

**APPENDIX – 28 (R)**  
**UNIVERSITY OF MADRAS**  
**DEGREE OF MASTER OF LAW (M.L.) (PRIVATE STUDY)**  
**(NON-SEMESTER)**  
**BRANCH II – BUSINESS LAW**  
**REVISED REGULATIONS**  
**(w.e.f.2008-2009)**

**1. ELGIBILITY FOR ADMISSION**

Admissions are open to persons all over India. The minimum qualification for admission is 3 year BL, 5 year BL or LLB from any recognized University accepted by the Syndicate as the equivalent thereto.

**2. DURATION OF THE COURSE.**

The duration of the course will be 2 years under the non-semester pattern.

**3. MEDIUM OF INSTRUCTION AND EXAMINATION**

The medium of instruction and Examination will be English.

**4. COURSE OF STUDY**

The course of study for the ML Degree shall consist of 10 theory papers and a Dissertation.

**5. SCHEME OF EXAMINATIONS**

**Paper**

**Title**

**Hours**

**Marks**

Paper-I

Constitutional New Challenges

3

100

Paper-II

Research Methodology and Legal Education

3

100

Paper-III

General Principles of the Law of Contracts

Electronic Contracts

3

100

Paper-IV Insurance Law and Carriage of Goods

3

100

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2

Paper-V

Special Contracts including Banking and  
Negotiable Instruments.

3

100

Paper -VI Law of Industrial and Intellectual Property

3  
100  
Paper-VII Law of Export and Import Regulations

3  
100  
Paper -VIII Corporate Governance and Corporate Finance

3  
100  
Paper -IX Judicial Process

3  
100  
Paper-X  
Law and Social Transformation

3  
100  
Paper-XI Dissertation and Viva-voce

3  
60 + 40

#### **Personal Contact Programme**

Compulsory P.C.P will be conducted every year for a period of 10 days only at Chennai.

#### **Examination**

Examinations will be conducted at the end of I year and II year (June)  
Supplementary Examination will be conducted in December.

#### **Eligibility to appear for Theory Examination**

Only if a candidate attends the P.C.P. He/She is eligible to appear for the Theory Examination.

Dissertation and Viva

Dissertation and Viva

-

100 Marks

Dissertation

-

60 Marks

Viva

-

40 Marks

Viva will be conducted in the Department of Legal Studies, University of Madras, Chennai.

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#### **6. PASSING MINIMUM**

A candidate shall be declared to have passed in each paper / subject, if he / she secures Not Less than 40% of the marks prescribed for the examination.

1) The passing minimum shall be 40% in each paper and 50% in the dissertation.  
In addition, the candidate shall secure a minimum of 50% in the aggregate for a

pass in each year separately.

2) The candidate securing a minimum of the 50% of the marks in any paper will be exempted from Re-appearing in that paper/s or dissertation.

Candidates while re-appearing again for the papers in which they failed or re-submitting a fresh dissertation at subsequent occasions shall obtain not less than 50% of the marks in each papers or dissertation to qualify for a pass in such paper/s or dissertation.

### **7. CLASSIFICATION OF SUCCESSFUL CANDIDATES**

Successful candidates passing the whole examinations and securing the marks

(i) 60 percent above (ii) 50 percent and above but below 60 percent in the aggregate of the marks prescribed for the course shall be declared to have passed the examination in the FIRST and SECOND class respectively.

### **8. PATTERN OF QUESTION PAPER**

Answer any five Questions out of 8 (5 x 20 = 100)

### **9. ELIGIBILITY TO GUIDE**

Any full time Law Teacher of Law College / University Department with M.L.

Degree with a minimum of 2 years Teaching Experience are eligible to Guide.

Prior approval of the topic and Guide's Eligibility must be obtained from the Prof.

and Head, Department of Legal Studies, University of Madras, Chennai at the beginning of the second year, before 30<sup>th</sup> November.

