

# SHIVAJI UNIVERSITY, KOLHAPUR



## **Syllabi of Ph.D. in Law Course Work**

## **Introduction:**

The course work for the doctoral research has been made mandatory by the UGC. Therefore, Shivaji University, Kolhapur has decided to implement it immediately with effect from academic year 2011 and onwards. The course work is designed to support, motivate and encourage quality research. By undergoing this course work, the student will get equipped with fundamentals of research methodology, better communication skills and also the recent developments in the field of specialization of the respective areas.

Another objective of introducing the Course work as a Pre-Ph.D. requirement is to facilitate Research Scholars to understand the nature of the complexities and challenges that they are likely to encounter during the research. The idea is to introduce research scholars to a variety of methods of analysing data, interpretation techniques so that they may exercise their discretion to choose the most appropriate tools for investigating a particular topic/area/subject. Scholars would also need certain skills to represent, write-up, extricate and excavate the results of the data that they have accumulated. Training in the use of language, qualitative and quantitative methods of data presentation will be introduced in this course work. This is to enable scholars to present their research findings to meet effectively.

The course work has to be completed by the student in a satisfactory way before submission of his/her Ph.D. thesis within two years from the year of his/her registration.

**1. TITLE: “Ph.D. Course Work in Law”**

**Subject: LAW**

**2. YEAR OF IMPLEMENTATION:** New/Revised Syllabus will be implemented from June 2011 onwards.

**3. PREAMBLE:**

Syllabus for Course Work that forms part of the integrated M.Phil/ Ph.D. Programme comprises 3 components.

- |    |  |           |
|----|--|-----------|
| a. | 1. Research Methodology  |           |
|    | 2. Quantitative Methods  |           |
|    | 3. Computer Application  | 100 Marks |
| b. | Recent Trends in subject concerned   | 100 Marks |
| c. | Optional papers (based on specialisation) with 80 marks of University examination + 20 marks for presentation of a |           |

review on published research papers from national / international journals on the concerned specialised areas. The Departments should identify some specialised research papers and prepare their syllabi. The same should be approved by the RR Committee/BoS/Ad hoc Boards as the case may be.

**4. DURATION:**

The Ph.D. Course Work in Law Programme is of One Year.

**5. PATTERN:**

Pattern of Examination will be Semester type in respect of Ph.D.

**6 FEE STRUCTRE: (as applicable to regular/self supporting course)**

i. Entrance Examination Fee (If applicable) – Rs. (Non-refundable.

ii. Course Fee. Rs.----- per year per candidate.

Particulars	Rupees
Tuititon Fee	
Laboratiry Fee	
Internet Fee	
Library Fee	
Annual / Semester Fee – Per student	

**6. ELIGIBILITY FOR ADMISSION:**

The candidates whose Ph.D. admissions have been approved by the R.R.Committee.

**7. MEDIUM OF INSTRUCTION:**

The Medium of instruction shall be in English or Marathi.

**8. STRUCTURE OF THE COURSE WORK FOR Ph.D.**

(No. of Papers - THREE)

Sr. No.	Subjects / Papers	Marks
1.	Research Methodology	100
2.	Recent Trends in the Subject concerned	100
3.	Optional Paper (Based on Specialisation)	100
	<b>Total</b>	<b>300</b>

## 9. SCHEME OF TEACHING AND EXAMINATION:

Sr. No.	Subjects / Papers (Hrs/Week)				Examination Scheme (Marks)		
	L	T	P	Total	Theory	Term Work	Total
1.	15	-	-	15	100	-	100
2.	15	-	-	15	100	-	100
3.	12	1	2	15	80	20	100

