



List of New Course(s) Introduced

Department : Law

Programme Name : Pre. Ph.D. Course Work

Academic Year : 2021-22

List of New Course(s) Introduced

Sr. No.	Course Code	Name of the Course
1.	PHD(L)101	Legal Research Methodology & Research and Publication Ethics
2.	PHD(L)102	Emerging Dimensions and Contemporary Issues in Law
3.	PHD(L)103	Constitutional Law
4.	PHD(L)104	International Law
5.	PHD(L)105	Jurisprudence
6.	PHD(L)106	Seminar

बिभागाध्यक्ष/HOD
बेधि अध्ययन शाला/School of Law
गुरु घासीदास विश्वविद्यालय
Guru Ghasidas Vishwavidyalaya
बिलासपुर (छ.ग.)/Bilaspur (C.G.)



Minutes of Meetings (MoM) of Board of Studies (BoS)

Academic Year : 2021-22

School : School of Studies of Law

Department : Law

Date and Time : August 23, 2021 - 11:00 AM

Venue : Office of Head of Department

The scheduled meeting of members of Board of Studies (BoS) of Department of Law, School of Studies of Law, Guru Ghasidas Vishwavidyalaya, Bilaspur was held to design and discuss the Pre-Ph.D. course work scheme and syllabi.

The following members were present in the meeting:

1. Prof (Dr.) S. K. Gupta (External Expert Member BoS, Faculty from Banaras Hindu University, Varanasi)
2. Prof (Dr.) Pratibha J Mishra (Dean of School of Studies and Special Invitee)
3. Dr. Ajaiy Singh (Assistant Professor, Dept. of Law- Member, BOS)
4. Dr. Sagar Kumar Jaiswal (Assistant Professor, Dept. of Law- Chairman, BOS)

The members after thorough deliberations approved the syllabus of Pre-Ph.D. Course Work in Law which is to be implemented from the Academic Year 2021. **List of New Courses of Pre-Ph.D.:**

1. Legal Research Methodology and Research & Publication Ethics
2. Emerging Dimensions and Contemporary Issues in Law
3. Constitutional Law
4. International Law
5. Jurisprudence
6. Seminar

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Scheme and Syllabus

DEPARTMENT OF LAW/GGV/BILASPUR

SYLLABUS OF PRE-PH.D. COURSE WORK/W.E.F. 2021

PRE-PH.D. COURSE WORK IN LAW

I. Programme Objective

The objectives of the Pre-Ph.D. Course Work in law are:

1. To endow the student with adequate knowledge to understand and appreciate the nature, dimensions, and perspective of law, and
2. To equip them with skills to conduct research on legal issues in different perspectives thus enabling them to think, innovate and apply their knowledge to emerging legal issues.

II. Programme Outcome

The Programme of Pre-Ph.D. Course work in Law will make the candidates capable of carrying out both doctrinal and non-doctrinal legal research at a high level in accordance with approved scientific and ethical principles.

III. Pre-Ph.D. Course Work Structure in Law

Pre-Ph.D. Course Work will have following structure:

COURSE CODE	PAPER/COURSE	NATURE	MAX. MARKS	Credits
PHD (L)101	Legal Research Methodology & Research and Publication Ethics	Core	100	4
PHD (L)102	Emerging Dimensions and Contemporary Issues in Law	Core	100	4
PHD (L)103	Constitutional law	Elective	100	4
PHD (L)104	International Law	Elective	100	4
PHD (L)105	Jurisprudence	Elective	100	4
PHD (L) 106	Seminar	Compulsory	--	--

The course paper PHD (L) 101 and 102 are compulsory for all students. Besides, there will be one elective paper. Students will opt any one elective paper from the list above cited. No internal assessment will be conducted for these papers. In addition, there will be one "Seminar" paper which will be compulsory to all students. No marks shall be awarded for this Seminar Presented by Examinee; it can be assessed as Successful/Unsuccessful only (as per Office Memorandum 436/Academic/2020 dated 03.01.2021).

IV. Scheme of Examination

1. English shall be the medium of instruction and examination.
2. Examination shall be conducted at the end Semester as per the schedule notified by the University.

