

SHIVAJI UNIVERSITY, KOLHAPUR



Revised Syllabus of Ph.D. in Law Course Work

(To be implemented from Academic Year 2020-21)
w.e.f. June, 2020

**SHIVAJI UNIVERSITY
KOLHAPUR
NEW REVISED SYLLABUS FOR COURSE OF
M.Phil./ Ph.D. COURSE WORK(LAW)**

Introduction:

The Course Work for the doctoral research has been made compulsory for all the faculties by the University Grants Commission. Therefore, Shivaji University, Kolhapur has committed to implement the same with effect from the academic year 2011. The present Syllabus is the revised version of the same and it shall be implemented from the academic year 2020-21. The Research Scholar has to complete the course work successfully before the submission of his/her Ph.D. thesis within two years from the year of his/her registration.

1. Title of the Course:“Ph.D. Course Work in Law”

2. Subject: Law

3. Year of Implementation: New/Revised Syllabus to be implemented with effect from **June 2020** onwards.

4. Preamble:

The Compulsory papers under the course of M.Phil./ Ph.D. course work shall involve three Papers. All the three papers are designed in order to keep the researchers well informed about the advances in Law and help the students to pursue research in Law with a theoretical perspective.

5. Objectives of the Course:

- a) To support, motivate and encourage quality research.
- b) To assist the research scholar in choosing an adequate and useful topic based on the current socio-legal issues which is mandatorily capable of being useful to the social benefits.
- c) To facilitate the research student to understand the nature of the research process in an effective manner.
- d) To introduce the research scholar to a varieties of methods of data analysis, interpretation techniques and other tools.
- e) To inculcate the research skills of write-up, extricate and excavate the results of the accumulated data.
- f) To enable the research scholar to present his/her research findings to the society for its betterment.
- g) To train the research scholars with the effective use of ICT research tools for the purpose of collection and the analysis of data.

6. List of Papers:

- a) **Foundations of Legal Research (100 Marks) – Paper I**
- b) **Recent Trends in Law (100 Marks) – Paper II**
- c) **General Laws (80:20) -- Paper III**
(80:20 pattern: 80 for University Theory Examination and 20 for Internal Assessment)

7. Duration of the Course:

The M. Phil. Programme shall be a full time regular course. The duration of M. Phil. Programme shall be of one year.

8. Pattern:

Pattern of Examination will be Annual in respect of M. Phil (including dissertation)/ Semester in respect of Ph. D. Introduced from **June 2020** onwards.

9. Fee Structure:

As per the University Norms.

10. Eligibility for Admission:

The candidates whose provisional Ph.D. admission has been approved by the RRC (University Research Review Committee).

11. Medium of Instructions:

The medium of instructions shall be in English.

Syllabus for M. Phil. and Ph.D. Course Work
LAW
Paper – I (Compulsory Paper)

FOUNDATIONS OF LEGAL RESEARCH

Objectives:

No research can effectively be conducted without knowledge of proper research methodology techniques. Therefore, research methodology is essential for the students at Post Graduate, Doctoral and Post-Doctoral students. This knowledge guides and helps the socio-legal researcher to formulate research problem, Hypothesis based on pilot study and review of literature, to prepare research design, to collect data with the help of different sources of data collection, to analyze the data and to report the thesis. With these objectives, P. G. Department of Law introduces a compulsory paper of Legal Research Methodology.

Syllabus:

Unit – I: Legal Research, Nature and Scope

- 1.1 Basic Concepts of Research
- 1.2 Legal Research and Ethics (Standards applicable to research respecting IPR Rights and Legal Norms)
- 1.3 Types/kinds of Legal Research
- 1.4 Steps involved in Legal Research
- 1.5 Review of Relevant Literature, Statement of Hypothesis and Testing of the Hypothesis
- 1.6 Legal Research Design, Sampling Designs, Methods, Techniques and Tools of Research
- 1.7 Creativity, Innovation, Originality and Advancement of Knowledge and Application to the Society

Unit – II: Quantitative Methods

- 2.1 Use of Quantitative method in research
- 2.2 Quantitative methods of Data Collection
- 2.3 Types and sources of Data
- 2.4 Collection of Data in Socio-Legal Research
- 2.5 Methods or techniques of Legal Research
- 2.6 Processing the Legal Research Data
- 2.7 Analysis and Interpretation of Legal Research Data
- 2.8 Generalization, Scaling Technique in Socio-Legal Research

Unit – III: Computer Application for Legal Research

- 3.1 Word Processing, Data Processing and Graphical Processing Techniques
- 3.2 Use of Web 2.0 Tools for Legal Research
- 3.3 Use of Excel Programme
- 3.4 Use of SPSS Software for Data Processing and Analysis
- 3.5 Use of Graphical Software
- 3.6 Use of Multi-Media Tools

