

SYLLABUS PERTAINING TO THE FOLLOWING POSTS
HAVING LLB AS QUALIFICATION

1. Legal Assistant Gr. II (Law Department, Government Secretariat)
2. Legal Officer (Kerala Financial Corporation)
3. Assistant Public Prosecutor Gr. II (Kerala State Assistant Public Prosecutor Service)
4. District Executive Officer / Additional District Executive Officer
(Company / Corporation /Board – Kerala Motor Transport Workers Welfare Fund)
5. Sheristadar (Judicial Department)

1. Syllabus for selection to the post of Legal Assistant Grade II (Law Department, Govt. Secretariat)

Part I

Module I

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

Module II

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.

Module III

Language Skill (General English)

Part II

Module IV

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 V

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 VI

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 Consiliations Act, General Clauses Act, Legislative theory & Service laws

Module VII

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 VIII

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 IX

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 X

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.

2. Syllabus for selection to the post of Legal Officer (Kerala Financial Corporation)

Part I

Module I

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

Module II

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.

Module III

Language Skill (General English)

Part II

Module IV

Jurisprudence

Nature and concept of Law – Schools of Jurisprudence – Administration of Justice – Theories of Punishment – Sources of Law – Basic Legal Concepts : Legal Personality, Ownership, Possession, Titles, Liability, Rights and Duties

International Law

Sources – Nature and definition of International Law – State Recognition and State succession – The United Nations, its objectives, purposes and principal organs – Universal Declaration of Human Rights (UDHR 1948) – International Covenants of 1966 – Protection of Human Rights – Initiatives of United Nations (UN)

Module V : Interpretation of Statues and Administrative Law

Interpretation of Statues

Methods of Interpretation – Literal Rule – Logical Rule – Golden Rule – Mischief Rule – Intrinsic and Extrinsic Aids of Interpretation – Subsidiary Rules – Ejusdem Generis – Noscitur a Sociis – Reddendo Singula Singulis etc. – Mandatory & Directory Provisions in Statutes – Theory of Utility

Administrative Law

Definition and Scope – Growth of Administrative Law – Rule of Law – Separation of powers – Classification of Administrative Actions – Administrative Discretion – Control over administrative rule making – Natural Justice – Judicial Review of Administrative Action – Public Interest Litigation – Privileges, immunities and Liabilities of Administration – Statutory and Non-Statutory Public Undertakings – Ombudsman – Constitutional protection to the civil servants – Right to Information Act, 2005.

Module VI : Law of Procedure

Civil Procedure Code, 1908

Definitions – Civil Courts – Res Subjudice – Res Judicata – Suits of Civil Nature – Pleadings – Special Suits – Appeal – Second Appeal – Reference – Review – Revision – Inherent Power – Execution – Caveat – Law of Limitation

Criminal Procedure Code, 1973

Definitions – Arrest, Search and Seizure – Investigation, Inquiry, Trial, Discharge – Hierarchy of Courts – Cognizance of Offences – Commencement of Judicial Proceedings – Bail – Judgement – Appeal – Reference – Revision – Transfer of Cases – Inherent Powers – Preventive Measures – Maintenance of Wife / Children / Parents – Probation of Offenders Act, 1958 – Juvenile Justice Act, 2000

Law of Evidence

Indian Evidence Act, 1872 – Definition – Relevancy of Facts – Admissions and Concessions – Dying Declaration – Opinion and character evidence – Judicial Notice – Oral Evidence – Documentary Evidence – Electronic Evidence – Burden of Proof – Estoppel – Competency of witnesses – Examination of witnesses

Module VII : Family Law

Hindu, Christian and Muslim

Concept of Marriage – Theory of Divorce – Nullity of marriage – Judicial Separation – Family Courts – Guardianship and custody – Adoption – Maintenance – Partition – Succession – Endowments – Wakfs

Module VIII : Law of Torts and Crimes

Torts

Nature and Definition – Tortious Liability – No fault Liability – Vicarious Liability – Joint Tort Feasors – Negligence – Defamation – Conspiracy – Nuisance – False imprisonment – Malicious prosecution

Crimes

Criminal Liability – Mens rea – Actus reus – Inchoate Crimes – Seditious – General Defences – Joint and Constructive Liability – Offences against person – Offences against property – Misappropriation – Criminal breach of trust – Defamation – Cyber Crimes (Indian Penal Code, 1860 and Information Technology Act, 2000)

Module IX : Business Law

Law of Contract

Indian Contract Act, 1872 – Definitions – Basic Element of Contracts – Factors vitiating consent – Performance of contract – Discharge of Contract – Modes of Discharge – Remedies for breach – Void, Voidable, illegal and unenforceable agreement – Quasi Contracts – Specific Contracts Like Indemnity, Guarantee, Bailment, Pledge, Agency – Negotiable Instruments Act, 1882 – Sale of Goods Act, 1930 – Partnership Act, 1932 – Limited Liability Partnership Act, 2008

