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Syllabus: Law Optional



UPSC LAW OPTIONAL

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Paper - I

Constitutional and Administrative Law

1. Constitution and Constitutionalism: The distinctive features of the Constitution.
2. Fundamental Rights - Public interest litigation; Legal Aid; Legal services authority.
3. Relationship between fundamental rights, directive principles and fundamental duties.
4. Constitutional position of the President and relation with the Council of Ministers.
5. Governor and his powers.
6. Supreme Court and High Courts: (a) Appointments and transfer. (b) Powers, functions and jurisdiction.
7. Centre, States and local bodies: (a) Distribution of legislative powers between the Union and the States. (b) Local bodies. (c) Administrative relationship among Union, State and Local Bodies. (d) Eminent domain - State property - common property - community property.
8. Legislative powers, privileges and immunities.
9. Services under the Union and the States: (a) Recruitment and conditions of services; Constitutional safeguards; Administrative tribunals. (b) Union Public Service Commission and State Public Service Commissions - Power and functions (c) Election Commission - Power and functions.
10. Emergency provisions.
11. Amendment of the Constitution.
12. Principles of natural justice - Emerging trends and judicial approach.
13. Delegated legislation and its constitutionality.
14. Separation of powers and constitutional governance.
15. Judicial review of administrative action.
16. Ombudsman: Lokayukta, Lokpal etc.

International Law

1. Nature and definition of international law.
2. Relationship between international law and municipal law.
3. State recognition and state succession.
4. Law of the sea: Inland waters, territorial sea, contiguous zone, continental shelf, exclusive economic zone, high seas.
5. Individuals: Nationality, statelessness; Human rights and procedures available for their enforcement.
6. Territorial jurisdiction of States, extradition and asylum.
7. Treaties: Formation, application, termination and reservation.
8. United Nations: Its principal organs, powers, functions and reform.
9. Peaceful settlement of disputes - different modes.
10. Lawful recourse to force: aggression, self-defence, intervention.
11. Fundamental principles of international humanitarian law - International conventions and contemporary developments.
12. Legality of the use of nuclear weapons; ban on testing of nuclear weapons; Nuclear - non proliferation treaty, CTBT.
13. International terrorism, state sponsored terrorism, hijacking, international criminal court.
14. New international economic order and monetary law: WTO, TRIPS, GATT, IMF, World Bank.
15. Protection and improvement of the human environment: International efforts.

Paper-II

Law of Crimes

1. General principles of criminal liability: Mens rea and actus reus, mens rea in statutory offences.
2. Kinds of punishment and emerging trends as to abolition of capital punishment.
3. Preparation and criminal attempt.
4. General exceptions.
5. Joint and constructive liability.
6. Abetment.
7. Criminal conspiracy.
8. Offences against the State.
9. Offences against public tranquility.
10. Offences against human body.
11. Offences against property.
12. Offences against women.
13. Defamation.
14. Prevention of Corruption Act, 1988.
15. Protection of Civil Rights Act 1955 and subsequent legislative developments. 16. Plea bargaining.

Law of Torts

1. Nature and definition.
2. Liability based upon fault and strict liability; Absolute liability.
3. Vicarious liability including State liability.

4. General defences.
5. Joint tortfeasors.
6. Remedies.
7. Negligence.
8. Defamation.
9. Nuisance.
10. Conspiracy.
11. False imprisonment.
12. Malicious prosecution.
13. Consumer Protection Act, 1986.

Law of Contracts and Mercantile Law

1. Nature and formation of contract/Econtract.
2. Factors vitiating free consent.
3. Void, voidable, illegal and unenforceable agreements.
4. Performance and discharge of contracts.
5. Quasi- Contracts.
6. Consequences of breach of contract.
7. Contract of indemnity, guarantee and insurance.
8. Contract of agency.
9. Sale of goods and hire purchase.
10. Formation and dissolution of partnership.
11. Negotiable Instruments Act, 1881.
12. Arbitration and Conciliation Act, 1996.
13. Standard form contracts.

Contemporary Legal Developments

1. Public Interest Litigation.

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2. Intellectual property rights - Concept, types/prospects.
3. Information Technology Law including Cyber Laws - Concept, purpose/prospects.
4. Competition Law- Concept, purpose/ prospects.
5. Alternate Dispute Resolution - Concept, types/prospects.
6. Major statutes concerning environmental law.
7. Right to Information Act.
8. Trial by media.

