

# **Program Syllabus Booklet**

**Master of Laws**

**LL.M. 2 Years (1203)**



**Session: 2017-18**

**University School of Law**

**Guru Kashi University, Talwandi Sabo**



### TABLE OF CONTENTS

| S No. | Content                            | Page No |
|-------|------------------------------------|---------|
| 1     | Introduction of Program Annexure-1 | 3       |
| 2     | Curriculum / Scheme - Annexure-2   | 4-8     |
| 3     | Semester wise Syllabi- Annexure-3  | 9-41    |
| 4     | Academic Instructions - Annexure-4 | 42      |



## **Annexure-1**

### **Introduction of Program LLM**

University school of law offers Masters in Law (LL.M) which is meant for the enhancement of academic excellence and to inculcate research attributes in the candidates. The LL.M course aims to provide a range of local, national, international, and global themes for study from a critical legal perspective. Its objective is to provide significant freedom to individual students to devise their program by choosing from the varied options available. The program is primarily research-based while offering students the flexibility of choosing research areas within the modules and for their dissertation. The LLM program equips students with skills for global research enabling them to adapt, innovate and apply their knowledge to international legal issues and national legal issues and its application and how to sort out the academic problems.





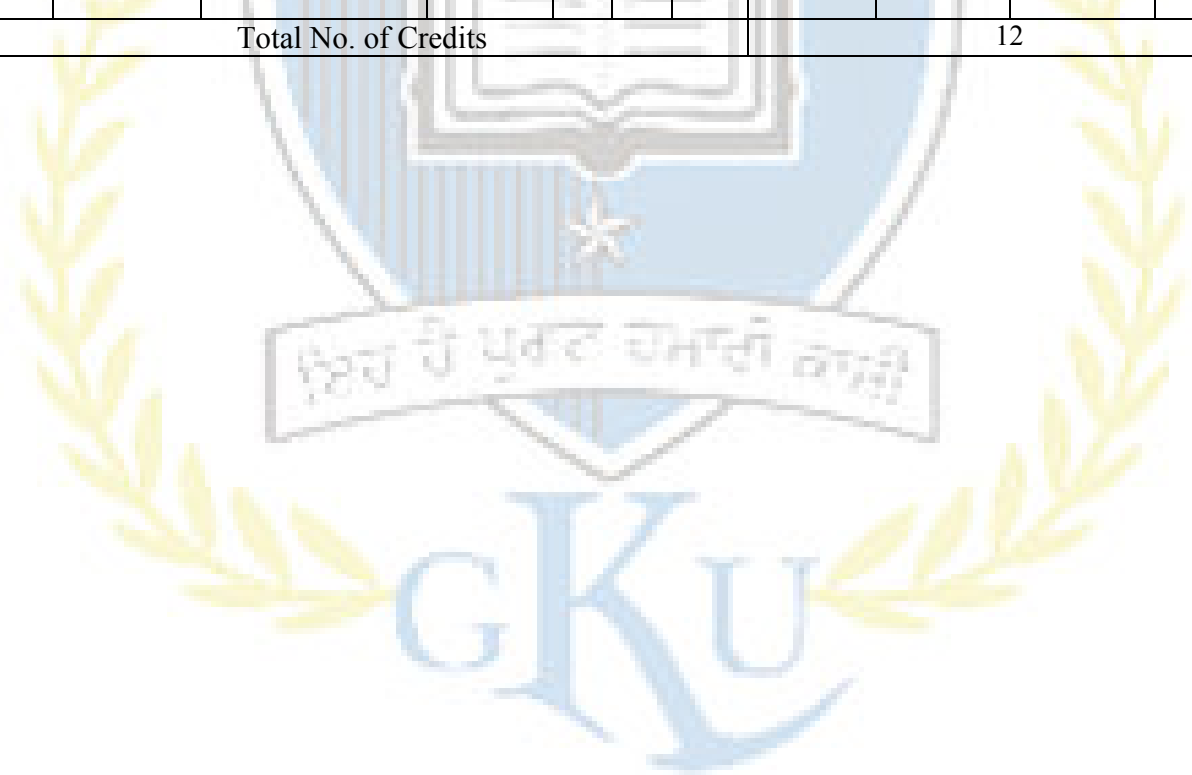
**Annexure-2**

| Semester: 1st        |             |                             |                       |                  |   |   |                |                |                |             |
|----------------------|-------------|-----------------------------|-----------------------|------------------|---|---|----------------|----------------|----------------|-------------|
| Sr.                  | Course Code | Course Name                 | Type of Course<br>T/P | (Hours Per Week) |   |   | No. of Credits | Internal Marks | External Marks | Total Marks |
|                      |             |                             |                       | L                | T | P |                |                |                |             |
| 1                    | 1203101     | Research Methodology        | T                     | 4                | 0 | 0 | 4              | 30             | 70             | 100         |
| 2                    | 1203102     | Jurisprudence               | T                     | 4                | 0 | 0 | 4              | 30             | 70             | 100         |
| 3                    | 1203103     | Interpretations of Statutes | T                     | 4                | 0 | 0 | 4              | 30             | 70             | 100         |
| Total No. of Credits |             |                             |                       |                  |   |   |                | 12             |                |             |





| <b>Semester: 2nd</b> |             |                                       |                    |                  |   |   |                |                |                |             |
|----------------------|-------------|---------------------------------------|--------------------|------------------|---|---|----------------|----------------|----------------|-------------|
| Sr.                  | Course Code | Course Name                           | Type of Course T/P | (Hours Per Week) |   |   | No. of Credits | Internal Marks | External Marks | Total Marks |
|                      |             |                                       |                    | L                | T | P |                |                |                |             |
| 1                    | 1203201     | Law and Social Transformation         | T                  | 4                | 0 | 0 | 4              | 30             | 70             | 100         |
| 2                    | 1203202     | Public International Law              | T                  | 4                | 0 | 0 | 4              | 30             | 70             | 100         |
| 3                    | 1203203     | Constitutional Law and New Challenges | T                  | 4                | 0 | 0 | 4              | 30             | 70             | 100         |
| Total No. of Credits |             |                                       |                    |                  |   |   |                | 12             |                |             |





| Semester: 3 <sup>rd</sup> |             |                                              |                    |                  |   |   |                |                |                |             |  |
|---------------------------|-------------|----------------------------------------------|--------------------|------------------|---|---|----------------|----------------|----------------|-------------|--|
| Criminal Law Group        |             |                                              |                    |                  |   |   |                |                |                |             |  |
| Sr.                       | Course Code | Course Name                                  | Type of Course T/P | (Hours Per Week) |   |   | No. of Credits | Internal Marks | External Marks | Total Marks |  |
|                           |             |                                              |                    | L                | T | P |                |                |                |             |  |
| 1                         | 1203301     | General Principles of Criminal Law           | T                  | 4                | 0 | 0 | 4              | 30             | 70             | 100         |  |
| 2                         | 1203302     | International Criminal Law                   | T                  | 4                | 0 | 0 | 4              | 30             | 70             | 100         |  |
| 3                         | 1203303     | Juvenile Justice                             | T                  | 4                | 0 | 0 | 4              | 30             | 70             | 100         |  |
| Total No. of Credits      |             |                                              |                    |                  |   |   | 12             |                |                |             |  |
| Family Law Group          |             |                                              |                    |                  |   |   |                |                |                |             |  |
| Sr.                       | Course Code | Course Name                                  | Type of Course T/P | (Hours Per Week) |   |   | No. of Credits | Internal Marks | External Marks | Total Marks |  |
|                           |             |                                              |                    | L                | T | P |                |                |                |             |  |
| 1                         | 1203304     | Law of Marriage in India                     | T                  | 4                | 0 | 0 | 4              | 30             | 70             | 100         |  |
| 2                         | 1203305     | Law of Adoptions, Maintenance & Guardianship | T                  | 4                | 0 | 0 | 4              | 30             | 70             | 100         |  |
| 3                         | 1203306     | Law of Inheritance & Succession              | T                  | 4                | 0 | 0 | 4              | 30             | 70             | 100         |  |
| Total No. of Credits      |             |                                              |                    |                  |   |   | 12             |                |                |             |  |



