

SCHOOL OF STUDIES IN LAW
PT. RAVISHANKAR SHUKLA UNIVERSITY, RAIPUR

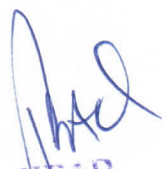
MASTER OF PHILOSOPHY
M. PHIL (LAW)
(REVISED ORDINANCE-52)

1. This is a one year full time course run by S.O.S. in Law.
2. There shall be five papers in this course. The name of the papers, its components, division of marks with awarding scheme is as follows -


Allotment of Marks

<u>Sr. No.</u>	<u>Name of Papers</u>	<u>Marks in Theory Paper</u>
1.	Research & Teaching methodology	100
2.	Human Rights & Constitutional Law	100
3.	Jurisprudence	100
Total Marks		300
4.	Seminar	Based on Theory 50
5.	Dissertation	Seminar based on Dissertation 50
		Script Writing 75
		Viva-voce 25
Total Marks		200

	Grand Total	500


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- 6 The student shall participate and give his/her presentation based on theory of 50 marks. The assessment of the seminar shall be done by faculty members.
- 7 The evaluation of the seminar on the dissertation of 50 marks shall be done by in presence of Supervisor and other regular faculty member of department.
- 8 A candidate will be required to submit three typed copies of his/her Dissertation within a month after the completion of theory examination. The dissertation shall be valued by the external valuer, while vivo-voce will be conducted by both internal and external examiner and the HOD shall be the internal examiner.
- 9 In matter of admission, enrolment, examination and in all other matters not provided for by this scheme of examination, the M. Phil course will be governed by the general provisions of the relevant Ordinances which in enforce.


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DETAIL SYLLABUS FOR M. Phil LAW

PAPER - I

RESEARCH AND TEACHING METHODOLOGY

UNIT - 1

OBJECTIVE OF LEGAL EDUCATION, LECTURE METHOD OF TEACHING-MERITS AND DEMERITS, THE PROBLEM METHOD, DISCUSSION METHOD AND ITS SUITABILITY AT POSTGRADUATE LEGAL TEACHING.

UNIT - 2

THE SEMINAR METHOD OF TEACHING, EXAMINATION SYSTEM AND PROBLEMS IN EVALUATION-EXTERNAL AND INTERNAL ASSESSMENT, STUDENTS PARTICIPATION IN LAWSCHOOL PROGRAMMES.

UNIT - 3

RESEARCH METHODS - SOCIO LEGAL RESEARCH, DOCTRINAL AND NON DOCTRINAL, INDUCTION AND DEDUCTION.

UNIT - 4

RESEARCH PROBLEM - SURVEY OF AVAILABLE LITERATURE AND BIBLIOGRAPHICAL RESEARCH, LEGISLATIVE MATERIALS INCLUDING SUBORDINATE LEGISLATION, NOTIFICATION AND POLICY STATEMENT, JURISTIC WRITINGS.

UNIT - 5

PREPARATION OF RESEARCH DESIGN - FORMULATION OF RESEARCH PROBLEM, METHODOLOGY OF COLLECTING DATA, USE OF HISTORICAL AND COMPARATIVE RESEARCH MATERIALS, USE OF OBSERVATION STUDIES, USE OF QUESTIONNAIRES AND INTERVIEWS, USE OF CASE STUDIES, JURIMETRICS, ANALYSIS OF DATA.

Reference books:

1. Methodology and Techniques - By T.S. Bhandarkars & T.S. Milkinson
2. Methods in Social Research - By William J. Goode & Paul K. Hatt
3. Development of Research Tools - By N.C. Gautam
4. Designs of Social Research - By D.K. Lal Das
5. Doing Quantitative Research in the Social Sciences - By Thomas R. Black
6. Research Methods in behavioral sciences - By S.M. Mosil
7. Legal Research Methodology - By Dr. H.N. Tiwari
8. Legal Research - William F. Statisky
9. Legal Research Methodology - By Shilpa Agrawal
10. Legal Reason-The use of Analogy in legal Argument - By Lloyd L. Weired
11. Learning the Law - By Granville Williams
12. Legal Education & Profession in India - By T.L. Mehta & Shusma Gupta
13. Social Mission of Law - By V. R. Krishnaayyar
14. Legal Education in a Changing world - By International Legal Centre, New York
15. A Guide to Legal Research - By Ewinc surrency
16. Legal Research Methodology - Dr. S.R. Myneli
17. An Introduction to Legal Argument - By Adward Lewi
18. Legal Research Methodology -(In Hindi) By H.N.Giri

PAPER - 2
HUMAN RIGHTS AND CONSTITUTIONAL LAW

UNIT - 1

DEFINITION, NATURE, ORIGIN AND DEVELOPMENT OF HUMAN RIGHTS - SOME BASIC HUMAN RIGHTS ISSUES, EVOLUTION OF THE CONCEPT OF HUMAN RIGHTS, CLASSIFICATION OF HUMAN RIGHTS, THEORIES OF HUMAN RIGHTS.

