1. ELIGIBILITY FOR ADMISSION

Admissions are open to persons all over India. The minimum qualification for admission is 3 year BL or LL. B, 5 year BL or LL. B 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 only.

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

<table>
<thead>
<tr>
<th>Paper</th>
<th>Title</th>
<th>Hours</th>
<th>Marks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Paper-I</td>
<td>Indian Constitutional Law: The New Challenges</td>
<td>3</td>
<td>100</td>
</tr>
<tr>
<td>Paper-II</td>
<td>Research Methodology and Legal Education</td>
<td>3</td>
<td>100</td>
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<tr>
<td>Paper-III</td>
<td>Introduction to International Law and Institutions</td>
<td>3</td>
<td>100</td>
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<td>Paper-IV</td>
<td>Introduction to IPR</td>
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<td>100</td>
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<tr>
<td>Paper-V</td>
<td>Law of Patents</td>
<td>3</td>
<td>100</td>
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</tbody>
</table>
PERSONAL CONTACT PROGRAMME

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

EXAMINATION

Examination 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 Classes. He/She is eligible to appear for the Theory Examination.

Dissertation and Viva

Dissertation and Viva - 200 Marks
Dissertation - 150 Marks
Viva - 50 Marks

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

6. PASSING MINIMUM

A candidate shall be declared to have passed in each paper / subject, if he / she secure Not Less than 50% of the marks prescribed for the examination.
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

A Full-Time Law Teacher/Lecturer working in any Law College/University Department and who has put in a minimum of 2 years teaching experience is eligible to guide.

Such guide who is working in a Law College and who is not a Ph.D recognized guide can guide only a maximum of 5 Dissertations in an academic year.

A Part-Time Law Teacher/Lecturer working in a Law College and who has put in a Minimum of 10 Years Teaching Experience is eligible to guide. Such Part-Time Law Teacher/Lecturer can guide only a maximum of 3 Dissertations in an academic year.

A University Law Faculty who is a recognised Ph.D Guide can guide only a maximum of 10 Dissertations in an academic year.
PAPER – I

INDIAN CONSTITUTIONAL LAW: THE NEW CHALLENGES

UNIT I - FEDERALISM:


UNIT II - FUNDAMENTAL RIGHTS

'State' - Need for widening the definition in the wake of liberalization - Right to equality: Privatization and its impact on affirmative action - Empowerment of Women - Religious freedom - Secularism - right of minorities to establish and administer educational institutions of their choice - Freedom of speech and right to broadcast and telecast - Information Technology - Internet - Cyber defamation- Privacy and Electronic Media.

UNIT III- DIRECTIVE PRINCIPLES OF STATE POLICY


UNIT IV - THE LEGISLATURE AND EXECUTIVE


UNIT V- THE JUDICIARY

PRESCRIBED BOOKS:

- Granville Austin, Working a Democratic Constitution, Oxford University Press
- H.M. Seervai, Constitutional Law of India, Universal Law Publishing Co
- M.P. Jain, Indian Constitutional Law, Lexis Nexis Butterworth
PAPER II - RESEARCH METHODOLOGY & LEGAL EDUCATION

UNIT I
Meaning of Research- Legal Research, Scientific Method Kinds of Research: Socio-legal Research, Doctrinal and Non-Doctrinal Research, Quantitative and Qualitative Research & Relevance of Empirical Research.

UNIT II
Formulation of Research Problem - Tools and techniques of data collection-Use of questionnaire and interview - Use of case study-Jurimetrics

UNIT III
Sampling Procedure - Design of Sample, Types of sample to be adopted- Classification and tabulation of data - Analysis of data- Art of thesis writing.

UNIT IV
Legal Education - Objectives of Legal Education - Lecture Method of Teaching - Merits and demerits - The Problem Method – Discussion method and its suitability at postgraduate level teaching - The Seminar Method of teaching - Examination system and problems in evaluation - external and internal assessment- Student participation in law school programmes - Organisation of Seminars, publication of journal and assessment of teachers

UNIT V
Clinical legal education - legal aid, legal literacy, legal survey and law reform- Technology and Legal education-formal and informal legal education- Case study method- Head note writing-case Comments.

