#### VIJAYANAGARA SRI KRISHNADEVARAYA UNIVERSITY

#### DEPARTMENT OF LAW

#### Ph.D. Entrance Exam Syllabus

#### PART A: RESEARCH METHODOLOGY

#### <u>UNIT – I: INTRODUCTION TO RESEARCH METHODOLOGY</u>

Basics of Research- Concept and meaning of Research; Reflective Thinking; Characteristics of Scientific Methods; Kinds of research, Need for objectivity and neutrality in research; Research qualities and traits. Essentials of Legal Research- Nature and objectives of legal research

#### <u>UNIT – II: NECESSARY STEPS</u>

Formulation of the Research Problem- Origin, selection and definition of research problem, Law; Evaluation of previous research and review of literature; Framing of research design, working bibliography. Facts, Theory and Hypothesis; Formulation, Importance, types and testing of Hypothesis; characteristics of good hypothesis; Concepts, Variables and Definitions.

#### <u>UNIT – III: TOOLS AND TECHNIQUES</u>

Techniques and tools for collection of data-Descriptive Method of Research-Library and documentary research for collection of legal materials—Analysis of Legal materials, statutes and delegated legislations. Other tools and techniques of conduct of research. Qualitative vs Quantitative research.

#### UNIT - IV: CONDUCT OF RESEARCH

Use of historical and comparative research materials. Use of observation studies, Participant and non-participant observation- Questionnaires and Interview schedules. Use of case study-sampling Method. Other methods of conducting research.

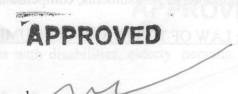
## <u>UNIT - V: DATA ANALYSIS & RESEARCH REPORTING</u>

Descriptive Statistics, Distributions, Inferential Statistics, Parametric and other tests. Classification and tabulation of data; Analysis and Interpretation, Styles and forms in research reporting; Use of computers in legal research, use of Internet, Methods of citations. Plagiarism.

#### PART B: CORE SYLLABUS

### <u>UNIT – I: JURISPRUDENCE</u>

Nature and sources of law Schools of jurisprudence Law and morality



Concept of rights and duties Legal personality Concepts of property, ownership and possession Concept of liability Law, poverty and development Global justice Modernism and post-modernism

# UNIT - II: CONSTITUTIONAL AND ADMINISTRATIVE LAW

Preamble, fundamental rights and duties, directive principles of state policy. Union and State executive and their interrelationship Union and State legislature and distribution of legislative powers Judiciary Emergency provisions Temporary, transitional and special provisions in respect of certain states Election Commission of India Nature, scope and importance of administrative law Principle of natural justice Judicial review of administrative actions - Grounds.

# UNIT - III: PUBLIC INTERNATIONAL LAW AND IHL

International law - Definition, nature and basis Sources of International law Recognition of states and governments Nationality, immigrants, refugees and internally displaced persons (IDPs) The season and techniques of condu Extradition and asylum United Nations and its organs Settlement of international disputes World Trade Organization (WTO) International humanitarian law (IHL) - Conventions and protocols Implementation of IHL - Challenges

UNIT - IV: LAW OF CRIMES General principles of criminal liability - Actus reus and mens rea, individual and group liability and constructive liability Stages of crime and inchoate crimes - Abetment, criminal conspiracy and attempt General exceptions Offences against human body Offences against state and terrorism Offences against property Offences against women and children Drug trafficking and counterfeiting Offences against public tranquility Theories and kinds of punishments, compensation to the victims of crime-APPROVED

UNIT - V: LAW OF TORTS AND CONSUMER PROTECTION

Nature and definition of tort

General principles of tortious liability

General defenses

Specific torts – Negligence, nuisance, trespass and defamation

Remoteness of damages

Strict and absolute liability

Tortious liability of the State and 2019

The Consumer Protection Act 1986 - Definitions, consumer rights and redressal mechanism

The Motor Vehicles Act, 1988 - No fault liability, third party insurance and claimstribunal The Competition Act, 2002 - Prohibition of certain agreements, abuse of dominant position and regulation of combinations

#### UNIT – VI: COMMERCIAL LAW

Essential elements of contract and e-contract

Breach of contract, frustration of contract, void and voidable agreements

Standard form of contract and quasi-contract

Specific contracts - Bailment, pledge, indemnity, guarantee and agency

Sale of Goods Act, 1930

Partnership and limited liability partnership

Negotiable Instruments Act, 1881

Company law – Incorporation of a company, prospectus, shares and debentures

Company law – Directors and meetings

Corporate social responsibility

#### UNIT-VII: FAMILY LAW

Sources and schools

Marriage and dissolution of marriage

Matrimonial remedies - Divorce and theories of divorce

Changing dimensions of institution of marriage – *Live-in* relationship

Recognition of foreign decrees in India on marriage and divorce

Maintenance, dower and stridhan

Adoption, guardianship and acknowledgement

Succession and inheritance

Will, gift and wakf

Uniform Civil Code

#### UNIT -VIII: ENVIRONMENT AND HUMAN RIGHTS LAW

Meaning and concept of 'environment' and 'environmental pollution'

International environmental law and UN Conferences

Constitutional and legal framework for protection of environment in India

Environmental Impact Assessment and control of hazardous waste in India

National Green Tribunal

Concept and development of human rights

Universalism and cultural relativism

International Bill of Rights

Group rights - Women, children, persons with disabilities, elderly persons, minorities and

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weaker sections

Protection and enforcement of human rights in India – National Human Rights Commission, National Commission for Minorities, National Commission for Women, National Commission for Scheduled Castes, National Commission for Schedule Tribes and National Commission for Backward Classes

# <u>UNIT – IX: INTELLECTUAL PROPERTY RIGHTS AND INFORMATION</u> TECHNOLOGY LAW

Concept and meaning of intellectual property

Theories of intellectual property

International conventions pertaining to intellectual properties

Copyright and neighboring rights – Subject matters, limitations and exceptions, infringement and remedies

Law of patent - Patentability, procedure for grant of patent, limitations and exceptions, infringement and remedies

Law of trademark – Registration of trademarks, kinds of trademarks, infringement and passing off, remedies

Protection of Geographical Indications

Bio-diversity and Traditional Knowledge

Information technology law- digital signature and electronic signature, electronic governance, electronic records and duties of subscribers

Cyber crimes, penalties and adjudication

# UNIT - X: COMPARATIVE PUBLIC LAW AND SYSTEMS OF GOVERNANCE

Comparative Law – Relevance, methodology, problems and concerns in Comparison Forms of governments – Presidential and parliamentary, unitary and federal Models of federalism – USA, Canada and India Rule of Law – 'Formal' and 'substantive' versions Separation of powers – India, UK, USA and France Independence of judiciary, judicial activism and accountability – India, UK and USA Systems of constitutional review – India, USA, Switzerland and France Amendment of the Constitution – India, USA and South Africa Ombudsman –Sweden, UK and India Open Government and Right to Information - USA, UK and India