UNIT - 2

INTERNATIONAL LAW AND HUMAN RIGHTS - HUMAN RIGHTS AND INTERNATIONAL RELATIONS, DECOLONIZATION, SOVEREIGNTY AND HUMAN RIGHTS, UNITED NATIONS AND HUMAN RIGHTS.

UNIT - 3

IMPORTANT WORLD CONFERENCE AND CONVENTIONS ON HUMAN RIGHTS - INSTRUMENTS OF HUMAN RIGHTS AND COVENANTS, GENEVA CONVENTIONS OF 1949, INTERNATIONAL BILL ON HUMAN RIGHTS, GLOBAL CONSTITUTIONAL LIMITATION ON HUMAN RIGHTS.

UNIT - 4

HUMAN RIGHTS AND THE INDIAN CONSTITUTION - KINDS OF RIGHTS IN INDIA, ECONOMIC AND SOCIAL RIGHTS IN INDIA, ROLE OF JUDICIARY.

UNIT - 5

INDIAN CONSTITUTION PART III & IV.

Reference book

- 1 Human Rights & Legal Remedies - Gokulesh Sharma
- 2 Human Rights in India- Problems & Prospectives - B.P. Singh Shergal
- 3 Human Rights in India - Constitutional & Legal Provisions - M. Iqbal Singh
- 4 Human Rights in India - Nirmal
- 5 Human Rights & Social Justice - Gokulesh Sharma
- 6 Human Rights under International & Indian Law - S.K. Kapoor
- 7 Human Rights - U.N. Initiatives - Rahul Rai
- 8 Human Rights in India-implementation & violation - G.S. Bajwa
- 9 Constitutional Law of India - P.N. Baxi
- 10 International Law - S.K. Kapoor
- 11 Constitutional Law of India - Anand
- 12 Constitutional Law of India - H.M. Seervai
- 13 Constitution of India - V.N. Shukla
- 14 Basic Documents on Human Rights - Brownlie Ian
- 15 Human Rights - International Documents (3 vols) - Joylee J.A.
- 16 Human Rights in International Law - Meron I.
- 17 Comparative Federalism - Basu
- 18 Selected Constitutions - Kapoor A.C.
- 19 Comparative Study of Six Living Constitutions - Gupta
- 20 Selected Constitution of the World - Basu
- 21 Comparative Constitutional Law - Basu
- 22 Federalism - K.C. Wheccere
- 23 Indian Constitutional Law(2 Vol.)-Dr. M.P. Jain

JURISPRUDENCE

UNIT - 1
CRITICAL SURVEY OF LEGAL THEORIES - NATURAL LAW AND THE SEARCH FOR ABSOLUTE VALUES, THE PROBLEM OF NATURAL LAW, ANCIENT THEORIES, REASONS AND THE LAW OF NATURE, NATURAL LAW AND SOCIAL CONTRACT (GROTIUS, HOBES, LOCKE, ROUSSEAU), REVIVAL OF NATURAL LAW THEORIES.

UNIT - 2
PHILOSOPHICAL IDEALISM AND THE PROBLEM OF JUSTICE - GERMAN TRANSCENDENTAL IDEALISM, (KANT, FICHTE, HEGAL), NEO KANTIAN PHILOSOPHY AND SCIENTIFIC LEGAL IDEALISM, MODERN VALUE PHILOSOPHY AND LAW.

UNIT - 3
THE IMPACT OF SOCIAL DEVELOPMENT ON LEGAL THEORIES, HISTORICAL EVOLUTION AS A GUIDE TO LEGAL THOUGHT, BIOLOGY, SOCIETY AND LEGAL EVOLUTION, MODERN SOCIOLOGICAL THEORIES OF LAW.