| <b>Semester: 4th</b>      |             |                                                  |                       |                  |    |    |                |                |                |             |
|---------------------------|-------------|--------------------------------------------------|-----------------------|------------------|----|----|----------------|----------------|----------------|-------------|
| <b>Criminal Law Group</b> |             |                                                  |                       |                  |    |    |                |                |                |             |
| Sr.                       | Course Code | Course Name                                      | Type of Course<br>T/P | (Hours Per Week) |    |    | No. of Credits | Internal Marks | External Marks | Total Marks |
|                           |             |                                                  |                       | L                | T  | P  |                |                |                |             |
| 1                         | 1203401     | Criminal Justice System and Human Rights         | T                     | 4                | 0  | 0  | 4              | 30             | 70             | 100         |
| 2                         | 1203402     | Socio Economic Crimes                            | T                     | 4                | 0  | 0  | 4              | 30             | 70             | 100         |
| 3                         | 1203403*    | Dissertation*                                    | NA                    | NA               | NA | NA | 8              | 100            | 100            | 200         |
| Total No. of Credits      |             |                                                  |                       |                  |    |    |                | 16             |                |             |
| <b>Family Law Group</b>   |             |                                                  |                       |                  |    |    |                |                |                |             |
| Sr.                       | Course Code | Course Name                                      | Type of Course<br>T/P | (Hours Per Week) |    |    | No. of Credits | Internal Marks | External Marks | Total Marks |
|                           |             |                                                  |                       | L                | T  | P  |                |                |                |             |
| 1                         | 1203404     | Matrimonial Remedies in Family Law               | T                     | 4                | 0  | 0  | 4              | 30             | 70             | 100         |
| 2                         | 1203405     | New Problems in Family Law in Contemporary India | T                     | 4                | 0  | 0  | 4              | 30             | 70             | 100         |
| Total No. of Credits      |             |                                                  |                       |                  |    |    |                | 8              |                |             |





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**Note:**1) In 3<sup>rd</sup> Semester candidate will have to opt one group for specialization either Criminal Law or Family Law. Once a group is opted that will continue till end of the course.

2) Dissertation\* (1203403\*) is common for both group (Criminal Law and Family Law).





**Course Name: Research Methodology**  
**Course Code: 1203101**  
**Semester: I**

**Credits: -4**

**L T P**  
**4 0 0**

**Course Content**

**UNIT-I**

**12 hours**

Legal Research: -  
 Research and Methodology: -Definition, objectives, features, importance,  
 Socio-Legal Research: - Meaning, objective, Collection of Data,  
 Phases of legal research in India: - Historical development  
 Legal Research: Nature, Scope, objectivity or driving objectives of legal research  
 Various types to Legal Research: Doctrinal and Non-Doctrinal methods.  
 Major steps involved in Legal Research: -  
 Theory and research: - Theory and facts, Theory and hypothesis, Theory and Law  
 Identification and formulation of Research Problem  
 Formation of Hypothesis: -meaning, sources, problems in formulation of problem, types, Null hypothesis, testing of hypothesis.  
 Ethics in Legal Research

**UNIT-II**

Research Design: -Idealized research design, components of research design, types.  
 Sampling techniques (design) for Legal research: -meaning, types, sampling error,  
 Collection of Data in socio-legal research: -Primary and Secondary Data, original or primary material sources of law, documentary sources of data collection,  
 Methods of techniques of Legal studies: -observation, Interview, Questionnaire, Schedule, Survey, case study method, project techniques, content analysis, cause and effect analysis, legal impact analysis.  
 Data collection techniques for practicing lawyers: - Case Study, use of library, citations, use of computers. Role of Library, Computer, Internet, and Legal Data bases in Legal research  
 Analysis or Processing of Legal Research Data: Editing, Coding, Classification, Interpretation of Data, tabulation, or preparation of master chart.  
 Generalization



Reporting: -purpose of report writing, structure, contents or essentials of report writing, Foot Notes and Bibliographic Techniques

Plagiarism: -Plagiarism in Legal Research and Issues of Copy right

**Suggested Readings:**

- Agarwal Shipraedn. 2012, “*Legal Research Methodology*”, Allahabad Law Agency, Faridabad, Haryana.
- Burney D.H. & Theresa L. White, First Indian Reprint, 2007, “*Research Methods*”, Akash Press, New Delhi.
- Kumar, Ranjit, 2011, “*Research Methodology-A Step by Step Guide for Beginners*” 3<sup>rd</sup>edn SAGE Publications India Pvt. Ltd., New Delhi.
- Myneni S.R. 2012. “*Legal Research Methodology*”6<sup>th</sup>edn.,Allahabad Law Agency, Faridabad.
- Singh, Rattan, 2016, “*Legal Research Methodology*”1<sup>st</sup>edn., LexisNexis Publications,Gurgaion.
- Verma,S.K. and M. AfzalWani, 2010, “*Legal Research and Methodology*” 2<sup>nd</sup>edn., The Indian Law Institute, New Delhi.
- Thakur, Defender, 2009, “*Research Methodology in Social Sciences*”, Deep & Deep Publications, New Delhi.

**Web links: -**

- <https://indianjudiciarynotes.com/notes/legal-research-methodology/legal-research-notes/>
- <https://www.iedunote.com/legal-research>
- <https://www.questionpro.com/blog/research-design/>
- <https://library.sacredheart.edu/c.php?g=29803&p=185902>
- <https://bbamantra.com/methods-of-data-collection-primary-and-secondary-data/>
- <https://libguides.usc.edu/writingguide/researchproposal>

**Course Name: Jurisprudence**

**Course Code: 1203102**

**Semester: I**

**Credits: -4**

**L T P**  
**4 0 0**

### Course Content

#### Unit –I

##### **Natural Law Theories:**

- a) Historical Development in Ancient, Medieval and Renaissance Period
- b) Hart on Natural Law.
- c) Fuller and Morality of Law.

##### **Positivism and Analytical Theories of Law:**

- a) Jeremy Bentham's Utilitarianism and Analytical Positivism
- b) Austin's Theory of Law
- c) The Pure Science of Law: Kelson's Theory.
- d) Positivism-Meaning by Prof. Hart and Dworkin.

##### **Sociological Jurisprudence:**

- a) Roscoe Pound's Theory of Social Engineering and Theory of Interest

##### **Historical and Anthropological Theories:**

- a) The German Historical School-Savigny and Volkgeist.
- b) The English Historical School - Sir Henry Maine.

#### Unit -II

##### **Concept of Rights:**

Legal Right- Meaning, Components and elements of Legal Right, Legal Duty, Right-Duty Conflict, Kinds of Rights, Difference between Fundamental Rights and Legal Rights.

##### **The Judicial Process and Theories of Adjudication:**

Custom as a Source of Law, Legislation as a Source of Law, Judicial Precedent

- a) The nature of judicial process and the institution of adjudication.
- b) Doctrine of Precedent-Stare Decisis, Ratio Decidendi and Obiter Dicta- Precedent as a Source of Law
- c) Nature of Judicial Process- Rule of Law,

##### **Legal Concepts:**

Legal Personality: Meaning and Kinds of Person. Theories of Corporate Personality

Property: Meaning, Nature and Kinds of Property, Acquisition and Loss of Property, An Appraisal of Right to Property in India

Ownership: Meaning, Incidents, Forms, Subject Matter and Acquisition of ownership, Ownership in Indian Law

Possession: Meaning, Elements, Theories, Importance and Kinds of Possession, Possession-Ownership distinguished, Possession and Indian Law



