

CH. CHARAN SINGH UNIVERSITY, MEERUT
Syllabus for Pre- LL.D. Course Work
LAW

Programme Structure

The Pre- LL.D. Course shall comprise of only one semester (i.e. six months) in which there will be **two** compulsory papers.

Sl. No.	Code	Paper	Marks
1.		Paper – I Legal Research Methodology and Computer Application	100
2.		Paper – II Recent Trends in Law	100

- **Objectives of Paper – I (Legal Research Methodology and Computer Application)**
To enable researchers to :
 1. Understand the fundamental principles and techniques of methodology concerning research.
 2. Prepare research tools applications to developmental issues.
 3. Develop skills in documentation.
 4. Understand meaning, process and importance of research in Law.
 5. Select problem tools and methods for conducting research.
 6. Interpret laws, judicial pronouncements, and relevant data keeping in view the changing norms of the society.
 7. Develop inclination in preparing report, project proposals, and writing of research thesis.
 8. Motivation for the use of computers, internet etc. in research for socio-legal issues.

- **Objectives of Paper – II (Recent Trends in Law)**
 1. To understand the changing dimensions of socio-legal issues.
 2. To understand the philosophical approach of law.
 3. To understand the gap between law in book and law in action.
 4. To understand the legislative and judicial approach on the socio-legal issues.
 5. To develop an analytical skill on legislative, executive, and judicial approach in the light of changing social norms.
 6. To give solutions to the existing social issues with the help of legal tools, etc.



PAPER – I
LEGAL RESEARCH METHODOLOGY AND COMPUTER APPLICATION

1. **Introduction:** Legal Research – Evolution, Changing Emphasis and Contemporary Trends in general and specific to India.
2. **Different Kinds of Legal Research:** Doctrinal, Non-Doctrinal/Empirical/Socio-Legal, Inter/Multidisciplinary, Historical.
3. **Research:** Meaning, Objectives, Motivations, Types and Significance, Method and Methodology, Scientific Method, Research Process.
4. **Formulating Research Problem:** Literature Review, Hypothesis, Research Design.
5. **Sampling Procedures:** Probability and Non-Probability Sampling.
6. **Quantitative Method:** Use of quantitative method of research, Types and Sources of Data – Primary and Secondary data, Data analysis for specific type of data, Observation, Interview, Questionnaire, Schedules, Case Study.
7. Organisation, Interpretation and Analysis of Data.
8. **Communication and Evaluation of Research :** Report writing and writing of research papers, Presentation of research proposals, Evaluation of Research Report, Oral and written presentation of research (abstracts / synopsis), How to write a Thesis, Use of Citations, Foot Notes, References, Bibliography, Indexes, Appendices etc.
9. **Tools of Legal Research:** Library, Books, Journals, Law Reports, Law Commission Reports, Legislative and Constitutional Assembly Reports, Computer/Internet.
10. **Legal Research and Law Reforms:** Role of Judges and Jurists, Recommendations of Commissions and Committees etc.
11. **Computer Application for Research :**
Basic characteristic of computer, M.S. Windows, Word processing, Use of M.S. Word, M.S. Power Point, Adobe Acrobat, M.S. Excel, Data processing, Graphical processing, Use of Internet, Use of web tools for research, use of data analysis software -SPSS, Use of graphical software, use of multimedia tools.

References

- Black Thomas, *Understanding Social Science Research*, Sage Publication, India Ltd, New Delhi,
- Bruce L. Berg, *Qualitative Research Methods For The Social Sciences*, Allyn and Bacon, Buckinghamshire, 1973.
- C.R. Kothari, *Research Methodology: Methods and Techniques*, Wiley Eastern Ltd., New Delhi.

PAPER –II
RECENT TRENDS IN LAW

1. Human Rights and Values in Education

- Meaning and Definition and Concept of Human Rights.
- The Role of NGOs in protection of Human Rights in India.
- Custodial death: A Crude Action of Human Rights.
- Human Rights and Women : Problems and Perspectives.
- Protection of Refugees in India.

