

Department of Law
Rajiv Gandhi University, Rono Hills

**DOCTOR OF PHILOSOPHY IN LAW
(Ph.D. LAW)**

**Course of Studies for the Course Work with effect from Academic Session 2021-22,
under Choice Based Credit System**

**Prepared by Dr Topi Basar
Associate Professor**



**RAJIV GANDHI UNIVERSITY
Rono Hills, Doimukh – 791112
(Arunachal Pradesh)
DOCTOR OF PHILOSOPHY IN LAW
(Ph.D. LAW)**

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under Choice Based Credit System**


संयुक्त कुलसचिव
राजीव गांधी विश्वविद्यालय
Joint Registrar
Rajiv Gandhi University
Rono Hills, Doimukh (A.P.)

BRIEF OUTLINE

The Ph.D. Course Work (Syllabus) in Law under Choice Based Credit System (CBCS) has been designed keeping in view the changing scenario of the present education system in the 21st Century and as per the University Grants Commission (UGC) (Minimum Standards and Procedure of M.Phil. / Ph.D. Degree) Regulations, 2016 and University's Ordinance relating to Doctor of Philosophy(Ph.D.)Ordinance, 2020. The content of the syllabus is prepared on the basis of the current needs and demands in research in legal studies. The Choice-Based Credit System (CBCS) provides an approach in which the Research Scholars shall opt papers from Elective / Open courses as per their choice, learn at their own pace, undergo additional courses and acquire more than the required credits, and adopt an interdisciplinary approach to learning. It offers wide ranging choice for Research Scholars to opt for courses based on their aptitude and their career goals.

AFFILIATION

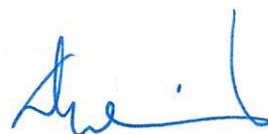
The programme shall be governed by the Department of Law, Rajiv Gandhi University, Rono Hills, Doimukh – 791112 (Arunachal Pradesh).

PROGRAM OBJECTIVE

The syllabi for each course / paper shall be drafted as per the UGC Guidelines- 2016 under Learning Outcomes based Curriculum Framework (LOCF) approach with an aim to equip the Research Scholars with knowledge, skill, values and legal aptitude. Keeping the importance of research in present scenario and to enhance the quality of research, this syllabus for the Ph.D. Course Work aims to facilitate the acquisition of specialized knowledge in the field of Constitutional law domain, Intellectual Property Right, Traditional Knowledge, Customary laws and ancillary fields by inculcating the relevant attitudes and values required for undertaking quality research in Law. The course shall also facilitate inculcation of analytical and critical research for better learning outcomes. It recognizes multi-disciplinary ways and means of knowledge-creation and its application. The goal of every research in Law is to bring legal and policy transformation in society and to make a new and distinct contribution to existing body of knowledge in Law.

PROGRAM OUTCOME

The expected outcome of the syllabus is to equip research scholars with advanced research skills to carry out empirical as well as doctrinal research in the area of legal studies. Keeping the importance of research in present scenario and to enhance the quality of research, this syllabus for the Ph.D. Course Work will facilitate the acquisition of specialized knowledge in the field of Constitutional law domain, Intellectual Property Right, Traditional Knowledge, Customary laws and ancillary fields.



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OUTLINE OF THE PROGRAM

The syllabi for the Course work of Ph.D. in Law have been drafted as per the UGC guidelines for Learning Outcomes based Curriculum Framework (LOCF) based approach with an aim to equip the Research Scholars with knowledge, skill, values and attitude. The course duration is 1 semester.

Part	Year	Semester	Components
Part – I	First Year	Semester I	Course Work

Types of Courses: Courses in a program shall be of two kinds: Core and Open/ Elective.

1. **Core Courses:** A core course is a compulsory paper to be studied by all the scholars to complete the requirements of a degree and based on papers that are unique to the program and hence imperative for student to earn a degree in a given discipline/program.

- Research Methodology:** The Department has assigned a minimum of four credits covering areas such as quantitative methods, computer applications, review of published research in the relevant field, training, field work, etc.
- Research and Publication Ethics:** The department shall offer a course paper of two credits on Research and Publication ethics (as per the directives of UGC vide DO no – F.1-1/2018(Journal/CARE) dated December 2019).