A.C.M.2008

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## **APPENDIX – 28 (S)**

### **UNIVERSITY OF MADRAS**

### **DEGREE OF MASTER OF LAW (M.L.)**

### **(PRIVATE STUDY)**

### **NON – SEMESTER**

### **BRANCH II – BUSINESS LAW**

### **REVISED SYLLABUS**

**(w.e.f. 2008-2009)**

### **I YEAR**

### **PAPER: I – CONSTITUTIONAL NEW CHALLENGES**

Creation of new states, Allocation and share or resources-distribution of Grants-in-aid, Rehabilitation of internally displaced persons, Centre's responsibility and internal disturbances within States, Direction of the Centre to the State under Article 356 and 365, Federal Comity: Relationship of trust and faith between Centre and States, Special status of certain States. – "State": Need for widening the definition in the wake of liberalization, Right to equality: Privatization and its impact on affirmative action, Empowerment of women, Freedom of press and challenges of new scientific technology. Freedom of speech and right to broadcast and telecast, Right to strike, hartal and bandth, Reading Directive Principles and Fundamental Duties into Fundamental Rights. Compensatory jurisprudence – Right to education, Commercialization of education and its impact, Brain drain by foreign education market, Right of minorities to establish and administer educational institution and state control, Secularism and religious fanaticism, Separation of powers: Stresses and strain, Judicial activism and judicial restraint, PIL: implementation, Judicial independence, Appointment, transfer and removal of judges, Accountability: executive and judiciary,

Tribunals, Nexus of politics with criminals and the business, Election, Election Commission: Status, Electoral Reform, Coalition government, stability, durability, corrupt practice, Grass root democracy.

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**PAPER: II – RESEARCH METHODOLOGY AND LEGAL EDUCATION**

Socio Legal Research, Doctrinal and non-doctrinal, Relevance of empirical research, induction and deduction, What is a research problems? Survey of available literature and bibliographical research, Legislative materials including subordinate legislation, notification and policy statements, Decisional Material including foreign decision; methods of discovering the “rule of the case”, tracing the history of important cases and ensuring that these have not been over-ruled discovering judicial conflict in the area pertaining to the research problems and the reasons there of, Juristic writings – a survey of juristic literature relevant to select problems in India and foreign periodicals. Completion of list of reports or special studies conducted, relevant to the problems. Formulation of the research problems. Devising tools and techniques for collection of data: Methodology, Methods for the collection of statutory and case materials and juristic literature, Use of historical and comparative research materials, Use of observation studies. Sampling procedures- design of sample, types of sampling to be adopted, Use of scaling techniques, Jurimetrics.

Computerized Research - A study of legal research programmers such as Lexis and West law coding, Classification and tabulation of data – use of cards for data collection – Rules for tabulation. Explanation of tabulated data, Analysis of data. Objective of Legal Education, Lecture Method of Teaching – Merits and Demerits, The problem method, Discussion method and its suitability at postgraduate level teaching, The Seminar Methods of Teaching, Examination system and problems in evaluation – external and internal assessment, Student participation in Law School programmers – Organization of Seminars, publication of journals and assessment of teachers, Clinical legal education – legal aid, legal literacy, legal survey and law reform, Clinical legal education – legal.

**PRESCRIBED BOOKS**

1. High Brayal, Nigel Dunnean and Richard Crimes, Clinical Legal Education: Active Learning in Your Law school, (1998)

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2. Blackstone Press Limited, London, S.K.Agrawal (ed.), Legal Education in India (1973), Tripathi, Bombay
3. N.R.Madhava Menon, (ed.) A Handbook of Clinical Legal Education, (1988) Eastern Book Company, Lacknow
4. M.O.Price, H.Bitner and Bysiewiez, Effective Legal Research (1978), Pauline
5. V.Young, Scientific Social Survey and research, (1962)
6. William J. Grade and Paul K.Hatt, Methods in Social Research, MC Graw-Hill Book Company, London
7. H.M.Hyman, Interviewing in Social Research (1965)
8. Erwin C. Surrency, B.Fielf and J.Crea, A Guide to Legal Research (1959)
9. Morris L.Coha, Legal Research in Nutshell, (1996), West publishing Co.