Company Law

Companies Act, 1956 – Definition and Features of Registered Company – Government Company – Statutory Company – Foreign Company – Private Limited Company – Public Limited Company – Memorandum of Association – Articles of Association – Prospectus – Shares – Directors – Meetings – Dividends – Account and Audit – Borrowing – Lending – Debentures – Reconstruction and Amalgamations – Buy Back of Shares – Winding up – SEBI Act, 1992 – RBI Act, 1934 – Banking Regulation Act, 1949 – The Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002

Module X : Transfer of Property

Transfer of Property Act, 1882

Definitions – Property that cannot be transferred – General Principles of Transfer – vested and contingent interest – Conditional Transfer – Undivided Ownership – Specific transfers like Sale, Gift, Mortgage, Lease, Charge, Exchange, Actionable claims – Rights and Duties of the Parties to such transfers, Law of Limitation, Interpretation of Statutes, General Clauses Act.

3. Syllabus for selection to the post of Assistant Public Prosecutor Grade II (Kerala State Assistant Public Prosecutor Service)

Part I

Module I

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

Module II

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.

Module III

Language Skill (General English)

Part II

Module IV : (Cr. P.C, 1973)

Definitions – Criminal Courts – Constitution and Powers – Arrest – Processes – Search – Reciprocal arrangements for assistance – Recording of Confession – Investigation – Jurisdiction as to inquiry and trial – Cognizance of Offences – Complaint to Magistrate – Compounding and Withdrawal – Plea bargaining – Transfer of Criminal Cases – Bail and Bonds – Limitation – Charge.

Module V

Trial of Summons Case and Warrant Case – Summary Trial – Mode of Taking and recording evidence – Batta – Rule against double jeopardy – Accomplice and Approver – Procedure when accused an unsound person – Committal Proceedings – Procedure in the case of offences affecting administration of justice – Judgment, appeal, Revision and Reference – Execution, Remission and Commutation of sentences – Levy and recovery of fine – Disposal of Property – Compensation, code of criminal procedure 1973.

Absconding Accused – Remand – Notification of residence of released convicts, Certified copies – Production, return and submission of records, Criminal rules of Practice (Kerala) 1982.

Procedure when accused is a person under law relating to armed forces, Criminal Courts and Court Martial (Adjustment of jurisdiction) Rules, 1978.

Module VI : Indian Evidence Act, 1872

Relevancy of Facts – Admission and Confession – Dying declaration – Statements under special circumstances – Relevance of Judgments – Expert Opinion – Character as a relevant Factor – Proof of Facts – Oral and documentary evidence – Examination – Presumption as to documents – Exclusion of oral evidence – Burden of Proof – Estoppel – Witnesses – Privileged Communications

Module VII : (IPC 1860)

Definitions – Punishments – General Exceptions – Abetment and Conspiracy – Offences against State – Public Tranquility – Public Servants – Electoral Offences – Perjury and Forgery – Offences relating to Coin and Govt. Stamps – Offences affecting Public Health, safety, convenience, decency and morality – Religious Offences – offences affecting Human body – Sexual Offences.

Module VIII

Offences against property – Offences relating to documents and property marks – Offences relating to marriage – Defamation - Criminal Intimidation, Insult and annoyance – attempt (IPC, 1860)

Offences under the Arms Act, 1959 – Offences under the Explosives Act, 1884 and Explosive Substances Act, 1908

Offences – Rescue and Rehabilitation (Immoral Traffic Prevention Act, 1956)

Module IX

Offences under the Abkari Act – Offences under the Kerala Police Act, 2011 – Offences under Kerala Gaming Act, 1960

Cruelty to animals – Restriction on exhibition and training of performing animals – Offences (Prevention of Cruelty to Animals Act, 1960)

Legal recognition to electronic records – attribution Acknowledgement and Despatch of Electronic records – Authorities under the Act – Digital Signature – Offences (Information Technology Act , 2000)

Authorities – Offences – Analysis of food – Adjudicating Officer – Appellate Tribunal – Appeal (Food Safety and Standards Act, 2006)

Offences – Presumptions – Forfeiture of property – Release on probation (NDPS Act, 1985)

Module X

Authorities – Powers and functions – Juvenile in conflict with law – Child in need of care and protection – Rehabilitation and Social Re-integration – Enquiry, Appeal and Revision – Advisory Board [Juvenile Justice (Care and Protection of Children) Act, 2000]

Release of Offenders – Various Options – Procedure – Probation Officers (Probation of Offenders Act, 1958)

Psychiatric Hospitals and Psychiatric Nursing Homes – Reception Orders – Admission and Detention of Mentally ill persons – Legal Aid (The Mental Health Act, 1987) – Entitlement to Legal Services – Constitution, function, powers and procedure of Lok Adalat (Legal Services Authorities Act, 1987)

Extradition of fugitives – Role of Magistrate Court (Indian Extradition Act, 1962)

**4. Syllabus for selection to the post of District Executive Officer /
Additional District Executive Officer (Company / Corporation /Board
– Kerala Motor Transport Worker's Welfare Fund)**

Part I

Module I

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

Module II

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.

