

Tantia University
Sri Ganganagar
Ph.D. Course Work Syllabus
(Revised as Per UGC Regulation 2022)
Law

Maximum Marks-120

Minimum Marks-66

PART-A

Part A- 60 Marks

Total Credits = 6

Total Hours=6x45= 270 Hours

Introduction to Research

Introduction of Research, Research methodology, Defining Research problem and formulation of hypothesis, research design, sampling design, measuring and scaling techniques, methods of data collection.

Pure and Applied Research, Exploring or Formulative Research, Descriptive Research, Diagnostic Research/Study, Evaluation Research/Studies, Action Research, Experimental Research, Historical Research, Surveys, Case Study, Field Studies

Research Ethics: Characteristics and format of research paper, article, thesis writing, review of Related Literature, Purpose of the review, Identification of the related literature. Organizing the related literature.

Statistics

Concept of statistics, relevance in research, parametric and non-parametric data; graphical representation of data: histogram, frequency polygon, ogive and pie chart; Measures of Central Tendency, Correlation, t-test chi square test

Computer Application

Basic and fundamental knowledge of Computer and its Applications. Introduction, Application Area, Operating System, Windows, Office, Internet.

PART-B

Part B- 60 Marks (Subject based)

Total Credits = 6

Total Hours=6x45= 270 Hours

1. Constitutional Law of India and its new dimensions

Preamble

Fundamental rights and its new dimensions-

Right to equality: Privatization and its impact on affirmative action.

Freedom of Press and Challenges of new scientific development- Freedom of Speech and right to broadcast and telecast, Right to strike.

Emerging regime of new rights and remedies –

- a. Reading Directive Principles and Fundamental Duties into Fundamental Rights
- b. Right to Education: Commercialization, Brain Drain
- c. Right to life, liberty and criminal jurisprudence
- d. Right to Information

Fundamental Duties

Directive Principles of State policy

Judiciary- union and State

Executive- union and State

Emergency provisions

Writ jurisdiction

Creation of new states

Allocation and Share of resource–Distribution of grants in aid, the inter-state disputes on resources

Rehabilitation of internally displaced persons

Centre’s Responsibility and internal disturbance within state

Direction of centre to the state under Article 356, 365

Federal Comity: Relationship of trust and faith between Centre & States.

Special status of certain states, Tribal Areas, Scheduled Areas

Need for Widening the definition in the wake of liberalization;

Accountability of State: Joint Parliamentary Committee & Public Account Committee.

Separation of Power- Judicial activism and Judicial restraint

PIL: Implementation

2.Judicial process

Nature of Judicial Process

Nature and source of law

Positivism, natural law theory, sociological jurisprudence

Theories of punishment

Rights and duties

Concept of possession and ownership

Judicial process as an instrument of social ordering

Judicial process and creativity in Law: Common law model, legal

Reasoning and growth of law, change and stability

The tools and techniques of judicial creativity and precedent

Legal development and creativity through legal reasoning under statutory and codified system.

Special dimensions of judicial process in Constitutional adjudication

Notion of Judicial Review

Role in constitutional adjudication: various theories of judicial role

Tools and techniques in policy making and creativity in constitutional adjudication.

Varieties of judicial and juristic activism.

Problems of accountability & Judicial Law making.
Indian debate on the role of judges and on the notion of judicial review.
The “independence” of judiciary and the “political” nature of judicial process

Judicial activism and creativity of the Supreme Court: the tools and techniques of creativity

Judicial process in pursuit of constitutional goals and values: New dimensions of judicial activism and structural challenges.

Institutional liability of courts its scope and limits

The concept of justice and Dharma in Indian thought

Dharma as the foundation of legal ordering in Indian thought

The concept and various theories of justice in the western thought

Various theoretical bases of justice: The liberal contractual tradition, the liberal utilitarian tradition and the liberal moral tradition.

3. General principles of contract

Essentials of valid contract- Offer, acceptance, consideration

Capacity of contract- minor’s contract

Element violating contract- mistake, fraud, misrepresentation, public policy, coercion, undue influence, frustration of contract

Remedies for breach of contract- damage

4. Family law

Concept in family law

Source of family law in India

Marriage and dissolution of marriage

Uniform Civil Code

5. General Principles and Specific Torts with Emerging Trends

Meaning, Definition, Functions & Purpose of Law of Torts Difference with contract and crime.

General Principles of Liability under Law of Torts.

Personal Capacity, Discharge of Torts, Death in relation to Torts.

General Defenses of Torts.

Vicarious Liability

Remoteness of Damages

Absolute and Strict Liability

Negligence and Nuisance

6. Public International Law & Human Rights

Nature of International Law and its relationship with Municipal Law.

Source of International Law

Recognition of States and Governments.

United Nations and Its Organs

Settlement of International Disputes

Human Rights

7. Criminal Law

General Principles of Criminal Law – meaning, nature, essentials and stages of offences.

Joint Liability.

Offences against Human Body

Offences against Property.

Defamation.