

**DETAILED SYLLABUS FOR THE POST OF ASSISTANT PUBLIC
PROSECUTOR GR.II IN THE KERALA STATE PROSECUTION SERVICE
CATEGORY NO.694/2025**

(TOTAL - 100 MARKS)

MODULE- I: JURISPRUDENCE (5 MARKS)

Foundational legal concepts - the nature of law - theories of law - theories of justice - criminal justice - classification of legal systems based on criminal justice process - comparison between adversarial and inquisitorial systems - relationship between law and morality- sources of law including legislation, custom, precedent, personal laws, international conventions and treaties - doctrine of *stare decisis* and its exceptions - *ratio decidendi* - *obiter dicta* - overruling - prospective overruling - elements of law including legal right, duty, liability, property, ownership, possession and title; and their classifications - general and particular jurisprudence - comparative jurisprudence - synthetic jurisprudence - therapeutic jurisprudence - feminist jurisprudence - 'non- human' jurisprudence - legal personhood of animals, constituent elements of nature and artificial intelligence - jurimetrics

**MODULE: II: CONSTITUTIONAL LAW AND ADMINISTRATIVE LAW
(10 MARKS)**

Preamble - Constitutional and statutory provisions relating to citizenship - definition of "State" and "law"- fundamental rights - directive principles - fundamental duties - structure, power and functions of Governments - Union Executive, Parliament and Judiciary - State Executive, Legislature and Judiciary - privileges of President, Governors, Parliament and State legislatures- independence of judiciary- Local Self Government Institutions (LSGIs) - co-operative societies - important Constitutional amendments - Constitutional authorities and their functions Comptroller and Auditor General, Attorney General, Advocate General, Election Commission of India, State Election Commission, Union Public Service Commission, State Public Service Commission - Finance Commission- State Finance Commission - GST Council - distribution of legislative and administrative powers - official language-regional languages - language of the Supreme Court, High Courts, etc. - special directives relating to languages - writ jurisdiction - Public Interest Litigation - judicial review - Constitutional amendment and basic structure theory - definitions (Article 366) - landmark Supreme Court decisions relating to criminal justice - scope and evolution of administrative law - delegated legislation and its controls - Constitutional law remedies against administrative arbitrariness - doctrine of *ultra vires*- administrative discretion and its controls- administrative adjudication - principles of natural justice - post decisional hearing - exception to the principles of natural justice - statutory remedies - contractual and tortious liability of the administration - privileges and

immunities of administration in suits and to withhold documents - rule of law- legitimate expectation-promissory estoppel - proportionality - maladministration and remedies - statutory provisions relating to *Lokpal*, *Lokayuktha*, CVC and prevention of corruption - right to information under the Right to Information Act, 2005 - exemptions - powers and functions of Information Commission - Constitutional protection of civil servants - services under the Union and the States- Administrative Tribunals under Administrative Tribunal Act, 1985 - right to public services - The Kerala State Right to Service Act, 2012

**MODULE: III: INTERPRETATION AND STATUTORY CONSTRUCTION
(5 MARKS)**

Utilitarian theory of legislation and its criticisms - general principles of interpretation - construction of statutes - grammatical rule - logical rule - golden rule - mischief rule - *ejusdem generis* rule - specific principles of interpretation - contextual interpretation - historical interpretation - contemporaneous exposition - *in pari materia* - *in bonam partem* - strict interpretation - beneficial interpretation - interpretation of penal statutes - interpretation of Constitution and the principles governing such interpretation - aids of interpretation - different kinds of statutes - contents of a statute - non-obstante clause - delegation clause - proviso - transitional clause - provisions of the General Clauses Act, 1897

**MODULE: IV: SUBSTANTIVE CRIMINAL LAW (MAJOR STATUTE)
(15 MARKS)**

Concept of crime - *actus reus* - *mens rea* - criminology - penology - victimology - theories of crime causation - commencement and application of the Bharatiya Nyaya Sanhita, 2023 - definitions and general explanations under the Bharatiya Nyaya Sanhita, 2023 - principles of criminal liability, absolute liability, vicarious liability and constructive liability - general exceptions - punishments under Bharatiya Nyaya Sanhita, 2023 - abetment- conspiracy - attempt - offences against woman and child - offences against human body - offences against State - offences relating to army, navy and air force - offences relating to elections - offences relating to coin, currency, notes, bank notes and government stamps - offences against public tranquillity - offences by or against public servants - contempt of lawful authority of public servants - offences against property - offences against public health, safety, convenience, decency and morals - illegal gratification - false evidence - offences against public justice - offences against marriage, religion and reputation - offences relating to documents and property marks - criminal intimidation, insult and annoyance - comparative analysis of the provisions of the Indian Penal Code, 1860 (IPC) and the Bharatiya Nyaya Sanhita, 2023 (BNS)

MODULE: V: CRIMINAL PROCEDURAL LAW (15 MARKS)

