



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)105	Jurisprudence
4.	PHD(L)106	Seminar

विभागाध्यक्ष/HOD
वेधि 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 : July 15, 2021 - 11:00 AM

Venue : Office of Head of Department

**MINUTES OF THE MEETING OF BOARD OF STUDIES IN DEPARTMENT OF LAW
GURU GHASIDAS VISHWAVIDYALAYA, BILASPUR, HELD ON 15.07.2021**

A meeting of the Board of Studies in the Department of Law was held on 15.07.2021 at 11 A.M. under the chairmanship of Dr. Sagar Kumar Jaiswal, Head of Department of Law.

Following members were present:

- | | |
|----------------------------------|-----------------|
| 1. Dr. Sagar Kumar Jaiswal, Head | Chairman |
| 2. Dr. Ajaiy Singh | Member |
| 3. Prof (Dr.) S. K. Gupta | External Expert |
| 4. Prof (Dr.) Pratibha J Mishra | Special Invitee |

The agendas for the meeting were: (i) To finalize the syllabus of Pre-Ph.D. Course Work in Law, AND; To finalize the syllabus of Vishwavidyalaya Research Entrance Test (VRET) in Law.

At the very onset the chairman welcomed all the members and placed the draft (prepared by the Chairman of the BOS) syllabus of Pre-Ph.D. Course work in law, defining the Program objective, Program outcome, Program structure, Scheme of examination, Promotion criteria and Detailed syllabus of Pre-Ph.D. Course Work. The draft of syllabus of VRET in Law was also placed, along with.

As to item no. 1, relating to finalizing the syllabus of Pre-Ph.D. Course Work in Law, Dr. Sagar Kumar Jaiswal asked for opinion with regard to draft syllabus which had its structure as follows:

COURSE CODE	PAPER/COURSE	NATURE	MAX. MARKS	Credits
PHD (L)101	Legal Research Methodology & Research and Publication Ethics	Core	100	4
PHD (L)102	Advance Legal Studies	Core	100	4
PHD (L)103	Constitutional law	Elective	100	4
PHD (L)104	Criminal Law	Elective	100	4
PHD (L)105	Human Rights and Humanitarian Law	Elective	100	4
PHD (L)106	International Law	Elective	100	4
PHD (L)107	Law of Intellectual Property Rights	Elective	100	4
PHD (L)108	Environmental Law	Elective	100	4
PHD (L)109	Corporate and Economic Law	Elective	100	4
PHD (L) 110	Seminar	Compulsory	Only Qualifying	0

Prof (Dr.) Pratibha J Mishra submitted her points before the members: (i) that, the syllabus of the course work needs revision as it looks very ambitious; (ii) that, each course in the course

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work must not contain more than five units; (iii) that the second paper in the course work should have its contents according to the head of course name "Emerging Issues in Law" or like nomenclature; (iv) that, the number of elective courses in third paper should be limited to three or four specialized areas in law and that these should accord to the specialize areas of faculties members, (v) that there should not be discrepancy between syllabus and University Ph.D. Regulation, 2018, and; (vi) that the copy of said regulation be given to External Experts.

Prof (Dr.) S. K. Gupta, while agreeing with Prof (Dr.) Pratibha J Mishra, submitted: (i) that, contents of each course in the course work should be in discussion mode; (ii) that, the third paper in the course work, which will be elective in nature, must belong to three broad area of specializations in Law, namely, Constitutional Law, Jurisprudence/Legal Philosophy, and International Law, and; (iii) that, the course contents must be offered in the manner that the course objective must be responsive to the learning outcome of students in the plane of analysis, criticism, synthesis and evaluation rather than purely in the plane of understanding.

Dr Ajaiy Singh had his suggestion that Constitution law and Jurisprudence may be clubbed in one single paper.

Considering the various aspects, the meeting witnessed a standard deliberations and discussions among the members on the draft syllabus.

Resolved that, the syllabus of course work in Law will be revised according to the points suggested by both Prof (Dr.) S K Gupta and Prof (Dr.) Pratibha J Mishra, and will be placed for considering the same in next meeting of Board of Studies.

As to item no. 2, relating to finalizing the syllabus of Vishwavidyalaya Research Entrance Test (VRET) in Law, Prof (Dr.) Pratibha J Mishra has her point that it would be too early to consider the draft syllabus of VRET in law and thus the same should be finalize in a separate meeting.

Resolved that, the same will be considered in the next meeting of Board of Studies.

There being no other matter, the meeting was ended with vote of thanks by the chairman.

DR. SAGAR KUMAR JAISWAL
[Chairman]

PROF (DR.) S. K. GUPTA
[External Expert]
(Approval By Email)

DR. AJAIY SINGH
[Member]



Scheme and Syllabus

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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.

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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.

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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, Techology 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)



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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

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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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