Ph.D. Entrance Test - SYLLABUS - 2019

Law

Part :- 1

RESEARCH METHODOLOGY (50 %)

Course Contents:

Unit - 1. Research Methods.
   1.1. Socio Legal Research.
   1.2. Doctrinal and non-doctrinal.
   1.3. Relevance of empirical research.
   1.4. Induction and deduction.

Unit - 2. Identification of Problem of research.
   2.1. What is a research problem?
   2.2. Survey of available literature and bibliographical research.
   2.2.1. Legislative materials including subordinate legislation, notifications and policy statements.
   2.2.2. Decisional materials including foreign decisions: 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 problem and the reasons thereof.
   2.2.3. Juristic writings – a survey of juristic literature relevant to select problems in India and foreign periodicals.
   2.2.4. Compilation of list of reports or special studies conducted relevant to the problem.

Unit - 3. Preparation of the Research Design.
   3.1. Formulation of the Research problem.
   3.2. Devising tools and techniques for collection of data: Methodology.
3.2.1. Methods for the collection of statutory and case materials and juristic literature.
3.2.2. Use of historical and comparative research materials.
3.2.3. Use of observation studies.
3.2.4. Use of questionnaires / interview.
3.2.5. Use of case studies.
3.2.6. Sampling procedures – design of sample, types of sampling to be adopted.
3.2.7. Use of scaling techniques.
3.2.8. Jurimetrics.
3.3. Computerized Research – A study of legal research programmes such as Lexis and West law coding.
3.5. Analysis of data.

Part - 2

Core Subject (50 %) (UGC - NET Paper II Syllabus)

1. Constitutional Law of India
   Preamble
   Fundamental Rights and Duties
   Directive Principles of State
   Policy Judiciary Executive
   Union State Legislative
   Relations Emergency
   Provisions Amendment of the
   Constitution Writ Jurisdiction

2. Legal Theory
   Nature and Sources of Law
   Positivism, Natural. Law Theory, Sociological
   Jurisprudence Theories of Punishment Rights and Duties
   Concepts of Possession and Ownership
3. **Public International Law**
   Nature of international Law and its relationship with
   Municipal Law Sources of International Law
   Recognition of States and Governments -
   United Nations
   Settlement of International Disputes
   Human Rights

4. **Family Law**
   Concepts in Family Law Sources of
   Family Law in India Marriage and
   Dissolution of Marriage

5. **Law of Contracts—General Principles**
   Essentials of a valid contract
   Offer, acceptance and consideration
   Capacity to Contract—Minor's contract
   Elements vitiating contract—mistake, fraud, misrepresentation, public policy, coercion, undue influence, frustration of contract
   Remedies for breach of contract—Damages.

6. **Law of Torts**
   Foundation of Tortious Liability
   General Defences to an action of
   Torty Vicarious Liability
   Remoteness of Damages
   Contributory Negligence
   Absolute and Strict Liability

7. **Law of Crimes—General Principles**
   Nature and Definition of Offence
   General Exceptions
Common Intention and Common
Object Criminal Attempt, Conspiracy
and Abetment Offences against Women

8. **Labour Law**

   Concepts—Industry, Industrial Dispute and Workman
   Trade Unions-Rights and Immunities of Registered Trade Union;
   Registration and its advantages
   Methods for Settlement of Industrial Disputes under Industrial
   Disputes Act, 1947 Strike and Lockout as Instruments of Collective
   Bargaining Retrenchment, Lay-off and Closures