UNIT - 4
POSITIVISM AND LEGAL THEORIES - KELSON'S PURE THEORY OF LAW, UTILITARIANISM, THE JURISPRUDENCE OF INTERESTS AND LEGAL IDEALISM.

UNIT - 5
LEGAL THEORY AND CONTEMPORARY PROBLEMS - LEGAL THEORY OF MODERN POLITICAL MOMENTS, SOCIOLOGIC AND COMMUNIST THEORIES OF LAW, NEO-SCHOLASTIC DOCTRINE AND MODERN CATHOLIC LEGAL PHILOSOPHY.

Reference book

1. Out lines of Ancient Hindu Jurisprudence - By M.S. Pandit
2. Solmond on Jurisprudence - P.J. Fitzgerald
3. Jurisprudence - J.G. Riddall
4. A Text book of Jurisprudence - G.W. Paton
5. Jurisprudence and legal theory - Shambhoo Dayal
6. Jurisprudence - Wayne Morrison
7. Fundamental of Jurisprudence - S.N. Dhyani
8. Jurisprudence- Dias
9. Vidhishashtra Ke Moo! Sidhant (In Hindi)-Dr. Anirudh Prasad
10. Jurisprudence-Edgarboden Heimer
11. Legal Theory -Friedman

PAPER - 4

SEMINAR BASED ON THEORY (50 MARKS)

This paper is divided into three parts

Paper-1	02. Seminar on the paper-I Research and teaching methodology	20 marks
Paper-2	02. Seminar on the paper-II Human rights and the Constitution law	20 marks
Paper-3	01. Seminar on the paper-III Jurisprudence	10 marks

Total - 50 marks

The student shall participate and give his/her presentation in 05 seminars, 10 marks each before the student of the departments and faculty members as prescribed above. The topic of each seminar shall be assigned by the teacher concerned of the paper. The evaluation of the seminars based on theory will be done internally by the supervisor and the other faculty members.

The records of the marks of the seminar of each student shall be maintained by the department and sent to the university at the end of the session.

PAPER-5
DISSERTATION

This paper is divided into three parts

Part-1.	Seminar based on Dissertation	50 marks
Part-2.	Scriptwriting	75 marks
Part-3.	Viva-voce	25 marks
		Total- 150 marks

In Part-I of this paper the student shall participate and give his/her presentation on seminars based on dissertation of 50 marks. The evaluation of the seminar on the dissertation of 50 marks will be done in presence of the supervisor and other teacher of the department.

In Part-II of this paper the student will be required to write a dissertation on assigned topic under the supervision of the supervisor. A supervisor shall not have at any given point of time more than five M.phil students. A candidate will be required to submit three typed copies of his/her dissertation within a month after the completion of theory examination. The dissertation shall be valued by external examiner only.

In Part-III of this paper will be viva-voce of 25 marks which shall be valued by internal and external examiners and the Head of the Department shall be the internal examiner.

The total marks of the seminar based on the Dissertation, script writing and viva-voce shall be computed along with the marks of the 3 papers (marks of the theory papers and the marks of the seminar).

APPENDIX - 1

DECLARATION BY CANDIDATE (Clause 8 of the Ordinance - 52)

I declare that the thesis entitled
.....
is my own work conducted under the supervision of Dr.
(Supervisor / Co-supervisor) at (Centre)

I further declare that to the best of my knowledge the thesis/ dissertation does not contain any part of any work, which has been submitted for the award of any degree either in this University or in any other University/ Deemed university without proper citation.

Signature of the Supervisor

Signature of the Candidate



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APPENDIX - 2

CERTIFICATE BY THE SUPERVISOR/ CO-SUPERVISORS
(Clause 8 of the Ordinance - 52)

This is to certify that the work entitled
..... is a piece of research work
done by Shri / Smt/ Ku.
under my (our) guidance and supervision for the degree of Master of Philosophy
of Pt. Ravishankar Shukla University, Chhattisgarh, India.

To the best of my knowledge and belief this thesis

- [1] Embodies the work of the candidate himself/ herself.
- [2] Has duly been completed.
- [3] Fulfills the requirements of the Ordinance relating to the M.Phil. degree of the University; and
- [4] Is up to the standard both in respect of contents and language for being referred to the examiner.

Signature of the Co-Supervisor(s)

Signature of the Supervisor

Forwarded

Signature of the HoD, School of Studies/ Research Center

Patil - 6-18
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