

**FURTHER DETAILS REGARDING MAIN TOPICS OF
PROGRAMME NO. 10/2015 (Item No. 14, 15 & 16)**

LEGAL ASSISTANT GRADE II

(DIRECT & BY TRANSFER)

LAW DEPARTMENT (GOVERNMENT SECRETARIAT)

(CATEGORY Nos. 121/2013, 122/2013 & 123/2013)

**Part I: GK, Current Affairs, Indian National Movement & Renaissance
in Kerala**

General Knowledge including Current Affairs with special reference to Indian National Movement and Renaissance in Kerala

Part II: Salient Features of Indian Constitution

Salient features of the Constitution – Preamble – Its significance and its place in the interpretation of the Constitution.

Fundamental Rights – Directive Principles of State Policy – Relation between Fundamental Rights and Directive Principles – Fundamental Duties.

Executive – Legislature – Judiciary – Both at Union and State Level – Other Constitutional Authorities.

Centre-State Relations – Legislative – Administrative and Financial.

Services under the Union and the States.

Emergency Provisions.

Amendment Provisions of the Constitution

Part III: General English

Part IV

Module I

Concept and nature of Crimes. General principles of Criminal liability, General defences and Exceptions – Offences affecting the state – offences against human

body – offences against property – offences against public safety and health – illegal gratification – corruption – offences relating to marriage and reputation.

Functionaries under Criminal Procedure Code – Arrest – Search and seizure – Investigation – powers of the Court – Cognizance of offence and commencement of judicial proceedings – Bail – Principal features of fair trial – Types of Trial – Charge – Trial of Warrant and Summons Cases – Judgement – Appeals – Execution of Sentence and other connected matters – Maintenance of Wives, Children and Parents, Indian Penal Code & Criminal Procedure Code.

Module II

Various schools of jurisprudence – Different schools of thought – Different theories of Law and justice – Sources of Law – Precedent – overruling – Ratio Deci Denti – stare Decisis – Juristic Concepts of Rights and Duties – Possession and Ownership.

Origin, nature, evolution and unique features of Labour Law – Ideas of unionisation – impact of I.L.O. – Registration of trade unions – collective bargaining – Meaning of Industry, Industrial Dispute, Lay-off, Retrenchment, Strike and Lock-out – Different methods of settlement of industrial dispute – Standing Orders – Concept of wages – Deduction of Wages – Fixing and Revising Minimum Wages – Concept, evolution, calculation and mode of payment of Bonus – Employers liability in the case of industrial accidents – kinds of benefits to workers under the Employees State Insurance Act – protection of Health, Safety and Welfare of industrial workers including Women and children, Jurisprudence, Labour and Industrial Laws.

Module III

General features of contract – classification, Agreement, Contract and ingredients – Consideration – Capacity of parties – Factors invalidating contracts – void, voidable and contingent contracts – quasi contracts – Quantum merit – Contract of Indemnity and guarantee – Bailment – Agency – Sale of goods – Partnership.

Principles of legislation – Legislative drafting – Basic rules of Construction of Statutes – Rules of interpretation – Interpretation of different kinds of Statutes – Repeal of Statutes – Purpose of General Clauses Act – General rules of construction.

Principles of Arbitration and conciliation – Lok Adalaths, Law of Contract, Interpretation of Statutes, Alternate Dispute Resolution, Legal Services authorities Act, Arbitration and Conciliations Act, General Clauses Act, Legislative theory & Service laws

Module IV

Distinction between procedural and substantive laws – Jurisdiction of Courts to try civil suits stay of suits, resjudicata – Place of sueing, pleading, plaint, Written Statement and set off – Parties to suits, joinder of parties, misjoinder of parties, frame of suits – Summons – Appearance of parties, consequence of non-appearance, ex parte decree, setting aside ex parte decree, examination of parties by the Court – discovery and inspection, admission – Summoning and attendance of witness – adjournment etc. – Judgement and decree – execution – Appeal – Arrest and attachment before judgement – injunction – Special proceedings such as Suits in particular cases, Notice before Suit, inter pleader Suit, Papur Suit, Suit by or against torts, Suit by or against minors etc. – Miscellaneous provisions.

Relevancy of facts – Admissions and Confessions – Dying declaration – Opinion and character evidence – Oral and documentary evidence – Estoppel – Burden of proof – Competency of witnesses – Examination of witnesses – Presumptions – Accomplice – Approver – judicial notice – Law of Limitation, Civil Procedure Code, Indian Evidence Act & Law of limitation.

Module V

Scope and causes for the growth of Administrative Law – Administrative discretion – Rule making power of the administration – Delegated legislation – Legislative Control – Procedural Control – Judicial Control – Need for Administrative Adjudication – problems of Administrative Adjudication – Need for administrative decision making – Statutory Tribunals, Domestic Tribunals – Practices and Procedure of Administrative Adjudication – Rules of fair hearing Reasoned decisions – Post Decisional hearing – Exception to the rules of natural justice – Judicial review of administrative action – principles – Remedies against administrative action – Constitutional remedies – Jurisdiction of the S.C. and H. C. – Against whom writ can be issued – Locus standi to challenge administrative action – Writs – Statutory Remedies – Liability of the administration – Privileges and immunities of administration in Suits, to hold documents, Statutory operations etc. – Constitutional protection of Civil Servants – Administrative Service Tribunals, judicial activism and judicial restraints, Administrative Law.

Module VI

Concept of Property – General principles of transfer – Effect of transfer – Rules against inalienability – Rule against perpetuity – Sale of immovable property – Mortgage – Lease – Exchange – Gift – Actionable claims – Easement.

Formation of a company – Effect of incorporation – Different kinds of companies

– Illegal Association – Memorandum of Association – Articles of Association – Rights and liabilities of the corporation for acts of its agents and organs – Doctrine of ultravires – Promoters – Prospectus – Capital – Shares – Meetings – Dividend – Account and Audit – Board of Directors – Oppression and mismanagement – Winding up, Transfer of property Act, Company law, partnership Act, Laws on land.

Module VII

Concept of Environmental protection – Pollution – Types of Pollution, General powers of the Central Government – Environmental Protection under the Constitution – Right to clean Environment – Environmental protection Law and its implementation – Operational mechanism of Central and State Boards functioning – Legal regime for pollution Control – Different Statutory provisions.

Nature, origin and sources of International Law – Subjects of international Law – States and nonstate entities – international organizations and private individuals – Recognition theory and practice – State territorial sovereignty and other lesser territorial rights – Rights and Duties of States Human Rights – Philosophical foundation of the concept of Human Rights – Internationalisation of Human Rights – Civil and political Rights – Social, Economic, and Cultural Rights – Rights of specific groups, Rights of Women, Children, Indigenous persons etc. – Concept of Sustainable development – Concept Corruption free Governance – Human Rights protection Mechanism – National and international level, Environmental protection Acts, Public international Law, Forest Act.

NOTE: - It may be noted that apart from the topics detailed above, questions from other topics prescribed for the educational qualification of the post may also appear in the question paper. There is no undertaking that all the topics above may be covered in the question paper.