## 10. SCHEME OF EXAMINATION:

- a) Candidate should fully interact in the class programmes.
- b) Candidate should compulsorily have min. 75% of attendance.
- c) Candidate should complete and submit Tutorials, Assignments, etc which will be given to him/her.
- d) Candidate should actively participate in all the practical works such as presentations, simulations, etc.
- e) Candidate should compulsorily conduct field work whenever they are asked to do so.
- f) The examination shall be conducted at the end of each Term/each academic year.
- g) The Theory paper shall have 100 marks in case of Paper I & II and 80 Marks in case of Paper III.
- h) The evaluation of the performance of the students in theory papers shall be on the basis of Annual Examination of 100 or 80 marks as the case may be.
- i) Question paper will be set on the basis of each unit of each paper.
- j) The nature of question paper for the subject/paper shall be as indicated below:
  - a) Short answered questions
  - b) Long answered questions
  - c) Short notes
  - d) Solutions / exercise oriented questions/ Problems
- k) The student should write the answers in English except languages.
- l) The student has to secure minimum 40% marks to complete the course work in individual head (a), (b) and (c) stated in (C) above.

**11. STANDARD OF PASSING:**

Minimum passing should be 40% out 100 or 80 marks in case of theory and 40% out of 20 in case of practical marks based on separate head of passing.

In case the student fails, the practical marks will be carried forward in the respective subject and he/she should appear for theory paper only.

**12. NATURE OF QUESTION PAPER AND SCHEME OF MARKING:****a) In the case of 100 marks theory paper:**

1. Eight Questions will be asked based on all the four units.
2. Out of eight, the candidates have to attempt any five.
3. Question No.5 will be compulsory.
4. Question No.5 will be based on short notes.
5. Each Question may carry 20 marks each.

**b) In case of 80 marks theory paper:**

1. Six Questions will be asked based on all the four units.
2. Out of six, the candidates have to attempt any four.
3. Question No.5 will be compulsory.
4. Question No.5 will be based on short notes.
5. Each Question may carry 20 marks each.

**c) In case of 20 marks Practical Paper:**

1. Candidates must actively take part in practical work such as field work, seminar, tutorials, Group Discussion, Review of published papers, etc. which will carry 15 marks.
2. 5 marks will be allotted to the attendance to the above programmes.

**13. EQUIVALENCE IN ACCORDANCE WITH TITLES AND CONTENTS OF PAPERS (FOR REVISED SYLLABUS)**

NIL

**14. SPECIAL INSTRUCTIONS IF ANY:**

NIL

**M. PHIL AND PH.D COURSE WORK****Compulsory Paper****COMMON SYLLABUS FOR****SOCIAL SCIENCES (ECONOMICS, SOCIOLOGY, POLITICAL SCIENCE, HISTORY,  
JOURNALISM, MASS COMMUNICATION),****COMMERCE AND MANAGEMENT,****EDUCATION, LAW, AND WOMEN STUDIES****Year of Implementation: from June, 2011****Paper –I (Compulsory)****Research Methodology, Quantitative Techniques, and Computer Application****Preamble:**

Research at M.Phil. / Ph.D course is essential for the subjects (i.e. History, Economics Commerce, Women studies and Journalism etc.). It finds selection to the problems in the field as well as equip the students with research theory and skills for conduct of research at doctoral, post doctoral levels and undertake need based research projects and for the development of the society as a whole. The transaction tools like; discussion, group work, seminar, use of web resources, library resources can be used for teaching the paper.

The course work of this paper will be taught in total 60 contact hours/days. Each unit will be taught in 15 contact hours/days. The contact hours allotted to each unit are adjustable to the total contact hours.

The course work for M.Phil./Ph.D is categorized into four components;

(a) Research Methodology with 30 marks' weightage

(b) Quantitative Techniques with 30 marks' weightage and

(c) Computer Application with 20 marks' weightage

(d) Practical on QTs and Software application with 20 marks' weightage.

**(Important Note:** Teaching can be shared by couple of Departments; means the Department, which is unable to teach this paper, can send their students to other Departments with request to a particular Department and a copy sent to the University office. While doing so the number of students in the combine class should not go more than 50.)

