delhi, 1987.
6. S.K. Verma & Afzalwani, Legal Research and Methodology; ILI Publication, New Delhi,
7. Hans Raj, Theory and Practice in Social Research; 4<sup>th</sup> Edition, Surjeet Publications, New Delhi, 1992.

## Paper VI Family Dispute Resolution

### Unit-I

Nature and scope of family law. Subjects of family law- Unification of Intra and inter religious family laws. Hindu, Muslim, Christian theories of marriage. Polyandry, polygamy and Monogamy. Marriage a holy union and contractual obligation and dower.

### Unit-II

Matrimonial remedies. Dissolution of conjugal rights. Judicial separation, nullity of marriage and divorce, maintenance, custody of child, guardianship of different persons in India.

### Unit-III

Family courts jurisdiction, adjudication, trial and procedure statutory recognition of consideration under various personal laws, Hindu marriage and Divorce Act, 1955, Special Marriage Act, 1954, CPC, 1908, Indian Divorce Act, 1869, and Family Courts Act, 1984, the Protection of Women from Domestic Violence Act, 2006.

### Unit-IV

Family problems identification of contemporary issues and factors to family crisis family counseling family conciliation the role of counselor and conciliator in family reconciliation

#### Suggested Readings:

1. Dr. Avtar Singh, Law of Arbitration and Conciliation including ADR system 7<sup>th</sup> Ed. 2005 Eastern Book Company.
2. P.C. Rao & William Alternative Dispute Resolution 1997 Universal Law Sheffield Publishing Ltd.
3. H.C. John, Commentary on Arbitration & Conciliation Act, 1996, Kamal Law House, Calcutta (1997).
4. G.K. Kwatra, The New Arbitration & Conciliation in India, 1998.
5. Relevant Reports of the Law Commission of India.
6. Paras Diwan, Modern Hindu Law, Allahabad Law Agency.
7. Aquil Ahmed, Mohemmedan Law, Centurion Law Agency.
8. G C V Subba Rao, Family Law in India, S. Gogia & Co.

## SEMESTER-IV

### Paper-VII

## International Commercial Arbitration

### Unit-I

Importance of International Commercial Arbitration (ICA); Impact of Globalization on the Growth of ICA; The rationale of UNCITRAL Model Law on ICA of 1985; Definition of ICA under the Indian Arbitration and Conciliation Act of 1996; Scope and meaning of the terms "international" and "commercial" in the context of judicial interpretation.

## UNIT-II

Role of Private International Law in settlement of commercial disputes; Application of Private International Law to contractual relations; Doctrine of Proper Law of Contracting and scope; Problems arising out of the application of rules of Private International Law; Uniformity among countries; Defense of Sovereign Immunity in arbitration proceedings relating to disputes between States; The United Nations Convention on Jurisdictional Immunities of States and their Properties of 2004; Scope and Extent Application of the provisions of the Indian Arbitration and Conciliation Act of 1996 to ICA.

## UNIT-III

Enforcement of Foreign Arbitral Awards in India; Geneva Protocol on Arbitration Clauses of 1923; Deficiencies of the Protocol; Geneva Convention on the Execution of Foreign Awards of 1927; Salient Features of the Geneva Convention; Arbitration (Protocol and Convention) Act of 1937; New York Convention on Recognition and Enforcement of Foreign Arbitral Awards of 1958; The Indian Awards (Recognition and Enforcement) Act of 1961.

## UNIT-IV

Provisions of Part II of the Indian Arbitration and Conciliation Act of 1996 provisions of CPC and Indian Evidence Act, 1872 regarding Enforcement of Geneva and New York Conventions Awards and "On-Convention" awards; Enforcement of Non-Convention Awards in India; Reservations to the Geneva and New Conventions regarding conditions of reciprocity and commercial disputes; Conditions for Enforcement and-Non Enforcement of the Convention Awards under the 1996 Act.

## Suggested Readings:

- o Dr Avata Singh Law of Arbitration and Conciliation including ADR system 7<sup>th</sup> Ed. 2005 Eastern Book Company, Lucknow.
- o P.C.Rao & William Alternative Dispute Resolution 1<sup>st</sup> Ed.-1997 Universal Law Sheffield Publishing Ltd.
- o H.C.John Commentary on Arbitration & Conciliation Act, 1996, Kamal Law House, Calcutta (1997).
- o G.K.Kwatra The New Arbitration & Conciliation India ICA, 1998.
- o Relevant Reports of the Commission of India.
- o Paras Diwan, Modern Hindu Law, Allahabad Law Agency
- o Aquil Ahmed, Mohemmedan Law, Central Law Agency

- o G C V Subba Rao, Family Law in India, S. Gogia & Co.

## Paper VIII

### Indian Constitutional Law: The New Challenges

(Common Paper for All the Branches)

#### UNIT-I

Concept of Federalism-Allocation of resources-Inter State Disputes -Centre-States Relations-Special status of certain States-Concept of Secularism and religious fanaticism-Definition of State-Need for widening the definition in the wake of developments.

#### UNIT-II

Right to Equality-its new dimensions-Protective Discrimination in the wake of privatization -gender Justice-Rights of third gender-Uniform Civil Code-Freedom of Speech and Expression -Right to broadcast and telecast-Right to Strike, Bandh.

#### UNIT-III

New regime of Constitutional Rights-Reading Directive Principles and Duties in to Fundamental Rights-Theory of Emanation-Compensatory Jurisprudence-Right to Education-Right to Information-Right to wholesome environment- Doctrine of public trust

#### UNIT-IV

Institutional Dynamics-An overview of functioning of three organs of State with special reference to the Indian experience of post independence era -Separation of Powers, and theory of checks and Balances-Privileges and Immunities of Legislature and their members-Judicial Activism and Judicial Accountability-Contempt of Court- Political Morality and effect of Anti-defection Law

Suggested Readings:

1. H. M. Seervai, Constitutional Law of India (in 2-Volumes), Universal Book Traders, New Delhi.

2. Granville Austin, Indian Constitution, Clarendon Press, Oxford.
3. Constituent Assembly Debates (Official Report),(in 5 Books and 12 Volumes),Lok Sabha Secretariat, New Delhi.
4. B.Shiva Rao, Framing of the Indian Constitution (in 5-Volumes),Indian Institute of Public Administration, New Delhi.
5. M.P.Jain, Constitutional Law of India, Wadhwa and Co., Nagpur.
6. Granville Austin, Working a Democratic Constitution: A History of the Indian Experience, OUP
7. Landmark and Recent Articles on relevant topics published in Standard Law Journals like Journal of Indian Law Institute, Indian Bar Review, All India Reporter and Supreme Court Cases & landmark judgments of Indian Higher Judiciary on the given topics.

## Paper IX: DISSERTATION

LL.M. IV Semester students shall have to submit Dissertation on the topic approved by the concerned Committee before the expiry of the date as almanac in accordance with guidelines given below. Further the topics should be got approved before the expiry of the III semester. The candidates fail to submit thesis before the stipulated date will have to submit the along with the next batch.

