

SYLLABUS FOR Ph.D. ENTRANCE EXAMINATION (2024-25)

The structure of a written examination worth 50 marks, is divided into two parts:

Part A – Research Methodology (25 Marks) and Part B – Law Subject (25 Marks)

Part B Law

- 1: Constitution of India Preamble and Key Features:** Philosophy, objectives, secularism, socialism, democracy.
Fundamental Rights and Duties: Significance, Exceptions, And Limitations.
Directive Principles of State Policy (DPSP): Comparison with Fundamental Rights, implementation, significance.
Union and State Executive: Powers and functions of President, Governor, Parliament, State Legislatures.
Judiciary: Supreme Court, High Courts – powers, jurisdiction, judicial review, PIL (Public Interest Litigation).
Amendments and Emergency Provisions: Major constitutional amendments, role of constitutional bodies (Election Commission, CAG).
Federalism: Center-State relations, distribution of powers, financial relations, cooperative federalism.
- 2: Jurisprudence Nature and Scope of Jurisprudence:** Definitions, importance, and schools of jurisprudence.
Natural Law Theory: Evolution and modern concepts.
Legal Positivism: Austin, Hart, Kelsen.
Historical School: Savigny, evolution of law.
Sociological Jurisprudence: Roscoe Pound, law as a tool of social engineering.
Realism: American and Scandinavian realism.
Concept of Justice: Various theories of justice – Rawls, Nozick, Amartya Sen.

Rights, Duties, and Liabilities: Theories of rights, kinds of duties, and liabilities.

3: Indian Contract Act, 1872 Introduction and Formation of Contract: Offer, acceptance, consideration, intention to create legal relations.

Types of Contracts: Valid, void, voidable contracts.

Capacity to Contract: Minors, persons of unsound mind, disqualified persons.

Free Consent: Coercion, undue influence, fraud, misrepresentation, mistake.

Performance of Contract: Conditions and warranties, discharge of contract, remedies for breach (specific performance, damages).

Nature and scope.

4: BNS, BNSS, BSA (Bhartiya Nyay Sanhita, Bhartiya Nagarik Suraksha Sanhita, Bhartiya Sakshya Adhiniyam)

Bhartiya Nyay Sanhita (BNS):

Structure and content of the BNS (2023), comparison with IPC. General explanations, punishments, offenses against the state, public tranquility, human body, property, and reputation.

Bhartiya Nagarik Suraksha Sanhita (BNSS): Procedure under BNSS (2023) for investigation, arrest, bail, trial, and appeal.

Rights of accused persons, role of police and judiciary.

Powers of magistrates and procedures for the trial of offenses.

Bhartiya Sakshya Adhiniyam (BSA): Rules of evidence: Admissibility, relevancy, hearsay rule, admissions and confessions.

Examination of witnesses, burden of proof, expert evidence.

Judicial notice, documentary and oral evidence.

5: Hindu Law & Muslim Law

Hindu Law: Sources and Schools of Hindu Law: Mitakshara, Dayabhaga, Smritis, Vedas.

Marriage and Divorce: Hindu Marriage Act, conditions of marriage, grounds for divorce, annulment, judicial separation.

Succession and Inheritance: Hindu Succession Act, 1956, devolution of property, rights of females, coparcenary property.

Adoption and Maintenance: Hindu Adoption and Maintenance Act, 1956, legal status of adopted children.

Muslim Law: Sources of Muslim Law: Quran, Hadith, Ijma, Qiyas, customs.

Marriage and Divorce: Essentials of marriage (Nikah), types of divorce (Talaq, Khula, Mubarat), maintenance under Muslim Women (Protection of Rights on Divorce) Act, 1986.

Inheritance and Succession: General rules, distribution of property, doctrine of representation, differences with Hindu Law.

Waqf and Gift (Hiba): Definition, essentials, revocation of gift.

6: Intellectual Property Rights (IPR) Introduction to IPR: Definitions, importance, types of IPR (patents, trademarks, copyrights, designs, geographical indications, trade secrets).

Patents: Criteria for patentability, patentable and non-patentable inventions, process for obtaining a patent, rights of patentees.

Copyrights: Works protected under copyright, duration, rights of authors, infringement and remedies.

Trademarks: Definitions, types, registration process, rights conferred, infringement and passing off.

Designs and Geographical Indications: Protection under Indian law, rights granted, conditions for protection.

IPR in the Digital Age: Issues related to the internet, software, and biotechnology.

7: Environmental Law & Introduction to Environmental Law: Concept, evolution, importance, and scope.

Constitutional Provisions: Articles 48A, 51A(g), judicial interpretations (MC Mehta case series).

Key Legislations: Environment Protection Act, 1986; Water (Prevention and Control of Pollution) Act, 1974; Air (Prevention and Control of Pollution) Act, 1981; Wildlife Protection Act, 1972; Forest Conservation Act, 1980.

Environmental Impact Assessment (EIA): Concept, procedure, recent amendments.

International Environmental Law: Stockholm Declaration (1972), Rio Summit (1992), Paris Agreement (2015), role of the developed nations in environmental protection.

Climate Change and Biodiversity: National and International frameworks addressing global environmental challenges.