Unit – IV: Report Writing and Evaluation

- 4.1 Report Writing and the writing of Research Papers
- 4.2 Presentation of Research Papers
- 4.3 Format of Research Proposal
- 4.4 Evaluation of Research Report
- 4.5 Presentation of Research: Oral and Written (abstracts and Synopsis)

Suggested Bibliography:

1. Dr. S. R. Myneni, *Legal Research Methodology*, Allahabad Law Agency, Faridabad.
2. C. R. Kothari, *Research Methodology, Methods / Techniques*, VishwaPrakashan, New Delhi.
3. M.O. Price, H. Bitner and Bysiewicz, *Effective Legal Research* (1978).
4. Pauline V. Young, *Scientific Social Survey and Research*, (1962).
5. William J. Grade and Paul K. Hatt, *Methods in Social Research*, McGraw-Hill Book Company, London.
6. H.M. Hyman, *Interviewing in Social Research* (1965).
7. Payne, *The Art of Asking Questions* (1965).
8. Erwin C. Surrency, B. Fiell and J. Crea, *A Guide to Legal Research* (1959).
9. Morris L. Cohan, *Legal Research in Nutshell*, (1996), West Publishing Co.
10. Harvard Law Review Association, *Uniform System of Citations*.
11. ILI Publication, *Legal Research and Methodology*

Model Question Paper for :**Foundations of Legal Research (100 Marks) – Paper I**

M. Phil/Ph.D. in Law (Theory) (Course Work) Examination, _____, 2020
Foundations of Legal Research (Paper – I)
Sub. Code: 54454

Day and Date: _____
Time: _____

Total Marks: 100

Instructions:

- a) Attempt any four questions out of Question No. 1 to 5.
- b) Question No. 6 is compulsory.
- c) Each question will carry equal marks. (20 Marks each).

-
- Q.1)* (20)
- Q.2)* (20)
- Q.3)* (20)
- Q.4)* (20)
- Q.5)* (20)
- Q.6)* Write short notes on (Any Two): (20)
- a)
 - b)
 - c)
 - d)

Paper II
Recent Trends in Law (100 marks Theory)

Unit I – Emerging Trends in Judiciary

- 1.1 Judicial Process and Judicial Restraints
- 1.2 Judicial Activism and Judicial Accountability
- 1.3 Judicial Review and Process : Jurisprudential Analysis
- 1.4 Evaluation of Emerging Tools in the Judicial Process (Jurisprudence to Jurimetrics)
- 1.5 Landmark Judgments of Apex Court

Unit II – Recent Trends in Information Technology

- 2.1 Information Technology – Meaning, scope, History and Importance
- 2.2 Information Technology Act, 2000 (As Amended till date)
- 2.3 Rule of Cyber Crime and Cyber space
- 2.4 Cyber Law, Policy Issues and Emerging Trends
- 2.5 Legal Implications of Social Networking

Unit III – Recent Trends in Environment Protection and sustainable Development

- 3.1 National Policies and Legislations
- 3.2 Global Trends in Environment
- 3.3 Trends in Environmental Sustainability
- 3.4 Environmental Degradation and Climate Change
- 3.5 Landmark Judgments on Environment Protection

Unit IV – Emerging Trends in Law and Medicine

- 4.1 Importance of Law and Medicine – New Challenges
- 4.2 Forensic DNA – Open Issues in India
- 4.3 Medico-Legal Practice – Related Policies and Law
- 4.4 Medical Jurisprudence, Legal Rights, Privileges, Duties and obligations of Medical Practitioners
- 4.5 Human Organs Transplantation – Legal Issues

Suggested Bibliography :-

1. V. N. Shukla, Constitution of India, Ninth Edition, Eastern Book Company, Lucknow
2. J. N. Pandey, Constitution of India, Allahabad Law Agency, Allahabad.
3. S. P. Sathe, Judicial Activism in India, Oxford University Press, 2002
4. Benjamin N. Cardozo, The Nature Judicial Process
5. Lyod D., Introduction to Jurisprudence, (Chapter on Judicial Process)
6. Information Technology Act, 2000, (as Amended) Bare Act.
7. VikramsinghJaswal&Sweta Thakur Jaswal, Cyber Crime and Information Technology Act, 2000.
8. Desai, Bharat, Environmental Law of India, Lancers Book, New Delhi.
9. Desai Ashok A., Environmental Jurisprudence, Modern Law House, Lucknow.
10. S. R. Myneni, Environmental Law, Asia Law House, Hyderabad.
11. Leela Krishnan P., Environmental Law in India, Butterworth, Lexis Nexis, Delhi.
12. K. Kannan, A Text book of Medical Jurisprudence & Toxicology, LexisNexis.
13. Prof. Dr. G. P. Tripathi& Prof. Ajay Kumar, Medical Laws.
14. J. P. Modi, A Text Book of Medical Jurisprudence and Toxicology, Butterworth.