**Suggested Readings:**

- Paranjape, Dr. N.V., (2016) “*Studies in Jurisprudence and legal theory*” 8<sup>th</sup>edn., Central Law agency, Allahabad.
- Dwivedi, SP, (2017) “*Jurisprudence & Legal Theory*”7<sup>th</sup>edn. Central Law Publication, Allahabad, Dias, “Jurisprudence”, LexisNexis, Gurgaon.
- Mahajan,VD, (1987), “*Jurisprudence and Legal Theory*” 5<sup>th</sup>edn., Eastern Book company, Delhi.
- Tripathi, B.N. Mani, (2020) “*Jurisprudence Legal Theory*”, Allahabad Law Agency Faridabad.
- Dhyan,Prof. S.N, (2015) “*Jurisprudence Indian Legal theory*” 4<sup>th</sup>edn.,Reprint, Central Law agency, Allahabad.
- ਡਾ. ਵਰਿੰਦਰਕੁਮਾਰਕੋਸ਼ਿਕ, ਵਿਧੀਸਾਸਤਰਦੀਜਾਣ -ਪਛਾਣ, ਪਬਲੀਕੇਸ਼ਨਬਿਊਰੋ, ਪੰਜਾਬੀਯੂਨੀਵਿਰਸਿਟੀ,ਪਟਿਆਲਾ।

**Web links:-**

- <http://law.uok.edu.in/Files/5ce6c765-c013-446c-b6ac-b9de496f8751/Custom/jurisprudence-Unit-I.pdf>
- <https://www.youtube.com/watch?v=vlijn12VKTY>
- <https://www.youtube.com/watch?v=k0ROvLPC2oo>
- <http://www.legalservicesindia.com/article/2316/Meaning-and-Kind-of-Person.html>
- <https://plato.stanford.edu/entries/natural-law-theories/>
- [http://www.patnalawcollege.ac.in/econtent/Lec%203-Jurisprudence\(3rdSemester\)%20by%20Neelam%20Kumari.pdf](http://www.patnalawcollege.ac.in/econtent/Lec%203-Jurisprudence(3rdSemester)%20by%20Neelam%20Kumari.pdf)
- <https://scholarworks.umt.edu/cgi/viewcontent.cgi?article=1136&context=etd>



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**Course Name: Interpretation of Statutes**  
**Course Code: 1203103**  
**Semester: I**

**Credits: -4**

**L T P**  
**4 0 0**

**Course Content**

**UNIT I**

**Interpretation of Statutes**

Legislation and its types

Commencement, Extent and Duration of Statutes

General Principles of Statutory Interpretation:

Primary or Literal Rule of Interpretation

Mischief Rule of Interpretation

Golden Rule of Interpretation

Harmonious Rule of Interpretation

Beneficial Construction

Strict or Liberal Construction

**Unit II**

Internal Aids to Interpretation of Statute

External Aids to Interpretation of Statute

Mensrea in Statutory Offences

Interpretation of Constitution

Harmonious Construction

Doctrine of Pith and Substance

Doctrine of Implied, Incidental and ancillary Powers

**Suggested Readings:**

- Datey, V. S., (2019), "*Interpretation of Statutes*", Taxmann Publications.
- Singh, Avtar, (2014), "*Introduction to the Interpretation of Statutes*" 2<sup>nd</sup>edn., LexisNexis, Gurgaon.
- Bindra, N S, (2016), "*Interpretation of Statutes*" 12<sup>th</sup>edn., Lexis Nexis publications, Gurgaon.
- Gandhi, B.M., (2014), "*Interpretation of Statutes*" 2<sup>nd</sup>edn., Eastern Book Company, Delhi.
- Sarathi, V.P., (2003), "*Interpretation of Statute*" 4<sup>th</sup>edn., Eastern Book Company, Delhi.
- Singh, Justice G.P., (2016), "*Interpretation of statute*" 14<sup>th</sup>edn., LexisNexis Butterworth publication, Gurgaon.





**Web Links:-**

- <https://www.lawnn.com/types-of-legislation/#:~:text=Types%20of%20legislation,-Legislation%20can%20be&text=Broadly%2C%20legislation%20can%20be%20divided,authority%20which%20thereby%20makes%20laws.>
- <https://www.lawctopus.com/academike/golden-rule-interpretation/#:~:text=Editor's%20Note%3A%20The%20golden%20rule,meaning%2C%20irrespective%20of%20the%20consequences.>
- [https://shodhganga.inflibnet.ac.in/bitstream/10603/130519/11/11\\_chapter%203.pdf](https://shodhganga.inflibnet.ac.in/bitstream/10603/130519/11/11_chapter%203.pdf)
- [https://www.youtube.com/watch?v=O\\_HjKBKsbJY](https://www.youtube.com/watch?v=O_HjKBKsbJY)
- <https://blog.ipleaders.in/internal-aids-to-construction/#:~:text=The%20internal%20aids%20include%20title,%2C%20explanations%2C%20schedules%20and%20punctuation.>
- <http://www.legalserviceindia.com/legal/article-2713-interpretation-of-statutes-a-complete-study-to-an-aids-to-interpretation.html>





**Course Name: Law and Social Transformation**

**Course Code: 1203201**

**Semester: II**

**Credits: -4**

**L T P**

**4 0 0**

### Course Content

#### Unit I

**Law and Social change:** meaning of law in social context, Social Nature and Significance of Law

Law as instrument of social change, theories of law and social change, Limits of law in bringing social change, Socio-legal dynamics of India and Counter forces and social change

Law and society,

Law and Justice: Concept of Justice, Theories of Justice and significance

Law and social change in global context: impact of globalization on legal systems

Common Legal systems and its impact on Indian Social System and law, social Change in ancient India and social concern for justice

**Constitution and social Transformation:** Sociological Theories of law and its impact on Indian Legal System, Role of Constituent Assemble in bringing social change, constitutional amendment: Basic Structure theory and social change.

**Culture and Law:** law as a product of traditions and cultures, globalization and Right to cultural identity, Issues of Cultural Identity and sovereignty, indigenous claims for cultural identity and destruction of their cultural heritage

Cultural issues of Tribal people in India and violation of cultural rights and remedies

#### Unit II

**Law and Religion:** Legal Definition of Religion, Religion as tradition of Law, relationship between law and Religion, Freedom of religion under international law, discrimination on grounds of religion, human rights issues and religion.

Secularism in India- issues and remedies, right to freedom of religion and non-discrimination, religious minorities and law

**Language and Law:** linguistic minorities and their right to Language, linguistic justice under international law, linguistic policy in India, rights of linguistic minorities, language and Education.

#### Suggested Readings:-

- Glanter, Marc, (1993), "*Law and Society in Modern India*", OUP, India.
- Bhat, Ishwar, (2012), "*Land Social Transformation*", EBC Publisher.



- Granville Austin, (2000), “*Working a Democratic Constitution*”, OUP, India.

Web links:-

- <http://www.legalservicesindia.com/article/1592/Law-and-Social-Change-in-India.html>
- <https://advocatetanwar.com/law-as-an-instrument-of-social-change/#>
- <http://ignited.in/I/a/89495#:~:text=Thus%20the%20structure%20of%20rights,in%20bring%20forth%20social%20transformation.&text=A%20more%20direct%20activist%20role,Directive%20Principles%20of%20State%20Policy.>
- <https://abhipedia.abhimanu.com/Article/sociology/MTAzNjYy/Constitution--law-and-social-change-Paper--II---Indian-Society---Structure-and-Change--sociology>
- <http://magazines.odisha.gov.in/Orissareview/2016/Jan/engpdf/14-18.pdf>
- <https://commons.emich.edu/cgi/viewcontent.cgi?article=1042&context=gabc>
- <http://www.legalserviceindia.com/legal/article-5288-language-law.html#:~:text=Language%20is%20a%20rule%2Dbased,are%20accessible%20only%20through%20language.&text=The%20relationship%20between%20partners%20in,exerts%20its%20control%20through%20language.>





**Course Name: Public International Law**

**Course Code: 1203202**

**Semester: II**

**Credits: -4**

| L | T | P |
|---|---|---|
| 4 | 0 | 0 |

**Course Content**

**Unit I**

Nature, Scope and Evolution of public International law  
Theories of International law  
Sources of International Law  
Approach of third world towards International law  
Customary International Law: State Practice and opinioJuris  
Relationship between Municipal and International law  
Jurisdiction: Types; Prescriptive, Enforcement, Civil and Criminal;  
Principles of Jurisdiction: Territoriality Principle, Nationality, Passive Personality Principle  
Protective Principle, Universal Jurisdiction  
Sovereign Immunity, immunities from Jurisdiction  
Law of Treaties: Concept of Treaties, Types, Conclusion and Reservation to Treaties; Validity, application, Modification and Termination of Treaties, Pacta Sunt Servanda, Rebus sic Stanibus; Interpretation and Ratification of International treaties