Credit course (30 hrs.) –This course has total 6 units focusing on basics of philosophy of Law and ethics, research integrity, publication ethics. Hands-on-sessions are designed to identify research misconduct and predatory publications. Indexing and citation databases, open access publications, research metrics (citations, h-index, Impact Factor, etc.) and plagiarism tools will be introduced in this course. It will consist of-

1. Classroom teaching, guest lectures, group discussions, and practical sessions.
2. Continuous assessment will be done through tutorials, assignments, quizzes, and group discussions. Weightage will be given for active participation. **Final written and practical examination will be conducted at the end of the course.**
3. The course comprises of six modules. Each module has 4-5 units.

2. **Elective Courses:** Elective course is a course which can be chosen from a pool of papers from a syllabus provided by a particular department from the main discipline or from a sister/related discipline which supports the main discipline, on mutual consent of the concerned departments.

- a. It is supportive to the discipline of study, providing an expanded scope, enabling an exposure to some other discipline/ domain, and nurturing Research Scholar's proficiency/ skill.
- b. These courses constitute a pool of open elective courses. Discipline Centric elective offered by a department shall serve as open elective for other department(s) of the concerned faculty.

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1. **Open Paper (2 Credits):** The research scholar has the option to choose the open paper offered by parent department and from other departments. The Department has the choice to prepare the paper with any combinations of Lecture, Tutorial and Practical (2:0:0, or 1:0:1, or 0:0:2).
2. **Elective Paper:** The department will develop more than one elective paper based on different specialisations and specialised fields of research. The Guide / Supervisor will be responsible for the teaching of the specialised paper to their respective scholars. A Scholar has the choice to choose as many as elective paper(s) to accumulate more credits for the course.

3. Distribution of Credit:

- a. The credit assigned to the Ph.D. course work consisting of 4 papers shall be of a minimum of **8 credits and a maximum of 16 credits**. The course work must include a paper of two credits on Research and Publication Ethics.
 - b. Credits earned by the Scholars: The total credits earned by a Research Scholar at the end of semester upon successfully completing the course are L+T+P. The credit pattern of the course shall be indicated in the format as L:T:P.
 - c. Credits and Credit Hours: Each course/paper shall be taught through Classroom Lectures (L), a tutorial component for participatory discussion/problem solving/brief seminar on a topic/ assignments/ self-study or through other appropriate methods that may potentiate the extent of assimilation by the Research Scholar (T), followed by practical/ practice session consists of hands-on experience/ field work/ case studies/ short-term projects etc. (P)
 - 1.L: 1 hour per week amounting to 1 credit of learning / semester by a Research Scholar in a paper.
 - 2.T: 1 hour per week amounting to 1 credit of learning per semester by a Research Scholar in a paper.
 - 3.P: 2 hours per week amounting to 1 credit of learning per semester by a Research Scholar in the paper.
4. **Paper Code:** The paper code will be a combination of 3 letter abbreviation of the name of the department and the number indicated in the table shown below.

SCHEME OF EXAMINATIONS AND AWARD OF CREDIT

1. To be eligible for appearing in the End Semester Examination, a Research Scholar shall have to attend minimum lectures and complete practical, teaching practice and Internship as laid down in the relevant ordinance.
2. In the event of a Research Scholar failing to obtain the stipulated 75% attendance, he/she shall apply through his/her Head of the department to the concerned Dean or to the Principal of the college wherein the Research Scholar is enrolled seeking partial relaxation of the applicable attendance norm. Subject to the condition that the concerned authority is convinced of the genuineness of the case, the concerned Dean of the faculty or the Principal of the college shall grant relaxation in attendance to the tune of a maximum of 5% and provided that the relaxation thus granted makes up for the stipulated

