

PANJAB UNIVERSITY, CHANDIGARH.

Outlines of Tests, Syllabi and Courses of reading for the Master of Laws examinations of 2011-2012 (approved upto 2013-14).

LL.M. 1st Semester

Scheme of Paper

The Scheme of examination of each paper of all the semesters (excluding dissertation) shall be as under:-

Maximum 100 marks are allotted for each paper. These marks are further divided into two parts i.e. internal assessment (20 marks) and theory examination (80 marks).

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Instructions to Paper Setters

For the theory examination the whole syllabus shall be divided into four sections. Question paper will be divided into five units. Unit V will have one compulsory question of 20 marks, from all the four sections of the syllabus, consisting of 4 parts (sub- questions/problems) of 5 marks each. Unit I to IV of the question paper corresponding to the Section I to IV of the syllabus will have two questions each and the students will be required to attempt one question of 15 marks from each unit. The focus of the papers shall be to examine the academic/research aptitude of the LL.M. students.

LL.M. Semester I
Paper-I : Jurisprudence

Duration: 3 hours

Maximum Marks – 20+ 80 = 100

Section I

1. Meaning, Nature & Scope of Jurisprudence
2. Positivism
 - a) Bentham and Positivism
 - b) John Austin and Analytical School
3. Modern Positivism
 - a) Kelsen's Pure Theory of Law
 - b) Hart's Concept of Law
 - c) Dwaorkin's theory of Law

Section II

1. Historical and Anthropological School
2. Revival of Natural Law
3. Custom as a Source of Law

Section III

1. Concept of Justice : John Rawl's Theory of Justice
2. Administration of Justice
3. Liability

Section IV

1. Rights and Duties
2. Legal Personality
3. Possession and Ownership

LL.M. Semester I
Paper-II : Indian Constitutional Law – New Challenges-I

Duration: 3 hours

Maximum Marks – 20+ 80 = 100

Section-I

- Preamble
- Federalism
- Emergency Provisions
- Special Status of J&K
- Centre state relations

Section-II

- Art 12 Widening definition of State
- Dynamism of Rule of Law
- Right to Equality, its New concepts and Protective Discrimination
- Freedom of sps

LL.M. Semester I
Paper-III : Legal Education and Legal Research Methodology

Duration: 3 hours
Section I

Maximum Marks – 20+ 80 = 100

Legal Research in India : its Objectives, E

LL.M. Semester I
Paper-IV : Interpretation of Statutes and General Clauses Act

Duration: 3 hours
Section I

Maximum Marks – 20+ 80 = 100

History and Significance

LL.M. 2nd Semester
Paper- VI : Indian Constitutional Law-New Challenges-II & Judicial Process

Duration: 3 hours

Maximum Marks – 20+ 80 = 100

Section-I

Citizenship
Union Executive
State Executive

Section-II

Union and State Legislatures
Parliamentary Privileges
Delegated legislation
Amending Power and Theory of Basic Structure

Section-III

Separation of Powers, Judicial creativity and law marking including Public
Interest Litigation
Protection to Civil Servants
Administrative Tribunals

Section-IV

Union & State Judiciary
Judicial Review

LL.M. 2nd Semester
Paper- VII : General Principles of Criminal Law

Duration: 3 hours

Maximum Marks – 20+ 80 = 100

Section I

The Principle of Legality

- Nulla poena sine lege
- Nullum crimen sine lege
- Audi alteram partem
- Natural justice principles enshrined in the Indian Constitution and their reflection in Criminal Law (both Substantive and Procedural)

Section II

General Principles of Criminal Responsibility

- Actus non facit reum nisi mens sit rea
- External element : Actus reus
- Internal element : Mens rea (with special reference to its various shades)
- Joint/Constructive responsibility with special reference to sections 34 and 149 IPC
- Strict liability

Section III

Safeguards to Criminal Behaviour : General Defences

- Excusable and Justifiable
- Mistake
- Necessity
- Compulsion
- Insanity
- Private Defence

Section IV

Inchoate Criminal Offences

- Abetment
- Criminal Conspiracy
- Attempt

LL.M. 2nd Semester
Paper- VIII : Family Law

Duration: 3 hours

Maximum Marks – 20+ 80 = 100

Section I

- Sources of Muslim Law
- Succession under Muslim Law
- Muslim Wakfs

Section II

- Concept of Marriage and theories of divorce
- Marriage and Divorce under Parsi Law
- Marriage and Divorce under Christian Law

Section III

- Uniform Civil Code
- Judicial Activism for Uniform Civil Code

Section IV

- Private International Law related to
 - a) Marriage
 - b) Divorce

LL.M. 3rd Semester
Paper – XI- Corporate Law

Duration: 3 hours

Maximum Marks – 20+ 80 = 100

Section I

General Principles of Corporate Governance including balance of power,
Director's Duties, insider dealings and insolvency

Section II

Mergers and Acquisitions
Competition Act 2002

Section III

SEBI Act 1992
Securities, Contracts Regulation Act 1956
Corporate Crimes
Corporate Litigation

Section IV

Trusts and Partnerships as Mechanism of Economic Activity
Limited Liability Partnership

LL.M. 3rd Semester
Paper XII : Service Law

Duration: 3 hours

Maximum Marks – 20+ 80 = 100

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Constitutional right of equality (Articles 14 to 16) in relation to service matters (including reservation in the services), Compassionate Appointment, Principles of equal pay for equal work Article 323-A of the Constitution, Administrative Tribunals, their Constitution, powers, jurisdiction and procedure under the Administrative Tribunals Act, 1985.

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Services under the Union and the States (Articles 309-311) including applicability of Article 311 to various categories of non-permanent employee and Article 320), compulsory retirement, probation, status and rights of adhoc employees and daily wagers and their regularization.

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Suspension and subsistence allowance (with special reference to CCS (CCA) Rules 1965), Principles for determination of seniority including a) Seniority based on the date of confirmation, b) seniority as per statutory rules framed under Article 309 read with Article 16 (4) (a) of the Constitution, Annual Confidential Report (ACR), Deputation.

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Major and Minor Penalties, Conduct and procedure of disciplinary departmental enquiries (including chargeshe

LL.M. 4th Semester
Paper- XIII: Intellectual Property Law and Cyber Law

Duration: 3 hours

Maximum Marks – 20+ 80 = 100

Section-I

Intellectual Property Rights – International Perspective

Paris Convention, Borne Convention
Protection of Copyright in the era of advanced technology – Rome Convention,
TRIPs, WCT, WPPT
Role of WIPO and WTO in the protection and promotion of IPRs

Section-II

Intellectual Property Rights – National Perspective

Meaning of Copyright, Trademarks, Patents under Indian Law
Protection of IPRs in the emerging areas - protection of geographical indications,
protection of plant varieties and farmers right, protection of biological diversity of
India, protection of traditional knowledge.

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LL.M. 4th S

Statutory Readings:

1. Report of the Second National Commission on Labour 2002
2. Mahatama