10. Harvard Law Review Association, Uniform system of Citations, ILI Publication, Legal Research and Methodology.

**PAPER: III – GENERAL PRINCIPLES OF THE LAW OF CONTRACTS INCLUDING ELECTRONIC CONTRACTS**

Evolution, nature, essential ingredients and modern developments relating to contracts in the conventional mode and electronic mode. Freedom of contract and the fetters that have been imposed-classification of contracts, offer and acceptance, standard form of contract, liability limiting clauses, fundamental breach. Consideration, Doctrine of accord and satisfaction panel's case and its implacability in India, promissory estoppels.

Capacity, privity of contract, free consent and consent distinction coercion, undue influence, fraud, misrepresentation, mistake-legality of object, opposed to public policy void agreements, wager and contingent contract. Illegal and UN lawful agreements, blue pencil theory. Performance, impossibility of performance and English law's doctrine of frustration, discharge modes and consequence, anticipatory breach remedies including specific relief, quasi-contracts.

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Electronic contracts, concept of originators and addressee communication mode like e-mail, cell phone SMS, audio and video conferencing, messaging through internet messenger, etc., Legal Recognition of Digital signature, legal implication of Encryption, attribution of electronic records, acknowledgment of receipt, consideration modes like a fund transfer agreement, inter payment service provider, credit card, debit card, etc., Legal issues relating to electronic contracts, common and distinctive features of conventional electronic contracts.

**PRESCRIBED BOOKS**

1. Anson, Law of Contracts
2. Cheshire & Fiffoot, Law of Contracts
3. Chitty, Law of Contracts
4. Trietel, Law of Contracts
5. Pollock & Mulla, Law of Contracts
6. Avtar Singh, Law of Contracts
7. Sec 1 to 75 of the Contract Act, 1872 and Specific Relief Act, 1963.

**ELECTRONIC CONTRACTS BOOKS**

- 1) Computer Internet & E-Commerce by Nandan Kamath – Universal Law Publishing Co (p) Ltd., New Delhi.
  - 2) Bharat's The Indian Cyber Law' by suresh T Viswanathan.
  - 3) Bharat;s Handbook of cyber and E-Commerce Laws by M.Bakshi and K.Suri.
  - 4) Computer Law by Chirs Reed, University of London, Indian Edition, Universal Law Publishing Co (p) Ltd., New Delhi
  - 5) Computer Law Cases & Materials by Seth E Zipnex & Stephen Kalman, Merrill Publishing Co., Melbourne.
  - 6) Law Relating to Information Techonlgy (Cyber Laws) by T.V.R.Satya Prasad, Asia Law House, Hyderabad.
  - 7) Guide to Cycer Laws by Rodney D Ryder, Wadhwa, Nagpur.
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**PAPER: IV – INSURANCE LAW AND CARRIAGE OF GOODS**

Nature of insurance contract, various kinds of insurance, proposal, parties, consideration, need for utmost good faith, insurable areas, indemnity, Insurance policy, law of contract and law of torts-future of need, importance and place of insurance, Constitutional Perspectives-the Entries 24 to 35 of List III, Definition nature and history, The risk-Commencement, attachment and duration, Assignment and alteration, Settlement of claim and subrogation, Effects of war upon policies, History and development, The Insurance Act 1938 and the Insurance Regulatory authority Act, Mutual insurance companies and co-operative life insurance societies, Double insurance and re-insurances. Nature and Scope, Event insured against life insurance contract Circumstances affecting the risk, Amounts recoverable under life policy, Persons entitled to Payment. Settlements of claim and payment of money, Nature and scope, Classification of marine policies, The Marine Insurance Act, 1963, Marine insurance, Insurable interest, insurable value, Marine insurance policy-condition-express warranties-constructed terms of policy Voyage-deviation Perils of the Sea Assignments of Policy, Partial laws of ship and of freight-salvage, general average, charges, Return of premium, The Fatal Accidents Act, 1855, Objects and reasons, Assessment of compensation, Contributory negligence, Apportionment of compensation and liability, the Personal Injuries Compensative Insurance Act 1963, Liability, the Personal Injuries Compensative Insurance Act 1963, compensation payable under the Act, Compensation insurance scheme under the Act-Compulsory, Fire insurance, The Emergency Risks (factories) Insurances, The Emergency Risks (goods) Insurance, Policies covering risk of explosion, Policies covering accidental loss, damage to property, Policies covering risk of storm and tempest, Glass-Plate Policies, Burglary and their policies, Livestock policies, Goods in transit insurance, Agricultural insurance the Motor Vehicles act, 1988, Nature and scope, Effect of insolvency or death on claims of insolvency constitution, function, application for compensation, procedure, powers and awards, Liability Insurance, Nature and kinds of such insurance, Public liability insurance, Professional negligence insurance, Group life insurance, Mediciclaim, Sickness Insurance, Carriage of goods.