- attendance norm, the Research Scholar concerned shall be allowed to sit for the examination. Further, the Vice Chancellor shall condone the attendance to the tune of a maximum of 10%, on recommendation of the concerned Dean or the Principal of the college, for genuine reasons.
3. The course work shall be evaluated on the basis of the performance of the scholar in the Internal assessment examination(s) to be conducted by the concerned Department/ Institute/ Centre, and the End semester examination to be conducted by the University. The weightage for the Internal assessment and the End semester examination shall be in 25:75 ratio. In case, the scholar fails to secure a minimum of 55% marks in the Internal assessment examination, he/she shall be dropped from the program.
 4. **Internal Assessment:** The department will develop the modalities of conducting internal assessments which includes the number of internal assessment test, types of test which may include written test, short-projects, term-papers, practical, teaching assignment etc., timing of the test etc. The following shall be applicable:
 - a. At least one of the two/three Internal Assessment tests shall be a written test. Other internal Assessment tests shall be either assignments like term paper, book review, group discussion, seminar, practical or another kind of test at the discretion of the course teacher.
 - b. In case of exigencies and emergencies such as pandemic, natural disasters etc., the above criteria of conducting Internal Assessment tests shall be modified by the Head of the Department with due approval from the concerned /competent authority.
 5. A scholar has to obtain a minimum of 55% of marks or its equivalent grade in the 7-point scale (or an equivalent grade/CGPA in a point scale followed) in the course work in order to be eligible to continue in the programme and submit the thesis. In case the scholar fails in the End Semester Examination of the course work, a supplementary examination shall be conducted by the University within two months from the date of declaration of the result. However, the scholar shall be dropped from the program if he/she fails again to clear the examination.
 6. The University shall issue a composite marks card at the end of each completed semester examination(s) showing the SGPA and latest CGPA status of the Research Scholars. The University shall also issue a transcript, on application and with applicable fee at the end of the program by the scholar.
 7. English shall be the medium of instruction for the examination.
 8. Examinations shall be conducted at the end of each Semester as per the Academic Calendar notified by the University.
 9. Duration of examination of each paper shall be 3 hours for 75 Marks and 2 Hours for 20 / 40 marks.
 10. End-Semester Examination Questions Pattern (75/40/20 marks): as per University Examination Ordinance.
 11. The Final Composite Certificate of the Ph.D. in Law must clearly mention the following:
 - a. Title of the thesis
 - b. Date of Registration, Date of Pre-Submission, Date of Submission, Date of Open Viva-Voce, and Date of Award of the Degree

- c. The award of the Degree must be in accordance to the University Grants Commission (UGC) (Minimum Standards and Procedure of M.Phil. / Ph.D. Degree) Regulations, 2016
12. All the academic matters relating to the examination will be governed by the Ordinance Relating to Doctor of Philosophy (Ph.D.) Ordinance, 2020.

EXTRACTS FROM THE ORDINANCE RELATED TO DOCTOR OF PHILOSOPHY (Ph.D.)

1. Course Work (Credit Requirements, Number, Duration, Syllabus, Minimum Standards for Completion, etc.)

- a. **Clause 6.1** The credit assigned to the Ph.D. course work shall be a minimum of 8 (eight) credits and a maximum of 16 (sixteen) credits.
- b. **Clause 6.2** The course work shall be treated as prerequisite for Ph.D. preparation. The Department/Institute/Centre shall assign a minimum of four credits to one or more courses on Research Methodology covering areas such as quantitative methods, computer applications, review of published research in the relevant field, training, field work, etc. Additionally, there shall be a compulsory course paper of two credits on Research and Publication ethics (as per the directives of UGC vide DO no – F.1-1/2018(Journal/CARE) dated December 2019). Other courses, with rest of the credit, shall be advanced level courses preparing the Research Scholars for Ph.D. degree.
- c. **Clause 6.3** The course work for Ph.D. shall be prescribed by the BPGS of the concerned Department / Institute/ Centre and approved by the FBS and the AC. All courses prescribed for Ph.D. course work shall be in conformity with the credit hour instructional requirement and shall specify content, instructional and assessment methods. The concerned DBS shall slightly modify/upgrade the contents of the course work as and when required and implement the same from next academic session on approval by the FBS and the AC.
- d. **Clause 6.5** Admitted scholars shall be required to complete the prescribed course work during the initial one semester as a regular Research Scholar fulfilling the mandatory attendance and other associated requirements for successful completion of the course. In-service candidates admitted in the Ph.D. course shall have to take mandatory study leave for the period from their employer/competent authority. However, those scholars who have been awarded M.Phil. Degree and/or have successfully passed M.Phil./Ph.D. course work in the concerned/relevant subject/discipline shall be either fully or partially exempted as the case may be from doing the prescribed course work provided such course work pursued earlier by them is considered equivalent and appropriate by the RAC and DBS, and so approved by the competent authority of the University. Such scholars as have been prescribed to pursue additional course work paper(s) shall have to fulfil the minimum requirement of 8 (eight) Credits to complete the Course Work.
- e. **Clause 6.6** The course work shall be evaluated on the basis of the performance of the scholar in the Internal assessment examination(s) to be conducted by the concerned Department/ Institute/ Centre, and the End semester examination to be conducted by the University. The weightage for the Internal assessment and the

End semester examination shall be in 25:75 ratio. In case, the scholar fails to secure a minimum of 55% marks in the Internal assessment examination, he/she shall be dropped from the program.

