

VIJAYANAGARA SRI KRISHNADEVARAYA UNIVERSITY

DEPARTMENT OF LAW

Ph.D. Entrance Exam Syllabus

PART A: RESEARCH METHODOLOGY

UNIT – I: INTRODUCTION TO RESEARCH METHODOLOGY

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

UNIT – II: NECESSARY STEPS

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.

UNIT – III: TOOLS AND TECHNIQUES

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.

UNIT – V: DATA ANALYSIS & RESEARCH REPORTING

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

UNIT – I: JURISPRUDENCE

Nature and sources of law
Schools of jurisprudence
Law and morality

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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)
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.

UNIT – V: LAW OF TORTS AND CONSUMER PROTECTION

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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
The Consumer Protection Act 1986 - Definitions, consumer rights and redressal mechanism
The Motor Vehicles Act, 1988 - No fault liability, third party insurance and claim tribunal
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

UNIT – IX: INTELLECTUAL PROPERTY RIGHTS AND INFORMATION 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

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