

UPSC LAW OPTIONAL SYLLABUS & STRATEGY

Choosing the right optional subject is one of the crucial factor which determines whether you are in the final list of UPSC rank list or not. Law Optional is not a cup of tea for everyone unless one is really interested in it. But if you are law graduate and if you are choosing a non-law optional subject for UPSC, then your chances of success in the UPSC will decrease. Such a decision is not reasonable after memorizing tons of principles and case law in your graduation.

Then, why some of the law students are misguided into other non-law optional subjects? It is a myth that law optional is low scoring. After seeing the various Annual UPSC reports, one can easily understand that law optional is one of the top-scoring and successful amongst others. Another area of concern for the law optional subjects is the lack of materials, support or test series. This was a genuine concern until Lawxpertsmv team came into being. As we have produced many toppers from our institute, including Neha Jain AIR 14, Shruthee Srinivasan AIR 356 etc..

How can I kick-start my preparation for Law Optional?

1. Acquaint yourself with the syllabus.
2. Read the Previous year Question Papers from 2014-2019 to get a bare idea as to what and how the questions are asked.

THE ULTIMATE PLAN

Minimum time duration required to complete the law optional preparation is 4-6 months depending on the intellect of the aspirant. This time period should be divided ideally so as to complete a micro-topic within a single day and revise it on the next day.

For eg : Topic 10 under Law of Crimes is “Offences against Human Body” . And a plan to complete this topic within a day or two would be disastrous. This topic has around 90 sections in it. It has be to systematically divided into multiple topics like Culpable Homicide and Murder on day 1, Causing death by negligence & dowry death on day 2, abetment of suicide on day 3 etc..

29-30 TH JUNE	LAW OF CRIMES	Offences against human body – PART I : 1. Culpable Homicide 2. Murder 3. Causing death by Negligence 4. Dowry Death	M 10.1. IPC.
01 ST JULY	LAW OF CRIMES	REVISION 10.1 IPC	
02-03 RD JULY	LAW OF CRIMES	Offences against human body – PART II : 1. Abetment of suicide 2. Attempt to murder, culpable homicide, suicide. 3. Thug 4. Miscarriage	MODULE 10.2
04 TH JULY	LAW OF CRIMES	REVISE 10.2 IPC	
05-06 TH JULY	LAW OF CRIMES	Offences against human body – PART III: Hurt –Ss. 319-338	MODULE 10.3
07-08 TH JULY	LAW OF CRIMES	Offences against human body-PART IV : Of Wrongful Restraint and Wrongful Confinement..Ss.339-348.	MODULE 10.4
09 TH JULY	LAW OF CRIMES	REVISE : 10.3-4 IPC	

Another example, under constitutional law, Topic 2 contains “Fundamental rights”. As we know all that, Article 12-35 cannot be completed in a day. It should be divided like this. Day 1 – Article 12 ; Day 2 – Art. 13 ; Day 3 – Art.14 and so on. Check our site to get a proper idea as to how all the topics of UPSC Law Optional can be divided into multiple micro-topics and be revised within 5-6 months.

12 Aug	CONSTITUTIONAL LAW	Fundamental Rights A. Definition of State B. Art. 13 C. Doctrine of Eclipse D. Doctrine of Severability E. Judicial Review	Module 2
13-14 Aug	CONSTITUTIONAL LAW	Fundamental Rights : Right to equality – Part I : ART.14	Module 2.1.A
15-16 Aug	CONSTITUTIONAL LAW	Fundamental rights: Right to equality – Part II 1. Prohibition of discrimination on grounds of religion, race, caste, sex or place of birth. Art.15. 2. Equality of opportunity in matters of public employment. Art.16. 3. Abolition of Untouchability. Art.17. 4. Abolition of titles. Art.18. 5. Current Affairs.	Module 2.1.B.
17 Aug	CONSTITUTIONAL LAW	REVISE – 2,2.1.A-B CL	
18-19 Aug	CONSTITUTIONAL LAW	Fundamental Rights: 1. PIL 2. Legal aid 3. Legal services authority Inclusive of Current Happenings.	Module 2.2

RECOMMENDING BOOK LIST IS EASY, BUT NOT HELPFUL

Now that, you have done the basics. You should find the materials for kick-start your preparation. This is where it gets tricky for both law and non-law students. A single search on google would reveal you the book list of commentaries and voluminous books in law required for UPSC law optional. Recommending a book list is an easier task, but would not solve our purpose. Some would say selective reading of these voluminous books would be done with help of previous year question. This is not really helpful for the students. UPSC may have repeated some questions, but that does not mean it will always do the same. The repeated question in a single given UPSC question paper would be almost negligible. Then why do we read them? Aren't they important? Yes, they are important to study the temper of UPSC thereby you understand the intrinsic idea behind each UPSC question and get used to the UPSC style.