1. *LL.M. IV Semester students shall prepare a synopsis on the topics allotted to them.*
2. *It must be approved by the Guide and be submitted to the concerned Principals in the first week, after commencement of LL.M. IV semester.*
3. *A Record shall be maintained by the students in which the summary of study and the progress made by them shall be entered once in every 15 days and it is to be signed by the guide in approval of the same.*

4. *Thorough discussion shall be had by the students with the Guide at the end of the study, and the thesis shall be prepared on the lines indicated by the Guide.*
5. *The thesis shall correspond with the notes/record maintained by the Guide.*

The thesis shall be equivalent to two theory papers, and there will be 200 marks out of which 160 shall be for evaluation and 40 shall be for *viva-voce examination*.

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Faculty of Law  
Osmania University  
LL.M. Syllabus  
(Revised w.e.f. the Academic Year 2017-2018)

**Duration** : 02 Years  
**Total No. of Semesters** : 04  
**Duration of each semester** : 15 weeks

**BRANCH-VIII**  
**Intellectual Property Rights**

Year	Semester/ Paper No.	Paper	Marks in End Semester Exam	Marks in Internal exams	Total Marks
First Year- First Semester	I/I	Schools of Jurisprudence and Theories of Law	80	20	100
□	I/II	Intellectual Property Rights: Concepts	80	20	100
First Year- Second Semester	II/III	International Legal Regime Relating to Intellectual Property Rights	80	20	100
□	II/IV	Law Relating to Copyright and Neighboring Rights	80	20	100
Second Year-Third Semester	III/V	Legal Research Methodology	80	20	100
□	III/VI	Law Relating to Patents in India	80	20	100
Second Year- Fourth Semester	IV/VII	Law Relating to Trademarks and Designs	80	20	100
□	IV/VIII	Indian Constitutional Law: The New Challenges Thesis	80	20	100
□	IV/IX	Dissertation	160 for thesis	40 for viva- voce	200
			Grand Total		1000



**SEMESTER-I****PAPER-I****SCHOOLS OF JURISPRUDENCE AND THEORIES OF LAW**

(Common Paper for All the Branches)

**UNIT-I**

Nature and scope of Jurisprudence. Classification of Jurisprudence into Schools. Salient features of Analytical, Historical, Philosophical and Sociological Schools.

**UNIT-II**

Meaning of Positivism. Analytical positivism of Bentham and Austin-

Kelsen's Pure Theory of Law, Hart's Concept of Law, Dworkin's criticism of Hart, Fuller controversy, Hart-Devlin's debate, Modern trends, Analytical and Normative Jurisprudence, Rawls and Distributive Justice, Nozick and the Minimal State.

### UNIT-III

Historical and Ancient Indian Jurisprudence, Savigny's concept of Volksgeist, Contribution of Henry Maine; Economic theory, Views of Karl Marx and Friedrich Engels, Logical theories of law- Contribution of Ihering, Contribution of Ehrlich, Durkheim's theory of Social Solidarity, Roscoe Pound's Social Engineering and Classification of Interests, American and Scandinavian Realism, Critical Legal Studies Movement.

### UNIT-IV

Theories of Natural Law, Meaning of Natural Law, History of Natural Law- Greek origins, Medieval period, View of St. Thomas Aquinas, Period of Renaissance/Reformation, Grotius and International Law- Transcendental Idealism, View of Immanuel Kant, Natural Law and Contract theories, Stammler and Natural Law with variable-Fulmerford and the Morality of Law, Hart on Natural Law, Finnis and Restatement of Natural Law, Positivists and Naturalists debate

#### Suggested Readings:

- G.W.Paton: A Text book of Jurisprudence, Clarendon Press, Oxford.
- R.W.M. Dias, Jurisprudence, Aditya Books Private Ltd., New Delhi
- W.Friedmann: Legal Theory, Columbia University Press, New York
- Dennis Lloyd: Lloyd's Introduction to Jurisprudence, Sweet and Maxwell, London .
- Julius Stone: The Province and Function of Law; Associated General Publications Pvt. Ltd. Sydney.
- Howard Davies and David Holdcraft: Jurisprudence: Texts and Commentary; Butterworths, London, Dublin, Edinburgh .
- S.N.Dhyani: Fundamentals of Jurisprudence: The Indian Approach, Central Law Agency, Allahabad .
- Edgar Bodenheimer: Jurisprudence; The Philosophy and Method of the Law, Universal Book Traders, Delhi.
- Rama Jois, Seeds of Modern Public Law in Ancient Jurisprudence, Eastern Book Company, Lucknow.
- Rama Jois, Ancient Indian Law-Eternal Values in Manu Smriti, Universal Law Publishing Co., New Delhi.

**PAPER-II****Intellectual Property Rights: Concepts****Unit-I**

Conceptual Framework of Property-Legal concept of Property-Elements of Property-Classification of Property-Theories of Property-Occupation Theory-Locke's Labour Theory of Property-Hegel's Personality Theory of Property-Marxian Theory on Private Property-Enoch D. Susskind's Theory and Social Trust Theory

**UNIT-II**

Jurisprudential aspects of property-ownership, Possession and title Constitutional Aspects of Property - Meaning, nature and evolution of Intellectual Property-Position in Ancient India-Analysis of WIPO definition of Intellectual Property-Theoretical justification for protection of IP

**UNIT-III**

Classification of Intellectual Property-Industrial Property, Literary Property and Emerging Forms-Traditional forms of IP-Patents, Trademarks, Trade Names and Descriptions, Industrial designs, Geographical Indications of Goods, Copyright and Related Rights and Trade Secrets-Their characteristic

**UNIT-IV**

Emerging forms of IP-New Plant Varieties IP in Life forms Micro-Organisms, Layout Design, Traditional Knowledge and Indigenous Knowledge Business Method Computer Programs Traditional Cultural expressions Bioprospecting and Ethical Issues relating to IP Protection

**Suggested Readings:**

1. P. Narayanan, Intellectual Property Law, Eastern Law House, Kolkata.
2. P. Koteswara Rao, Supreme Court and Parliament : Right to Property and Economic Justice, Law Book Agency, Hyderabad.
3. Prabhuddha Ganguli, Intellectual Property Rights-Unleashing Knowledge Economy, Tata-Mcgraw Hill, New Delhi.
4. Shahid Ali Khan & Raghunath Mashelkar, Intellectual Property and Competitive Strategies in the 21st Century, Kluwer Law International, London.

5.N.S.Gopalakrishnan,Intellectual Property and Criminal Law , National Law School of India University,Bangalore.

6.GB.Reddy:Intellectual Property Rights and Law: Gogia Law Agency, Hyderabad.

7.S.K.Verma:Intellectual Propety Rights,ILI,NewDelhi.

8.David Bainbridge: Intellectual Property,Pearson Education Ltd, NewDelhi.

9.Pearson&Miller:CommercialExploitationofIntellectual Property(2004),Universal Law Publishing Co. Pvt.Ltd, Delhi.

10.www.wipo.int

11. R.S.Bhalla, The Institution of Property-Legally, Historically and Philosophically Regarded, EBC,Delhi.

## SEMESTER-II

### Paper III

## International Legal Regime Relating to Intellectual Property Rights

### Unit - I

Meaning, Nature and Classification of Intellectual Property -Transnational Character of Intellectual Property- International Players in the Field of Intellectual Property - International Efforts to Protect IPR.