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**BOOKS PRESCRIBED:**

1. John Hanson and Christophals, All Risks Property Insurance (1999), LLP Asia, Hong Kong
2. Pater Mac Donald Egers and Patric Foss, Good Faith and Insurance Contract (1988), LLP Asia, Hong Kong.
3. Banerjee, Law of Insurance (1994), Asia Law Houses, Hyderabad.
4. Mitra B.C., Law Relating to Marine Insurance (1997) Asia Law House, Hyderabad.
5. J.C.B Gilmar and Mustill Arnold, The Law of Marine Insurance (1981), Sweet & Maxwell.
6. Birds, Modern Insurance Law (1997), Sweet & Maxwell.
7. Colinvaux's Law of Insurance (1997), Sweet & Maxwell.
8. O'Mary on Marine Insurance (1993), Sweet & Maxwell.
9. International Labour Office, Administration Practice of Social Insurance (1985)

10. E.R.Hardy Ivam General Principles of Insurances Law (1979)
11. Edwin W.Patterson, Cases and Materials on Law Insurance (1955)
12. M.N.Srinivas, Law and the Life Insurance Contract (1914)

**PAPER: V – SPECIAL CONTRACTS INCLUDING BANKING AND NEGOTIABLE INSTRUMENTS**

Agency, Sale of goods and hire purchase, Consumer protection including Redressal, Evolution and development of banking, different kinds of banks and their functions multifunctional banks-growth and legal investment banking, merchants banking, banking ombudsman, previous nationalization phenomenon, current disinvestments and privatization policy, protection of depositors, deposit insurance, priority lending, micro credit, R B L – powers and functions, control over non-banking companies, Banker and customers-relationship, rights duties and liabilities, protection of bankers, nature and types of account, special class of customers, pass book, goods lending principles, security for advanced, repayments of loans, default and recovery

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debts, recovery tribunal; securitization act, (SARFAESI ACT), negotiable instruments, meaning, kinds, transfer and negotiation, holder and holder in due course, presentment and payments, presumptions, liabilities of parties, discharge, bouncing of cheques and remedies. Recent trends of banking system in India, new technology, Information Technology, Legal issues associated with on-line banking,

**BOOKS PRESCRIBED:**

1. Bowstead, Law of Agency
2. Friedman, Law of Agency
3. Atiyah, Law of Agency
4. Benjamin, Law of Agency
5. Bashyam & Adiya, Negotiable Instruments, Treatise on Consumer Protection Law
6. Dilip K Sheth (Snow White Publishers, Delhi), The Law of Consumer protection in India.
7. Rajendra Kumar Nayak, Consumer protection in India
8. Bharat's Consumer Protection Law and Practice by Dr.V.K. Aggarwal, Tannan's Banking Law & Practice in India.

**PAPER: VI – LAW OF INDUSTRIAL AND INTELLECTUAL PROPERTY**

IPR and International Perspectives, Trademarks and consumer protection (Study of UNCTAD report on the subject), The Legal Regime of Unfair Trade Practices and Intellectual Industrial Property., United Nation's approach (UNCTAD, UNCITRAL), EEC's approach, position in U.S., The Indian situation, Special Problems of the Status of Computer Software in Copyright and Patent Law: A comparative Study, Biotechnology Patents, Nature and types of biotechnology patents, Patent over new forms of life: TRIPS obligations, Plant Patenting, Sui generis protection for plant varieties, Multinational ownership, Regulation of environment and health hazards in biotechnology patents, Indian Policy and Position, Patent Search, Examination and Records, International and global patent information retrieval systems (European Patent

