

There will be two papers in the subject:

Paper I - Theory: 3 hours70 marks

Paper II- Project Work:30 marks

PAPER - I (THEORY) – 70 Marks

1. Historical Evolution of the Indian Legal System

Law in Ancient India; Legal System in India post 18th century- Government of India Acts and framing of the Constitution of India.

Hindu law, its three categories viz classical Hindu law, the Anglo-Hindu law, and the Modern Hindu law; Sources of law- Shruthi, Smriti and Achaara (customs).

Establishment of East India Company under Charter of 1600, Legal System in India under British Rule- East India Company from 'Merchants' to 'Territorial Power' i.e., establishment of Mayor's court; First War of India Independence, 1857 – drawing curtains on East India Company; India under the British Crown; Government of India Act, 1919- salient features; Government of India Act, 1953-basis of the Constitution of India; Constituent Assembly and drafting of the Constitution of India, Constitution – Meaning and features.

2. Law and Jurisprudence

Meaning of the term Law and Jurisprudence, Schools of thought- Natural, Historical, Positivist, Realist and Sociological Schools of law; International Community of Nations.

Understanding the term Law and the province of Jurisprudence- Science of Law; Understanding the connotations of Law through different perspectives- Schools of Law: Natural, Historical, Positivist, Realist and Sociological; Main Sources of Law - Customs, Legislation and Precedents; Dynamics of the Law bringing changes in Society and the Society forcing Law to change.

Concept of Sovereignty; Community of Nations; concept of International Law; sources of International Law; dynamics of the relationship of International Law and Domestic/Municipal Law; enforceability of International Law – role treaties in resolving international disputes. Dispute settlement institutions under International Law.

3. Concept of Legal Personality

Natural Person and Artificial (Legal) Person; Capacity of holding Legal Rights and Duties.

Human Being as a Natural Person; capacity of a human being holding Legal Rights and Duties from Slavery to Modern Times; Mask of Legal Personality; Five main jurisprudential foundations for Legal Personality – Purpose Theory, Bracket Theory, Fiction Theory, Concession Theory and Realist Theory; Legal Personality beyond Human Beings – Idol, State, Animal, Deceased Human Being, Unborn Child, Corporation.

4. Criminal Law and Procedure

Difference between Substantive and Procedural/Adjective Law; The most prevalent Criminal Justice Administration Systems in the World- Adversarial and Inquisitorial;

Hierarchy of Criminal Courts; Indian Penal Code (IPC) -Definitions, kinds of offences; Offences against Women, Offence against Property in Indian Penal Code (IPC); Juvenile Justice Act-Definitions and a few provisions.

Concepts of 'Public Rights' and 'Public Duties'; Concept of Crime; Substantive Criminal Law; Criminal Procedural Law.

Object of Criminal Law; different Schools of Criminal Justice Administration System; three main instrumentalities of Criminal Justice Administration System - Policing, Courts and Correctional Authorities; Main systems of Criminal Justice Administration System - Adversarial system and Inquisitorial system: their essence and difference.

Territorial division- Concept of Sessions division and Metropolitan area; Classes of Criminal Courts; Hierarchy of Criminal Courts: from Magistrate's Court to the Supreme Court; Concept of punishment-theories of punishment.

Concept of Force, Criminal force and Assault – Meaning and difference; concept of Intention and Knowledge; concept of Mens Rea and Actus Reus.

Concept of Property; Offence against Property in the Code – brief introduction of the offences of Theft, Extortion, Robbery, Dishonest Misappropriation of Property, Criminal Breach of Trust and Cheating.

The Juvenile Justice Act (care of children) Act, 2015- objectives; Child in need of Care and Protection; Children in Conflict with Law Procedure; Juvenile Justice Board.

5. Civil Law and Procedure

Codified and Uncodified Law, Law of Torts, Contract; Consumer Protection Act; General Civil Procedure; Institution of a Civil Suit; Territorial, Pecuniary and Subject-matter jurisdictions; Injunctions; Order and Decree passed in a Civil Suit, Judgement; Plaint and Written Statement; Hierarchy of Civil Courts.

Codified and Uncodified Law (main difference and examples of each) Private Rights and Duties; Structure of Code of Civil Procedure 1908. Substantive Civil Law e.g., Law of Torts (Functional definition of Tort, sources of Tort law, kinds of wrong in tort law, principle of Absolute Liability, difference between absolute and strict liability, purpose of Tort law), contract (Introduction to Contract, its general principles like offer/proposal and acceptance, consideration, capacity to contract, consent, unlawful agreements, contingent contract, its discharge and damages) connotations of 'Consumer' and his Rights under The Consumer Protection Act, 1986.

Civil Procedural Law; how to choose the proper Court- Territorial, Pecuniary and Subject-matter jurisdictions.

Concepts of an Order, a Decree and Judgement; Hierarchy of Civil Courts.

Concept of Civil Suit; institution of Civil Suit by the Plaintiff- contents of a Plaint; Plaintiff's valuation of Suit for the purpose of Pecuniary jurisdiction and for Court Fee; Written Statement by the Defendant; admission and the consequence thereof.

6. Family Law

Connotations of Marriage; Ceremonies of Marriage; Void and Voidable Marriage; Restitution of Conjugal Rights and Judicial Separation; Meaning of Divorce; Maintenance in husband wife relationship.

Schools of Hindu Law; Institution of Marriage; Hindu Marriage Act, 1955- Who is a Hindu, form of Marriage: Ceremonial aspect, Age qualification; Void Marriage - Bigamy, Prohibited and Sapinda Relationship; Voidable Marriage - Consummation of Marriage and Consent for Marriage; concept of Divorce - three main theories: Fault, Irretrievable Breakdown and Mutual Consent; concept of Restitution of Conjugal Rights and Judicial Separation.

Concept of Maintenance in husband wife relationship- 'means' of husband and 'necessities' of wife.

7. Fundamental Rights

Classification of Fundamental Rights, Fundamental Rights available against State and not against private individuals, Art 12-State, Art 13(2)-Judicial Review, Extended horizons of Art 21, Right to Constitutional Remedies, Restriction on the exercise of Fundamental Rights.

Six Fundamental Rights guaranteed by the Constitution.

Examples of 'State' – NCERT, CSIR, Jal Board etc.; whether Judiciary is part of 'other authorities' within the meaning of Art 12?

Art 13(2) as the limitation on the power of the Parliament to amend the Constitution – Doctrine of Severability, Doctrine of Eclipse, Doctrine of Waiver.

Right to Constitutional Remedies Art 32- the five writs and concept of PIL.

Restrictions on the exercise of the fundamental rights – public order, health and morality.

★ PAPER II (PROJECT WORK) – 30 MARKS ★

In keeping with the significance of doing project work and gaining a hands-on understanding of various contemporary issues, candidates are expected to undertake **two studies of 15 Marks each.**