

SCHOOL OF STUDIES IN LAW
PT. RAVISHANKAR SHUKLA UNIVERSITY, RAIPUR

MASTER OF PHILOSOPHY
M. PHIL (LAW)
(REVISED ORDINANCE-52)

1. The duration of the M.Phil. Course shall consist of two Semesters
2. There shall be three theory papers in the First Semester. In the Second Semester there shall be a paper of Dissertation and Viva-voce The name of the papers, its components, division of marks with awarding scheme is as follows -

Allotment of Marks

Allotment of Marks				
Semester - I				
Sr. No	Theory	Name of Paper	Marks	
			Theory	Internal
i.	Theory-I	Research & Teaching Methodology	80	20
ii.	Theory-II	Human Rights & Constitutional Law	80	20
iii.	Theory-III	Jurisprudence	80	20
Total Marks in Semester-I			300	
Semester - II				
iv	Dissertation	Seminar based on dissertation		50
		Dissertation (Script)	100	
		Viva-voce	50	
Total Marks in Semester-II			200	
Grand Total			500	

- 6 The internal assessment (20 marks), based on theory papers, shall be carried out by the internal examiners in the form of seminars/ group discussion and/or written class tests.
- 7 The evaluation of the seminar based on the dissertation of 50 marks shall be done by in presence of Supervisor and other regular faculty member of department.

- 8 A candidate will be required to submit three typed copies of his/her Dissertation within a month after the completion of theory examination. The dissertation shall be valued by the external valuer, while vivo-voce will be conducted by both internal and external examiner and the HOD shall be the internal examiner.

- 9 In matter of admission, enrolment, examination and in all other matters not provided for by this scheme of examination, the M. Phil course will be governed by the general provisions of the relevant Ordinances which in enforce.

DETAIL SYLLABUS FOR M. Phil LAW

PAPER – 1
RESEARCH AND TEACHING METHODOLOGY

UNIT – 1

OBJECTIVE OF LEGAL EDUCATION, LECTURE METHOD OF TEACHING-MERITS AND DEMERITS, THE PROBLEM METHOD, DISCUSSION METHOD AND ITS SUITABILITY AT POSTGRADUATE LEGAL TEACHING.

UNIT -2

THE SEMINAR METHOD OF TEACHING, EXAMINATION SYSTEM AND PROBLEMS IN EVALUATION-EXTERNAL AND INTERNAL ASSESSMENT, STUDENTS PARTICIPATION IN LAW SCHOOL PROGRAMMES.

UNIT – 3

RESEARCH METHODS – SOCIO LEGAL RESEARCH, DOCTRINAL AND NON DOCTRINAL, INDUCTION AND DEDUCTION.

UNIT – 4

RESEARCH PROBLEM – SURVEY OF AVAILABLE LITERATURE AND BIBLIOGRAPHICAL RESEARCH, LEGISLATIVE MATERIALS INCLUDING SUBORDINATE LEGISLATION, NOTIFICATION AND POLICY STATEMENT, JURISTIC WRITINGS.

UNIT – 5

PREPARATION OF RESEARCH DESIGN – FORMULATION OF RESEARCH PROBLEM, METHODOLOGY OF COLLECTING DATA, USE OF HISTORICAL AND COMPARATIVE RESEARCH MATERIALS, USE OF OBSERVATION STUDIES, USE OF QUESTIONNAIRES AND INTERVIEWS, USE OF CASE STUDIES, JURIMETRICS, ANALYSIS OF DATA.

Reference books:

1. Methodology and Techniques – By T.S. Bhandarkars & T.S. Milkinson
2. Methods in Social Research – By William J. Goode & Paul K. Hatt
3. Development of Research Tools - By N.C. Gautam
4. Designs of Social Research - By D.K. Lal Das
5. Doing Quantitative Research in the Social Sciences – By Thomas R. Black
6. Research Methods in behavioral sciences - By S.M. Mosil
7. Legal Research Methodology – By Dr. H.N. Tiwari
8. Legal Research - William P. Statisky
9. Legal Research Methodology - By Shilpa Agrawal
10. Legal Reason-The use of Analogy in legal Argument – By Lloyd L. Weired
11. Learning the Law – By Granville Williams
12. Legal Education & Profession in India – By T.L. Mehta & Shusma Gupta
13. Social Mission of Law – By V. R. Krishnaayyar
14. Legal Education in a Changing world – By International Legal Centre, New York
15. A Guide to Legal Research - By Ewinc surrency
16. Legal Research Methodology – Dr. S.R. Myneli
17. An Introduction to Legal Argument – By Adward Lewi
18. Legal Research Methodology –(In Hindi) By H.N.Giri

PAPER – 2

HUMAN RIGHTS AND CONSTITUTIONAL LAW

UNIT – 1

DEFINITION, NATURE, ORIGIN AND DEVELOPMENT OF HUMAN RIGHTS – SOME BASIC HUMAN RIGHTS ISSUES, EVOLUTION OF THE CONCEPT OF HUMAN RIGHTS, CLASSIFICATION OF HUMAN RIGHTS, THEORIES OF HUMAN RIGHTS.

UNIT – 2

INTERNATIONAL LAW AND HUMAN RIGHTS – HUMAN RIGHTS AND INTERNATIONAL RELATIONS, DECOLONIZATION, SOVEREIGNTY AND HUMAN RIGHTS, UNITED NATIONS AND HUMAN RIGHTS.