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Treaty), patent treaty), Patent Co-operation Treaty (PCT) Differences in resources for

paten examination between developed and developing societies, The India Situation, Special Problem of proof Infringement, Statues of intellectual property in transit - TRIPS obligation – Indian position, The evidentiary problems in action of passing off, The proof of non-anticipation, novelty of inventions protected by patent, Evidentiary problems in piracy TRIPS obligation-reversal of proof in process patent, Need and scope of Law Reforms, Freedom of speech and expression as the basis of the regime property right-copyrights protection on internet – WCT (WIPO Copy Treaty,1996), Legal status of hazardous research protected by the regime of intellect property law, Human rights of the impoverished masses intellectual property protected of new products for health care and food security, Traditional knowledge – protection – biodiversity convention – right indigenous people, Special attention should be given to literature of the U.N.System, WIPO and UNESCO.

**PRESCRIBED BOOK:**

1. Terence P. Stewart (ed), The GATT Uruguay Round: A Negotiating History (1986-the end Game (Part-I))
2. Kluwer, Ive P. Cooper, Biotechnology and Law (1998)
3. Clerk Boardman Callaghan, New York David Bainbridge, Software Copyright Law (1999)
4. Carswell, Carlos M. Correa (ed.), Intellectual Property and International Trade (1998)
5. Kluwera, Patent Co-operation Treaty Hank Book (1998), Sweet and Maxwell
6. Chirstopher Wadlow, The Law of passing-off (1998), Sweet and Maxwell
7. W.R.Cornish, Intellectual Property Law (1999), Sweet and Maxwell

**II YEAR**

**PAPER: VII – LAW OF EXPORT AND IMPORT REGULATIONS**

State control over import and export of goods-from rightly to liberalization, Impact of regulation on economy, Goods, Services, Transportation, WTO and tariff restrictions,

WTO and non-tariff restrictions, Investments and transfer of technology, Quota restriction and anti-dumping, Permissible regulations, Quarantine regulations, Dumping of discarded technology and goods in international market, Reduction of subsidies and counter measures, General Scheme, Legislative Control, Power of control: Central government and RBI, Foreign Trade Development and Regulation Act 1993, Restriction under customers law, Prohibition and penalties, Export-import formulation guiding features, Control under FEMA, Foreign exchange and currency, import of goods, Export promotion councils, Exports oriented units and export processing Zones, Quality Control, Regulation of goods, Conservation of foreign exchange, Currency transfer, Investment in foreign countries, Investment policy: NRIs, fiis (foreign institutional investors) FDIs, Joint venture, Promotion of foreign trade, Agricultural products, Textile and clothes, Jewellery, Services Sector, Prohibition on important and exportation of goods, Conveyance and warehousing of goods, Borrowing and lending of money and foreign currency, Securities aboard, immovable property-purchase abroad, Establishment of business outside, Issue of derivations and foreign securities – GDR (glopal deposits receipts). ADR (American depository receipts) and URO, Investment in Indian banks, Repatriation and surrender of foreign securities, Restrictive terms in technology transfer agreements, Automatic approvals schemes, Government of India.



**PRESCRIBED BOOKS:**

1. Handbook of Import and Export procedures. (Refer to the latest Government of Indian Import and Export Policy (1997-2002)
2. The Students should consult the relevant volumes of the Annual Survey of India published by the Indian Law Institute, New Delhi
3. Foreign Exchange Management Act 1999
4. Marine products Exports Development Authority Act 1972
5. Final Treaty of GATT, 1994.

**PAPER: VIII – CORPORATE GOVERNANCE AND CORPORATE FINANCE**

Meaning importance and scope of corporation finance, Capital needs-capitalization working capital-securities-borrowings-deposits debentures, Objectives of corporation finance – profits maximization and wealth maximization, Constitutional