PRESCRIBED BOOKS:

- Blackstone Press Limited, London, S.K.Agrawal (ed.), Legal Education in India (1973), Tripathi, Bombay,
- M.O.Price, H.Bitner and Bysiewiez, Effective Legal Research (1978), Pauline V.Young, Scientific Social Survey and research, (1962)
- C.R.Kothari, Research Methodology, New Age International Publishers, Delhi.
PAPER - III - **INTRODUCTION TO INTERNATIONAL LAW AND INTERNATIONAL INSTITUTIONS**

**UNIT-I INTRODUCTION**

Evolution of international law - Sources -Treaties, Customs, General Principles of Law, Judicial decisions and opinion of the publicists - Other, source of law International Law and Municipal Law - Relationship between international law and municipal law –Practice of UK, USA & India – Application of international law in the municipal sphere.

**UNIT-II JURISDICTION**


**UNIT-III SOVEREIGNTY**

Meaning of Sovereign Immunity-Immunity of States-Immunity of State Organs and Property-State Responsibility-General Principles- Responsibility for injuries to alien’s -Territory-loss and Acquisition of territory

**UNIT-IV UNITED NATIONS**


**UNIT-V OTHER INSTITUTIONS**


**PRESCRIBED BOOKS**

- Ian Brownlie, Principles of Public International Law, Oxford University Press.
- Oppenheim’s International Law, 9th Edn, Pearson Education Ltd
• Malcom N. Shaw, International Law, 5th Edn. Cambridge University Press.
• Starke’s International Law, -I.A.Shearer, Oxford University Press
• David Harris, Cases and Materials on International Law, Sweet & Maxwell publication.
• Philippe Sands Q.C and Pierre Klein, Bowett’s Law of International Institution, Sweet & Maxwell publication.
• S.K. Kapoor, International Law and Human Rights, Central Law Agency’
PAPER IV - INTRODUCTION TO IPR

UNIT I - INTRODUCTION

UNIT II - PROTECTION OF INTELLECTUAL PROPERTY

UNIT III - INTERNATIONAL TREATIES

UNIT IV - TRIPS AGREEMENT
Background- Salient Features of TRIPS- TRIPS and Indian IPR- TRIPS and PARIS Convention — a comparison — Impact of TRIPS on Indian IPR regime

PRESCRIBED BOOKS:
- Dr. Raghbir Singh, Law Relating to Intellectual Property,
- P. Narayanan, Patent Law, Eastern Law House, New Delhi,
- 2006
- P. Narayanan, Law of Copy Right and Industrial Design, Eastern Law House, New Delhi, 2006
- Sarkar on Trade Marks, Kama] House, Kolkatta, 2008
- Latha R Nair & Rajendra Kumar, Geographical Indications,
- Butterworth 2005
PAPER V - LAW OF PATENTS

UNIT I - INTRODUCTION TO PATENTS
Overview - Historical Development — Concepts — Novelty – Inventive Step / Non-Obviousness - Utility/Capable of Industrial Application

UNIT II - PATENTABLE-SUBJECT MATTER

UNIT III - PROCEDURE FOR OBTAINING OF PATENTS

UNIT IV - RIGHT AND WORKING OF PATENTS

UNIT V - INFRINGEMENT
What is infringement? - Construction of claims and Specification - Literal infringement - Pith and Marrow - Doctrine of Equivalents - Defence to infringement - Remedies -Power and Functions of IPAB

PRESCRIBED BOOKS:

- House, 2007
- Pal P., Intellectual Property Rights in India Dr.Ragbir Singh,
PAPER VI - LAW OF COPY RIGHTS

UNIT I - INTRODUCTION TO COPYRIGHT
Overview - Indian Copyright Act and Amendments - Concepts - Originality - Fixation - Idea Expression dichotomy - Doctrine of Merger - Doctrine of Sweat of the Brow

UNIT II - WORKS PROTECTED UNDER COPYRIGHT
Literary works including Computer Programme and Compilation- Dramatic works - Musical works - Artistic works - Sound Recording -Cinematograph Film

UNIT III - AUTHORSHIP AND OWNERSHIP
Author - Contract of Service - Contract for Service – Joint Authorship