2. Emerging Regime of New Rights and Remedies Under Constitution of India

- Fundamental Right to Education, Commercialization of Education and its impact.
- Reading Directive Principles and Fundamental duties into Fundamental Rights.
- Free Press and Independent Judiciary.
- Right to Information as a Fundamental Human Right : Constitutional, Legislative and Judicial Response.
- Basic Structure of Indian Constitution : Doctrine of Constitutionally Controlled Governance (From *Kesavananda Bharti* to *I.R. Coelho*).

3. Modern Approach of Legal Philosophy

- Relevance of following theories in modern Indian Legal System :
 1. Classical Natural Law Theory;
 2. Austinian Philosophy of Law;
 3. Kelsen's Pure Theory of Law;
 4. Doctrine of Social Solidarity;
 5. Doctrine of Social Engineering;
 6. Modern American Realist Theory;
 7. Marxist Economic Approach of Law.

4. Criminology and Penology

- DNA Profiling and the Forensic use of DNA Evidence in Criminal Proceedings.
- Crime, Punishments and Sentencing in Indian Perspectives.
- Criminal Justice in India : Primitivism to Post- Modernism.
- Rapist and Death Sentence.

5. Trends in Banking System in India

- Information Technology Act, 2000.
- Automation and Legal Aspects.
- Smart Card.
- Use of Expert System.



- Jain M.P., *Constitution of India*, Wadhwa & Company, Nagpur.
- Jayapalan N., *Women and Human Rights*, Atlantic Publishers & Distributors, New Delhi.
- Kakri V.K., *Law Related to Intellectual Property Rights*, Atlantic Publishers & Distributors, New Delhi, 2009.
- Leelakrishnan P., *Environmental Law Case Book*, LexisNexis, 2006 (Reprint 2010).
- Malik S.B. (Justice), *Commentary on Arbitration and Conciliation Act*, Universal Law Publishing Co. Pvt. Ltd., New Delhi, 2011.
- Markanda, P.C. et al, *Law Relating to Arbitration and Conciliation*, LexisNexis Butterworths, 2013.
- Mehling, Bansh, Bodle and Ralph, *Climate Change and the Law*, 2013.
- Paton G.W., *A text Book of Jurisprudence*, Oxford University Press, London.
- Rao P.C. and Sheffield William, *Alternative Dispute Resolution*.
- Sethi Jyotsna and Bhatia Nishwan, *Elements of Banking and Insurance*, PHI Learning, Delhi, 2012.
- Shabbir Mohd. (Ed.), *Quest for Human Rights*, Rawat Publications, Mumbai.
- Sharma R.K., *Criminology and Penology*, Atlantic Publishers and Distributers (P.) Ltd., New Delhi.
- Shukla V.N., *Constitution of India*, Eastern Book Company, Lal Bagh, Lucknow.
- Sridhar Madabhushi, *Alternative Dispute Resolution*, 2006 (Reprint 2010).
- Sutherland Edwin, *Criminology and Penology*.
- Tannan, M.L., *Tannan's Banking Law and Practice in India*, Indian Law House, New Delhi.

Note : Suggested Readings are not exhaustive. Need to be supplemented with additional readings.

ADMINISTRATIVE LAW (K -204)

The course shall comprise of the following :

UNIT - I

- (1) Evolution of Administrative Law, Definition and its Scope.
- (2) Rule of Law.
- (3) Separation of Powers.

UNIT - II

- (4) **Delegated Legislation :**
 - (a) Necessity of Delegated Legislation
 - (b) Constitutionality of Delegated Legislation
 - (c) Control Over Delegated Legislation
 1. Judicial Control,
 2. Parliamentary Control,
 3. Procedural Control.

UNIT - III

- (5) **Principles of Natural Justice :**
 - (a) Nemo judex in sua causa (Rule Against Bias),
 - (b) Audi alteram partem,
 - (c) Reasoned decision,
 - (d) Doctrine of Legitimate Expectation.