...See our Modules below

Modules by upsclawoptional.in

SL NO.	MODULE NO.	TOPIC	VIDEO LECTURE	NOTES
PAPER – I				
CONSTITUTIONAL AND ADMINISTRATIVE LAW				
1.	1.1	Constitution and Constitutionalism: The distinctive features of the Constitution		
2.	1.2	Fundamental Rights <i>Topic I</i> – Concept, Article 12 and 13		
3.	1.3	Fundamental Rights <i>Topic II</i> - Right to Equality, Article 14, 15 and 16		
4.	1.4	Fundamental Rights <i>Topic III</i> – Abolition of Untouchability and Right against Exploitation, Article 17, 18, 23 and 24		
5.	1.5	Fundamental Rights <i>Topic IV</i> – Right to Certain Freedoms and Article 19		
6.	1.6	Fundamental Rights		

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		<i>Topic V</i> – Right to Life, Education and Protection against Arrest and Detention, Articles 21, 21 A and 22		
7.	1.7	Fundamental Rights <i>Topic VI</i> – Freedom of Religion and Conscience, Articles 25, 26, 27 and 28		
8.	1.8	Fundamental Rights <i>Topic VII</i> - Cultural and Educational Rights, Article 29 and 30		
9.	1.9	Fundamental Rights <i>Topic VIII</i> – Right to Property, Eminent domain - State property - common property - community property.		
10.	1.10	Fundamental Rights <i>Topic IX</i> – Right to Constitutional Remedies, Public Interest Litigation and Article 32		
11.	1.11	Fundamental Rights <i>Topic X</i> – Legal Aid and Legal services authority		
12.	1.12	Relationship between fundamental rights, directive principles and fundamental duties.		
13.	1.13	Constitutional position of the President and relation with the Council of Ministers		
14.	1.14	Governor and his powers		
15.	1.15	Supreme Court and High Courts: (a) Appointments and transfer. (b) Powers, functions and jurisdiction.		
16.	1.16	Centre, States and local bodies: Distribution		

		of legislative powers between the Union and the States		
17.	1.17	Local bodies and Administrative relationship among Union, State and Local Bodies		
18.	1.18	Legislative powers, privileges and immunities		
19.	1.19	Services under the Union and the States: (a) Recruitment and conditions of services; Constitutional safeguards; Administrative tribunals. (b) Union Public Service Commission and State Public Service Commissions - Power and functions (c) Election Commission - Power and functions.		
20.	1.20	Emergency provisions		
21.	1.21	Amendment of the Constitution.		
22.	1.22	Principles of natural justice - Emerging trends and judicial approach		
23.	1.23	Delegated legislation and its constitutionality		
24.	1.24	Separation of powers and constitutional governance		
25.	1.25	Judicial review of administrative action		
26.	1.26	Ombudsman: Lokayukta, Lokpal etc		
INTERNATIONAL LAW				
27.	2.1	Nature and Definition of International Law		
28.	2.2	Relationship between International Law and Municipal Law		

29.	2.3	State Recognition and State Succession		
30.	2.4	Law of the sea: Inland waters, territorial sea, contiguous zone, continental shelf, exclusive economic zone, high seas.		
31.	2.5	Individuals: Nationality, statelessness; Human rights and procedures available for their enforcement		
32.	2.6	Territorial jurisdiction of States, extradition and asylum		
33.	2.7	Treaties: Formation, application, termination and reservation		
34.	2.8	United Nations: Its principal organs, powers, functions and reform <i>Topic I: All organs except International Court of Justice</i>		
35.	2.9	United Nations: Its principal organs, powers, functions and reform <i>Topic II: International Court of Justice</i>		
36.	2.10	Peaceful settlement of disputes - different modes		
37.	2.11	Lawful recourse to force: Aggression, Self-defense, Intervention		
38.	2.12	Fundamental principles of international humanitarian law - International conventions and contemporary developments		
39.	2.13	Legality of the use of nuclear weapons; ban on testing of nuclear weapons; Nuclear - non proliferation treaty, CTBT		
40.	2.14	International terrorism, state sponsored		

		terrorism, hijacking, international criminal court <i>Topic I:</i> International Terrorism and State sponsored terrorism		
41.	2.15	International terrorism, state sponsored terrorism, hijacking, international criminal court <i>Topic II:</i> Hijacking and International Criminal Court		
42.	2.16	New international economic order and monetary law: WTO, TRIPS, GATT, IMF, World Bank <i>Topic I:</i> WTO, TRIPS, GATT		
43.	2.17	New international economic order and monetary law: WTO, TRIPS, GATT, IMF, World Bank <i>Topic II:</i> IMF, World Bank		
44.	2.18	Protection and improvement of the human environment: International efforts		
PAPER II				
LAW OF CRIMES				
45.	3.1	General principles of criminal liability: Mens rea and actus reus, mens rea in statutory offences <i>Topics:</i> Definition of Crime, Theories, Elements Crime and Stages		
46.	3.2	Preparation and criminal attempt.		