UNIT – 3

IMPORTANT WORLD CONFERENCE AND CONVENTIONS ON HUMAN RIGHTS – INSTRUMENTS OF HUMAN RIGHTS AND COVENANTS, GENEVA CONVENTIONS OF 1949, INTERNATIONAL BILL ON HUMAN RIGHTS, GLOBAL CONSTITUTIONAL LIMITATION ON HUMAN RIGHTS.

UNIT – 4

HUMAN RIGHTS AND THE INDIAN CONSTITUTION – KINDS OF RIGHTS IN INDIA, ECONOMIC AND SOCIAL RIGHTS IN INDIA, ROLE OF JUDICIARY.

UNIT – 5

INDIAN CONSTITUTION PART III & IV.

Reference book

- 1 Human Rights & Legal Remedies - Gokulesh Sharma
- 2 Human Rights in India- Problems & Prospectives - B.P. Singh Shegal
- 3 Human Rights in India – Constitutional & Legal Provisions - M. Ibohah Singh
- 4 Human Rights in India - Nirmal
- 5 Human Rights & Social Justice - Gokulesh Sharma
- 6 Human Rights under International & Indian Law - S.K.Kapoor
- 7 Human Rights – U.N. Initiatives - Rahul Rai
- 8 Human Rights in India-Implementation & violation – G.S. Bajwa
- 9 Constitutional Law of India – P.N. Baxi
- 10 International Law - S.K. Kapoor
- 11 Constitutional Law of India – Anand
- 12 Constitutional Law of India – H.M. Seervai
- 13 Constitution of India – V.N. Shukla
- 14 Basic Documents on Human Rights – Brownlie Lan
- 15 Human Rights – International Documents (3 vols) - Joylee J.A.
- 16 Human Rights in International Law - Meron T.
- 17 Comparative Federalism - Basu
- 18 Selected Constitutions - Kapoor A.C.
- 19 Comparative Study of Six Living Constitutions – Gupta
- 20 Selected Constitution of the World – Basu
- 21 Comparative Constitutional Law – Basu
- 22 Federalism - K.C. Wheere
- 23 Indian Constitutional Law(2 Vol.)-Dr. M.P. Jain

PAPER – 3

JURISPRUDENCE

UNIT – 1

CRITICAL SURVEY OF LEGAL THEORIES – NATURAL LAW AND THE SEARCH FOR ABSOLUTE VALUES, THE PROBLEM OF NATURAL LAW, ANCIENT THEORIES, REASONS AND THE LAW OF NATURE, NATURAL LAW AND SOCIAL CONTRACT (GROTIUS, HOBBS, LOCKE, ROUSSEAU), REVIVAL OF NATURAL LAW THEORIES.

UNIT – 2

PHILOSOPHICAL IDEALISM AND THE PROBLEM OF JUSTICE – GERMAN TRANSCEDENTAL IDEALISM, (KANT, FICHTE, HEGAL), NEO KANTIAN PHILOSOPHY AND SCIENTIFIC LEGAL IDEALISM, MODERN VALUE, PHILOSOPHY AND LAW.

UNIT – 3

THE IMPACT OF SOCIAL DEVELOPMENT ON LEGAL THEORIES, HISTORICAL EVOLUTION AS A GUIDE TO LEGAL THOUGHT, BIOLOGY, SOCIETY AND LEGAL EVOLUTION, MODERN SOCIOLOGICAL THEORIES OF LAW.

UNIT – 4

POSITIVISM AND LEGAL THEORIES – KELSON'S PURE THEORY OF LAW, UTILITARIANISM, THE JURISPRUDENCE OF INTERESTS AND LEGAL IDEALISM.

UNIT – 5

LEGAL THEORY AND CONTEMPRORY PROBLEMS – LEGAL THEORY OF MODERN POLITICAL MOMENTS, SOCIOLISTIC AND COMMUNIST THEORIES OF LAW, NEO-SCHOLASTIC DOCTRINE AND MODERN CATHOLIC LEGAL PHILOSOPHY.

Reference book

1. Out lines of Ancient Hindu Jurisprudence – By M.S. Pandit
2. Solmond on Jurisprudence – P.J. Fitzgerald
3. Jurisprudence – J.G. Riddall
4. A Text book of Jurisprudence – G.W. Paton.
5. Juriprudence and legal theory – Shambhoo Dayal
6. Jurisprudence – Wayne Morrison
7. Fundamental of Jurisprudence – S.N. Dhyani
8. Jurisprudence- Dias
9. Vidhishashtra Ke Mool Sidhhant (In Hindi)-Dr. Anirudh Prasad
10. Jurisprudence-Edgarboden Heimer
11. Legal Theory –Friedman

PAPER-4
DISSERTATION

This paper is divided into three parts

Part-1.	Seminar based on Dissertation	50 marks
Part-2.	Dissertation (Script)	100 marks
Part-3.	Viva-voce	50 marks
		Total- 200 marks

In Part-I of this paper the student shall participate and give his/her presentation on seminars based on dissertation of 50 marks. . The evaluation of the seminar on the dissertation of 50 marks will be done in presence of the supervisor and other teacher of the department.

In Part-II of this paper the student will be required to write a dissertation on assigned topic under the supervision of the supervisor and give his/her presentation on dissertation (Script) of 100 marks. A supervisor shall not have at any given point of time more than five M.phil students. A candidate will be required to submit three typed copies of his/her dissertation with in a month after the completion of theory examination. The Dissertation shall be valued by external examiner only.

In Part-III of this paper will be viva-voce of 50 marks which shall be valued by internal and external examiners and the Head of the Department shall be the internal examiner.

The total marks of the seminar based on the Dissertation , script writing and viva-voce shall be computed along with the marks of the 3 papers(marks of the theory papers and the marks of the seminar).