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PRE-PH.D. COURSE WORK IN LAW

DETAILED SYLLABUS

PAPER 1: LEGAL RESEARCH METHODOLOGY AND RESEARCH & PUBLICATION ETHICS

Course Code	Nature	Marks	Credits
PHD (L) 101	Core	100	4

Course Objectives

The objectives of this course are to expose the scholars to the range of research methods, to make familiar them with research and publication ethics, and provide guidance in the essentials of research report writing by using.

Course Outcomes

At the end of the semester, it is expected that the scholars will be able to conduct doctrinal and non-doctrinal research on any topic, and will also be able to analyse qualitative and quantitative data, to use the computer and e-resources, and to write their research report in a manner non-contradicting to the research and publication ethics.

CONTENTS

Unit I: Legal Research 5 Lectures

Meaning and objectives, nature and scope and importance of legal research; Kind of legal research—doctrinal and non-doctrinal, historical, analytical, comparative, inter-disciplinary approaches to legal research.

Unit II: Research Design in Legal Research 5 Lectures

Meaning, need, features and purpose of research design; Types of Research Design; Characteristics of good research design; Components of research design; Literature Review and its significance.

Unit III: Skills of doing Research 5 Lectures

Review of Literatures; Identification of Research Problem; Data Collection and Analysis in Legal Research; Preparation of Research Report.

Unit IV: Use of Computer and E-Resources in Legal Research 5 Lectures

Computers and their technology; Working with word processing, spreadsheet and power point; Significance and Application of Information and Communication Technology (ICT) in legal research; Use of software for analysis and presentation of data.



Unit V: Research and Publication Ethics

20 Lectures

Research Ethics; Publication Ethics; Open access Publishing; Publication Misconduct; Data base and Research Metrics

SUGGESTED READINGS

1. A Bird (2006), Philosophy of Science, Rutledge.
2. Alasdair Macintyre, (1967), A Short History of Ethics, London.
3. B N Ghosh, Scientific Methods and Social Research, (Sterling, New Delhi, 2003)
4. Barbara H. Stanley; Joan E. Sieber; Gary B. Melton, Research Ethics: A Psychological Approach
5. Bruce L. Berg, Qualitative Research Methods for the Social Science (London: Allyn and Bacon, 2001)
6. C R Kothari, Research Methodology (New Age International, 2004)
7. Cohen L. Morris, Legal Research in Nutshell, (Minnesota West Publishing Co., 1996)
8. D B Resnik, (2011), What is ethics in research & why is it Important, National Institute of Environmental Health Sciences, 1-10.
9. Delber C Miller, Handbook of Research Design and Social measurement, (New York: DS. Mckay, 1977)
10. Grade J Williams and Hatt K Paul, Methods in Social Research, Mc Gaw-Hill Book Company, London- Singapore (1985) reprint
11. Hans Kalsen, Social Science Research and the Law: A symposium in Honour of Hans Zeisel, University of Chicago Law Review 41 (1974) Winter 20995
12. Indian National Science Academy (INSA), Ethics in Science Education, Research and Governance (2019), ISBN:978-81-939482-1-7
13. Introduction to methods and Analysis of Social Studies (New York: Prentice Hall, Rev Ed.
14. J. Beall, (2012), Predatory Publishers are corrupting open access, Nature, 489(7415), 179-179
15. John W. Creswell, Research Design: Qualitative, Quantitative, and Mixed Methods Approaches, (Sage Publications, 2002)
16. National Academy of Science, National Academy of engineering and Institute of Medicine. (2009), On being a Scientist: A guide to Responsible conduct in Research, third Edition, National Academies Press.
17. P. Chaddah, (2018), Ethics in Competitive Research: do not get scooped; do not get plagiarized, ISBN: 978-9387480865.



DEPARTMENT OF LAW/GGV/BILASPUR

SYLLABUS OF PRE-PH.D. COURSE WORK/W.E.F. 2021

18. Rattan Singh, Legal Research Methodology (Lexis Nexis, 2013)
19. S R Myneni, Legal Research methodology (Allahabad Law Agency, 2015)
20. S.K. Verma and M. Afzal Wani (Eds.) Legal Research and Methodology, (ILI, New Delhi, 2nd Edo., 2001)

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PAPER 2: EMERGING DIMENSIONS AND CONTEMPORARY ISSUES IN LAW

Course Code	Nature	Marks	Credits
PHD (L) 102	Core	100	4

Course Objectives

The objective of this course is to familiarize the students with the thematic discussions on the emerging dimensions and contemporary legal issues from among the spectrum of law related to various areas, and to expose them to the corresponding concepts, theories, opinions, views, policies, and judicial response.