**Unit II**

Sovereignty, Recognition, State Responsibility, Nationality, Extradition, Asylum, Succession.  
Responsibility: character and forms of international responsibility, Responsibility to Protect.  
Principles of Erga Omens, & Jus Cogens and Development of Human Rights  
Right to Self Determination: concept, application, minority issues  
Use of Force under international law  
International Organizations: nature and legal responsibility of international organizations;  
United Nations: Organs, functions and role General Assembly, Security Council, Economic and Social Council, Trusteeship Council, International Court of Justice.  
Pacific Means of Dispute Settlement: Negotiation, Inquiry, Good Offices, Mediation and Conciliation, International Arbitration

**Suggested Readings:**

- Boas, Gideon, (2012), *“Public International law: Contemporary Principles and Perspectives”*, Edward Elgar Publishers.
- Shaw, Malcolm N, *“International Law, 6<sup>th</sup> Edition”* Cambridge University Press.
- Brownlie, Ian, (2003), *“Principles of Public International law”*, Oxford University Press.



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- Bowett, D.W, (1983), “*Law of International Institution*”, Sweet and Maxwell, London.
- Kapoor, S K, (2018), “*International law and Human Rights*”, Central Law agency, Allahabad.

**Web links:-**

- <https://youtu.be/EykvO2JLgNE>
- <https://youtu.be/fDxdiRg54Es>
- <https://youtu.be/I0x8xef6euM>
- <https://youtu.be/Kukqof4euKI>





**Course Name: Constitutional Law and New Challenges**

**Course Code: 1203203**

**Semester: II**

**Credits: -4**

**L T P**  
**4 0 0**

**Course contents**

**Unit I**

Concept of constitutionalism: comparative perspective

Concept of constitution and its relation with statehood (Comparative study of UK and India)

Living constitution: concept, origin and application, originalism and democratic constitution, Indian Perspective of Living Constitution

Federalism: concept, nature and meaning of federalism, quasi federal, cooperative federalism, Separation of powers and rule of law; concept and new horizons (Comparative study of UK, USA, INDIA), Effect of emergency provisions on federal structure in Indian and USA

Judicial Process: judicial activism and judicial restraint, judicial independence, judicial

accountability of judges, Public Interest Litigation; meaning, nature, scope and implementation

Judicial review: meaning, nature and scope comparative study of UK, USA and India

**Unit II**

Concept of human rights and Fundamental rights (Art. 12-35)

History of fundamental rights in India

Scope of article 12 and fundamental rights

Article 13, judicial review and fundamental rights, theory of basic structure and doctrines under article 13

Right to equality and social justice: New Dimensions (Art. 14-18)

Right to Freedom: scope of article 19 and reasonable restrictions and new dimensions

Safeguards to persons accused of crime under article 20

Right to life and personal liberty: nature, scope and expanding horizons, Right to privacy and its scope

Preventive detention art.22

Concept of secularism and Right to freedom of religion (Art. 25-28)

Cultural and educational rights of Minorities and issues art. 29 & 30

New rights and remedies

Nature and scope of Art. 32

Implementation of international conventions of Human Rights

Concept of compensatory justice

Fundamental duties and Directive principles of state Policy: issues and challenges



Legal status, object, nature of directives and categories of DPSP

Obligation of States to implement directives, Fundamental rights and emergency powers

**Suggested Readings:**

- Basu, DurgaDass, (2011), “*Commentary on the Constitution of India*”, Lexis NexisButterworthsWadhwa.
- Jain, Dr. M.P., (2010), “*Indian Constitutional Law*” 6<sup>th</sup> Edition, Lexis NexisButterworthsWadhwa.
- Shukla, V.N. (2013), “*Constitution of India*” 12th Edition, Eastern Book Company.
- Seervai, H.M., (2005), “*Constitutional Law of India*”, Universal Law Publishers.
- Barendt, Eric, (2006), “*Freedom of Speech*”, Oxford University Press.
- Narinder Kumar, 9th Edition, “*Constitution law of India*”, Allahabad Law Agency, Faridabad.
- Agarwal, Krishna Bhagwan&Rajendra Kumar Raizada, (1990), “*Comparative Constitutionalism*”, University Book House.
- Strauss, David A, (2010), “*The Living Constitution*”, Oxford University Press.
- Ray, B, (2010), “*Evolution of Federalism in India*”, Progressive Publishers.
- Miller, Frederic P., Agnes F Vandome& John McBrewster, (2009), “*Fundamental Rights: Directive Principles and Fundamental Duties of India*”, VDM Publishing.

**Web links:-**

- <https://blog.ipleaders.in/constitution-constitutionalism-study-perspective-india/>
- <https://knowindia.gov.in/profile/the-union/executive.php>
- <https://byjus.com/free-ias-prep/right-to-freedom-articles-19-22/#:~:text=The%20Right%20to%20Freedom%20is,by%20the%20Constitution%20of%20India.&text=The%20right%20to%20freedom%20gives,a%20life%20of%20dignity%20C%20etc.>
- <https://lawcirca.com/what-is-the-difference-between-article-32-and-article-226-of-the-indian-constitution.>





**Name: General Principles of Criminal Law**

**Course code: 1203301**

**Semester: III**

**Credit: 4**

**L T P**  
**4 0 0**

**Course contents**

**Unit -I**

General Principles of Criminal Law  
Nature, Definition and elements of crime,  
General Principles of Criminal Liability  
Individual Liability and Group Liability  
Inchoate Offences  
Preliminary offences: Attempts, Criminal conspiracy, Abetment  
General Defences under IPC

**Unit -II**

Criminal Law: Woman and Children  
Human Trafficking  
Domestic Violence  
Sexual Offences  
Juvenile Justice  
Crime and justice  
Restorative Justice  
Theories of Punishment  
Victim logy  
Plea Bargaining  
Sentencing Policy in India  
Prison Reforms  
Alternatives to Punishment

