

Contents

Paper	Course Code	Title	Maximum Marks	Minimum Pass Marks
I	(PHD001)	Research Methodology	100	30
II	(PHD002)	Recent Advances in Specific Areas of Law	100	30
III	(PHD003)	Specialized Paper	100	
Total			300	

**School of Law**  
**University of Kashmir**

**Syllabus**

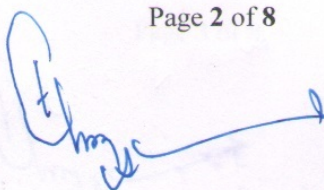
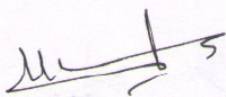
For

**Ph. D Course Work**

*(Handwritten signatures and notes)*  
Dr. Farooq Ahmed Rafiqi  
Dr. Mohd. Farooq Ahmed  
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## Contents

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I.	(PHD001)	Research Methodology	100	50
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<b>Total</b>			<b>300</b>	



# Research Methodology

**Course Code: PHD001**

**Time Duration: 3 Hours**

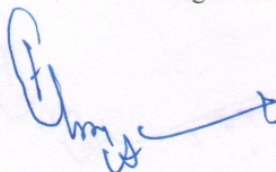
**Paper: I**

**Max. Marks: 100**

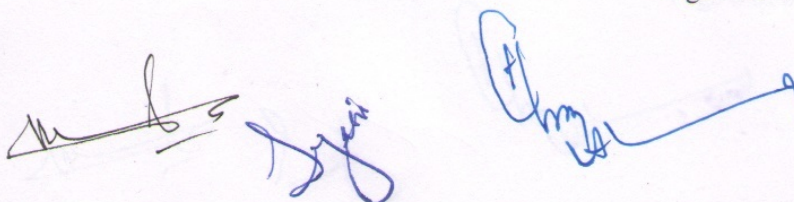
**Minimum Pass Marks: 50**

**Objectives:** *This paper aims to impart an in-depth knowledge of different methods of research to the research scholars and make them to understand critically utility and application of these research methods to different types of research for achieving their set objectives. The pedagogy of this paper will be more of an applied nature than its theoretical understanding with a focus on empirical research without losing sight of analytical research methods. The question paper shall have eight questions, spread over the whole syllabus, out of which four questions have to be answered within time duration of 3 hours.*

- i. Meaning and Definitions of Research, Significance of Legal Research in India, Relevance of Legal Research.
- ii. Kinds of Research: Doctrinal or Traditional Research, Non-doctrinal or Empirical Research, Descriptive and Analytical Research, Descriptive and Analytical Research, Applied and Fundamental Research,
- iii. Identification of Research Problems, Selection of a Research Problem
- iv. Review of Literature.
- v. Hypothesis, Kinds of Hypothesis, Formulation of a Hypothesis.
- vi. Research Design.
- vii. Primary and Secondary Data.
- viii. Methods of Primary Data Collection:
  - a) Experimental and Participatory/ Scientific Method.
  - b) Case Study Method.
  - c) Survey Method.
  - d) Discussion Method.
  - e) Observation Method.
  - f) Interview Method.



- g) Mail Survey Method.
- h) Questionnaire (Open ended and Close ended)
- i) Pilot Study Method.
- j) Case Law Method.
- k) Cumulative Record Cards.
- ix. Sampling
  - a) Advantages and Limitations of Sampling.
  - b) Theoretical basis of Sampling
  - c) Probability and Non- probability Sampling
  - d) Classifications of sampling
  - e) Simple Random Sampling
  - f) Stratified Sampling
  - g) Cluster Sampling
  - h) Systematic Sampling
  - i) Non- random sampling
  - j) Purposive Sampling
  - k) Convenience Sampling
  - l) Judgment Sampling
  - m) Sampling and Non- sampling Error.
- x. Data Interpretation.
- xi. Data Processing- Summarizing of data, Codification and Tabulation.
- xii. Writing a Research Report- Types, Contents and steps involved in drafting of a Report.
- xiii. Scientific Tools in Research
  - a. Introduction.
  - b. Jurimetrics.
  - c. Use of SPSS and other packages in Legal research.
  - d. Avoiding/Detecting plagiarism.
  - e. Writing the research report/Bibliography/Presentation styles.
  - f. Judgment drafting.