UNIT IV - RIGHTS CONFERRED ON COPYRIGHT OWNERS
Economic Right - Moral right (Special Right) -Assignment and License -Compulsory License -Statutory License

UNIT V - INFRINGEMENT AND REMEDIES

PRESCRIBED BOOKS:
- P.Narayannan, Law of Copy Right and Industrial Design, Eastern Law House, New Delhi, 2006
- Copinger & Skine James, Copyright
- Rodney Ryder, Intellectual Property and the Interest
- Rahul Matthan, The law relating to Computers and the Internet
PAPER VII - LAW OF TRADE MARKS

UNIT I - INTRODUCTION


UNIT II - REGISTRATION


UNIT III - INFRINGEMENTS

Infringement of Trademarks - Action for Infringements. Course Purpose and Scope: This course is designed to give an overview / survey of trademarks and trademark law and practice in countries around the world. There will alsobe some attention given to various international treaties, conventions and agreements. The focus will vary from historical, philosophical, legal and even. Offences & Penalties. Unfair Competition Law. Remedies and Enforcement. Types of Relief- Civil, Criminal & Administrative. (b) Procedure for Litigation.

UNIT IV - NEW CHALLENGES

Trademarks in cyberspace- Domain, names, Cybersquatting, Met tagging. Review alternative dispute resolution procedure such as the Uniform Domain Resolution Policy (UDRP) and other similar procedures. Trademarks vs. Patent, Copyrights, Trade secrets & Geographical indication. Concept of Well-known Trademarks .Comparative Analysis of European and Indian Trademarks Law.

PRESCRIBED BOOKS:

- W. R. Cornish, Intellectual Property: Patents. Copyrights,
• Trademarks in the Marketplace: selection and adoption of trademarks, proper use and protection, by United States Trademarks Association, 1964, University of Michigan
• Copyrights and Trademarks, 1990, University of Michigan.
PAPER VIII - LAW OF GEOGRAPHICAL INDICATIONS OF OTHER IPR’S

UNIT I - INTRODUCTION

Origins definition of geographical indication -The purpose of recognizing geographical indications. International law on geographical indications The Paris convention and indications of sources, Lisbon agreement on indications of sources. The TRIPS Agreement and geographical indications, protection of geographical indications to recognize the efforts of community.

UNIT II - G.I IN INDIA


UNIT III -REGISTRATION OF GI

Subject Matter of Registration and prohibition - Procedure for and duration of Registration - Rights conferred by Registration - Rectification and correction of the Registrar — Powers and Functions of Registrar

UNIT IV - INFRINGEMENT AND REMEDIES

Infringement of Registered GI. Remedies: Civil remedies - Different categories of Civil remedies -Institution of suits - stay of proceedings. Criminal remedies :Offences - Penalties -Procedure – remedies through Appellate Board

PRESCRIBED BOOKS:

- Geographical Indications for Food Products, Marsha AEchols, Wolters, 2008
- Latha R Nair &Rajendra Kumar, Geographical Indications,
- Trade Marks passing oIT& Geographical Indications of Goods Law and Procedure, D.P. Mittal, Taxmann , 2002
PAPER IX

JUDICIAL PROCESS

UNIT I: NATURE OF JUDICIAL PROCESS


UNIT II: JUDICIAL PROCESS IN INDIA


UNIT III: THE CONCEPTS OF JUSTICE

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 the western thought, various theoretical bases of justice-the liberal contractual tradition, the liberal utilitarian tradition and the liberal moral tradition.

UNIT IV: RELATION BETWEEN LAW AND JUSTICE

Equivalence Theories-Justice as nothing more than the positive law of the stronger class, Dependency theories-For its realization 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 Constitutional ordering, Analysis of selected cases of the Supreme Court where the judicial process can be seen as influenced by theories of justice- Idea of Justice.