### **Unit- 1: Fundamentals of research**

- (a) Basic principles of research
- (b) Theory building, facts, concepts, constructs and definitions
- (c) Valuable and its attributes
- (d) Ethics in research
- (e) Preparation of proposal
- (f) Review of literature, formation and types of hypothesis and testing of the hypothesis
- (g) Research designs, sampling designs, methods, techniques and tools of research
- (h) Creativity, innovation, originality and advancement of knowledge and application to the society

### **Unit- 2 Communication and evaluation of research**

- (a) Report writing and the writing of research papers
- (b) Presentation of research proposals
- (c) Evaluation of research report
- (d) Presentation of research : Oral and Written (abstracts/synopsis)

### **Unit- 3 Quantitative Method**

- (a) Use of quantitative method in research
- (b) Types and sources of data
- (c) Data analysis for specific type of data
- (d) Tabulation and graphical representation
- (e) Central tendency
- (f) Dispersion
- (g) Correlation
- (h) Regression
- (i) Use of chi square

- (j) Steps involved in applying chi—square test
- (k) Non parametric or free distribution tests
- (l) Testing of hypothesis for non parametric data

#### **Unit- 4 Computer application for research**

- (a) Word processing
- (b) Data processing
- (c) Graphical processing
- (d) Use of web-2 tools for research
- (e) Use of excel
- (f) Use of SPSS
- (g) Use of graphical software
- (h) Use of multimedia tools

#### **References**

**Gupta S.C.**, Fundamentals of Statistics, Himalaya Publication House, Bombay

**Rajaram V.** (1996), Fundamentals of computers, Prentice Hall of India, New Delhi

**Sanders D.H.** (1981), Computer Today, McGraw Hill, New York.

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**Coburn Peter and others** (1982), Practical guide to Computers in Education, Addison Wesley Publication Company, California

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**Galtung Johan,** (1974), Theory and Methods of Social Research, George Allan and Unwin Ltd., New Delhi

**Kothari C.R.**.(2008), Research Methodology- Methods and Techniques, Wiley and Eastern Ltd., New Delhi,



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**William Philip at. Al** (1973), Evaluation and Assessment of educational Studies: A third level course methods of educational enquiry, The Open University Press, Walton Hall Blethaley Buckinghamshire

**Mariampolski H.**(2001) Qualitative Market Research – A Comprehensive Guide Sage Publication, India Ltd, New Delhi

**Black Thomas** (2001), Understanding Social Science Research, Sage Publication, India Ltd, New Delhi

**Fern Edward F.**(2001) Advanced focus Group Research, Sage Publication, India Ltd, New Delhi

**Paper – II**  
**Recent Trends in Law (100 Marks Theory)**

<b>Unit – I</b>	<b>Climate Change and Sustainable Development</b>	<b>15 Hrs</b>
1.1	National Policies and Legislation	
1.2	Assessing National Legal Frameworks for Bio-energy	
1.3	Areas of Regulation Relevant to Bio-energy	
	1.3.1 Environmental Protection Measures	
	1.3.2 Measures for Economic and Social Development	
1.4	Features of National Bio-energy Laws	
	1.4.1 Institutional Structure	
	1.4.2 Bio-fuels Market Regulation and Standards	
	1.4.3 Incentives	
	1.4.4 Trade Regulation	
	1.4.5 Bio-energy Research and Development	
<b>Unit – II</b>	<b>Trends in Banking system in India</b>	<b>15 Hrs</b>
2.1	Information Technology Act 2000	
2.2	Automation and Legal Aspects	
2.3	Smart Card	
2.4	Use of Expert System	
2.5	Credit Cards	
2.6	On-line Banking – problems and perspectives	
<b>Unit – III</b>	<b>Emerging Regime of New Rights and Remedies</b>	<b>15 Hrs</b>
3.1	Reading Directive Principles and Fundamental Duties into Fundamental Rights	
3.2	Commercialisation of Education and its Impact	
3.3	Brain drain by Foreign Education Market	
<b>Unit – IV</b>	<b>ADR (Alternative Dispute Resolution)</b>	<b>15 Hrs</b>
4.1	Introduction to ADR	
4.2	Key concepts in Dispute Resolution	
4.3	Disputes:	
	4.3.1 Kinds of Disputes	
	4.3.2 Dispute Resolutions at grass root levels:	
	4.3.2.1 Lok Adalats	
	4.3.2.2 Nyaya Panchayaths	
	4.3.2.3 Legal Aid	