Comparative analysis of the provisions of the Code of Criminal Procedure, 1973 (Cr. PC) and the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) - extent and commencement of the Bharatiya Nagarik Suraksha Sanhita, 2023 - definitions under the Bharatiya Nagarik Suraksha Sanhita, 2023 - classification of offences - constitution of criminal courts and offices - power of courts - powers of superior police officers - aid to the Magistrates and the police - public prosecutors - assistant public prosecutors - Directorate of Prosecution - information to police and their power to investigate - FIR - arrest of persons - detention - investigation - inquiry - inquest - search and seizure - processes to compel the attendance of persons and production of documents - reciprocal arrangements for assistance - procedure for attachment and forfeiture of property- preventive action of the police - executive magistrates and their powers - security for keeping peace and good behaviour - maintenance of public order and tranquillity- jurisdiction of criminal courts in inquiries and trials - complaints to Magistrates - cognizance of offence and commencement of judicial proceedings - conditions requisite for initiation of proceedings - bail - anticipatory bail - statutory bail - fair trial - charge - joinder of charges - discharge - acquittal - trial of summons case, warrant case and sessions case - summary trial - evidence in inquiries and trials - general provisions as to inquiries and trials - provisions as to offences affecting the administration of justice - compoundable offence - plea bargaining - judgment - appeal - reference - revision - inherent powers - execution of sentence - suspension- remission- commutation and other connected matters - confirmation of death sentence - transfer of criminal cases- maintenance of wives, children and parents - victim compensation - special provisions for unsound accused - limitation for taking cognizance - irregular proceedings - provisions as to bail and bonds - disposal of property - holding of trial and proceedings in electronic mode- special provisions for juvenile in conflict with law under the Juvenile Justice (Care and Protection of Children) Act, 2015 - Criminal Rules of Practice (Kerala) - provisions of the Probation of Offenders Act, 1958

MODULE: VI: LAW OF EVIDENCE (10 MARKS)

Types of evidence - comparative analysis of the provisions of the Indian Evidence Act, 1872 (IEA) and the Bharatiya Sakshya Adhinyam, 2023 (BSA) - definitions under the Bharatiya Sakshya Adhinyam, 2023 - relevancy of facts (Sections 3- 50) - admissions and confessions - dying declaration - opinion evidence - character evidence - hearsay evidence - similar facts -facts which need not be proved- oral and documentary evidence -public and private documents - exclusion of oral evidence by documentary evidence- doctrine of estoppel - burden of proof - competency of witnesses - privileged communications- examination of witnesses -various presumptions provided under the BSA - accomplice -

approver - admissibility of electronic evidence - improper admission and rejection of evidence

MODULE: VII: INFORMATION TECHNOLOGY AND DATA PROTECTION LAWS (10 MARKS)

Fundamentals of cyberspace - right to be forgotten - the Information Technology Act, 2000 - definitions - digital signature and electronic signature - e-governance - attribution, acknowledgement and despatch of electronic records - certifying authorities - controller - subscribers - intermediaries - penalties, compensation and adjudication - appellate tribunal - offences - jurisdictional issues in cyberspace - Rules relating to intermediaries and interception framed under the Act - provisions of the Digital Personal Data Protection Act, 2023: definitions - application of the Act - obligations of data fiduciary - rights and duties of data principal - Data Protection Board of India - powers, functions and procedure to be followed by the Board - appeal and alternate dispute resolution - penalties and adjudication

MODULE: VIII: CRIMINAL LAW (MINOR ACTS) (20 MARKS)

Provisions of the: Gram Nyayalayas Act, 2008, Arbitration and Conciliation Act, 1996, Negotiable Instruments Act, 1881, Protection of Children from Sexual Offences Act, 2012, Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, Narcotic Drugs and Psychotropic Substances Act, 1985, *Jan Vishwas* (Amendment of Provisions) Act, 2023, Prevention of Money Laundering Act, 2002, Food Safety and Standards Act, 2006, Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Kerala *Abkari* Act, Cinematograph Act, 1952, Immoral Traffic (Prevention) Act, 1956, Prevention of Damage to Public Property Act, 1984, Arms Act, 1959, Explosives Act, 1884, Kerala Police Act, 2011, Kerala Anti-Social Activities (Prevention) Act, 2007, Dowry (Prohibition) Act, 1961, Motor Vehicles Act, 1988, Mental Healthcare Act, 2017, Passports Act, 1967, Immigration and Foreigners Act, 2025

MODULE: IX: LAW RELATING TO ADVOCATES (5 MARKS)

Provisions of the Advocates Act, 1961- professional ethics - structure, powers and functions of the Bar Councils - BCI Rules - role of BCI in legal education - Rules framed by the High Court of Kerala regarding conditions of practice, fees payable to advocates and designation of senior advocates - law relating to misconduct - contempt of court under the Contempt of Courts Act, 1971- the Notaries Act, 1952 and the Rules framed thereunder

**MODULE: X: PUBLIC INTERNATIONAL LAW AND HUMAN RIGHTS
LAW (5 MARKS)**

Nature, origin and sources of public international law - subjects of international law - States, non- State entities, international organizations and private individuals - territorial sovereignty of State - rights and duties of States - extradition and asylum- air space- outer space- water territory - open sea - deep sea bed - common heritage of mankind - diplomatic privileges and immunities - jurisdiction of International Court of Justice (ICJ) - International Criminal Court (ICC) - International Tribunal for the Law of the Sea (ITLOS) - relationship between international law and municipal law - the Indian practice and Constitutional provisions - philosophical foundation of the concept of human rights - evolution of the concept of human rights - International Bill of Human Rights - UDHR, 1948 - International Covenants of 1966 - international instruments relating to women, children, third gender, indigenous persons, environment and refugees - piracy- genocide - aircraft hijacking - Extradition Act, 1962 - Territorial Waters, Continental Shelf, Exclusive Economic Zone and Other Maritime Zones Act, 1976 - Diplomatic Relations (Vienna Convention) Act, 1972 - Protection of Human Rights Act, 1993.

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.