

# মহাপুরুষ শ্রীমন্ত শঙ্করদেব বিশ্ববিদ্যালয়

## MAHAPURUSHA SRIMANTA SANKARADEVA VISWAVIDYALAYA



### SYLLABUS FOR MSSVRAT

Paper- II

Programme: Ph.D. in Juridical Studies

Department of Juridical Studies

**Code: RAT-JUR-02**

**Sub: Juridical Studies**

**Total Marks: 50**

**Unit –I: Jurisprudence:**

1. Nature and sources of law
2. Schools of jurisprudence
3. Law and morality
4. Concept of rights and duties
5. Legal personality
6. Concepts of property, ownership and possession
7. Concept of liability
8. Law, poverty and development
9. Global justice
10. Modernism and post-modernism

**Unit-II: Constitution of India:**

1. Preamble, fundamental rights and duties, directive principles of state policy.
2. Union and State executive and their interrelationship
3. Union and State legislature and distribution of legislative powers
4. Judiciary
5. Emergency provisions
6. Temporary, transitional and special provisions in respect of certain states
7. Election Commission of India
8. Nature, scope and importance of administrative law
9. Principle of natural justice
10. Judicial review of administrative actions – Grounds.

**Unit-III: Law of Torts:**

1. Nature and definition of tort
2. General principles of tortious liability
3. Remedies under law of torts
4. Specific torts – Negligence, nuisance, trespass, malicious prosecution and defamation
5. Remoteness of damages
6. Strict and Absolute liability
7. Vicarious liability
8. Tortious liability of the State
9. General defences in tort
10. Consumer Protection Act and Motor Vehicles Act

**Unit IV: Law of Crimes:**

1. General principles of criminal liability – *Actus reus* and *mens rea*, individual and group liability and constructive liability
2. Stages of crime and inchoate crimes - Abetment, criminal conspiracy and attempt
3. General exceptions

4. Offences against human body
5. Offences against state and terrorism
6. Offences against property
7. Offences against women and children
8. Important concepts under the Code of Criminal Procedure, 1973 (cognizable, non-cognizable, bailable, non-bailable, compoundable, non-compoundable, summons, warrant, FIR, charge, chargesheet, bail, anticipatory bail, public nuisance, maintenance etc)
9. The stages of criminal trial and types.
10. Theories and kinds of punishments, compensation to the victims of crime

#### **Unit-V: Civil Procedure Code:**

1. Definitions
2. Jurisdictions of Civil Courts. Res Sub Judice, Res Judicata
3. Suit – parties to suit, framing of suit, pleadings
4. Plaint, summons, written statement, set-off and counter-claim
5. Interim orders and temporary injunctions
6. Judgment and decree
7. Restitution, caveat, inherent powers of the court
8. Appeal, reference, review and revision
9. Execution
10. Limitation Act 1963

#### **Unit-VI: International Law:**

1. International law – Definition, nature and basis
2. Sources of International law
3. Recognition of states and governments
4. Nationality, immigrants, refugees and internally displaced persons (IDPs)
5. Extradition and asylum
6. United Nations and its organs
7. Settlement of international disputes
8. World Trade Organization (WTO)
9. International humanitarian law (IHL) - Conventions and protocols
10. Implementation of IHL – Challenges

#### **Unit-VII: Contemporary development in the field of Law and Society.**

1. Current legal affairs and developments in India
2. New legislations

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