- f. **Clause 6.7** A scholar has to obtain a minimum of 55% of marks or its equivalent grade in the UGC 7-point scale (or an equivalent grade/CGPA in a point scale wherever grading system is followed) in the course work in order to be eligible to continue in the programme and submit the thesis. In case the scholar fails in the End Semester Examination of the course work, a supplementary examination shall be conducted by the University within two months from the date of declaration of the result. However, the scholar shall be dropped from the program if he/she fails again to clear the examination.

2. Evaluation and Assessment Methods, minimum standards etc.

- a. **Clause 8.1:** Prior to the submission of the thesis, the scholar shall make a presentation in the Department before the RAC which shall also be open to all faculty members and other research scholars and students. The feedback and comments obtained from them shall be suitably incorporated into the draft thesis in consultation with the RAC.
- b. **Clause 8.2:** A Ph.D. scholar must publish at least one (1) research paper in refereed journal/ peer reviewed Journal / UGC Listed Journal and make two paper presentations in conferences /seminars/ symposiums/ congress before the submission of the thesis for adjudication, and produce evidence for the same in the form of presentation certificates and/or reprints.
- c. **Clause 8.3:** The thesis shall be subjected to detection of plagiarism and other forms of academic dishonesty by the Research Supervisor using the URKUND or any other software/gadgets as decided by the UGC, and a certificate generated thereupon is to be attached with the thesis. While submitting for evaluation, the thesis shall have an undertaking from the research scholar and a certificate from the Research Supervisor in prescribed format by the University attesting to the originality of the work, vouching that there is no plagiarism or the percent of plagiarism within the permissible limit and that the work has not been submitted for the award of any other degree/diploma of the University where the work was carried out, or to any other Institution, and also that provisions of the University ordinance for the award of Ph.D. degree is fulfilled. The scholar shall submit the hard copies of the thesis along with its electronic copy after having the same duly authenticated by the Supervisor(s) through the Head of the concerned department/center/institution to the Academic Branch. On satisfaction of the formalities and requirements, the Academic Branch shall forward the thesis to CoE for further onward action (evaluation).
- d. **Clause 8.4:** The thesis submitted by the Ph.D. scholar shall be evaluated by his/her Research Supervisor and at least two external examiners not below the rank of Associate Professor and not in the employment of the University. If the RAC resolves, one of the external examiners shall be from outside the country. The RAC shall submit through DRC a panel of 10 (ten) external examiners, not below the rank of Associate Professor or an equivalent position, to the CoE for obtaining approval of the Vice Chancellor/the competent authority who shall decide the names of the two external examiners for dispatching the thesis to them.

- e. **Clause 8.5:** The University shall adopt appropriate efficient mechanism so as to complete the entire process of evaluation of Ph.D. thesis within a period of 6 (six) months from the date of its submission. For the sake of expediting the evaluation process, the CoE shall email to the external examiners the electronic copy of the abstract of the thesis for obtaining their consent for evaluation, and on obtaining their willingness, the electronic copy of the thesis along with a prescribed format for submitting the evaluation report shall be sent to them with the hard copies of the same, whenever necessary, being sent through speed post. The office of the CoE shall send a gentle reminder to the Internal and External Examiners through email after 60 (sixty) days from the date of dispatch of the thesis followed by fortnightly reminders. In case the external examiner does not send his/her evaluation report within 30 (thirty) days from the date of the first reminder, then the thesis shall be sent to the third examiner. The examiner shall submit a signed copy of the evaluation report which shall otherwise be sent in the prescribed format through his/her official/certified email.
- f. **Clause 8.6:** The public viva-voce of the research scholar to defend the thesis shall be conducted only if the evaluation reports of both the external examiners on the thesis are satisfactory and include a specific recommendation for conducting the viva-voce examination. If one of the evaluation reports of the external examiners is unsatisfactory and does not recommend viva-voce, the CoE shall send the thesis to another external examiner out of the approved panel of examiners and the viva-voce examination shall be held only if the report of the latest examiner is satisfactory. If the report of the latest examiner is also unsatisfactory, the thesis shall be rejected and the research scholar shall be declared ineligible for the award of the degree.
- g. **Clause 8.7:** The viva-voce examination of the scholar, based among other things, on the critiques given in the evaluation report, by both the examiners (internal and external), shall be conducted by the duly constituted viva-voce board, under the Chairmanship of the Dean of the concerned faculty, and shall be open to be attended by all members of the concerned RAC, faculty members of the Department, research scholars and other interested experts/researchers. On completion of the viva-voce of the scholar, the viva-voce board shall submit a report to the CoE along with the original copies of the thesis evaluation reports of all the examiners.
- h. **Clause 8.8:** The open viva-voce shall be conducted online with the desire of the external examiner or in case of any unprecedented situations such as epidemic and natural disaster. The scholar shall present his/her Viva-Voce online, in case of limited mobility due to medical emergency, epidemic, natural disaster, and otherwise such very exceptional and well admissible cases, provided the scholar makes such request for such exemption in writing to the Vice-Chancellor. The supervisor and the concerned Dean shall also attend the Viva-Voce on online, in case of being out of station/on long leave and due to their inability to remain physically present.
- i. **Clause 8.9:** The online Viva-Voce shall be conducted only when the scholar, the supervisor and the external expert, all agree and due approval is accorded by the Vice-Chancellor. The Head of the Department/Institute/Centre shall send all evaluation reports on the thesis of the scholar, received from the CoE, to the concerned external examiner and the Dean well in advance. He/she shall make necessary arrangement with active support from the supervisor and other concerned staff for conducting the On-line viva-voce and ensure a wider