### Unit-II

International Instruments relating to IPR Protection- Paris Convention for the Protection of Industrial Property (1883) Berne Convention for the Protection of Copyright (1886) Madrid Convention for International Registration of Trademarks 1891 - Rome Convention of the Hague Convention PCT - WCT - WPPT- PLT

### Unit - III:

International Conventions and Agreements Relating to international Trade and IPR - TRIPS Agreements SAFTA-NAFTA

### Unit-III

International and Regional Institutions Relating to IPR- UNESCO-ARIPO- Their Composition, Powers, Functions, and Jurisdiction.

#### Suggested Readings:

1. W.R.Cornish, Intellectual Property: Patents, Copyright, Trademarks and Allied Rights, Sweet and Maxwell, London.
2. Marshal A.Leaffer, International Treaties on Intellectual Property, the Bureau of National Affairs Inc, Washington D.C.
3. Hillary E.Pearson & Miller C.G., Commercial Exploitation of Intellectual Property, Universal Book Traders, New Delhi.
4. WIPO, Background Reading on Intellectual Property
5. Report of the Commission on Intellectual Property Rights, London, 2002- "Integrating Intellectual Property Rights and Development Policy".
6. GB.Reddy, Intellectual Property Rights and the Law, Gogia Law Agency, Hyderabad
7. Jayasree Watal: Intellectual Property Rights, OUP (2002), New Delhi.
8. Sender Martha Cross: Border Enforcement of Patent Rights, (2002), OUP, New York.
9. Dreyfuss, Expanding Boundaries of Intellectual Property Rights, (2001), OUP, New York.

## Paper IV

### Law Relating to Copyright and Neighboring Rights

#### Unit-I

Concept of copyright- Idea and Expression dichotomy and subject matter of copyright- Position under the Copyright Act, 1957, Berne Convention, UCC, WCT and WPPT- judicial interpretation and subject matter of copyright.

#### Unit-II

Copyright protection in India- Ownership- authorship- Economic and moral rights of authors/owners- Term of copyright- assignment and licensing of copyright including compulsory licensing- Impact of the 2012 Amendment to copyright law

### Unit-III

Meaning of neighboring rights Rights of Producers of phonograms, Broadcasting Organizations, performers, Broadcasters, Reproduction Right and Performer Rights Collective management of copyright and related rights-Digital rights Management Registrar and Copyright Board-Power and functions.

### Unit-IV

Infringement of copyright and neighboring rights Exceptions to infringement of copyright-Doctrine of Fair Use Remedies for infringement of copyright (Administrative, Civil and Criminal)-Protection of International Copyright Emerging issues in copyright protection

#### Suggested Readings:

- David Bainbridge, Intellectual Property, Pearson Education Limited, London.
- Brad Sherman & Lionel Bentley, The Making of Modern Intellectual
- Property Law, Cambridge University Press, London.
- W.R. Cornish, Intellectual Property: Patents, Copyright, Trademarks
- and Allied Rights, 1999, Sweet and Maxwell, London.
- David Saunders, Authorship and Copyright, Routledge, London.
- John Gurnsey, Copyright Theft, 1995, ASLIB Gower, Hampshire, England.
- G.B. Reddy, Copyright Law in India, Gogia Law Agency, Hyderabad.
- P. Narayanan, Copyright Law and Industrial Designs, Eastern Law House, Kolkata.
- Gillian Davis: Copyright Law and public Interest, Sweet & Maxwell, London
- T. Vidya Kumari, Copyright Protection Current Indian & International Perspectives, Asia Law House
- Robin Jacob: A Guidebook to Intellectual Property, Sweet & Maxwell, London.

- Relevant International Instruments relating to copyright like, Berne Convention, Rome Convention, WCT, UCC and WPPT etc.

## SEMESTER-III

### Paper V

## Legal Research Methodology

(Common Paper for All the Branches)

#### Unit-I:

Meaning of Research-Types of Research-Scientific Method-Social Research-Scope and importance of Legal Research-Concepts-Variables-Definitions-Relevance of empirical research in law-Deduction and Case study

#### Unit-II:

Finding the Law-Sources of legal material including law reporting in India-Using a law library-Survey of available legal materials-Graphical search. Research Methods-Doctrinal and non-doctrinal research.

#### Unit III:

Research tools and techniques-collection of data-Observation-Questionnaire-Schedule-Interview-Sampling techniques-Types of Formulation of Research Hypothesis-Research Design.

#### Unit-IV:

Data processing and analysis-Use of Statistics in the analysis and interpretation of data-Use of computers in Legal Research writing. Legal Research and Law Reform-Types of Research needed for Law Reforms-Analytical Research, Historical Research.

#### Suggested Readings:

1. Goode & Hatt: Methods in Social

- Research: McGraw-Hill Book Company, Singapore 1981
2. C.R. Kothari: Research Methodology : Methods and Techniques, 2<sup>nd</sup> Edition, Wishwa Prakashan, New Delhi, 1995.
  3. Wilkinson & Bhandarkar, Methodology and Techniques of Social Research, 9<sup>th</sup> Edition, Himalaya Publishing Housing, Bombay-Delhi-Nagpur 1994.
  4. Pauline V Young : Scientific Social Survey and research, 3<sup>rd</sup> Edition, Prentice Hall, New York, 1960.
  5. B.N. Ghosh, Scientific Method and Social Research; 4<sup>th</sup> Edition Sterling Publishers Private Limited, New Delhi, 1987.
  6. S.K. Verma & Afzalwani, Legal Research and Methodology; ILI Publication, New Delhi,
  7. Hans Raj, Theory and Practice in Social Research; 4<sup>th</sup> Edition, Surjeet Publications, New Delhi, 1992.

## Paper VI Law Relating to Patents in India

### Unit-I

Evolution of patent-meaning, definition and nature of patent-Classification of patents- Subject-matter of patenting (patentable and non-patentable subject matter)-The Patents Act, 1970.

### Unit-II

Essential conditions for grant of patents Specifications meaning, kinds and content Procedure for registration of patent in India and at international



level Standards of patentability in the changing technological context  
 Opposition to grant of patent

### Unit-III

Rights, duties and limitations of/on patent holders -Surrender and revocation of patents-Term of patent protection-Transfer of patent rights with special reference to Licensing-compulsory licensing-acquisition by government

### Unit-IV

Infringement of patent rights Remedies (Administrative, Civil and Criminal) Authorities under the Act Controller of patents & IPAB Their powers, functions and jurisdiction.