Model Question Paper for :

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

M. Phil/Ph.D. in Law (Theory) (Course Work) Examination, _____, 2020

Recent Trends in Law (Paper – II) (New)

Sub. Code: 54519

Day and Date: _____

Total Marks: 100

Time: _____

Instructions:

- a) Attempt any four questions out of Question No. 1 to 5
- b) Question No. 6 is compulsory.
- c) Each question will carry equal marks. (20 Marks each).

Q.1) (20)

Q.2) (20)

Q.3) (20)

Q.4) (20)

Q.5) (20)

Q.6) Write short notes on (Any Two): (20)

- a)
- b)
- c)
- d)

Paper – III

GENERAL LAWS (80 Marks Theory)

Note: This paper includes General Laws such as Constitutional Law, Human Rights, Right to Education, Criminology, Intellectual Property Rights, Right to Services, Cyber Laws, Environmental Laws, Law relating to Women and Child, etc. This paper will be for 80 marks of University Theory Examination + 20 Marks consisting of 20 Multiple choice Questions with 4 internal options of 1 marks each. This test will be conducted by the P.G. Department of Law. The internal marks shall be then transferred to the concerned Exam Centre Department for further process.

Unit – I Constitution of India and Human Rights

- 1.1 Basic Structure of the Indian Constitution
- 1.2 Writ Jurisdiction and PIL
- 1.3 Human Rights of Vulnerable Groups (Women, Children, Prisoners, Aged People, Tribal, Refugees, Transgender, Workers in unorganized sectors, etc.)
- 1.4 Custodial Death, Atrocity by Police

Unit –II Criminology

- 2.1 Theories of Crime and Punishment
- 2.2 Indian Criminal Justice System
- 2.3 Victimology
- 2.4 Plea Bargaining

Unit-III Cyber Laws and Intellectual Property Rights

- 3.1 Cyber Space and Cyber Crimes
- 3.2 Information Technology Act, 2000 (with latest amendments)
- 3.3 Intellectual Property Rights (Copyright, Patents, Goodwill, Trademark, etc)
- 3.4 Plagiarism and copyright protection

Unit-IV Laws against Exploitation Sexual offenses against women & children

- 4.1 Relevant Provisions of Indian Penal Code
- 4.2 The Protection of Women from Domestic Violence Act, 2005
- 4.3 POCSO (Protection of Children from Sexual Offences Act, 2012)
- 4.4 Sexual Harassment of Women at Workplace (Prevention, Prohibition & Redressal) Act, 2013

Reference Book

- 1. D.D. Basu shorter Constitution of India (1996) Prentice Hall of India Delhi
- 2. Dr. Pandey J.N. Constitution Law of India (2007) Central Law Agency
- 3. P.M. Bakshi Constitution of India Universal
- 4. M.P. Jain Indian Constitution Law Wadhwa
- 5. Dr. U. Chandra Human Rights (2000) Universal
- 6. The Protection of Women from Domestic Violence Act, 2005 – Bare Act
- 7. POCSO (Protection of Children from Sexual Offences Act, 2012) – Bare Act
- 8. Sexual Harassment of Women at Workplace (Prevention, Prohibition & Redressal) Act, 2013 – Bare Act.
- 9. Mamta Rao, Law Relating to Women and Children, Eastern Book Company
- 10. Dr. S.C. Tripathi, Law Relating to Women & Children Central Law Agency
- 11. Dr. Nuzhat Parveen Khan, Women and the Law Universal Law Publication
- 12. Dr. S.R. Myneni, Law Relating to Women, Asia Law House

13. Justice Yatindra Singh, Cyber Laws, Universal Law Publishing
14. Dr. Jyoti Rattan, Cyber Laws & Information Technology, Bharat Publication
15. Farooq Ahmed, Cyber Law in India, New Era Law Publication
16. Ahmad Siddhique's, Criminology, Eastern Book Company
17. N.V. Paranjape, Criminology, Penology, Victimology Central Law Publication

Model Question Paper for :

The General Laws Theory of 80 marks – (Paper – III)

M.Phil/Ph.D. in Law (Theory) (Course Work) Examination, _____, 2020
The General Laws (Paper – III)
Sub. Code: 71106

Day and Date: _____
Time: _____

Total Marks: 80

Instructions:

- d) Attempt any four questions out of Question No. 1 to 5.
- e) Question No. 6 is compulsory.
- f) Each question will carry equal marks. (20 Marks each).

Q.1) (16)

Q.2) (16)

Q.3) (16)

Q.4) (16)

Q.5) (16)

Q.6) Write short notes on (Any Two): (16)

- a)
- b)
- c)
- d)