Course Outcomes

Upon successful completion of this course, the learner will be able to understand the legal issues of contemporary significance, and to critically analyses, articulate and defend, the corresponding policies and opinion or views.

CONTENTS

Unit I: Law relating to Crime and Offences **8 Lectures**
Organized Crime with reference to Drug and Illegal Markets; Communal violence, Hate Crime, Crime against LGBT; Anti-Terrorism Law, Sedition, Electoral Violence; Application of Technology in Criminal Justice Administration; Prison reforms.

Unit II: Law relating to Business and Commerce **8 Lectures**
Emerging Business Opportunities and Start Up; Impact of World Trade Agreement on Indian Economy; E- Commerce and Law; Corporate Governance: New Challenges; Merger and Acquisition.

Unit III: Law Related to Protection of Human Rights **8 Lectures**
Right to Self-determination; Role of Judiciary in the dialogue among Science, Technology and Human Rights; Right to Development; Global Poverty and Human rights.

Unit IV: Law Relating to Environment **8 Lectures**
Globalization & International Environmental Law; Environmental Dispute Resolution; Environmental Advocacy & Litigation; Corporate Accountability in Environmental Law; Environmental Pollution and the Problem of Human Health; Resource Exploitation and Rights of Indigenous People.

Unit V: Law related to Intellectual Property Rights **8 Lectures**
Interface between IPR and Anti-Trust Law; Technology Transfer; Patent and Access to Public Health; Protection of Copyright in Digital Environment; Trademark Infringement in E-Commerce and Enforcement.

SUGGESTED READINGS

No appropriate bibliography can be suggested for this course since the materials obviously depends upon the latest developments in law. These developments in the areas specified in the course can be gathered from the recent materials related to concerned law such as all



standing Text books, case laws, changes and amendments of laws, critical comments, studies and reports, articles and research papers and lastly contemporary emerging ethos impacting on practice of concerned law. However, some text books can prove to be meaningful in this regard:

1. Ahmed Siddiqui, Criminology: Problems and Perspectives (4th Ed., 1997)
2. Anceto Masferrer, Clive Walker (Edt.), Counter Terrorism, Human Rights and the Rule of Law, Routledge. 2013.
3. Armin R. And Divan Shyam, (2013) Environmental Law and Policy in India- Case, Material and Statutes, Oxford University Press
4. Ben Boer, Environmental Law Dimensions of Human Rights, Oxford University Press (2015)
5. Chris Crowther: Introduction to Criminology and Criminal Justice, Pargrave, New York.
6. Claire Macken, Counter Terrorism and Detention of Suspected Terrorist, Routledge, 2011
7. David Ellen, Scientific Examination of Documents: Methods and Techniques (law Library)
8. Dietrich Schroeer, Micro Elena, Techoology Transfer, Tailor and Francis (2018)
9. G N Bajpai, Corporate Governance in India, Sage Publication (2016)
10. Harry Soderman & John O. Conell, Modern Criminal Investigation, Fung and Wangnalls Co. New York
11. Indira Carr, Peter Stone, International Trade Law, Routledge Cavendish,
12. Irene Khan, David Petrsek , The Unheard Truth: Poverty and Human Rights, W.W. Norton & Company (2009)
13. J.S.P. Singh, Socio- Economic Offences (1st Ed., 2005, Reprint 2015)
14. Jacqueline Lipton, Rethinking Cyberlaw: A New Vision for Internet Law, Edgard Elger (2015)
15. Jae Sundaram, Pharmaceutical Patent Protection and World Trade Law, Routledge (2018)
16. James Anaya (jurist), S. James Anaya, S. James, Indigenous Peoples in International Law, Oxford University Press (2004)
17. Jessica Litman, Digital Copyright, · Michigan Publishing (2017)
18. Leelakrishnan P., The Environmental Law in India, Lexis Nixis Butterworths, New Delhi.
19. McQuade, Samuel C, Understanding and Managing Cyber Crime, Allyn and Bacon, U.S.A (2005)
20. Mehraj-ud-din Mir: Crime and Criminal Justice System in India, Deep & Deep Publications, New Delhi.
21. Paul Todd, E-Commerce Law, Tailor and Francis (2017)
22. Pierre-Marie Dupuy & Jorge E Vinuales, International Environmental Law (Second Edition), Cambridge University Press (2018)



