लोक सेवा आयोग

नेपाल न्याय सेवा, कानून समूह, राजपत्रांकित प्रथम श्रेणी, सहसचिव वा सो सरह पदको खुला र आन्तरिक प्रतियोगितात्मक परीक्षाको लागि पाठ्यक्रम

तृतीय पत्र : सेवा समूह (कानून) सम्बन्धी विषय (Service Group-Law Related Subject)
(नेपाल न्याय सेवा, कानून समूहको लागि)

उद्देश्य

यस पत्रको उद्देश्य न्याय सेवा कानून समूहलाई संविधानवाद र कानूनको शासनको स्थापना, विकास र महत्वलाई आत्मसात गर्दै राष्ट्रिय र अन्तर्राष्ट्रिय अभ्यासका स्थापित मूल्य र मान्यतालाई कानून निर्माणको माध्यमबाट उच्च तहका न्याय सेवा कानून समूहका अधिकृतले आफूले प्राप्त गरेका सैद्धान्तिक ज्ञानलाई व्यवहारमा उतार्न सक्ने क्षमताको परीक्षण गर्नु हो। न्यायिक सुशासनको माध्यमवाट देवानी, फौजदारी एवं अन्तर्राष्ट्रिय कानूनमा स्वच्छ र पारदर्शी न्याय व्यवस्थाको विकास गरी त्यसबाट शासन संचालनमा पुऱ्याउन सक्ने भूमिकाको ज्ञान उच्चतहका न्यायिक जनशक्तिमा रहोस भन्ने यस पाठ्यक्रमको मुख्य उद्देश्य रहेको छ।

तृतीय पत्र :
सेवा समूह (कानून) सम्बन्धी विषय (Service Group-Law Related Subject)
(नेपाल न्याय सेवा, कानून समूहको लागि)

Section (A) - $(1 \times 25) = 25$ Marks

1. Legislative Drafting

1.1 Principles of legislative drafting: from clarity to precision
1.2 Brief history of legislative drafting in Nepal
1.3 Translating policy into law: from concept note to bill
1.4 Practices of structure and formatting of legislative drafting
1.5 Interpretation of statute
1.6 Necessity and rationality of various clauses in a legislation
1.7 Legislative drafting and shaping the law for millennium development, good governance, rule of law, respect fundamental right and human rights
1.8 Limitations and constraints of legislative drafting
1.9 Concept of post-legislative scrutiny and its application in national and provincial level
1.10 Impact of law on legislative drafting in Nepal
1.11 New trends in legislative drafting
1.12 Legal research in legislative drafting

Section (B) - $(1 \times 25) = 25$ Marks

2. Law Making Process and Practices

2.1 Pre-legislative law making process
2.2 Interdepartmental coordination in law making process
2.3 Legislative process including private member bill and various readings of the bills in parliament

2.4 Amendment process to the bills, clausewise discussion
2.5 Practice of legislative oppeness, pressure groups, role of experts and legislative consultations with the stakeholders
2.6 Concept of qualitative law making process and legislation its ingredient components
2.7 Preparation of committee's report and its approval
2.8 Post -legislative law-making process
2.9 Basic principles, limitations and approval of delegated legislation and its scrutiny
2.10 Drafting of bills (new & amendment), ordinances, rules & regulations, formation order, procedure & standards and other legal instruments in federal system of governance
2.11 Preparation of written response (likhit jawaf) and written defense (likhit pratibad) of cases filed against government institutions
2.12 Preparation of writ petition on behalf of government institutions

Section (C) - $(1 \times 25) = 25$ Marks

3. Public and Private International Law

3.1 Jurisprudential development of public and private international law
3.2 International law-making process
3.3 Treaty making process, negotiations and drafting of bilateral treaties
3.4 Application of international law in national level
3.5 International criminal law and its impact in national law
3.6 Principles and practices of extradition and mutual legal assistance
3.7 International human rights and humanitarian law and their enforcement
3.8 International law and landlocked states
3.9 Law of the international inter-governmental organizations (UN system, UN specialized agencies, WTO, ICC and other regional inter-governmental organizations)
3.10 Financing national projects from multilateral financial institutions
3.11 Principles, practices and application of private international law in national legal system
3.12 Emerging issues of international law

Section (D) - $(1 \times 25) = 25$ Marks

4. Miscellaneous

4.1 Concept of comparative jurisprudence and advanced jurisprudence
4.2 Concept and practical application of constitutionalism, rule of law and judicial review and judicial activism
4.3 Procurement law and procurement of works, goods and services
4.4 Principles of modern contract law and contract administration

4.5 Concept and practice of alternative disputes resolutions and arbitration law and practice
4.6 New trends in legal development and administration of justice
4.7 Regulation of private investment including FDI and project development agreement
4.8 Industrial relations and administration of labour law including foreign employment
4.9 Intelectual property rights and its impact in national economy
4.10 Concept and practices of legal opinion
4.11 Preparation of claim, counter claim, rejoinder and other legal documents in arbitration proceedings
4.12 Climate justice

यस पत्रको लिखित परीक्षामा पाठ्यक्रमका सबै खण्डबाट निम्नानुसार प्रश्न सोधिनेछ ।

पत्र	विषय	खण्ड	एकाई	अङ्कभार	परीक्षा प्रणाली	प्रश्नसंख्या x अङ्क	समय
तृतीय	सेवा समूह (कानून) सम्बन्धी विषय (Service Group -Law Related Subject)	A	1	25	Critical Analysis & Problem Solving	१ प्रश्न× २५ अंङ्क	३ घण्टा
		B	2	25		१ प्रश्न× २५ अंङ्क	
		C	3	25		१ प्रश्न× २५ अंङ्क	
		D	4	25		१ प्रश्न× २५ अंङ्क	
	जम्मा प्रश्न संख्या					**४ प्रश्न×२५ अंङ्क**	

पाठ्यक्रम लागू मिति : २०८२/०६/२३