Module III

Language Skill (General English)

Part II

Module IV

Indian Evidence Act 1872 – Meaning of evidence – Relevancy of facts – documentary evidence – Primary and Secondary – examination of witnesses. **Code of Civil Procedure 1908** – Jurisdiction of courts – Civil Suit – Resjudicata – Res Subjudice – Place of suing – Institution of suits – Judgment and Decree – Reference – Review – Revision

Module V

Administrative Law – Delegated legislation – Principles of Natural Justice – Judicial Remedy – Writ Jurisdiction – Central Administrative Tribunals. **The Right to Information Act, 2005** – Object of the Act – Meaning of Information – Exemption from disclosure of information – Penalties

Module VI

Kerala Motor Transport Workers Welfare Fund Act, 1985

Definitions – Constitution of Welfare Funds – Welfare Fund Board – Officers under the Act. **The Motor Vehicles Act, 1988** – Necessity for driving Licence – Suspension of driving licence – Special provisions in regard to control of transport vehicles – Offence, penalties and procedures under the Act.

Module VII

The Industrial Disputes Act, 1947 – Definitions – Workman – Industrial Dispute – industry – individual dispute – Authorities under the Act – Strike – Lock out-Lay off – Retrenchment – Unfair Labour Practices. **The Trade Unions Act, 1926** – Legal Protection to registered trade unions – Civil and Criminal – Registration of Trade Unions – General and Political Funds – Recognition of Trade Unions – Collective bargaining. **Factories Act, 1948** – Provisions regarding health, safety, Hazardous Process and welfare – Working hours – Penalties.

Module VIII

The Employees Compensation Act, 1923 – Meaning of Injury – Disability – Occupational disease – Employer's Liability – arising out of and in the course of employment – Notional extension Principle – Commissioners for employees compensation. **The Employee's State Insurance Act, 1948** – ESI Corporation – Standing Committee – Benefits under the Act – Medical Benefit Council – Adjudication of Disputes – Penalties. **The Employees Provident Fund (And Miscellaneous Provisions) Act, 1952** – Employees Provident Fund scheme – Employees Family Pension scheme – Authorities under the Act.

Module IX

The Minimum Wages Act, 1948 – Fixation of Minimum Rates Wages – Determination of wages and Claims – Hours of Work – Payment of minimum rates of wages – Penalties. **The Payment of Wages Act, 1936** – Payment of Wages – Deductions from wages – Authorities.

Module X

Indian Contract Act, 1872 – Essential elements of a valid contract – Void and voidable contracts – Remedies for breach of contract. **Company Law** – Meaning and kinds of companies – Formation of a company – Memorandum and Articles of association – Winding up of companies. **Information Technology Act, 2000** – Electronic contracts – Cyber crimes – Digital signature -Authorities under the Act.

5. Syllabus for selection to the post of Sheristadar (Judicial Department)

Part I

Module I

General Knowledge including current affairs with special reference to Indian National Movement and renaissance in Kerala

Module II

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.

Module III

Language Skill (General English)

Part II

Module IV : Law of Criminal Procedure

Code of Criminal Procedure, 1973 – definitions – hierarchy, powers & functions of courts – procedure – distinction between judicial and executive magistrates – Schedule I – period of limitation – sub systems involved in criminal justice administration : Public, Government Officials, Police, Public Prosecutors, Defence lawyers, Media, Scientific experts – procedure, functions and roles, rights of accused, plea bargaining.

Module V : Criminal Rules of practice

Criminal Rules of Practice in Kerala, 1982 – entire Rules – Appendix I to VI – Circulars relating to exhibition of name boards by Judicial Officers in vehicles, extradition of accused.

Module VI: Extradition of Accused, Juvenile Justice and Mental Health

Extradition Act, 1952 and Rules, Juvenile Justice Act, 2000 and Rules, Mental Health Act, 1987 and Rules

Module VII: Legal Aid to Poor, Probation of Offenders, Domestic Violence

Legal Service Authorities Act, 1987 and Rules, Probation of Offenders Act, 1958 and Rules, Domestic Violence Act, 2005 and Rules

Module VIII : Information Technology and Right to Information

Information Technology Act, 2000 and Rules; and Right to Information Act, 2005 and Rules

Module IX : Court Fees, Stamp Duty, and Limitation

Limitation Act 1963, Kerala Court Fees and Suit Valuation Act, 1959 and Kerala Stamp Act, 1959

Module X : Service Rules

Kerala Service Rules (K.S.R.), Kerala Subordinate Service Rules (K.S.S.R.), Manual of Office procedure (M. O. P.)