participation of all interested by issuing an advance notice. The minimum duration of the online Viva-Voce should not be less than an hour and the entire proceeding should be video recorded and submitted to the COE. In case the Viva-Voce is not conducted due to any unprecedented situations or technical problems, the same shall be conducted on a later date on approval of the Vice-Chancellor.

- j. **Clause 8.10:** On completion of the viva-voce of the scholar, the internal members of the viva-voce board shall assess and finalize the report with assent of the concerned external examiner, and send the same through official email to him/her for signature. He/she shall send back the signed and scanned copy through his/her official/certified email. The signed copy of the viva-voce report along with the original copies of the thesis evaluation reports of all the examiners shall be forwarded to the CoE by the Head of the Department/Institute/Centre.
- k. **Clause 8.11:** If the viva-voce board and the External Examiner, in particular, is not satisfied with the performance of the scholar, then the scholar shall be asked to reappear for a second viva-voce after a period of 2 (two) months but within a maximum period of 6 (six) months.

PROGRAM STRUCTURE

Total credits – 15

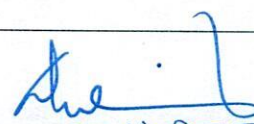
Course Work- 11 credits

Dissertation & Viva Voce: 4Credits

Paper Code and Name of the Paper

Paper Code Ph.D. Law – 101 C	Core Papers* Research Methodology (3 credit)*
Ph.D. Law – 102 C	Research & Publication Ethics(3credit)*
Ph.D. Law– 103 C	Computer application and electronic resources (2 credit)*
Ph.D. Law-104E Ph.D. Law-105 E Ph.D. Law-106 E Ph.D. Law-107E Ph.D. Law-108 E	Elective paper (A scholar will opt at least one paper, 3 credit each) -Theory of fundamental legal concepts -Intellectual Property Right and recent trends - Information Technology and Cyber crimes - Customary laws of Northeast & contemporary issues -Globalization & Constitutional imperatives

Paper Code: Ph.D Law -101 C: Research Methodology (3 Credit)


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Classes per week (2 Lectures + 0 Tutorial + 1 Practical)

Total Credit Hour: 20 hours

Internal Assessment: 25 marks

End Semester Examination: 75 Marks

Total Marks: 100 Marks

Objectives of the Course:

The objectives of this course are to expose the scholars to the range of research methods, give practical training for conducting socio, medico, techno legal research, and providing guidance in the essentials of research report writing.

Learning outcomes of the course: 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 needing little guidance from their supervisors on the research methodology suitable to their Ph.D. topic.
- Develop most appropriate research methodology and tools for their research.
- Use Computer and E-Resources in research.
- Analyse quantitative and qualitative data.
- Write and present the findings of their research in a systematic manner.

Modules:

1. Introduction-Nature, Significance and Types of Legal Research.
2. Identification and formulation of research problem and hypothesis.
3. Preparation of research design.
4. Collection of data-Steps to Select the Data Base for Research, Assortment of Appropriate Techniques for Data Collection, Suitability and Selection of Tools for Research Operation.