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perspectives the entries 37, 38, 43, 44, 45,46, 47, 52, 82, 85 and 86 of List-1-Union List; entry 24 of List II – State List, Share Capital, Prospectus-information disclosure, Issues and allotments, Shares without monetary consideration, Non-opting equity shares, Debentures, Nature, issues and class, Deposits and acceptance, Creation of charges, Fixed and floating charges, Mortgages, Convertible debentures, Regulation by disclosure, Control on payments of dividends, Managerial remuneration, Payments of commission and brokerage, Inter-corporate loans and investment, Pay-back of shares, Other corporate spending, Need for creditor protection Preference in payment, Rights in making company decision affecting creditors interest, Creditors self-protection, Incorporation of favorable terms in lending contracts, Rights to nominate directors, Control over corporate spending, Individual share holder right, Corporate membership right, Derivate actions, Qualified membership right, Conversion, consolidation and re-organization of shares, Transfer and transmission of securities, Depositories – IDR (Indian depository receipts), ADR (American deposits receipts), GDR (Global depository receipts), Public financing institutions – IBDI, ICICI, IFC and SFC, Mutual fund and other collective investment schemes, Instructional investment-LIC, UTI and banks, FDI and NRI investment-Foreign institutional investment, (IMF World Bank), Inspection of accounts, SEBI, Central Government Control, Control by register of companies, RBI control.

**PRESCRIBED BOOKS**

1. Alastair Hundson, The Law on financial Derivatives (1998)
2. Sweet & Maxwell, Company Law and Corporate Finacial Derivatives (1999), Oxford
3. Jonathan Charkham, Fair shares: The Future of Shareholder’s Power and Responses (1999)
4. Ramaiya, A Guide to the Companies Act (1998), Vol I, II and III. H.A.J
5. Ford and A.P. Austen Fords, Principles of Corporation Law (1999) Butterworths
6. J.H.Farrar and B.M.Hanniya Farrar’s Company Law (1998) Butterworths
7. Austen R.P., The Law of public Company Finance (1986) LBC

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8. R.M.Goode, Legal problems of Credit and security (1988) Sweet and Maxwell.
9. Altman and Subrahmanayan recent advanced in corporate Finance (1985) LBC.

10. Gilbert Harold Corporation Finance (1956)
11. Henry E. Hoagland, Corporate Finance (1947)
12. Maryin M. Kristan, Corporate Finance (1975), R.C. Osborn, Corporate Finance (1959)
13. S.C. Kuchhal Corporate Finance: Principles and problems (6<sup>th</sup> ed. 1966)
14. V.G. Kulkarni, Corporate Finance (1961)
15. V.D. Kulshreshta Government Regulation of financial management of private Sector in India (1986)

### **JOURNALS**

Journals of Indian Law Institute, Journals of Business Law, Company Law Journals, Law and Contemporary problems. Statutory Materials-Companies Act and Laws relating to SEBI Depositories, Financing and Information Technology.

### **PAPER: IX – JUDICIAL PROCESS**

Judicial process as an instrument of social ordering, judicial process and creativity in law-common law-model-legal reasoning and growth of law-change and stability, The tools and techniques of judicial creativity and precedent, Legal Development and creativity through legal reasoning under statutory and codified systems, Notions of judicial review, Role in constitutional adjudication – various theories of judicial review, role, Tools and techniques in policy-making and creativity in constitutional adjudication, judicial activism, Problems of accountability and judicial lawmaking, Indian debate on the role of judges and on the notion of judicial review, The “independence” of judicial and the “political” nature of judicial process, Judicial activism and creativity of the Supreme Court – the tools and techniques of creativity, Judicial process in pursuit of constitutional goals and values – new dimension of judicial activism and structural challenges, Institutional liability of courts and judicial activism-scope and limits,

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The concept of justice or dharma in Indian thought, Dharma as the foundation of legal ordering in Indian thought, The concept and various theories of justice in western thought, various theoretical theories of justice: the liberal, contractual traditional, the liberal utilitarian traditional and the liberal moral tradition, Equivalence Theories – Justice as nothing more than the positive of the law stronger class, Dependency theories – for its realizations justice depends on law, but justice is not the same as law, the independence of justice theories means to end relationship of law and justice. The relationship in the context of the Indian constructional ordering, analysis of selected cases of the Supreme Court where the judicial process can be seen as influenced by theories of justice.