**Bibliography:**

1. P. C. Rao and William Sheffield, "Alternative Dispute Resolution"
2. Any Standard Book on the Constitution of India.
3. Basu, "A Review of Current Banking Theory and Practice, McMillan.
4. M. L. Tannan's, Tannan's Banking Law and Practice in India, Indian Law House, New Delhi.

**Paper – III****Optional Paper (Based on Specialisation) (80 Marks Theory)**

**Note:** Optional papers are based on specialization consisting of four groups viz., Human Rights and Values in Education; Criminology; Constitution of India; Intellectual Property Rights. This paper will be for 80 marks of University examination + 20 marks for presentation of a review on published research papers from national / international journals on the concerned specialised areas.

**Unit – I Human Right and Values in Education 15 Hr**

The Role of NGOs in Protection of Human Rights

In India : An Appraisal : By – *Anand Kumar Tripathi*

1.1 Custodial Death : A Crude Action of Human Rights

Violation : By – *Dr. Pawan Kumar Mishra*

1.2 Human Rights and Women : Problems and Perspects:

By – *Sanjay Kumar Singh*

1.3 Protection of Refugees in India: Critique : By – *Babu Sarkar*

**Unit – II Criminology 15 Hrs**

2.1 DNA Profiling and the Forensic use of DNA

Evidence in Criminal Proceedings

By – *Subhash Chandra Singh*

2.2 Crime, Punishment and Sentencing: New Strides

(Indian Perspectives): By – *Mehraj Uddin Mir*

2.3 Criminal Justice in India: Primitivism to

Post-Modernism : By – *A. Lakshminath*

2.4 "Rapist and Death Sentence: A Review"

By – *Dr. Santosh Nandal*

**Unit – III Constitution of India 15 Hrs**

3.1 Basic Structure of the Indian Constitution:

Doctrine of Constitutionally Controlled

Governance [From *Kesavananda Bharati* to

*I. R. Coelho*]

By – *Virendra Kumar*

- 3.2 Fundamental Right to Education: By – *P. P. Rao*
- 3.3 Free Press and Independent Judiciary: Their Juxtaposition in the Law of Contempt of Courts: By – *Virendra Kumar*
- 3.4 Right to Information as a Fundamental Human Right - Legislative and Judicial Perspective: By – *Dr. Dilip Ukey*

**Unit – IV Intellectual Property Rights 15 Hrs**

- 4.1 Right to Personal Freedom in Digital Environment: A Copyright Perspective: By – *Fareed Ahmed Rafiqi*
- 4.2 Protection of Trade Secrets and Undisclosed Information: Law and Litigation: By – *D. S. Sengar*
- 4.3 Stem Cell Patenting - Law and Policy: By – *A. Lakshinath*
- 4.4 Protection of Copyright Through Law in Internet Age – New Challenges: By – *D. S. Prakasarao*

**Suggested Bibliography:**

1. *Journal of The Indian Law Institute*, The Indian Law Institute, New Delhi – 110 001.
2. *Law Quest Quarterly Journal of The Law Department*, University of Mumbai
3. *Indian Human Rights Law Review*, R. Cambray & Co. Private Ltd., Kolkata – 700 013.
4. *The Criminal Law Journal*, All India Reporter (Pvt) Ltd.
5. *KULR, Kashmir University Law Review 2009*, Department of Law, University of Kashmir, Srinagar.