23. Pradeep Kumar Jain, Corporate Acquisitions and Mergers in India, Kluwer Law International
24. Pralok Gupta, E-Commerce: Economic and Legal Perspectives, Sage Publication (2020)
25. Satvinder Juss, Human Rights in India, Taylor and Francis (2019)
26. Simon Stokes, Digital Copyright: Law and Practice, Bloomsbury Academic (2014)
27. Subhasis Saha, Challenges to Intellectual Property Rights in Cyberspace, Lap Lambert Academic Publishing GmbH KG 92012)
28. Thomas Pogge, Freedom from Poverty as a Human Rights, Oxford University Press (2007)
29. Ved P. Nanda & George (Rock) Pring, Environmental Law and Policy for 21st Century (Second Revised Edition), Boston: Martinus Nijhoff Publishers (2013)



PAPER 3: CONSTITUTIONAL LAW

Course Code	Nature	Marks	Credits
PHD (L) 103	Elective	100	4

Course Objectives

The objective of this course is to familiarize the scholars with the constitutional developments, and to led them into the discussion on the contemporary issues and perspectives related to Indian Constitution, and also to involve them in judging the workings of the Indian constitution vis-à-vis contemporary challenges.

Course Outcome

After the completion of this course the learner will be able to inculcate in themselves the extensive understandings of Indian Constitution, and to response critically on its potentialities, limitations and prospective measures.

CONTENTS

Unit I: Indian Federalism **8 Lectures**

Finding the Cooperation between Union and State; Legislative and Administrative Relation; Resources Sharing between Centre and States; Inter-state disputes resolution; Re-habitation of Internally displaced persons and centre's responsibility; Freedom of Trade and Inter-Course; Service under Union; Special Status of Certain States.

Unit II: Fundamental Rights **8 Lectures**

Meaning of States in Modern perspectives; Reading Directive Principles and Fundamental Duties into Fundamental Rights; Growing concerns for restrictions on Freedom speech and expression; Right to Life and personal Liberty with special reference to Criminal Jurisprudence; Constitutional Torts and Emergence of Compensatory Jurisprudence.

Unit III: Stress and Strain of Governance **8 Lecture**

Secularism and Religious Fanaticism; Independence of Judiciary; Judicial Review or Judicial Overreach; PIL—Use and Abuse; Working of Tribunals.