**Suggested Readings:**

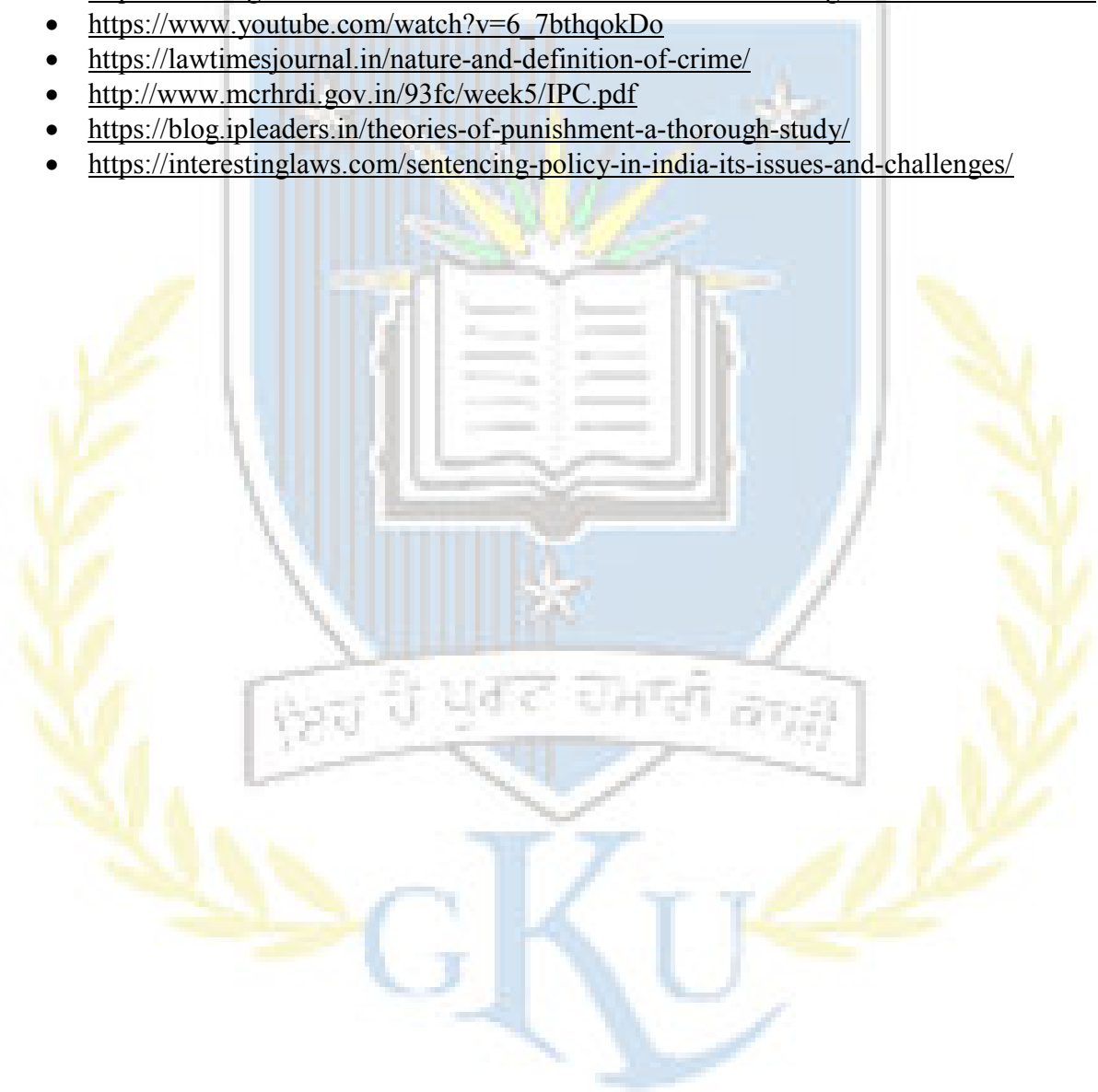
- Ashworth, Andrew, (2009), "*Principles of Criminal Law Paperback* 6th edition – January 1, 1709".
- Baker Denis J; Glanville Williams, ( 2012 ), "*Text Books of Criminal Law*".New Delhi.
- Thakker, C.K. ( Rev. (2004) ), "*Indian Penal Code*", New Delhi.
- RatanLal & DhirajLal's, (2004), "*Indian Penal Code*"30th ed., New Delhi.
- K.D. Gaur, , (6th ed., 2009), "*Criminal Law – Cases and Materials*", New Delhi.
- Fletcher, George, (1978), "*Rethinking Criminal Law*", Criminal Law, New Delhi.
- Little, Brown, (1978), "*George P. Fletcher Criminal law*"., New Delhi.



- Hall, Jerome, (1960), “*General Principles of Criminal Law*”, New Delhi.

**Web links:-**

- <https://lawtimesjournal.in/principles-of-criminal-liability-individual-and-joint-liability/>
- <http://www.legalservicesindia.com/article/1228/The-Elements-and-Stages-of-a-Crime.html>
- <https://www.youtube.com/watch?v=B94xw3Drq0>
- <http://www.legalservicesindia.com/law/article/926/16/Crimes-Against-Woman-in-India>
- [https://www.youtube.com/watch?v=6\\_7bthqokDo](https://www.youtube.com/watch?v=6_7bthqokDo)
- <https://lawtimesjournal.in/nature-and-definition-of-crime/>
- <http://www.mcrhrdi.gov.in/93fc/week5/IPC.pdf>
- <https://blog.ipleaders.in/theories-of-punishment-a-thorough-study/>
- <https://interestinglaws.com/sentencing-policy-in-india-its-issues-and-challenges/>





**Course Name: International Criminal Law**

**Course code: -1203302**

**Semester: III**

**Credit: 4**

**L T P**

**4 0 0**

**Course contents**

**Unit-I**

Concept of International Criminal Law  
 Development of International Criminal Law  
 Sources of International Criminal Law  
 Principle of Liability and Participation in International Criminal Law  
 Evolution of the Concept of Individual Criminal Responsibility  
 Grounds of Excluding Criminal Liability  
 Principle of non-retroactivity  
 Principle of Complementarity: origin, development and Practice  
 Ne bis in idem or double jeopardy  
 International Crimes: Meaning and Scope, Genocide, Aggression, organized crimes and corruption, War crimes, Crimes against humanity, Terrorism issues relating, Money laundering, Narco terrorism.

**Unit II**

Establishment of International Military Tribunals, Nuremberg and Tokyo Tribunal  
 Origin and Establishment of International Criminal Court  
 Constitution and Composition of International Criminal Court  
 Jurisdiction of International Criminal Court  
 Grounds of inadmissibility of Cases in International Criminal Court  
 Rights of Accused and Protection of Victims and Witnesses  
 Obligation of State Parties and Non Party States to International Criminal Court  
 International Criminal Tribunal for Yugoslavia (ICTY)  
 International Criminal Tribunal for Rwanda (ICTR)  
 International Criminal Tribunal for Sierra Leone

**Suggested readings**

- Ilias Bankekas & Susan Nash, (2007), *“International Criminal Law”*, Taylor & Francis.
- Susan Nash, (2007), *“International Criminal Law”* book cover ... Ilias Bantekas. Copyright Year ... Published August 13, by Routledge-Cavendish.
- Banerjee, Dipankar, (2006), *“International Criminal Court”*; Konrad Adenauer Stiftung, New Delhi.



- Knut Dormann and Beck, “*Elements of War Crimes under the Rome Statute of International Criminal Court: Sources and Commentary*”, Cambridge University Press.
- Knut Dörmann (with Louise Doswald-Beck and Robert Kolb), “*Elements of War Crimes under the Rome*”, Oxford University Press.
- Robert, “*Introduction to International Criminal Law and Procedure*”; Oxford University Press.
- Cryer, Robert, Friman, Hakan, Robinson, Darryl and Wilmshurst, Elizabeth; An “*Statute of the International Criminal Court: Sources and Commentary*” by King's Law Journal: Vol. 15, No. 1.

**Web links:-**

- <https://youtu.be/EykvO2JLgNE>
- <https://youtu.be/fDxdiRg54Es>
- <https://youtu.be/I0x8xef6euM>
- <https://youtu.be/Kukqof4euKI>
- <https://www.icc-cpi.int/resourcelibrary/official-journal/rome-statute.aspx>
- <https://youtu.be/iZWXWFjL7x0>
- <https://youtu.be/9ChMIBmWgW4>



**Course Name: Juvenile Justice**

**Course Code: 1203303**

**Semester:III**

**Credit: 4**

**L TP  
4 0 0**

### **Group-I Criminal Law**

#### **Course Content**

##### **UNIT I**

Concept of Juvenile Justice  
Concept of Juvenile Delinquency  
Nature and Causes of Juvenile Delinquency  
International Efforts for Juvenile Justice  
Historical Development of Juvenile Justice in India.  
Juvenile Justice Board - Procedure and powers etc.  
Child Welfare Committee – Procedure and powers etc.  
Juvenile Courts - it's working and distinctive characteristics.

##### **UNIT II**

Legal Measures to Control Juvenile Delinquency  
Delimitation of the Scope of Juvenile Delinquency  
Discriminatory application of Juvenile Justice  
Special Homes  
Juvenile Homes.  
Special Juvenile Police Units.  
Treatment of Juvenile Delinquents & Children in need of care and protection  
Rehabilitation and After-care of Juvenile Delinquents and Children in need of care and protection.  
Offences against Juveniles.  
Uncontrollable Juveniles  
An Evaluation of Juvenile Justice System in India.