47.	3.3	Kinds of punishment and emerging trends as to abolition of capital punishment		
48.	3.4	General exceptions <i>Topic I:</i> Mistake, Judicial Acts, Accident, Necessity, Infancy		
49.	3.5	General exceptions <i>Topic II:</i> Insanity, Intoxication, Consent, Compulsion, Trifles		
50.	3.6	General exceptions <i>Topic III:</i> Private Defense		
51.	3.7	Joint and constructive liability		
52.	3.8	Abetment.		
53.	3.9	Criminal conspiracy		
54.	3.10	Offences against the State		
55.	3.11	Offences against public tranquility		
56.	3.12	Offences against human body <i>Topic I:</i> Offences affecting Life		
57.	3.13	Offences against human body <i>Topic II:</i> Hurt, Criminal Force and Assault		
58.	3.14	Offences against human body <i>Topic III:</i> Kidnapping, Abduction, Slavery and Forced Labour		
59.	3.15	Offences against property <i>Topic I:</i> Theft, Extortion, Robbery, Dacoity		

60.	3.16	Offences against property <i>Topic II: Misappropriation of Property, Breach of Trust, Receiving of stolen property, Cheating, Mischief, Trespass</i>		
61.	3.17	Offences against women		
62.	3.18	Defamation		
63.	3.19	Prevention of Corruption Act, 1988		
64.	3.20	Protection of Civil Rights Act 1955 and subsequent legislative developments		
65.	3.21	Plea bargaining		

LAW OF TORTS

66.	4.1	Nature and definition and Liability based upon fault and strict liability; Absolute liability		
67.	4.2	Vicarious liability including State liability		
68.	4.3	General defences		
69.	4.4	Joint tort feasons and Remedies for tortuous acts		
70.	4.5	Negligence		
71.	4.6	Defamation		
72.	4.7	Nuisance		
73.	4.8	Conspiracy and False Imprisonment		
74.	4.9	Malicious prosecution		

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75.	4.10	Consumer Protection Act, 1986		
LAW OF CONTRACTS AND MERCANTILE LAW				
71.	5.1	Nature and formation of contract / E-Contract: <i>Topic 1:</i> General, Offer and acceptance, Essentials of E-Contract		
76.	5.2	Nature and formation of contract / E-Contract: <i>Topic 2:</i> Consideration, Position of Minor		
77.	5.3	Factors vitiating free consent <i>Topic 1:</i> Concept of free consent, Coercion, Undue Influence and Misrepresentation		
78.	5.4	Factors vitiating free consent <i>Topic 2:</i> Fraud and Mistake		
79.	5.5	Void, voidable, illegal and unenforceable agreements <i>Topic 1:</i> General concept and Legality of agreement.		
80.	5.6	Void, voidable, illegal and unenforceable agreements <i>Topic 2:</i> Agreement without consideration, Restraint of marriage, restraint of trade, Uncertain and Wagering Agreements etc		
81.	5.7	Performance and discharge of contracts – <i>Topic I :</i> Performance, Joint Promises, reciprocal performances, time and mode of performance		
82.	5.8	Performance and discharge of contracts		

		<i>Topic II:</i> Frustration, Effects of frustration and other modes of discharge		
83.	5.9	Performance and discharge of contracts <i>Topic III: Consequences of discharge</i> and law of damages		
84.	5.10	Quasi- Contracts and Standard form contracts		
85.	5.11	Contract of indemnity, guarantee and insurance		
86.	5.12	Contract of agency <i>Topic -I:</i> Concept, Definition, Creation of agency, Duties and Rights of Agent		
87.	5.11	Contract of agency <i>Topic -II:</i> Authority of Agent, Relations of Principal with Third Parties, Undisclosed principal, Liabilities, Determination of Agency		
88.	5.12	Sale of goods and hire purchase <i>Topic - I:</i> Definition of important terms, Sale and Agreement of Sale, Conditions and Warranties, Express and Implied Conditions, Caveat Emptor.		
89.	5.13	Sale of goods and hire purchase <i>Topic - II:</i> Passing of Risk, Transfer of Title, Performance of Contract of Sale, Rights of Unpaid Seller, Auction Sale		
90.	5.14	Formation and dissolution of partnership.		
91.	5.15	Negotiable Instruments Act, 1881 <i>Topic- I</i>		
92.	5.16	Negotiable Instruments Act, 1881		

		<i>Topic – II</i>		
93.	5.17	Arbitration and Conciliation Act, 1996		
		<i>Topic –I</i>		
94.	5.18	Arbitration and Conciliation Act, 1996		
		<i>Topic – II</i>		
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95.	6.1	Public Interest Litigation		
97.	6.2	Intellectual property rights - Concept, types/ prospects		
		<i>Topic I: Copyright</i>		
98.	6.3	Intellectual property rights - Concept, types/ prospects		
		<i>Topic II: Trademark</i>		
99.	6.4	Intellectual property rights - Concept, types/ prospects		
		<i>Topic III: Patent, Design and Geographical Indications</i>		
100.	6.5	Information Technology Law including Cyber Laws - Concept, purpose/prospects		
101.	6.6	Competition Law- Concept, purpose/ prospects		
102.	6.7	Alternate Dispute Resolution - Concept, types/prospects		
103.	6.8	Major statutes concerning environmental law		
104.	6.9	Right to Information Act		

105.	6.10	Trial by media		
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