Most of the students pursuing UPSC could not get through into final list, because of the rummaging with voluminous books in law. Fact is most of the students do not clearly know what not to read. Knowing what not to read is the one of the success mantra of the UPSC. Wait, it does not end there. Revising the topic which you have learnt is equally vital. One can agree that limited resources with proper revision is the key - (Check our site, for the materials exclusively prepared for the UPSC law optional which has been recommended by various toppers.)

WRITING THE ANSWERS

Knowing the law thoroughly is not sufficient to clear this exam. Answers written to the UPSC law Optional questions are different from how you have been answering in your college. Point is method of answering differs. You will understand what we are trying to say by reading the following questions.

TYPE 1 : Asking you!

Example 1 : Question 4(a) of UPSC Law Optional 2019 : What do you mean by the term "Rule of Law"? ...(20 Marks)

Example 2 : Question 1(a) of UPSC Law Optional 2018 : (a) What do you understand by the terms “cooperative federalism” and “competitive federalism”?

Question 2(c) What would be best way or method for the appointment of judges in High Court and the Supreme Court in India? Give your views and support your views with reasons.

It can be easily understood by reading these questions that UPSC ask your opinion or views on any given subject matter. Normally students do not understand this requirement. They will start their answers with the definition of eminent jurists, which itself would explain their lower scores in the UPSC law Optional. Answers to these questions should start with your opinion followed with definitions of eminent authors, legal provisions with case laws as the question demands.

TYPE 2 : Current Affairs based Questions.

Problems with most materials in the market including standard books is that they do not have the current affairs included in it. Current Affairs role in Paper I and Paper II cannot be under-estimated. It is known fact that Paper-I is current affairs based, but what students do not know is that Paper II equally contains the current developments-based questions.

Example 1: *Question 1(e) Paper II – UPSC Law Optional 2019. “E-commerce has adversely affected the consumer protection in India.” Elucidate the statement.*

This question might seem like a static question for everyone. Not everyone knows that, this questions asked due to development of 1986 Act is being replaced with Consumer Protection Act, 2019.

Example 2 : *Question 2(b) Paper II – UPSC Law Optional 2019. "Recent judicial decisions of the courts have changed the spirit of Section 498 A of the Indian Penal Code, 1860." Explain the statement with the help of judicial pronouncements.*

This question itself screaming that “I am current-affairs based”.

Example 3 : *Question 3(b) Paper II – UPSC Law Optional 2019. The basic spirit of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, which was diluted by the judiciary in Kashinath*

Mahajan's case, has been restored by the legislature recently. Examine critically.

This question itself is conclusive proof current affairs in Paper-II has almost same importance as Paper-I. We all know that *Kashinath Judgment* is widely critised for the accidentally reversing the mandate under SC/ST Act.

One cannot answer these types of questions without knowing the actual current developments with respect to UPSC law Optional. Check our site, for free articles on current affairs exclusively prepared for UPSC law optional.

In the next article, the remaining set of patterns of questions will be discussed to give you more proper idea.

[Lawxpertsmv India is a law firm predominantly involves in the coaching for UPSC Law Optional and Judicial Services. We have produced many IAS, IPS officers from our firm. You can visit lawxpertsmv.com or contact us at lawxpertsmv@gmail.com]

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 tort feorsors.
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.
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.

HOW TO PREPARE REVISION NOTES FOR UPSC LAW OPTIONAL - LIKE A PRO | LOOK AT HOW MR.JEYDEV CS AIR 5 (2019) HAS PREPARED.

LINK FOR CONSTITUTIONAL LAW - <https://www.lawxpertsmv.com/post/air-5-2019-upsc-jeydev-c-s-how-to-make-revision-notes-for-law-optional-mains-series-1>

LINK FOR INTERNATIONAL LAW - <https://www.lawxpertsmv.com/post/air-5-2019-jeydev-cs-how-to-make-revision-notes-for-upsc-law-optional-mains-international-law>

Topper's Answercopy | Jeydev CS AIR 5 (2019)

👉 Answer-Copy 1 : <https://bit.ly/3uIdXVU>

👉 Answer-Copy 2 : <https://bit.ly/3lmVwD0>

👉 Answer-Copy 3 : <https://bit.ly/36sd4aQ>

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