**Recommended Readings:**

- Ranjit Kumar, Research Methodology: A Step-by-Step Guide for Beginners, SAGE pub., 2010.
- J. Mouton and H. C. Marais, Basic Concepts in the Methodology of the Social Sciences, CRC Press, 1990.
- *Manoj Kumar Sinha & Deepa Kharb*, Legal Research Methodology (2017) Lexis Nexis
- Legal Research and Methodology by I L I New Delhi
- Barkan, Steven M.; Bintliff, Barbara; Whisner, Mary. *Fundamentals of Legal Research* (10 ed.). Foundation Press

Ph.D Course Work



## Recent Advances in the Subject Area of Law

Course Code: PHD002

Time Duration: 3 Hours

Paper: II

Max Marks: 100

Minimum Pass Marks: 55

**Objectives:** *The paper will cover recent advances in the given areas of law so as to make understand to the research scholars; evolution and changing paradigms of law, organic interpretation of law to respond to societal needs and new issues that have been spawned by the path-breaking economic and technological developments, particularly witnessed from the last quarter of 20<sup>th</sup> century that have per-forced re-inventing of jurisprudential concepts and re-reading of constitutional provisions, besides host of other legal issues. The question paper shall have eight questions, spread over the whole syllabus, out of which four questions have to be answered within time duration of 3 hours.*

- i. Traditional Schools of Law
- ii. Emerging Schools of Law
- iii. changing Concepts of Rights and Duties
- iv. New models of administration of justice
- v. Concept and theories of Justice
- vi. Human Rights and basic needs
- vii. Constitutionalism and Constitution
- viii. Re-orientation of Concept of Welfare State and constitutional torts
- ix. Judicial reinterpretation of Fundamental rights, Directive Principles and Fundamental Duties in relation to Fundamental Freedoms and Right to Life guaranteed under the Indian Constitution
- x. Critical evaluation of birth and growth of new fundamental Rights
- xi. Emerging frontiers of Privacy and Autonomy in Indian Constitution and other Laws
- xii. Technology driven emerging legal concepts of Cyber Tort, Cyber Crimes, e-commerce

### Recommended Readings:

- Michael Walzer, Spheres of Justice: A Defense of Pluralism and Equality
- The Rule of Law by Tom Bingham published by The Guardian London
- Glanville Williams: Learning the Law (ATH Smith) Sweet and Maxwell
- M. P. Jain, Constitutional Law Of India, Lexis Nixes



## Specialized Paper

**Course Code: PHD003**

**Time Duration: 3 Hours**

**Paper: III**

**Max Marks: 100**

**Minimum Pass Marks: 55**

**Objectives:** *This paper will be based on intensive study of the area of research undertaken by the scholar with a thrust on emerging issues and the possibility of future research. The paper will be prepared by the concerned supervisor which would include (but not limited to) genesis, evolution and growth of the area of research, Emerging issues in the area of research, justification of present research, review of literature on the area of research. The question paper shall have eight questions, spread over the whole syllabus, out of which four questions have to be answered within time duration of 3 hours.*

To be prescribed by the supervisor concerned keeping in view the latest trend in the area of specialization, the research work relates to.

- i. Genesis, evolution and growth of the area of research topic.
- ii. Emerging issues in the area of research topic.
- iii. Justification of present research topic.
- iv. Review of literature on the area of research topic.
- v. Research problem of the research topic.
- vi. Research tools used to be in the present research topic.
- vii. Other important aspects of the research topic.