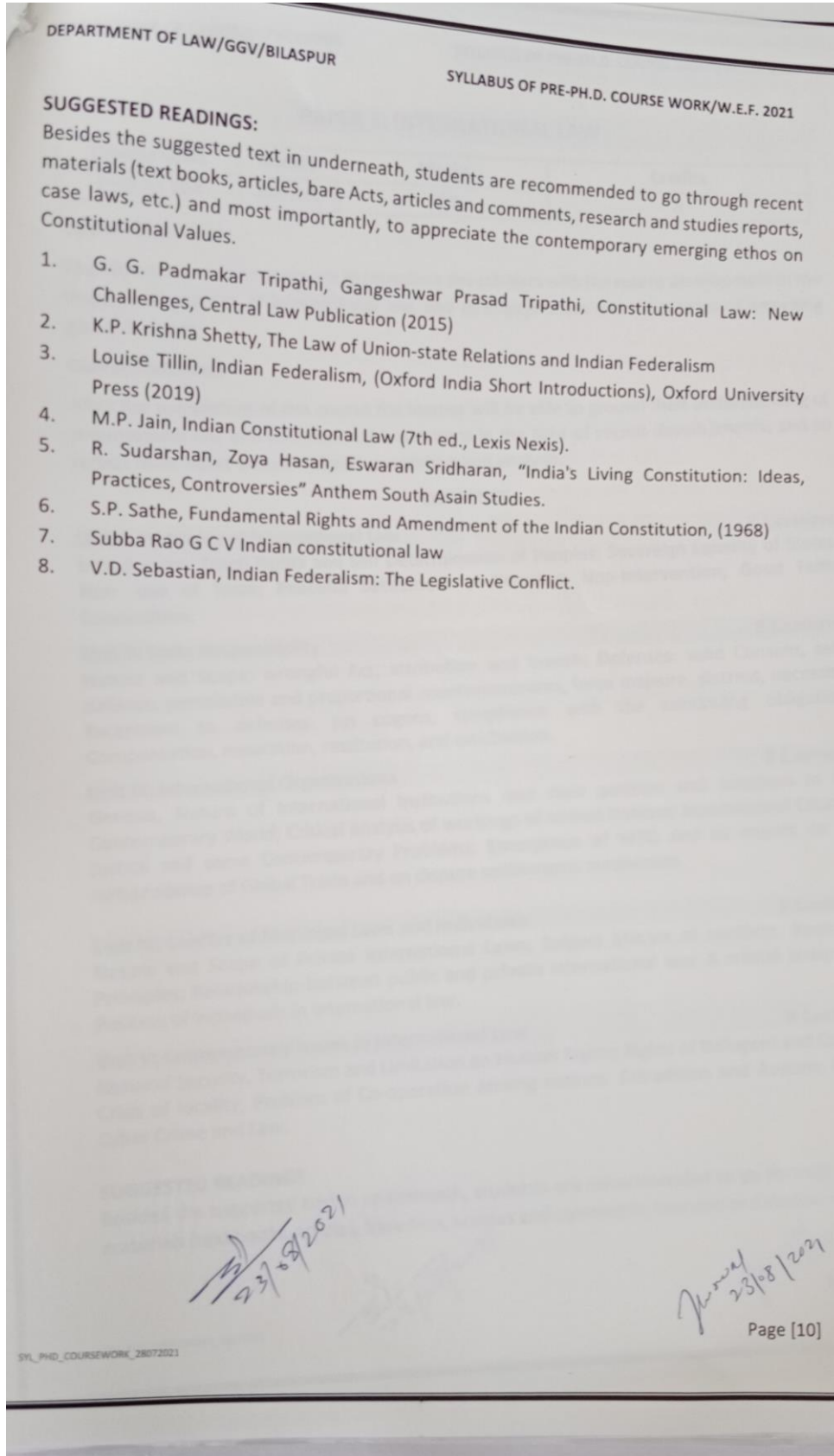
Unit IV: Democratic Process and Privileges of Parliamentarian **8 Lectures**

Nexus of Politics with Criminals and the Business; Desirability of Electoral Reforms with special reference to political and voting crime; Coalition Government: its merits and demerits; Grassroots Democracy: whether the goal has been achieved? Parliamentary Privileges: Necessity to codify the same;

Unit V: Indian Constitution: Workings and New Challenges **8 Lectures**

Achievement and Failure of Indian Constitution; Area of Concerns and New Challenges: Right to Privacy, Status of Jammu & Kashmir, Right to Protest, Citizenship Amendment Act.

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PAPER 3: INTERNATIONAL LAW

Course Code	Nature	Marks	Credits
PHD (L) 104	Elective	100	4

Course Objectives

The objectives of this course are to introduce the scholars with the recent development in the theory and practice of international law, and to engage them into discussions of emerging global tensions.

Course Outcomes

After the completion of this course the learner will be able to ground their understanding of international law and international institutions in the light of recent developments, and to reflect their views articulated with evaluation and analysis.

CONTENTS

Unit I: Principles of International Law

8 Lectures

Introduction; Equal Rights and Self Determination of Peoples; Sovereign Equality of States; Non-use of force; Peaceful Settlement of Disputes; Non-Intervention; Good Faith; Cooperation.

Unit II: State Responsibility

8 Lectures

Nature and Scope: wrongful Act, attribution and breach; Defenses: valid Consent, self-defense, permissible and proportional countermeasures, force majeure, distress, necessity; Exceptions to defenses: jus cogens, compliance with the continuing obligation; Compensation, reparation, restitution, and satisfaction.