##### **Suggested Readings:**

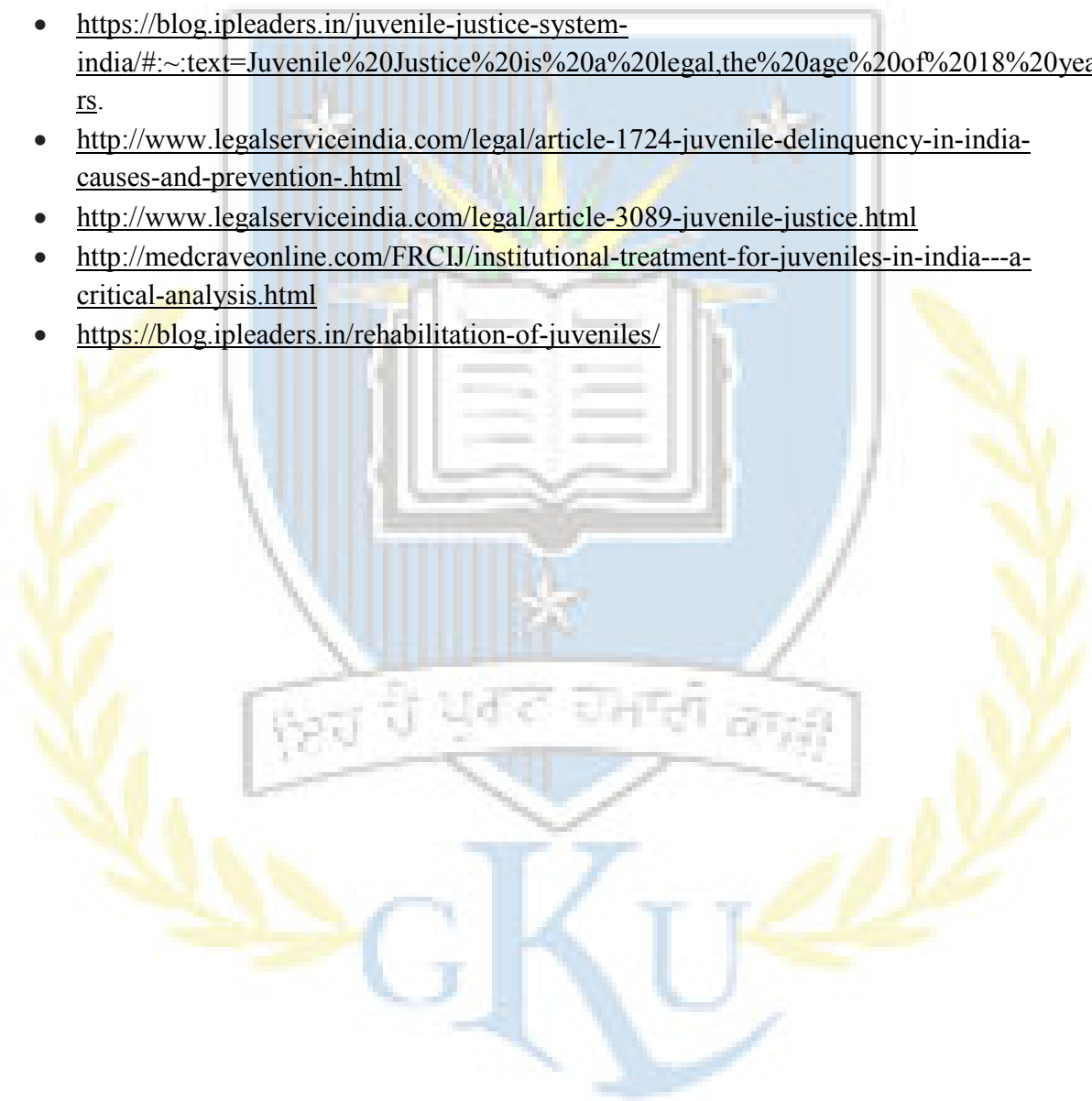
- Robinson Sophia M.1960 “The Juvenile Delinquency: Its Nature and Control”, Henry Holt & co.
- KAPLAN, Howard B 1984 “Patterns of juvenile delinquency” Sage Pub., Beverly Hills.



- Manish Dwivedi 2011 “Juvenile Justice System in India”, Adhyayan Publishers & Distributors, 1st edition.
- Kumari Ved2004 “The Juvenile Justice System in India: From Welfare to Rights”, Oxford University Press.
- Juvenile Justice (care & Protection of Children) Act, 2000.

**Web links: -**

- <https://blog.ipleaders.in/juvenile-justice-system-india/#:~:text=Juvenile%20Justice%20is%20a%20legal,the%20age%20of%2018%20years.>
- <http://www.legalserviceindia.com/legal/article-1724-juvenile-delinquency-in-india-causes-and-prevention-.html>
- <http://www.legalserviceindia.com/legal/article-3089-juvenile-justice.html>
- <http://medcraveonline.com/FRCIJ/institutional-treatment-for-juveniles-in-india---a-critical-analysis.html>
- <https://blog.ipleaders.in/rehabilitation-of-juveniles/>





**Course Name: Law of Marriage in India**

**Course Code: 1203304**

**Semester: 3**

**Credit: 4**

**L T P**

**4 0 0**

**Course contents**

**Unit-I**

Ancient Sources of Hindu Law  
Sources of Muslim Law  
Modern Sources of Hindu Law  
Schools of Law, Migration, Domicile  
Schools of Muslim Law  
Residence and Problem of Conflict of Personal Laws,  
Concept of Uniform Civil Code.

**Unit-II**

The Hindu Marriage Act, 1955;  
Muslim Law;  
Indian Christian Marriage Act, 1872;  
Parsi Marriage and Divorce Act, 1936 and  
The Special Marriage Act, 1954.  
Application of Law  
Evolution of Institution of Marriage.  
Kinds of Marriage  
Conditions/ Requisites of Marriage.  
Solemnization and Ceremonies of Marriage.  
Registration of Marriage.  
NRI Marriages.

**Suggested readings:**

- ParasDiwan, Publication date 1 January (2018) ,“*Family Law*”, Publisher Allahabad Law Agency , · ISBN-10 9783973819.
- B. P. Beri.(1982), “*Law of Marriage and Divorce in India*”., Front Cover. B. P. Beri. Eastern Book Company.
- Dr. ParasDiwan,Agency (Edition 2019-2020), “*Modern Hindu Law*” By, Publisher Allahabad Law Agency.
- DinshahFardunji Mulla, SatyajeetAtul Desai , (2007), “*Principles of Hindu Law,*” Volume 2. Front Cover., LexisNexis Butterworths.
- Mulla, (19th ed. 1990), “*Principles of Mohammedan Law*”. LexisNexis publication.

**Web links:-**

- <https://lawcorner.in/what-are-the-ancient-sources-of-hindu-law/>



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- [https://uk.practicallaw.thomsonreuters.com/6-581-5985?transitionType=Default&contextData=\(sc.Default\)&firstPage=true](https://uk.practicallaw.thomsonreuters.com/6-581-5985?transitionType=Default&contextData=(sc.Default)&firstPage=true)
- <https://www.indiacode.nic.in/handle/123456789/1560?locale=en>
- <https://www.indiatoday.in/information/story/how-to-get-marriage-registered-steps-to-undergo-legal-procedure-1437455-2019-01-23>





**Course Name: Law of Adoption, Maintenance and Guardianship in India**

**Course Code: 1203305**

**Semester: III**

**Credit: 4**

**L TP  
4 0 0**

**Course contents**

**Unit-I**

**Adoption under the Hindu Adoptions and Maintenance Act, 1956.**

Application of Act. Requisites of a valid adoption.

Capacity of a male Hindu to take in adoption.

Capacity of a female Hindu to take in adoption.

Persons capable of giving in adoption. Persons who may be adopted.

Conditions for a valid adoption. Effects of adoption.

**Concept of Maintenance:**

Maintenance Under Chapter IX (Ss 125 to 128) of the Criminal Procedure Code, 1973.

Maintenance and Welfare of Parents and Senior Citizens Act, 2007.

**Maintenance Under:**

The Hindu Marriage Act, 1955

The Hindu Adoption and Maintenance Act, 1956.