UNIT - IV

- (6) **Writs with Special Reference to :**
 - (a) Writ of Habeas Corpus
 - (b) Writ of Prohibition
 - (a) Writ of Certiorari
 - (b) Writ of Mandamus
 - (c) Writ of Quo-Warranto
- (7) Public Interest Litigation.
- (8) Government Liability in Torts

UNIT - V

- (9) Ombudsman (Lokpal) in India & Lokayukta in State of U.P.,
- (10) Central Vigilance Commission.
- (11) Protection of Civil Servants under Constitution of India.
- (12) **Administrative Tribunals** - With Special Reference to Central Administrative Tribunals.

Books References

- C.K.Thakkar, *Administrative Law*, Eastern Book Co., Lucknow.
M.P.Jain, *Principles of Administrative Law*, Universal, Delhi.
S.P.Sathe, *Administrative Law*, Butterworths, Delhi.
Wade, *Administrative Law*, VII Ed., Indian Print, Universal, Delhi.

Note: Suggested readings (Books) are not exhaustive. Need to be supplemented with additional readings.



ALTERNATE DISPUTE RESOLUTION (Paper Code : K 810, LL.B. IInd Year)

The course shall comprise of the following :

1. Existing Justice Delivery System in India – Effectiveness and Menaces.
2. Reforms in the Legal System for Achieving Effective and Speedy Resolution of Disputes – Public Interest Litigation.
3. Alternate Dispute Resolution System (ADR) – Evolution of ADR, Objective, Meaning, Advantages and Disadvantages, ADR in India.
4. **Types of ADR System ----**
 - Mini Trial,
 - Mediation – Meaning, Advantages, Techniques, Common Errors of Mediation Advocacy, Pre-trial Mediation, ADR in Family Disputes, Negotiation, Conciliation, Conciliation under CPC.
 - Neutral Fact Finding Expert,
 - Early Neutral Evaluation,
 - Court – annexed Arbitration,
 - Mediation and Hybrid Process,
 - Judicial Settlement Conferences etc.,
 - Multi – Door Court House.
5. **Other Amicable Settlement Process : LOK ADALAT --** Concept, Meaning & Growth of Lok Adalats, Lok Adalats under Legal Services Authorities Act, 1987.

BOOKS

- A.K.Bansal : Law of International Commercial Arbitration
B.P. Saraf & : Arbitration and Conciliation
G.K. Kwatra, *The Arbitration and Conciliation Law of India*
N.D. Basu, *Law of Arbitration and Conciliation.*
O.P. Malhotra & M. Jhunjhnuwala, *The Law and Practice of Arbitration and Conciliation*
P.C. Juneja, *Equal Access to Justice*, BLH Rohtak 1993.
P.C. Rao, *Alternative Dispute Resolution*, Universal, Delhi, 1997.
Shaffer, Thomas L., *Legal Interviewing and Counseling in Nutshell*

Note: Suggested readings (Books) are not exhaustive. Need to be supplemented with additional readings.



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BOARD OF STUDIES (LAW) RESOLUTIONS

A meeting of Board of Studies (Law) has been held today *i.e.* dated 26th May, 2014 at 11:30 A.M. at Ch. Charan Singh University, Meerut in Committee Room. The Convener of the Meeting is Dr. Yash Pal Singh and the other members of the Committee are Sri Netra Pal Singh, Dr. (Mrs.) Suman Tomar, Prof. K.P.S. Mahalwar, Prof. A.K. Pandey, Prof. S.N. Sharma, Prof. M. Pinheiro (Retd.), and Prof. P.C. Joshi. The resolutions discussed and passed unanimously by all the members and the Convener are as under.