Suggested readings and References:

- S.K. Verma and M. Afzal Wani (Eds.) Legal Research and Methodology, ILI Publication 2nd edition 2001 (2015 Reprint).
- Kothari C.K. Research Methodology: Methods and Techniques, Wilsey Eastern Limited, New Delhi (2009).
- Wayne C. Booth, Gregory G. Colomb, Joseph M. Williams, The Craft of Research (Chicago Guides to Writing, Editing, and Publishing), University of Chicago Press (2008).
- Cohen L. Morris, Legal Research in Nutshell (1996) Minnesota West Publishing Co.

Paper code: Ph.D. Law 102 C-Research & Publication Ethics(3 credit)

classes per week (2 Lectures + 0 Tutorial + 1 Practical)

Total Credit Hour: 20 hours

Internal Assessment: 10 marks

Practical Examination: 20 Marks

End Semester Examination: 20 Marks

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Objectives of the Course:

Publication of research work is an integral aspect of research. Research and Publication requires high integrity and honesty on the part of researcher in dealing with his research work. From the starting i.e. proposal stage till the publication, the researcher must strictly adhere to standard ethical norms and practices in all processes of research. This will ensure an original and qualitative research work output. Such work only can be regarded as a distinct contribution to the existing knowledge. Hence, the objective of this course will be to train the scholars about the necessity of academic integrity and research ethics, and also to expose to the scholars the fundamentals of good publication and principles of ethics.

Learning Outcome: The research scholars will learn the art of ethical way of doing research and avoid plagiarism. It will encourage academic integrity and original research work.

Modules:

1. What is Plagiarism?
2. Difference between plagiarism and IPR infringement
3. UGC (Promotion of Academic Integrity and Prevention of Plagiarism in Higher Educational Institutions) Regulations, 2018.

Suggested readings and References-

- Allan J. Kimmel - Ethics and Values in Applied Social Research.
- Ezekiel J. Emanuel, The Oxford Textbook of Clinical Research Ethics.
- Ron Iphofen, Martin Tolich, The Sage Handbook of Qualitative Research Ethics.



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Ph.D. Law 103C: Computer application and electronic resources(2 credit)
Classes per week (0 Lectures + 0 Tutorial + 2 Practical)

Total Credit Hour: 10 hours
Internal Assessment: 10 marks
Practical Examination: 40 Marks
Total Marks: 50 Marks
(Open Elective Paper)

Objectives of the Course:

Technology has become indispensable to all research pursuits. Computers today is an important medium of online education and research. With the help of the internet, researchers can enrich their work. Students can access useful E-resources for their projects, assignments and store and organize their research materials in computers. Computers reduce the potential for human error and increase the speed of the research process. Computer-assisted legal research or computer -based legal research is a mode of legal research that uses databases of court opinions, statutes, court documents, and secondary material. Electronic databases make large bodies of case law easily available. Computer and use of anti-plagiarism software knowledge are essential for Ph.D. scholars. This Course will provide required orientation to scholars in these aspects.

Learning outcome: The course will help the scholars with practical knowledge to access important E-resources and database. Scholars will get proper orientation on use of anti-plagiarism tools.

Modules:

- 1.How to access E-resources and database?
- 2.Anti-plagiarism tools and software usage.

References- E Sources: West Law; JSTOR, Heinonline, SCC online, Manupatra.

Ph.D. Law 104 E: Theory of fundamental legal concepts (3 Credit)

Classes per week (2 Lectures + 0 Tutorial + 1 Practical)

Total Credit Hour: 20 hours
Internal Assessment: 25 marks
End Semester Examination: 75 Marks
Total Marks: 100 Marks

Objectives of the Course

At the heart of the legal study and research is the concept of law. Without a deep understanding of this concept neither legal education nor legal practice can be a purposive activity oriented towards attainment of justice in society. Moreover, without a comprehension of the cognitive and teleological foundations of the discipline, pedagogy becomes a mere teaching of the rules. It is unable to present various statutes, cases, procedure, practices as a systemic body of knowledge, nor is it able to show the interconnection between these various branches of law, procedures and principles. The fact that the basic nature and purpose of legal research should be clear to every scholar and that it should be the very foundation of law teaching and research needs little argument. A course in jurisprudence should be the very

foundation of law teaching and research needs little arguments. Jurisprudence will provide strong conceptual foundation and develop legal as well as philosophical underpinnings in law while enhancing analytical and reasoning skills.

Learning outcome

This course will help scholars in building basic conceptual and philosophical foundations in law and enhance their analytical and reasoning skills.

Modules

1. Nature and definition of law.
2. Schools of Jurisprudence -Analytical Positivism, Natural Law, Historical School, Sociological School.
3. Purpose of Law.
4. Sources of Law.