PRESCRIBED BOOKS:

- Julius Stone, The Province and Function of Law, 2000 Universal, New Delhi
- J. Stone, Precedent and the Law-Dynamics of Common Law Growth, 1985
- A.Laksminath, Judicial Process Precedent in Indian Law, EBC, Lucknow, 2009
UNIT I: LAW AND SOCIAL CHANGE

Meaning and concept of Law- Law as a purposive device, Change or transformation-Social Change-Value orientation in social change-Theories of Social change: Evolutionary Theory, Cyclic Theory, Functional Theory & Conflict Theory - Relationship between law and morality-culture, social change and law, Law and development, Social change in the context of democracy. Law and social change in ancient India-Social dimensions of law and social concern for justice-Role of family, associations and charitable institution in ancient India- Interaction between law and custom, Social control during the Muslim conquest-Social reform during the medieval period, Law and Social Transformation in Modern India.

UNIT II-CONSTITUTION'S ORIENTATION AND SOCIAL TRANSFORMATION.

Impact of sociological school in India - Constitutional evolution and the Constitutional Assembly's Role-Constitutional text as a mechanism for social change-the Constitutional amendments and social transformation-Basic structure theory as balancing continuity and change-The role of Governmental organs for social transformation-Working of the Constitution for Social Transformation-Constitutional interpretation as an effective tool for social transformation. Application of international law in the process of constitutional interpretation-Constitutionalism and social transformation.

UNIT III - RELIGION, LANGUAGE, COMMUNITY AND LAW

Religion as a divisive factor, secularism-Reform of the law on secular lines, Freedom of religion and non-discrimination on the basis of religion, Religious minorities and the law. Language as a divisive factor-formation of linguistic states, Constitutional protection to linguistic minorities, Non-discrimination on the ground of language. Language policy and the Constitution-Official Language, State Language, Court Language - Caste as a divisive factor, Non-discrimination on the ground of caste, Acceptance of caste as a factor to undo past injustices, Protective Discrimination-Scheduled castes, Tribes and Backward classes, Reservation: Statutory Commission, Statutory provisions.

UNIT IV- REGIONALISM, WOMEN, CHILDREN AND THE LAW

Regionalism as a divisive factor, concept of India as one unit, Right of Movement, 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 residents of a state - Crimes against women - Gender injustice and its various forms- Women’s Commission - Empowerment of women: Constitutional and other legal provisions - Child
labour- Sexual exploitation – Child Pornography- Adoption and related problems - Children and education.

UNIT V- MODERNISATION OF SOCIAL INSTITUTIONS THROUGH LAW, REFORM OF COURT PROCESSES, ALTERNATIVE APPROACHES TO LAW AND SOCIALIST THOUGHT ON LAW AND JUSTICE

Constitutional perspectives reflected in the fundamental duties - Reform of family law - Agrarian reform - Industrialisation of agriculture- Industrial reform: Free enterprise v. State regulation - Industrialisation v. environmental protection- Criminal law: Plea bargaining; compounding and payment of compensation to Victims - Civil law: (ADR) Confrontation v. consensus; mediation and conciliation; Lok adalats - Prison reforms - Democratic decentralisation and local self-government - The jurisprudence of Sarvodaya - Gandhiji, Vinoba Bhave Jayaprakash Narayan- Surrender of dacoits; concept of gram nyayalayas - Constitutional debates on the right to property- Indian Marxist critique of law and justice- Naxalite movement-causes and cure.

PRESCRIBED BOOKS:

- Duncan Derret, The State, Religion and Law in India, 1999
- Savitri Gunasekhare, Children, Law and Justice (1997), Sage
- M.P.Jain, Outlines of Indian Legal History, (1993), Tripathi, Bombay.
- Agnes, Flavia, Law and Gender Inequality: The Politics of Women's Rights in India (1999), Oxford.
- P.Ishwara Bhat, Law & Social Transformation, EBC, Lucknow, 2009
1. MARKS:  Dissertation and Viva-voce – 200 Marks  
Dissertation – 150 Marks  
Vivo-voce –  50 Marks

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   A Full-Time Law Teacher/Lecturer working in any Law College/University Department and who has put in a minimum of 2 years teaching experience is eligible to guide.
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3. DISSERTATION RULES:
   The Dissertation must contain the following:
   - Cover Page
   - Guide Acceptance Certificate
   - Certificate
   - Acknowledgement / Preface
   - Abbreviations
   - Contents
   - Table of Cases
   - Chapters
   - Appendix
   - Bibliography