**Unit-II**

**Guardianship** under Muslim law. Definitions. Natural Guardian. Powers of Natural Guardian, Testamentary Guardian, Powers of Testamentary Guardian.

Defacto Guardian, Powers of Defacto Guardian, Incapacity of a minor to act as a Guardian. Custody/Hizanat, welfare of minor to be paramount consideration. Procedure of appointment of Guardian under the Guardian and Wards Act, 1890.

**Suggested Readings:**

- Diwan, Paras, Publication date 1 January (2018), "*Family Law*", Publisher Allahabad Law Agency, · ISBN-10 9783973819.
- Beri, B. P. (1982), "*Law of Marriage and Divorce in India.*", Front Cover. B. P. Beri. Eastern Book Company.
- Diwan, Dr. Paras, (2019-2020), "*Modern Hindu Law*", Publisher Allahabad Law Agency.

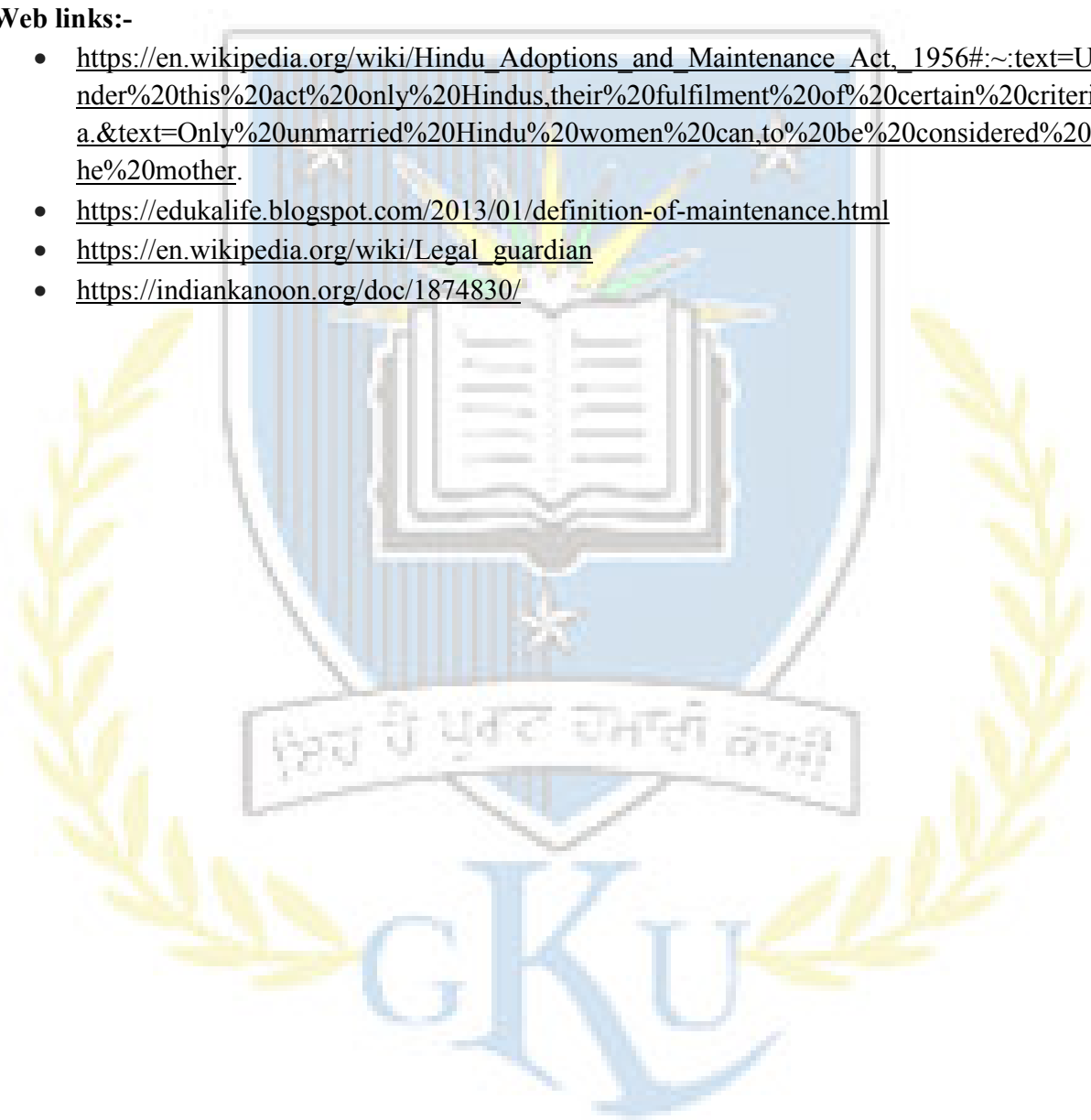




- Mulla ,DinshahFardunji ., Desai,SatyajeetAtul,“*Principles of Hindu Law*”, Volume 2. Front Cover.
- Mulla, DinshahFardunji., SatyajeetAtul Desai.,2007, “*Hindu Law*”, LexisNexis publication.
- Mulla, (1990), “*Principles of Mohammedan Law*” 19th ed.,LexisNexis publication.

**Web links:-**

- [https://en.wikipedia.org/wiki/Hindu\\_Adoptions\\_and\\_Maintenance\\_Act,\\_1956#:~:text=U%20nder%20this%20act%20only%20Hindus,their%20fulfilment%20of%20certain%20criteria.&text=Only%20unmarried%20Hindu%20women%20can,to%20be%20considered%20the%20mother.](https://en.wikipedia.org/wiki/Hindu_Adoptions_and_Maintenance_Act,_1956#:~:text=U%20nder%20this%20act%20only%20Hindus,their%20fulfilment%20of%20certain%20criteria.&text=Only%20unmarried%20Hindu%20women%20can,to%20be%20considered%20the%20mother.)
- <https://edukalife.blogspot.com/2013/01/definition-of-maintenance.html>
- [https://en.wikipedia.org/wiki/Legal\\_guardian](https://en.wikipedia.org/wiki/Legal_guardian)
- <https://indiankanoon.org/doc/1874830/>







**Course Name: Law of Inheritance & Succession**

**Course Code: 1203306**

**Semester: III**

**Credit: 4**

**L T P  
4 0 0**

## **Group-II Family Law**

### **Course Content**

#### **UNIT I**

Mitakshara Joint Family.

Mitakshara Coparcenary, its formation and incidents, Classification of Property under Mitakshara.

Coparcenary Property.

Separate Property.

Dayabhaga Coparcenary, Its Formation and Incidents, Concept of Property under Dayabhaga Law.

Karta of the Joint Family, his Position, Powers, Privileges and Obligations

Alienation of Property.

Separate Property.

Coparcenary Property

Partition.

Subject Matter of Partition.

Indivisible Properties.

Deductions and Provisions.

Persons who have a right to partition and entitled to a share.

Persons who are Entitled to a Share if Partition takes place.

How Partition is Effected.

Severance of Joint Status or Interest.

Mode of Partition.

Division of Property by Metes and Bounds.

Taking of Accounts.

Rules Relating to Division of Property.

Re-opening of Partition.

Re-union in.

#### **UNIT II**

The Hindu Succession Act, 1956.



Application of the Act.  
Definitions.  
Overriding Effect of Act.  
Intestate Succession.  
Devolution of Interest in Coparcenary Property.  
Succession to Property of a Hindu Male Dying Intestate.  
Concept of Women's Property.  
Succession of the Property of a Hindu Female Dying Intestate.  
General Rules of Succession.  
Disqualifications Relating to Succession.  
Class I Heirs.  
Class II Heirs.  
Escheats.  
Testamentary Succession (Under the Hindu Succession Act, 1956) (Sec. 30).

**Bare Acts**

- The Hindu Succession Act, 1956

**Suggested Readings:**

- Diwan Paras 2008 “Modern Hindu Law (Codified and uncodified)”, Allahabad Law Agency, 19th edition.
- Derre 1963”An Introduction to Modern Hindu Law”, Oxford University Press.
- Mulla 2007”Hindu Law” Lexis-Nexis, 12th Edition.
- Sharma B.K. 2008 “Hindu Law”, Central Law Agency, 2nd Edition.
- DiwanParas 2007“Muslim Law in Modern India”, Allahabad Law Agency, 9th Edition.
- Mulla, “Principles of Mohammedan Law”, Lexis-Nexis, 19<sup>th</sup>edn. 1990.