1. The Pre- LL.D. Course of 6 months duration shall comprise of three papers including the term paper (Review Based). Paper I. Legal Research Methodology. Paper II. Current Legal Developments and Paper III. Research Review. The Syllabi of Ist and IInd Paper have been given as Annexures. The research scholar shall submit a term paper (Review Based) on any of the topics approved by the Dean. This shall be evaluated by an expert body of two teachers- One internal and one external. The external expert shall be nominated with the approval of the Hon'ble Vice chancellor of the university. The maximum marks for the term paper shall be fifty 50. After the successful completion of the course a Pre Ph.D. course completion certificate may be issued by the Dean at the request of the student.
2. A new Practical / Viva-voce paper in **LL.B. IInd Year** entitled, "**Alternate Dispute Resolution**" will be substituted in place of existing Practical / Viva-voce paper entitled, "**Public Interest Lawering, Legal Aid and Para Legal Services (K-810)**". The syllabus of new paper is attached. [Annexure.....]. This resolution shall be applicable from 2014—2015 Session.
3. A new Practical / Viva-voce paper in **B.A.LL.B. IX Semester** entitled, "**Alternate Dispute Resolution**" will be substituted in place of existing Practical / Viva-voce paper entitled, "**Public Interest Lawyering, Legal Aid and Para Legal Services (BL-915)**". The syllabus of new paper is attached. [Annexure.....]. This resolution shall be applicable from 2014—2015 Session.
4. The existing pattern of convenorship by rotation to LL.B. (TDC) for people course Practical / Viva-voce examinations for Paper Code K-312, K-313, K-810, and K-712 is abolished with immediate effect and in his place, the Head of the department shall look after the management of practical as convenor. These Practical / Viva-voce examinations shall be conducted by external and internal examiners.
5. A revised syllabus of "Administrative Law" (LL.B. IInd Year) is replaced in place of existing "Administrative Law Syllabus (Paper Code : K- 204)". The revised syllabus of "Administrative Law" is attached. [Annexure.....]. This resolution shall be applicable from 2014—2015 Session.

Yash Pal Singh
26.5.14

S. N. Sharma
26.5.14

A. K. Pandey
26.5.14

K. P. S. Mahalwar
26.5.14

Suman Tomar
26/05/14

M. Pinheiro

P. C. Joshi

P. C. Joshi
26.5.14

BOARD OF STUDIES (LAW) RESOLUTIONS

6. The Convener of the Board of Studies (Law) shall constitute a Committee for the preparation of LL.B. and LL.M. Semester Course Syllabus for the Session 2014-15.
7. A proposal shall be put before the Ch. Charan Singh University, Meerut Administration for the commencement of LL.M. 3 Semester Course in the C.C.S. University, Meerut/ Meerut College, Meerut. Each Semester shall be of four (04) months.
8. The Research Advisory Board (Law) Member / Convener and Research Degree Committee (Law) Member / Convener shall be from that Aided College where the Research Center in Law is existing. The R.A.B. / R.D.C. Convener / Members must possess Doctoral Degree in Law.
9. The paper of Drafting of Pleading and Conveyancing (Code No. K-313) shall be evaluated in theoretical and practical parts but theory part shall be evaluated not by the objective questions but by the descriptive questions and the same shall be set on existing patterns as observed in other theory papers of I year and II year of LL.B.
10. The paper of Legal Language & Legal Writings and General English (Code No. K-304) shall be evaluated in theoretical and practical parts but theory part shall be evaluated not by the objective questions but by the descriptive questions and the same shall be set on existing patterns as observed in other theory papers of I year and II year of LL.B.
11. In Paper K-307 entitled as **Arbitration, Conciliation and Alternate Dispute Resolution (LL.B IIIrd)** shall now be titled as **Arbitration and Concilation.**

The Meeting ended with vote of thanks

Dr. Y. P. Singh
Convener

Dr. K.K. Mittal
Member

Prof. S.N. Sharma
Member

Shri. N.P. Singh
Member

Prof. K.P.S. Mahalwar
Member

Prof. A.K. Pandey
Member

Dr. Suman Tomar
Member

Prof. P.C. Joshi
Member