#### Suggested Readings:

1. B.L.Wadhera Law Relating to Patents, Trademarks, Copyright, Designs & Geographical Indications, Universal Publishing Co.Ltd.,New Delhi.
2. Prof. Wim Hoynig & Frank Eijsvogel, Global Patent Litigation, Wolter Kluwer, Bedfordshire, K.
3. David Bainbridge, Intellectual Property, Pearson Education Ltd, London.
4. W.R.Comish, Intellectual Property: Patents, Copyright, Trademarks and allied Rights, Sweet & Maxwell, London.
5. Manish Arora, Guide to New Patent Law, Universal Law Publications Pvt.Ltd.
6. P.Naryanarajan, Patent Law, Eastern Law House, Kolkata
7. Sendemarta, Cross Border Enforcement of Patent Rights OUP, New York.
8. Bio-Technology and Intellectual Property Rights ,NLSIU, Bangalore.
9. Relevant Intellectual Instruments like Paris Convention, PCT, PLT, Strasburg Intellectual Patent classification etc.
10. [www.wipo.int](http://www.wipo.int)
11. Elizabeth Varkey, Law of Patents, EBC

## SEMESTER-IV

### Paper-VII

## Law Relating to Trademarks and

## Designs

### Unit-I

Concept of Trademark, Tradename and Servicemarks-meaning, definition purpose and nature trademark and property marks classification of trademark subject matter of trademark protection (Goods, Services and Domain names) The Trademarks Act, 1999 Conventional and non-conventional trademarks

### UNIT-II

Registration of Trademarks- Essential conditions for registration of TMs Characteristics of a good TM Procedure for registration of TMs in India and abroad Impact of non-registration

### UNIT-III

Rights of proprietors and registered users of TMs-Transfer of TMs-Licensing- Infringement and passing-off of TMs-Remedies (Administrative, Civil and Criminal)-Authorities under the Act-their powers, functions and jurisdiction.

### UNIT-IV

Concept of Industrial Designs-meaning, definition and nature-subject-matter of design protection-Essential conditions for registration of designs-rights of design holders-infringement and piracy of designs -Remedies (Administrative, Civil and Criminal)- Authorities under the Act-their powers, functions and jurisdiction.

#### Suggested Readings:

1. Eric M. Dobrusin, Esq., Katherine E. White, Intellectual Property Litigation: Practical Practice, Wolters Kluwer, Bedfordshire, U.K.
2. WIPO, Background Reading on Intellectual Property .
3. Report of the Commission on Intellectual Property Rights, London, 2002 -"Integrating Intellectual Property Rights and Development Policy".
4. GB.Reddy, Intellectual Property Rights and the Law, Gogia Law Agency. Hyderabad
5. P.Narayana: TradeMark, Tradename and Passing off (Vol. I & II Eastern LawHouse, Kolkata.
6. Unni.V.K: Trademarks & the Emerging concepts of Cyber Property Rights, (2002) Eastern Law House, Kolkata.
7. Adams John, Merchandising Intellectual Property, Butterworths, London.
8. www.wipo.int

9. Relevant International Instruments including Madrid Agreement, TLT and Nice Agreement.

## Paper VIII

### Indian Constitutional Law: The New Challenges

(Common Paper for All the Branches)

#### UNIT-I

Concept of Federalism-Allocation of resources-Inter State Disputes -Central-State Relations-Special status of certain States-Concept of Secularism and religious fanaticism-Definition of State-Need for widening the definition in the wake of recent developments.

#### UNIT-II

Right to Equality-its new dimensions-Protective Discrimination in the wake of privatization -gender Justice-Rights of third gender-Uniform Civil Code-Freedom of Speech and Expression -Right to broadcast and telecast-Right to Strike and Bandh.

#### UNIT-III

New regime of Constitutional Rights-Reading Directive Principles and Fundamental Duties to Fundamental Rights-Theory of Emanation-Compensatory Jurisprudence-Right to Education-Right to Information-Right to wholesome environment- Doctrine of public trust

#### UNIT-IV

Institutional Dynamics-An overview of functioning of three organs of State with special reference to the Indian experience of post independence era -Separation of Powers, and theory of checks and Balances-Privileges and Immunities of Legislatures and their members- Judicial Activism and Judicial Accountability-Contempt of Courts- Political Morality and effect of Anti-defection Law

Suggested Readings:

1. H. M. Seervai, Constitutional Law of India (in 2-Volumes), Universal Book Traders, New Delhi.
2. Granville Austin, Indian Constitution Cornerstone National Law Journal, Oxford.
3. Constituent Assembly Debates (Official Report), (in 5 Books and 12 Volumes), Lok Sabha Secretariat, New Delhi.
4. B. Shiva Rao, Framing of the Indian Constitution (in 5-Volumes), Indian Institute of Public Administration, New Delhi.
5. M.P. Jain, Constitutional Law of India, Wadhwa and Co., Nagpur.
6. Granville Austin, Working a Democratic Constitution: A History of the Indian Experience, OUP
7. Landmark and Recent Articles on relevant topics published in Standard Law Journals like Journal of Indian Law Institute, Indian Bar Review, All India Reporter and Supreme Court Cases & landmark judgments of Indian Higher Judiciary on the given topics.

## Paper IX: DISSERTATION

LL.M. IV Semester students have to submit Dissertation on the topic approved by the concerned Committee before the expiry of the date as per the almanac in accordance with guidelines given below. Further

topics for the thesis should be got approved before the expiry of the III semester. The candidates who fail to submit the thesis before the stipulated date will have to submit it along with the next batch.

1. *LL.M. IV Semester students shall prepare a synopsis on the topics allotted to them.*
2. *It must be approved by the Guide and be submitted to the concerned Principals in the first week, after commencement of LL.M. IV semester.*
3. *A Record shall be maintained by the students in which the summary of study and the progress made by them shall be entered once in every 15 days and it is to be signed by the guide in approval of the same.*
4. *Thorough discussion shall be had by the students with the Guide at the end of the study, and the thesis shall be prepared on the lines indicated by the Guide.*
5. *The thesis shall correspond with the notes/record maintained by the Guide.*

The thesis shall be equivalent to two theory papers, and there will be 200 marks out of which 160 shall be for evaluation and 40 shall be for *viva-voce examination*.

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## FACULTY OF LAW,Osmania University

## LL.M. Syllabus

(Revised w.e.f. the Academic Year 2017-2018)

Duration : 02 Years  
 Total No. of Semesters : 04  
 Duration of each semester : 15 weeks

## BRANCH-IX

## International Trade and Economic Laws

Year	Semester / Paper No.	Paper	Marks in End Semester Exam	Marks in Internal exams	Total Marks
First Year-First Semester	I/I	Schools of Jurisprudence and Theories of Law	80	20	100
□	I/II	Development and Origin of International Economic Law	80	20	100
First Year-Second Semester	II/III	International regime of Intellectual Property Rights	80	20	100
□	II/IV	International Trade and Economic Institutions	80	20	100
Second Year-Third Semester	III/V	Legal Research Methodology	80	20	100
□	III/VI	GATT and WTO	80	20	100
Second Year-Fourth Semester	IV/VII	Emerging Trends in World Trade and Economy	80	20	100
□	IV/VIII	Indian Constitutional Law: The New Challenges	80	20	100
□	IV/IX	Dissertation	160 for thesis	40 for viva-voce	200
			Grand Total		1000

SEMESTER-I

## PAPER-I

SCHOOLS OF JURISPRUDENCE AND THEORIES OF LAW  
(Common Paper for All the Branches)

## UNIT-I

Nature and scope of Jurisprudence Classification of Jurisprudence Schools  
Salient features of Analytical, Historical, Philosophical, Sociological Schools.

