

PUBLIC SERVICE COMMISSION, WEST BENGAL

Scheme and Syllabus of the Preliminary Screening Test for recruitment to the post of **Assistant Professor in Law** for General Degree Colleges in the West Bengal Education Service under the Higher Education Department, Govt. of West Bengal

Ref: Advt. No. 29[1(xii)]/2019

Scheme

- (i) Date of Examination: The 13th December, 2020.
- (ii) Duration: 1 hour 30 minutes.
- (iii) Type of Examination: M.C.Q.
- (iv) Full marks: 100
- (v) Number of questions: 100, each carrying 1 mark.

N.B. There will be negative marking of 1/3rd mark for each wrong answer.

Syllabus

10 (ten) marks will be allotted for each of the following:

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|---|----|
| (a) English | 10 |
| (b) General knowledge & Current Affairs | 10 |
| (c) Reasoning | 10 |

70 (seventy) marks will be allotted for core subject, i.e. LAW:

Full Marks-70

1. JURISPRUDENCE

10 MARKS

Nature and Sources of Law; Schools of jurisprudence; Law and Morality; Concept of Rights and Duties; Concept of Liability; Law, Education & Development; Modernism and Post-modernism.

2. CONSTITUTIONAL LAW

10 MARKS

Preamble, Fundamental Rights and Duties; Directive Principles of State Policy; Interrelationship between Union and State executive; Distribution of Legislative and Financial Powers between Union and State; Judiciary: Union and State; Emergency Provisions; Doctrine of Basic Structure, Election Commission of India.

3. ADMINISTRATIVE LAW

04 MARKS

Nature, scope and importance of Administrative Law; Principles of Natural Justice; Judicial review of administrative actions; Tribunal.

4. CIVIL LAWS:

10 MARKS

Property Law (Transfer Property Act 1882): Definitions; Transfer to Unborn Child; Perpetuity; Doctrine of Election, Sale, Mortgage. **Law of Torts:** Nature and Feature of Torts; General principles of tortious liability; General defences; Negligence; Nuisance; Trespass and defamation; Strict and absolute liability; Tortious liability of the State. **Consumer Law (The Consumer Protection Act 2019):** Definitions, consumer rights and redressal mechanism. **Environmental Law:** Meaning and concept of 'environment' and 'environmental pollution'; UN Conferences; Constitutional and legal framework for protection of environment in India; National Green Tribunal. **Hindu Law (The Hindu Marriage Act 1955):** Sources and schools; Marriage and dissolution of marriage; Matrimonial remedies; changing dimensions of institution of marriage and live-in relationship; Maintenance. **Mohammedan Law:** Sources and Schools; Marriage; Will; Gift and Wakf.

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5. CRIMINAL LAWS**10 MARKS**

Indian Penal Code: General principles of Criminal Liability: *Actus reus* and *mens rea*; Individual and group liability and constructive liability; Stages of crime; Criminal conspiracy and attempt; General exceptions; Offences against public tranquillity; Offences against human body; Offences against property; Offences against women and children; Compensation to the victims of crime. **Law of Evidence:** Definitions; Relevancy of Facts; Burden of Proof, Estoppel, Privileged Communications, Examinations.

6. COMMERCIAL LAWS**15 MARKS**

Law of Contract: Essential elements of contract and e-contract; Breach of contract; Frustration of contract; Void and voidable agreements; Standard form of contract and quasi-contract; Bailment; pledge; indemnity, guarantee and agency. **Partnership and Limited Liability Partnership:** Meaning and Nature of partnership; Distinct advantages and disadvantages vis-à-vis partnership and private limited company; Mutual relationship between partners; Authority of partners; Admission of partners; Outgoing of partners; Registration of Partnership; Dissolution of Partnership; Limited liability partnership. **Company Law (Companies Act 2013):** Company law; Incorporation of a company; prospectus; shares and debentures; Directors and meetings; Corporate social responsibility. **Competition Law (The Competition Act 2002):** Prohibition of certain agreements, abuse of dominant position and regulation of combinations. **Information Technology Law (IT Act 2000):** Digital signature and electronic governance, electronic records and duties of subscribers; Appellate Tribunal; Cyber-crimes, penalties and adjudication. **Labour Laws: Trade Unions and Collective Bargaining:** Trade Unionism in India; Legal Status of Registered Trade Union; Civil and Criminal Immunities of Registered Trade Unions; Collective Bargaining. *The Minimum Wages Act, 1948:* Concept of various types of wages and need based minimum wage; Constitutional validity of the Minimum Wages Act, 1948; *The Factories Act, 1948:* Approval, Licensing and Registration of Factories; Measures to be taken in Factories for Health, Safety and Welfare of Workers; Additional Provisions Regulating Employment of Women in Factory. *The Employee's Compensation Act, 1923:* Definition, Partial Disablement and Total Disablement; Employer's Liability for Compensation; Scope of Arising out of and in the Course of Employment; Procedure in Proceedings before Commissioner. **Intellectual Property Law:** Meaning of intellectual property; International conventions pertaining to intellectual properties. **Copyright:** Subject matters; Moral Rights; infringement and remedies. **Patent:** Patentability; procedure for grant of patent; Infringement and remedies. **Trademark:** Registration of trademarks; kinds of trademarks; infringement and passing off; remedies.

7. PUBLIC INTERNATIONAL LAWS & HUMAN RIGHTS**04 MARKS**

International Law: Definition, Nature and Basis; Sources of International law; Recognition of States and Governments; Refugees; Extradition and Asylum; Settlement of International Disputes. **Human Rights:** The Protection of Human Rights Act 1993.

8. LEGAL RESEARCH AND LEGAL EDUCATION**07 MARKS**

Legal Research: Meaning and Types of legal Research; Research Problems; Research Design; Legal Methodology; Research Methodology; Hypothesis; Data Analysis. **Legal Education:** Meaning and Regulation of Legal Education; Role of BCI in legal education; Position of Legal Education in West Bengal.