Suggested readings and References:

- H.L.A. Hart- The Concepts of Law (1970) Oxford ELBS.
- Roscoe Pond- Introduction to the Philosophy of Law (1998 Re-Print) Universal, Delhi.
- Dias- Jurisprudence (1994 First Indian re-Print), Adithya Books, New Delhi, Bodenheimer- Jurisprudence - The Philosophy and Method of Law (1996) Universal, Delhi.

Ph.D. Law 105 E: Intellectual Property Right and recent trends (3 credit)

Classes per week (2 Lectures + 0 Tutorial + 1 Practical)

Total Credit Hour: 20 hours

Internal Assessment: 25 marks

End Semester Examination: 75 Marks

Total Marks: 100 Marks

Objectives of the Course:

Human creativity and innovation give rise to new form of knowledge and technological invention. They are the engine of economic growth in new information age. Such creation of minds are referred to as intellectual property right (IPR). IPR is one of the most important branches of law. IPR is very important for industry, it provides incentive and monopoly right to the inventors and creators in areas of art, music, film, technological innovation, trade, business etc. IPR are exclusive monopoly rights granted by a statute for any kind of creative or scientific contribution made to society which are of some economic significance and useful to society. Economy and intellectual property are closely interdependent. The objective of this course will be to engage the scholars in understanding the dynamic nature of the IPR and how the law is evolving in this field.

Learning outcome:

The scholars will get an opportunity to pursue their interest in areas of intellectual property right and do research in emerging new domains of IPR. Significance and relevance of IPR in the present context will be made aware.

Modules:

1. Fundamental principles of IPR.
2. New horizon of Copyright law.
3. Relevance of Patent law.
4. Traditional Knowledge and Geographical Indication.
5. WTO-TRIPS regime.

Suggested readings and References-

- VK Ahuja-Law relating to Intellectual Property Rights, lexis nexis, 2017.
- Copinger and Skone James on Copyright, vol. one, Thomson Sweet & Maxwell South Asian Edition.
- Eds. Prof. (Dr.) V.K. Ahuja & Dr. Archa Vashishtha, Intellectual Property Rights Contemporary Developments, 534 (Thomson Reuters, Legal, 2020).
- Ed. Topi Basar, Traditional Knowledge and Traditional Cultural Expressions: National and Community Perspectives, publisher NLUJA, ISBN: 978-81-941086-0-3 (2019).
- Basar, Topi (2011), "Legal Protection of Traditional Knowledge in India-An Appraisal" Delhi Law Review, Volume XXX, pp. 75-87, ISSN No: 0973-00

Ph.D. Law 106 E: Information Technology and Cybercrimes (3 credit)

Classes per week (2 Lectures + 0 Tutorial + 1 Practical)

Total Credit Hour: 20 hours

Internal Assessment: 25 marks

End Semester Examination: 75 Marks

Total Marks: 100 Marks

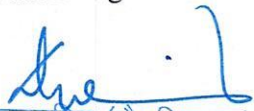
Objectives of the Course:

Information technology provides the means to develop, process, analyse, exchange, store and secure information. In this age of knowledge and data intensive world, IT has become a vital force to reckon in all walks of life. Human dependence on IT for knowledge creation and information sharing is increasing exponentially. IT has been both a boon as well as a bane. On the one hand IT revolution has led to information revolution around the world, but on a flip side, it has also given rise to increasing number of cyber crimes committed online through the IT medium. In many countries, number of cyber crimes has even surpassed the physical crime. Crimes with the aid of internet and technology poses a serious threat today to society. Cyber Crimes have re-defined the traditional notion of crime. For instance, financial fraud, online thefts, cyber stalking, hacking, data breach, identity theft etc is a huge challenge. The Objective of this course is to acquaint the scholar with the importance of IT and legal intricacies involving cyber crimes. The contemporariness of the subject and its relevance make it a worthwhile subject for the doctoral study.

Learning outcome:

Through this course, the scholars will learn the legal and technological implications of cyber crimes. The challenges of cyber crimes and deficiency in present legal framework will be explored.

Modules:


संयुक्त कुलसचिव (शैक्षणिक एवं सम्मेलन)
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Jt. Registrar (Acad. & Conf.)
Rajiv Gandhi University
Rono Hills, Doimukh (A.P.)

1. IT Act 2000 and its amendments
2. Cyber Crimes and its types
3. Data protection and intermediaries liability
4. Social media regulation

Suggested readings and References-

- Dr J.P Mishra -An introduction to Cyber Law.
- Taxmann's Cyber crimes and laws.
- Dr. S. R . Myneni-Information Technology Law (Cyber Laws).