## UNIT-II

Meaning of Positivism Analytical positivism of Bentham and Austin-  
Pure Theory of Law's Concept of Law Dworkin's critique Hart Fuller  
controversy Hart Devlin's debate Modern trends Analytical and Normative  
Jurisprudence Rawls and Distributive Justice Nozick and the Minimal State.

## UNIT-III

Historical and Ancient Indian Jurisprudence Savigny's concept Volksgeist  
Contribution of Henry Maine; Economic theory of law of Karl Marx and  
Friedrich Engels Sociological theories of law- Contribution of Ihering  
Contribution of Ehrlich Durkheim's theory of Social Solidarity Post-positivist  
Social Engineering and Classification of American and Scandinavian  
Realism Critical Legal Studies Movement.

## UNIT-IV

Theories of Natural Law Meaning of Natural Law History of Natural Law-Greek  
origins Medieval period View of St. Thomas Aquinas Period of  
Renaissance/Reformation Grotius and International Law- Transcendental  
Idealism View of Immanuel Kant: Natural and Social Contract theories  
Stammler and Natural Law with variable content and the Morality of Law  
Hart on Natural Law and Positivism and the Morality of Law Positivists and  
Naturalists debate

**Suggested Readings:**

1. G.W.Paton: A Text book of Jurisprudence, 4<sup>th</sup> Edition; Clarendon Press, Oxford, 1972.
2. R.W.M. Dias, Jurisprudence. 5<sup>th</sup> Edition; Aditya Books Private Ltd., New

- Delhi, 1994.
3. W.Friedmann: Legal Theory, 5th Edition; Columbia University Press, New York
  4. Dennis Lloyd: Lloyd's Introduction to Jurisprudence, 6<sup>th</sup> Edition, Sweet and Maxwell, London, 1994.
  5. Julius Stone: The Province and Function of Law; Associated General Publications Pvt. Ltd. Sydney.
  6. Howard Davies and David Holdcraft: Jurisprudence: Texts and Commentary; Butterworths, London, Dublin, Edinburgh, 1991.
  7. S.N.Dhyani: Fundamentals of Jurisprudence: The Indian Approach, 2<sup>nd</sup> Edition, Central Law Agency, Allahabad, 1997.
  8. Edgar Bodenheimer: Jurisprudence; The Philosophy and Method of the Law, Universal Book Traders, Delhi, 1996.
  9. Rama Jois, Seeds of Modern Public Law in Ancient Jurisprudence, Eastern Book Company, Lucknow, 1990.
  10. Rama Jois, Ancient Indian Law-Eternal Values in Manu Smriti, Universal Law Publishing Co., New Delhi, 2002.

## PAPER-II

### **Development and Origin of International Economic Law**

#### Unit I

History of Economic Law-Origin and Development- General Principles International Economic Relations-New International Economic Order (NIEO) Charter of Economic Rights and Duties of States.

#### UNIT -II

Permanent Sovereignty over Natural Resources-Basic Principles-Expropriation of Property and International Law-Stability of Contractual Relations in the International Investment Process-Transnational Law.

#### UNIT -III

Hard Law and Soft Law-International Regulation of Transnational Corporations-Draft Code of Conduct on Transnational Corporations-National Legal System Transnational corporations-The Set of Multilaterally agreed Equitable Principles and Rules for the Control of Restrictive Business Practices - U .N Commission on Transnational Corporations.



## UNIT-IV

Transfer of Technology and Developing Countries Draft Code of Conduct on Transfer of Technology Other International Conventions and Norms - Kinds of Globalization Political Globalization Economic Globalization Technological Globalization Cultural Globalization Impact of Globalization on Indian Trade and Economy.

### Suggested Readings:

1. Texts of Programme and Declaration of Action on NIEO and Charter of Economic Rights and Duties of States in R.P. Anand ed., International Law Documents (1996).
2. Mohammed Bedjaoui, Towards a New International Economic Order. (Holmes and Meir Publisher, New York, 1979).
3. Nico Schrivjer, Sovereignty over Natural Resources (Cambridge University Press, Cambridge, 1997).
4. Kamal Hossain and S.R. Chowdhury eds. Permanent Sovereignty over Natural Resources in International Law: Principle and Practice (Francis Pinter, London, 1984).
5. Richard Falk et al eds., International Law: A Contemporary Perspective (Westview Press, Boulder, 1985).
6. J.H. Jackson, Legal Problems of international Economic Relations: Cases, Materials and Text on the National and International Regulation of Transnational Economic Relations (St. Paul, Minnesota: West Publishing, 1995).
7. M.S. Rajan, The Doctrine of Permanent Sovereignty over Natural Resources (1982).
8. B.S. Chimni, International Law and World Order: A Critique of Contemporary Approaches (Sage, New Delhi, 1993).
9. Stephen McCaffery, The Law of International Water courses (Oxford University Press; Oxford, 2001).
10. A.A. Fatouros ed., Transnational Corporations: The International Legal Framework (Routledge, London, 1995).
11. Shihata, MIGA and Foreign Investment: Origins, Operations, Policies and Basic Documents of the Multilateral Investment Guarantee Agency (Nijhoff, Dordrecht, 1995)
12. M. Sornorajah, The International Law on Foreign Investment (1994).

### Articles

1. International Legal Instruments of Intellectual Property Law (in two volumes), (1998), NLSIU, Bangalore.
2. Implications of the TRIPS Agreement on Treaties Administered WIPO (2003), Geneva.
3. Relevant WIPO Publications on Individual International Instruments.

## SEMESTER-II

### Paper-III

### International Regime of Intellectual Property Rights

#### Unit - I

Meaning, Nature and Classification of Intellectual Property -Transnational of Intellectual Property- International Players in the Field of Intellectual Property International Efforts to Protect IPR.

#### Unit-II

International Instruments relating to IPR Protection- Paris Convention for the Protection of Industrial Property (1883) Berne Convention for the Protection of Copyright(1886) -Madrid Convention for International Registration of Trademarks 1891 - Rome Convention for the Protection of Literary and Artistic Works (1952) - WIPO Copyright Treaty (WCT) - WPPT - PLT

#### Unit - III

International Conventions and Agreements Relating to international Trade and TRIPS Agreement SAFTA-NAFTA

#### Unit-III

International and Regional Institutions Relating to IPR UNESCO-ARIPO- Their Composition, Powers, Functions, and Jurisdiction.

#### Suggested Readings

1. The EU, the WTO and the NAFTA: Towards a Common Law of International Trade? Ed. J.H.H. Weiler. Oxford; New York: Oxford University Press 2000.
2. GATT Analytical Index: Guide to GATT Law and Practice. Updated 6th ed. Geneva: WTO and Bernan Press, 1995.
3. WTO Analytical Index: Guide to WTO Law and Practice. 1 Geneva: WTO Publications, Lanham, Md: Bernan. 2003. In Two volumes.
4. Ralph H. Folsom, International Business Transactions 2<sup>nd</sup> ed.