### **PRESCRIBED BOOKS**

1. Julius Stone, The Province and Function of Law, Part II, Chapters 1, 8-16 (2000), Universal New Delhi,
2. Cardozo, The Nature of Judicial Process (1995) Universal, New Delhi,
3. Henry J. Abraham, The Judicial Process (1988), Oxford,
4. J. Stone, President and the Law: Dynamics of Common Law growth (1985) Butterworths
5. W. Friedman, Legal Theory (1960), Butterworths
6. Stevens London, Boden Heimer, Jurisprudence – The Philosophy and Methods of

the Law (1997), Universal, Delhi,

7. J.Stone, Legal system and lawyers Reasoning (1999) Eastern Book Company, Lucknow,

8. Rajeev Dhavan The Supreme Court of India – A Socio Legal Critique of its justice Techniques (1977), Tripathi, Bombay,

9. John Rawls, A Theory of Justice (2000), Universal Delhi,

10. Edwards H.Levi, An Introduction to Legal Reasoning (1970), University of Chicago.

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### **PAPER X – LAW AND SOCIAL TRANSFORMATION**

Law as an instruments of social changes, Law as the product of tradition and culture, Criticism and evaluation in the light of colonization and the introduction of common law system and institution in India and its impact on further development of law and legal institutions in India. Religions as a divisive factor, Secularism as a solution to the problems Reform of the law on secular lines problems, Freedom of religion and non-discrimination on the basis of religion, Religious minorities and the Law, Languages as a divisive factor, Formation of linguistic states, Constitutional guarantees to linguistic minorities, languages policy and the Constitution official Language Multilanguage system, Non-discrimination on the ground of languages, Caste as a divisive factor, Non-discrimination on the ground of caste, Acceptance of caste as a factor to undo past injustice, Protective discrimination Scheduled castes, tribes and backwards classes, Reservation: Statutory Commissions, Statutory Provision, Regionalism as a divisive factor, Concept of India as one unit, Right of movements residence and business impermissibility of state or regional barriers,

Equality in matters of employment; the slogan “Sons of the soil” and its practice, admission to educational institutions: preference to residence of state, Crimes against women, Gender injustice and its various forms, Women’s Commission, provisions, Child Labor, Sexual exploitation, Adoption and related problems, Children and education, Modernization as a value; Constitutional Perspectives reflected in the fundamental duties, Modernization of social institutions through law, Reform of family law, Agrarian reform-industrialization of agriculture, industrial reforms: Free enterprises V State regulation- Industrialization V. Environmental Protection, Reform of courts processes, Criminal Law: Plea bargaining: compounding and payments of compensation to victims, Civil Law : (ADP) Confrontation / Consensus:

Mediation and Conciliation, Lok Adalats, Prison Reforms, Democratic decentralizations and local self-government., The jurisprudence of Sarvodaya – Gandhiji Vinoba Bahava; Jayaprakash Narayan Surrender of Dacoits; Concept of gram Nyayalayas, Socialist thought on law and justice; An Enquiry through constitutional

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debates on the right to property, Indian Marxist critique of law and justice, Naxalite Movement; Causes and cure.

### **PRESCRIBED BOOKS**

1. Mare Galanter (Ed.) Law and Society in Modern India (1977), Oxford

2. Robert Lingat, The Classical Law of India (1998), Oxford,

3. U.Baxi, The Crisis of the Indian Legal System (1982) Vikas New Delhi,

4. U.Baxi, Law and Poverty, Critical Essays (1988), Tripathi, Bombay,
5. Manushi, A Journal About Women and society, Duncan Derret, The State Religions and Law in India (1999). Oxford University Press, New Delhi.
6. H.M. Seervai, Constitution of India (1996), Tripathi,
7. D.D.Basu, Shorter Constitution of India (1996), Prentice-Hall of Indian (p) Ltd., New Delhi,
8. Sunil Deshta and Kiran Deshta, Law and Menance of Child Labour (2000) Arnol Publications, Delhi, Savitri Gunasekhare, Children, Law and Justice (1997), Sage,
9. Indian Law Institutes, Law and Social Change: Indo – American Reflection Tripathi (1988),
10. J.B. Krispalani, Gandhi: His Life and Thought (1970) Ministry Information and Broadcasting Government of India,
11. M.P. Jain, Outlines of Indian Legal History, (1993), Tripathi, Bombay
12. Agnes Flavia, Law and Gender Inequality: The Politics of Women’s Rights in India (1999), Oxford.

**PAPER: XI – DISSERTATION AND VIVA – VOCE.**

A.C.M.2008