Ph.D. Law 107 E: Customary laws of Northeast & Contemporary issues (3 credit)

Classes per week (2 Lectures + 0 Tutorial + 1 Practical)

Total Credit Hour: 20 hours

Internal Assessment: 25 marks

End Semester Examination: 75 Marks

Total Marks: 100 Marks

Objectives of the Course:

North East States have had very long history of customary laws although still to be codified as a written law in most society, customary laws are part of oral dispensation of justice. Its efficacy may differ from society to society but still customary laws are an integral part of every tribal society in north east. The introduction of general provisions of Cr.P.C. in these region has eroded the power of customary institutions but still in civil matters such as land dispute, succession, inheritance, marriage, children, maintenance, divorce etc traditional institutions have wide jurisdiction. This ageold institution also suffers from certain de-merits which outweighs its merits. The question is what are necessary reforms needed to make this traditional institutions a just and democratic institution for proper adjudication of customary laws? There is a need to assess the relevance of customary laws in the present context of gender equality which may require a transition from oral to written through proper enactment of a law. How to affect such transition without affecting the traditional authority of customary institutions which is socially relevant even today is the most important question. This course aims to seek answers to these complex questions and helps in establishing a clear legal narrative in favour of a just, fair and egalitarian customary laws and traditional institutions. The course will engage the scholars in comparative study of several customary laws and institutions amongst the tribes of North East India.

Learning outcome:

This course will prepare the scholars in understanding the complex social and legal implications of customary laws. It will help in identification of key areas worthy of research in domain of customary laws.

Modules:

1. History and origin of customary laws.
2. Constitutional and judicial perceptions.


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3. Comparative study of Customary Laws in North East States.
4. Power and jurisdiction of Traditional Customary Institutions across North East India.

Suggested Readings and References

1. Shibani Roy & S.H.M Rizvi, Tribal Customary Laws of North- East India, South Asia Books, 1ST January 2011
2. Edited by Melvil Pereira, R.P Athparia, SunumiChangmi, Jyotikona Chetia Gender Implications of Tribal Customary Law, Rawat Publisher, 1st November 2017.
3. Nabam Naka Hina, Customary Laws of Nyishi Tribe of Arunachal Pradesh, Author Press, 1st May 2012.
4. P.C Dutta& D.K. Duarah, Customary laws of Arunachal Pradesh- a profile, Directorate of Research, 1st Jan 1990.

Ph.D. Law 108 E: Globalization & Constitutional imperatives (3 credit)

Classes per week- (2 Lectures + 0 Tutorial + 1 Practical)

Total Credit Hour: 20 hours

Internal Assessment: 25 marks

End Semester Examination: 75 Marks

Total Marks: 100 Marks

Objectives of the Course: Globalization is about the interconnectedness of people and businesses across the world that eventually leads to global cultural, political and economic integration. The impact of Globalization is evident in legal domain also. Emergence of new global legal framework in trade, commerce, intellectual property right, human rights, disabilities, children's rights, terrorism, environmental laws, arbitration etc. Constitution lays down basic governmental framework and polity of a country and the dynamics of globalisation also influences the Constitutional developments to some extent. Upholding Constitutional objectives of social welfare, economic and social justice and balancing with the globalization paradigm is a tight rope walking. How far our Constitution has sustained and evolved in the face of inevitable impacts of globalisation. A Constitutional critique of globalisation will be an engaging discourse and study for Ph.D. scholars who are at an advanced stage of learning.

Learning outcome:

The scholars will get exposed to meaning and concept of globalisation and the interplay between law and globalisation in the closely inter-connected global society and economy.

Modules:

1. Globalization and its impact on Law.
2. Constitutional Socialistic and welfare economy vis-à-vis neo-capitalism.
3. Concept of cultural, political, economic and legal globalisation.
4. Adverse effects of Globalisation on developing economies?

Suggested readings and references

- Jaakko Husa-Advanced Introduction to Law and Globalisation.
- Sam Adelman and Abdul Paliwala, The limits of law and development: Neoliberalism, governance and social justice.
- Emilios-The redress of law: Globalisation, Constitutionalism and Market capture.

Course structure and syllabus approved by Board of Post Graduate Studies for Law in meeting held on 31st July 2021.



Chairperson, BPGS

Department of Law

Rajiv Gandhi University, Arunachal Pradesh



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