- Practitioner Treatise Series. St. Paul, Minn: West· Group, 2002 with updates.
6. Ralph H. Folsom, Michael Wallace Gordon and John A Spanogle. .Jr. International Trade and investment in<sup>d</sup> Nuts, St. Paul, Minn
  8. Gail E. Evans, Lawmaking under the Trade Constitution A Study in Legislating by the World Trade Organization, Studies in Transnational Economic Law, vol. 14. The Hague: Boston: Kluwer Law International, 2000.
  9. .Jeffery S. Thomas and Michael A. Mayer, The New Rules of Global Trade: A Guide to The world Trade Organization, Scarborough, Ontario, Carswell, Thompson Canada Ltd. (1997). Thompson Canada Ltd. 1997.
  10. Anwarul Huda, Tariff Negotiations and Renegotiations under the GATT and the WTO, Procedures and Practices. Cambridge: Cambridge University, (2001.).
  11. [www.wto.org](http://www.wto.org).
  12. John H. Jackson, The World Trade Organization- Constitution and Jurisprudence. London: Royal Institute of International Affairs. (1998)

## Paper IV

### International Trade and Economic Institutions

#### Unit – I

Economic and Social council - Composition, Functions and Powers -Mult Investment Guarantee Agency.

#### Unit – II

International Centre for settlement of Investment Disputes Bilateral Investment Protection Agreements - International Monetary Fund (IMF).

#### Unit – III

UNCTAD - OCED - UNCITRAL - Their Composition, Functions, and Powers.

#### Unit – IV

IBRA - IFC - EU. - UNITAR - Their Composition, Functions and Powers.

**Suggested Readings:**

1. The EU, the WTO and the NAFTA: Towards a Common Law of International Trade? Ed. J.H.H. Weiler. Oxford; New York: Oxford University Press 2000.
2. GATT Analytical Index: Guide to GATT Law and Practice. Updated 6th ed. Geneva: WTO and Bernan Press, 1995.
3. WTO Analytical Index: Guide to WTO Law and Practice. 1 Geneva: WTO Publications, Lanham, Md: Bernan. 2003. In Two volumes.
4. Ralph H. Folsom, International Business Transactions 2<sup>nd</sup> ed. Practitioner Treatise Series. St. Paul, Minn: West Group, 2002 with updates.
6. Ralph H. Folsom, Michael Wallace Gordon and John A Spanogle, Jr. International Trade and investment in Europe. St. Paul, Minn
8. Gail E. Evans, Lawmaking under the Trade Constitution A Study in Legislating by the World Trade Organization, Studies in Transnational Economic Law, vol. 14. The Hague: Boston: Kluwer Law International, 2000.
9. Jeffery S. Thomas and Michael A. Mayer, The New Rules of Global Trade: A Guide to The world Trade Organization, Scarborough, Ontario, Carswell, Thompson Canada Ltd. (1997). Thompson Canada Ltd. 1997.
10. Anwarul Huda, Tariff Negotiations and Renegotiations under the GATT and the WTO, Procedures and Practices. Cambridge: Cambridge University, (2001).
11. [www.wto.org](http://www.wto.org).
12. John H. Jackson, The World Trade Organization- Constitution and Jurisprudence. London: Royal Institute of International Affairs. (1998)

## SEMESTER-III

### Paper V

### Legal Research Methodology

(Common Paper for All the Branches)

#### Unit-I:

Meaning of Research-Types of Research-Scientific Method-Social Research-Scope and importance of Legal Research-Concepts-Variations-Definitions-Relevance of empirical research in law-Deduction and Case study

#### Unit II:

Finding the law Sources of legal material including law reporting in India-Using a law library-Survey of available legal materials-Graphical search. Research Methods-legal research-doctrinal and non-doctrinal research.

#### Unit III:

Research tools and techniques for collection of data-Observation-Questionnaire-Schedule-Interview-Sampling techniques-Types of Formulation of Research Problem-Hypothesis-Research Design.

#### Unit-IV:

Data processing and analysis of Statistics in the analysis and interpretation of data-Use of computers in Legal Research-writing. Legal Research and Law Reform-Types of Research needed for Law Reform-Analytical Research, Historical Research.

#### Suggested Readings:

1. Goode & Hatt: Methods in Social Research:McGraw-Hill Book Company,Singapore 1981
2. C.R.Kothari: Research Methodology :Methods and Techniques,2"dEdition,WishwaPrakashan,NewDelhi,1995.
3. Wilkinson & Bhandarkar, Methodology and Techniques of Social Research,9th Edition, Himalaya Publishing Housing, Bombay-

Delhi-Nagpur 1994.

4. Pauline V Young :Scientific Social Survey and research,3<sup>rd</sup> Edition,PrenticeHall,NewYork,1960.
5. B.N.Ghosh, Scientific Method and Social Research;4<sup>th</sup> Edition Sterling Publishers Private Limited ,NewDelhi,1987.
6. S.K.Verma & Afzalwani, Legal Research and Methodology; ILLI Publication , New Delhi,
7. Hans Raj, Theory and Practice in Social Research;4<sup>th</sup> Edition, Surjeet Publicatios,NewDelhi,1992.
- 8.

## Paper VI GATT and WTO

Unit-I Origin and Development of GATT - Objectives - MFN Clause -National Treatment Clause.

Unit-II: Prohibition of Quantitative Restrictions - General exceptions -Special exceptions.

Unit-III: Code of Anti Dumping -Code of Subsidies - Agreement on Agriculture

Unit-IV:Dispute Settlement Understanding - Dispute Settlement Mechanism - GATT & WTO.

### Suggested Readings

1. The EU, the WTO and the NAFTA: Towards a Common Law of International Trade? Ed. J.H.H. Weiler. Oxford; New York: Oxford University Press 2000.
2. GATT Analytical Index: Guide to GATT Law and Practice. Updated 6th ed. Geneva: WTO and Bernan Press, 1995.
3. WTO Analytical Index: Guide to WTO Law and Practice. 1 Geneva: WTO Publications, Lanham, Md: Bernan. 2003. In Two volumes.
4. Ralph H. Folsom, International Business Transactions, 2<sup>nd</sup> ed. Practitioner Treatise Series. St. Paul, Minn: West Group, 2002 with updates.
6. Ralph H. Folsom, Michael Wallace Gordon and John A Spanogle.

.Jr. International Trade and investment in the U.S.,  
Minn

8. Gail E. Evans, Lawmaking under the Trade Constitution A Study in Legislating by the World Trade Organization, Studies in Transnational Economic Law, vol. 14. The Hague: Boston: Kluwer Law International, 2000.

9. Jeffery S. Thomas and Michael A. Mayer, The New Rules of Global Trade: A Guide to The world Trade Organization, Scarborough, Ontario, Carswell, Thompson Canada Ltd. (1997). Thompson Canada Ltd. 1997.

10. Anwarul Huda, Tariff Negotiations and Renegotiations under the GATT and the WTO, Procedures and Practices. Cambridge: CambridgeUniversity, (2001.).

11. [www.wto.org](http://www.wto.org).

12. John H. Jackson, The World Trade Organization- Constitution and Jurisprudence. London: Royal Institute of International Affairs. (1998)

## SEMESTER-IV

### Paper-VII

#### Emerging Trends in World Trade and Economy

##### Unit I

Right to Development - Trade and Environment - Social Clause -Economic Law  
Human Rights.