Unit III: International Organizations

8 Lectures

Genesis, Nature of International Institutions and their position and functions in the Contemporary World; Critical analysis of workings of United Nations; International Court of Justice and some Contemporary Problems; Emergence of WTO and its impact on the Jurisprudence of Global Trade and on dispute settlements mechanism.

Unit IV: Conflict of Municipal Laws and Individuals

8 Lectures

Nature and Scope of Private International Laws; Subject Matter of conflicts; Basis and Principles; Relationship between public and private international law; A critical analysis of Position of Individuals in international law.

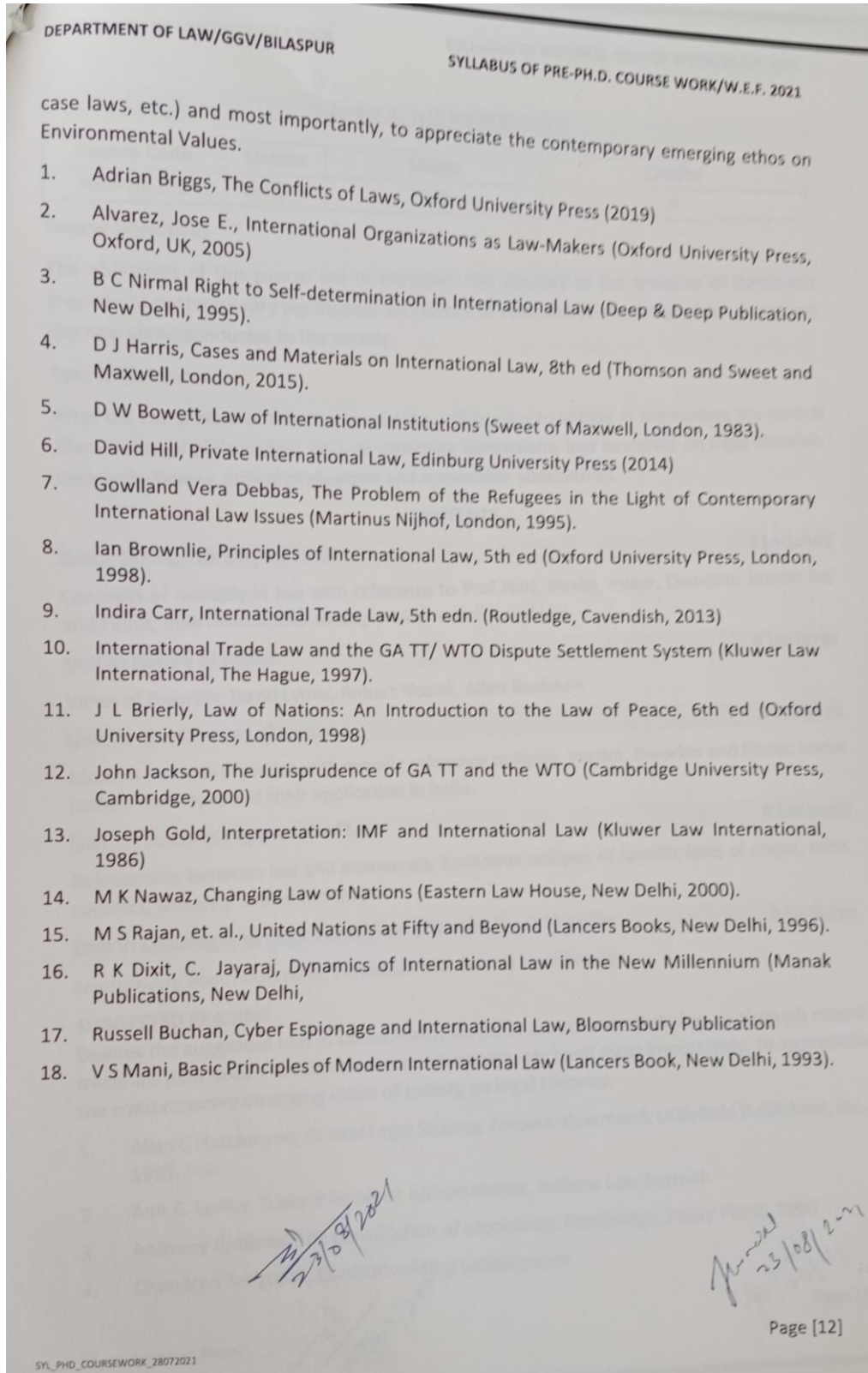
Unit V: Contemporary issues in International Law

8 Lectures

National Security, Terrorism and Limitation on Human Rights; Rights of Refugees and Cultural Crisis of locality; Problem of Co-operation among nations: Extradition and Asylum; Global Cyber Crime and Law.