##### Unit - II

Competition Policy - International Commodity Agreements – The Common Fund  
Commodities.

### Unit - III

International Sale of Goods - Lex Mercatoria - Liberalization - Need for Liberalization Implications of Liberalization Economic Restructuring through Economic Values and Frowning Consumerism.

### Unit - IV

International Commercial Arbitration - Types of International Commercial Arbitration - Prevention of Disputes - Resolution of Commercial Disputes - Arbitration Tribunal, Composition, Jurisdiction, Powers and Duties - Arbitral Enforcement of Arbitration Clause (UNCITRAL Model)

### Suggested Readings

1. The EU, the WTO and the NAFTA: Towards a Common Law of International Trade? Ed. J.H.H. Weiler. Oxford; New York: Oxford University Press 2000.
2. GATT Analytical Index: Guide to GATT Law and Practice. Updated 6th ed. Geneva: WTO and Bernan Press, 1995
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6. Ralph H. Folsom, Michael Wallace Gordon and John A Spanogle. Jr. International Trade and investment in the 21<sup>st</sup> Century. St. Paul, Minn
8. Gail E. Evans, Lawmaking under the Trade Constitution A Study in Legislating by the World Trade Organization, Studies in Transnational Economic Law, vol. 14. The Hague: Boston: Kluwer Law International, 2000.
9. Jeffery S. Thomas and Michael A. Mayer, The New Rules of Global Trade: A Guide to The world Trade Organization, Scarborough, Ontario, Carswell, Thompson Canada Ltd. (1997). Thompson Canada Ltd. 1997.
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GATT and the WTO, Procedures and Practices. Cambridge: Cambridge University, (2001.).

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12. John H. Jackson, The World Trade Organization- Constitution and Jurisprudence. London: Royal Institute of International Affairs. (1998)

## Paper VIII

### Indian Constitutional Law: The New Challenges

(Common Paper for All the Branches)

#### UNIT-I

Concept of Federalism-Allocation of resources-Inter State Disputes -Centre Relations-Special status of certain States-Concept of Secularism and fanaticism-Definition of State-Need for widening the definition in the wake of developments.

#### UNIT-II

Right to Equality-its new dimensions-Protective Discrimination in the privatization -gender Justice-Rights of third gender-Uniform Civil Code-Free Speech and Expression -Right to broadcast and telecast-Right to Bandh.

#### UNIT-III

New regime of Constitutional Rights-Reading Directive Principles and Duties in to Fundamental Rights-Theory of Emanation-Compensatory Jurisprudence-Right to Education-Right to Information-Right to wholesome environment- Doctrine of public trust

#### UNIT-IV

Institutional Dynamics-An overview of functioning of three organs of State special reference to the Indian experience of post independence era -Separation of Powers, and theory of checks and Balances-Privileges and Immunities of Legislature and their members-Judicial Activism and Judicial Accountability-Contempt of

## Political Morality and effect of Anti-defection Law

### Suggested Readings:

1. H. M. Seervai, Constitutional Law of India (in 2-Volumes), Universal Book Traders, New Delhi.
2. Granville Austin, Indian Constitution in Perspective, Clarendon Press, Oxford.
3. Constituent Assembly Debates (Official Report), (in 5 Books and 12 Volumes), Lok Sabha Secretariat, New Delhi.
4. B. Shiva Rao, Framing of the Indian Constitution (in 5-Volumes), Indian Institute of Public Administration, New Delhi.
5. M.P. Jain, Constitutional Law of India, Wadhwa and Co., Nagpur.
6. Granville Austin, Working a Democratic Constitution: A History of the Indian Experience, OUP
7. Landmark and Recent Articles on relevant topics published in Standard Law Journals like Journal of Indian Law Institute, Indian Bar Review, All India Reporter and Supreme Court Cases & landmark judgments of Indian Higher Judiciary on the given topics.

## Paper IX: DISSERTATION

LL.M. IV Semester students shall have to submit Dissertation on the topic approved by the concerned Committee before the expiry of the date as almanac in accordance with guidelines given below. Further the topics should be got approved before the expiry of the III semester. The candidates fail to submit thesis before the stipulated date will have to submit the along with the next batch.

1. *LL.M. IV Semester students shall prepare a synopsis on the topics allotted to them.*
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*the concerned Principals in the first week, after commencement of LL.M. IV semester.*

3. *A Record shall be maintained by the students in which the summary of study and the progress made by them shall be entered once in every 15 days and it is to be signed by the guide in approval of the same.*
4. *Thorough discussion shall be had by the students with the Guide at the end of the study, and the thesis shall be prepared on the lines indicated by the Guide.*
5. *The thesis shall correspond with the notes/record maintained by the Guide.*

The thesis shall be equivalent to two theory papers, and there will be 200 marks out of which 160 shall be for evaluation and 40 shall be for *viva-voce examination*.

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Faculty of Law  
Osmania University  
LL.M. Syllabus  
(Revised w.e.f. the Academic Year 2017-2018)

**Duration** : 02 Years  
**Total No. of Semesters** : 04  
**Duration of each semester** : 15 weeks

## BRANCH-I

**Jurisprudence**

Year	Semester/ Paper No.	Paper	Marks in End Semester Exam	Marks in Internal exams	Total Marks
First Year- First Semester	I/I	Schools of Jurisprudence and Theories of Law	80	20	100
□	I/II	Sources of Law	80	20	100
First Year- Second Semester	II/III	Hindu and Muslim Jurisprudence	80	20	100
□	II/IV	Theory of Legislation and Interpretation of Statutes	80	20	100
Second Year-Third Semester	III/V	Legal Research Methodology	80	20	100
□	III/VI	Fundamental Legal concepts	80	20	100
Second Year- Fourth Semester	IV/VII	Legislative Drafting	80	20	100
□	IV/VIII	Indian Constitutional Law: The New Challenges Thesis	80	20	100
□	IV/IX	Dissertation	160 for thesis	40 for viva- voce	200
			Grand Total		1000

Faculty of Law  
Osmania University  
LL.M. Syllabus  
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**Duration** : 02 Years  
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**Duration of each semester** : 15 weeks

**BRANCH-I**

**Constitutional Law**

Year	Semester/ Paper No.	Paper	Marks in End Semester Exam	Marks in Internal exams	Total Marks
First Year- First Semester	I/I	Schools of Jurisprudence and Theories of Law	80	20	100
<input type="checkbox"/>	I/II	Indian Constitutional Law-I	80	20	100
First Year- Second Semester	II/III	Indian Constitutional Law-II	80	20	100
<input type="checkbox"/>	II/IV	Comparative Constitutional Law-I	80	20	100
Second Year-Third Semester	III/V	Legal Research Methodology	80	20	100
<input type="checkbox"/>	III/VI	Comparative Constitutional Law-II	80	20	100
Second Year- Fourth Semester	IV/VII	Administrative Law	80	20	100
<input type="checkbox"/>	IV/VIII	Indian Constitutional Law: The New Challenges Thesis	80	20	100
<input type="checkbox"/>	IV/IX	Dissertation	160 for thesis	40 for viva- voce	200
			Grand Total		1000



## Faculty of Law, Osmania University

## LL.M. Syllabus

(Revised w.e.f. the Academic Year 2017-2018)

**Duration** : 02 Years  
**Total No. of Semesters** : 04  
**Duration of each semester** : 15 weeks

## BRANCH-IV

## CORPORATE AND SECURITIES LAWS

Year	Semester/ Paper No.	Paper	Marks in End-Semester Exam	Marks in Internal exam	Total Marks
First Year- First Semester	I/I	Schools of Jurisprudence and Theories of Law	80	20	100
□	I/II	Law on Corporate Contracts	80	20	100
First Year- Second Semester	II/III	Modern Company Law	80	20	100
□	II/IV	Law of Insurance and Carriage	80	20	100
Second Year- Third Semester	III/V	Legal Research Methodology	80	20	100
□	III/VI	Law of Banking and Negotiable Instruments	80	20	100
Second Year- Fourth Semester	IV/VII	Corporate and Securities Laws	80	20	100
□	IV/VIII	Indian Constitutional Law: The New Challenges	80	20	100
□	IV/IX	Dissertation	160 for thesis	40 for viva-voce	200
			Grand Total	1000	1000

Faculty of Law  
Osmania University  
LL.M. Syllabus  
(Revised w.e.f. the Academic Year 2017-2018)

**Duration** : 02 Years  
**Total No. of Semesters** : 04  
**Duration of each Semester** : 15 weeks

**BRANCH-V**

**Labour and Employment Laws**

Year	Semester/ Paper No.	Paper	Marks in End Semester Exam	Marks in Internal exams	Total Marks
First Year- First Semester	I/I	Schools of Jurisprudence and Theories of Law	80	20	100
□	I/II	Collective Bargaining and Trade Union Law	80	20	100
First Year- Second Semester	II/III	Resolution of Industrial Disputes	80	20	100
□	II/IV	Labour Management Relations and Law relating to Civil servants	80	20	100
Second Year-Third Semester	III/V	Legal Research Methodology	80	20	100
□	III/VI	International Labour Organisation	80	20	100
Second Year- Fourth Semester	IV/VII	Social Security Law	80	20	100
□	IV/VIII	Indian Constitutional Law: The New Challenges Thesis	80	20	100
□	IV/IX	Dissertation	160 for thesis	40 for viva- voce	200
			Grand Total		1000



Faculty of Law  
Osmania University  
LL.M. Syllabus  
(Revised w.e.f. the Academic Year 2017-2018)

**Duration** : 02 Years  
**Total No. of Semesters** : 04  
**Duration of each semester** : 15 weeks

**BRANCH-VI**

**Crimes and Torts**

Year	Semester/ Paper No.	Paper	Marks in End Semester Exam	Marks in Internal exams	Total Marks
First Year- First Semester	I/I	Schools of Jurisprudence and Theories of Law	80	20	100
□	I/II	General Principles of Criminal Law	80	20	100
First Year- Second Semester	II/III	Criminology and Penology	80	20	100
□	II/IV	Law relating to Socio- Economic Offences	80	20	100
Second Year-Third Semester	III/V	Legal Research Methodology	80	20	100
□	III/VI	General Principles of Law of Torts	80	20	100
Second Year- Fourth Semester	IV/VII	Law Relating to Specific Torts.	80	20	100
□	IV/VIII	Indian Constitutional Law: The New Challenges Thesis	80	20	100
□	IV/IX	Dissertation	160 for thesis	40 for viva- voce	200
			Grand Total		1000

Faculty of Law  
Osmania University  
LL.M. Syllabus  
(Revised w.e.f. the Academic Year 2017-2018)

**Duration** : 02 Years  
**Total No. of Semesters** : 04  
**Duration of each semester** : 15 weeks

**BRANCH-VII**

**Alternative Dispute Resolution**

Year	Semester/ Paper No.	Paper	Marks in End Semester Exam	Marks in Internal exams	Total Marks
First Year- First Semester	I/I	Schools of Jurisprudence and Theories of Law	80	20	100
□	I/II	Alternative Dispute Resolution: Concepts & Method	80	20	100
First Year- Second Semester	II/III	Law of Arbitration and Conciliation in India	80	20	100
□	II/IV	Online Dispute Resolution	80	20	100
Second Year-Third Semester	III/V	Legal Research Methodology	80	20	100
□	III/VI	Family Dispute Resolution	80	20	100
Second Year- Fourth Semester	IV/VII	International Commercial Arbitration	80	20	100
□	IV/VIII	Indian Constitutional Law: The New Challenges Thesis	80	20	100
□	IV/IX	Dissertation	160 for thesis	40 for viva- voce	200
			Grand Total		1000

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**Duration** : 02 Years  
**Total No. of Semesters** : 04  
**Duration of each semester** : 15 weeks

**BRANCH-VIII**  
**Intellectual Property Rights**

Year	Semester/ Paper No.	Paper	Marks in End Semester Exam	Marks in Internal exams	Total Marks
First Year- First Semester	I/I	Schools of Jurisprudence and Theories of Law	80	20	100
<input type="checkbox"/>	I/II	Intellectual Property Rights: Concepts	80	20	100
First Year- Second Semester	II/III	International Legal Regime Relating to Intellectual Property Rights	80	20	100
<input type="checkbox"/>	II/IV	Law Relating to Copyright and Neighboring Rights	80	20	100
Second Year-Third Semester	III/V	Legal Research Methodology	80	20	100
<input type="checkbox"/>	III/VI	Law Relating to Patents in India	80	20	100
Second Year- Fourth Semester	IV/VII	Law Relating to Trademarks and Designs	80	20	100
<input type="checkbox"/>	IV/VIII	Indian Constitutional Law: The New Challenges Thesis	80	20	100
<input type="checkbox"/>	IV/IX	Dissertation	160 for thesis	40 for viva- voce	200
			Grand Total		1000

FACULTY OF LAW,Osmania University

LL.M. Syllabus

(Revised w.e.f. the Academic Year 2017-2018)

**Duration** : 02 Years  
**Total No. of Semesters** : 04  
**Duration of each semester** : 15 weeks

**BRANCH-IX**

**International Trade and Economic Laws**

Year	Semester / Paper No.	Paper	Marks in End Semester Exam	Marks in Internal exams	Total Marks
First Year-First Semester	I/I	Schools of Jurisprudence and Theories of Law	80	20	100
□	I/II	Development and Origin of International Economic Law	80	20	100
First Year-Second Semester	II/III	International regime of Intellectual Property Rights	80	20	100
□	II/IV	International Trade and Economic Institutions	80	20	100
Second Year-Third Semester	III/V	Legal Research Methodology	80	20	100
□	III/VI	GATT and WTO	80	20	100
Second Year-Fourth Semester	IV/VII	Emerging Trends in World Trade and Economy	80	20	100
□	IV/VIII	Indian Constitutional Law: The New Challenges	80	20	100
□	IV/IX	Dissertation	160 for thesis	40 for viva-voce	200
			Grand Total		1000