SUGGESTED READINGS

Besides the suggested text in underneath, students are recommended to go through recent materials (text books, articles, bare Acts, articles and comments, research and studies reports,





PAPER 3: JURISPRUDENCE

Course Code	Nature	Marks	Credits
PHD (L) 105	Elective	100	4

Course Objectives

The objectives of this course are to introduce the scholars to the critiques of dominant theories of contemporary significance on Science of Law, and to encourage them to explore the new views conducive to the society.

Course Outcomes

After the completion of this course scholars will be able to imbibe in themselves the central theme of legal philosophies vis-à-vis emerging dimensions, and to reflect on legal theories, their articulations, critical evaluations and reasonable alternatives.

CONTENTS

Unit I: Ethics, Morality and Law 8 Lectures

Concepts of morality in law with reference to Prof Hart, Devlin, Fuller, Dworkin, Joseph Raj and Finnis; Interrelationship among ethics, morality and law.

Unit II: Nature of Rights 8 Lectures

Views of Dworkin, David Lyons, Robert Nozick, Allen Buchnon

Unit III: The Concept of Justice 8 Lectures

Modern theories of justice with specific reference to Rawls, Nozick, Dworkin and Finnis; social justice—concepts and their application in India.

Unit IV: Economic Approach of Law 8 Lectures

Relationship between law and economics; Economic analysis of specific laws of crime, torts, contract, property and environment.

Unit V: Challenges to Legal Formalism & Recent Legal Theories 8 Lectures

Modernism; Postmodernism; Feminism and Critical legal Studies

SUGGESTED READING

Besides the suggested text in underneath, students are recommended to go through recent materials (text books, articles and research papers, etc.) and most importantly, to appreciate the contemporary emerging ethos of society on legal theories.

1. Allan C Hutchinson, Critical Legal Studies. Totowa: Rowman & Littlefield Publishers, Inc., 1989. Prin
2. Ann C. Scales, Toward Feminist Jurisprudence, Indiana Law Journal
3. Anthony Giddens, The constitution of Modernity, Cambridge: Polity Press, 1990
4. Chandran Sengupta, Conceptualizing Globalization



5. George Ritzer, Postmodern social theory, New York: Mcgraw Hill, 1997
6. Ian Mclaid, Legal Theory, Macmillan Publication, 2007
7. L Lloyd, Introduction to Jurisprudence, London: Stevens & Sons, 1985
8. Max Weber, The theory of social and Economic organization
9. R Wacks, Understanding jurisprudence, Lawman (India) Private Limited, New Delhi 1997
10. R. Posner, The Economics of Justice, Harward University Press, London
11. S Best and D. Kellner, Postmodern Theory: Critical interrogation, New OioK: Guilford, 1991
12. W Friedmann, Law and Social Change, University of California Press, 1959
13. W Morrison, Jurisprudence: From Greeks to post modernism
14. Yogendra Singh, Modernization of Indian Tradition, Jaipur: Rawat Publications, Reprint, 1994

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PAPER 4: SEMINAR

Course Code	Nature	Marks	Credits
PHD (L) 106	Compulsory	Only Qualifying	--

Course Objective

This course is intended to orient the students for legal research for Ph.D. by the practical conduct of literature review on a small problem related to legal studies.

Course Outcome

The student will be able to appreciate the skill and confidence for carrying out Ph.D. Research.

CONTENTS

Seminar paper will comprise of Literature review. From among the area of interests in law, student will select one of them and will undergo for literature review. They will be required to submit a report of their literature review. And on the scheduled date they will make presentation of their report before a committee constituted for this purpose.

Submission Guidelines

1. Main text Times New Roman, font size 12, line spacing 1.5
2. Footnotes Times New Roman, font size 10, line spacing 1
3. Citation ILI style of Citation available at <http://ili.ac.in/cstyle.pdf>

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