**Web links: -**

- <https://blog.ipleaders.in/difference-between-joint-hindu-family-and-coparcenary/>
- <https://www.legalbites.in/hindu-joint-family-and-coparcenary>
- <https://www.mondaq.com/india/wills-intestacy-estate-planning/818976/parcenary-species-and-genus-of-a-mitakshara-hindu-family>
- [https://en.wikipedia.org/wiki/Women%27s\\_property\\_rights](https://en.wikipedia.org/wiki/Women%27s_property_rights)
- <https://www.legalkart.com/legal-blog/testamentary-succession-will-it-fair-and-square>
- <http://www.legalservicesindia.com/article/1497/Karta-of-a-Family-/-Hindu-Law.html>



**Course Name: Criminal Justice System and Human Rights**

**Course Code: 1203401**

**Semester-IV**

**Credit: 4**

**L T P  
4 0 0**

**Course contents**

**Unit-I**

Administration of Justice: Meaning Purpose and Division of Administration of Justice,  
Difference between Administration of Civil Justice and Criminal Justice  
Criminal Justice Administration: concept, Historical Perspective and Organs of Criminal  
Justice System in India  
Human Rights: Concept, Origin and Development of Human Rights  
Role of National Human Rights Commission and State Human Rights Commission in  
Protecting Human Rights  
Human Rights and Criminal Justice System in India  
Right against Self incrimination  
Right against Torture

**Unit II**

Right to Legal Aid  
Right to Speedy Trial  
Justice to Victims of Crime: A Human Rights Approach  
Human Rights of Prisoners  
Child Rights and Criminal Justice System  
Women Rights and Criminal Justice System  
Death Penalty: Human Rights Perspectives on Future of Capital Punishment

**Suggested readings**

- DVibhute, r. K.I., (2004), "*Criminal Justice: A Human Rights Perspective of the Criminal Justice Process in India*" 1st ed., New Delhi.
- Pachauri, S.K, "*Prisoners and Human Rights*", Published by A.P.H. Publishing Corporation. ISBN 10: 8176480754 ISBN 13.
- Harry, W. More (volume coordinator), (1977), "*Principles and Procedures in the Administration of Justice*", Vernon Rich (volume ...by K Hawkins).
- Gautam, Ashwani Kant., (2001), "*Human Rights and Justice System*", Front Cover. Ashwani Kant Gautam. A.P.H. Publishing Corporation, New Delhi.



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**Web links: -**

- <http://www.legalserviceindia.com/legal/article-856-administration-of-justice.html#:~:text=What%20is%20administration%20of%20justice,physical%20force%20of%20the%20state.>
- <https://www.unodc.org/e4j/en/crime-prevention-criminal-justice/module-11/key-issues/8--victims-of-crime-and-international-law.html>
- <http://www.legalservicesindia.com/article/1176/Right-to-Free-Legal-Aid.html>





**Course Name: Socio Economic Crimes  
Course Code: 1203402  
Semester: IV**

**Credit: 4**

**L T P  
4 0 0**

**Course contents**

**UNIT-I**

Genesis of White Collar Crime.  
Nature and Scope of White Collar Crime.  
Growth of White Collar Crime in India and Western Countries.  
Mensrea and White Collar Crime.  
Vicarious liability in White Collar Crime  
Strict liability in White Collar Crime.  
The Essential Commodities Act, 1955:  
The Food Safety and Standards Act, 2006:  
Definitions  
Provisions relating to Food Articles.  
Implementation of the Act by Food Safety Officers.  
Food Safety and Standards Authority of India.  
Adjudication and Power to Compound offences  
Analysis of Food Articles.  
Offences and Penalties.

**UNIT-II**

The Foreign Exchange Management Act, 1999:Definitions  
Regulation and Management of Foreign Exchange Authorized Person.  
Adjudication and Appeal.  
Penalties.  
The Prevention of Corruption Act, 1988:  
Definitions  
Special Judges.  
Procedure and Power of Special Judge.  
Offences and Penalties.  
Sanction for Prosecution and other Provisions.  
The Narcotic Drugs and Psychotropic Substances Act, 1985:  
Definitions and objective of the Act.  
Investigative procedure under the Act.



### Penalties

The Conservation of Foreign exchange and Prevention of Smuggling Activities Act, 1974:  
Definitions Detention under the Act.

### Suggested Readings

- Ghosh, S.K., 1 January (1972), “*Economic Offences*”, Set Of 2 Vol.
- Singh, J.S.P., (2017). *Socio-Economic Offences.*, Binding. Paperback. Publishing Date. Publisher. Sri Sai Law Publications.
- Baxi, Upendra, (Ed.), *Law and Poverty: Critical Essays* 387-415.

### Weblinks: -

- <https://blog.ipleaders.in/white-collar-crimes/#:~:text=Reasons%20for%20the%20growth%20of,white%20collar%20crimes%20in%20India.>
- [https://www.indiacode.nic.in/handle/123456789/1579?view\\_type=search&sam\\_handle=123456789/1362](https://www.indiacode.nic.in/handle/123456789/1579?view_type=search&sam_handle=123456789/1362)
- [https://www.indiacode.nic.in/handle/123456789/2027?view\\_type=browse&sam\\_handle=123456789/1362](https://www.indiacode.nic.in/handle/123456789/2027?view_type=browse&sam_handle=123456789/1362)
- [https://www.indiacode.nic.in/handle/123456789/1791?view\\_type=browse&sam\\_handle=123456789/1362](https://www.indiacode.nic.in/handle/123456789/1791?view_type=browse&sam_handle=123456789/1362)





**Course Name: Dissertation**

**Course Code: 1203403**

**Semester: IV**

**Credits: -8**

**L T P  
NA**

**Dissertation**

For the partial fulfillment of the course candidates will have to submit a dissertation to make the course research oriented. They can choose any topic of law for research work.

Dissertation paper will consist of Synopsis presentation, written full thesis and final presentation carrying 200 Marks.

Students appearing for the Post-Graduate Degree Program in Law (Executive Pro.) candidate shall submit a Dissertation prepared under the guidance of a Research Supervisor.

The student shall select the topic for Dissertation in consultation with the Research Supervisor and submit the topic along with the research proposal for the approval of the Dean

The Dissertation shall be between 110-130 type written pages on A4 size papers with 1.5-line spacing, 12 Font size for the body of the text and 10 Font size for the footnotes in Times New Roman and submitted in 4 copies

Students will have to follow Indian Law Institute footnote pattern/ Blue Book Harvard/ OSCOLA Reference Style.





**Course Name: Matrimonial Remedies in Family Law**  
**Course Code: 1203404**  
**Semester: IV**

**Credit: 4**

**L T P**  
**4 0 0**

**Course contents**

**Unit-I**

Restitution of Conjugal Rights and its Constitutionality  
Choice of Matrimonial Home  
Judicial Separation  
Nullity of Marriage:  
Void Marriage  
Voidable/ Irregular Marriage  
Difference between Void and Voidable Marriages

**Unit-II**

Theories of Divorce:  
Fault Theory  
Breakdown Theory  
Irretrievable Breakdown Theory  
Consent Theory  
Difference between Judicial Separation and Divorce  
Grounds of Divorce/ Dissolution of Marriage  
Fair Trial to Marriage Rule  
Alternative Relief in Divorce Proceedings  
Remarriage of Divorced Persons  
Under: -The Hindu Marriage Act, 1955; Muslim Law; The Divorce Act, 1869; The Parsi Marriage and Divorce Act, 1936 and The Dissolution of Muslim Marriage Act, 1939 and The Special Marriage Act, 1954.)

**Suggested readings:**

- Diwan, Paras. Publication date 1 January (2018), '*Family Law*', Publisher Allahabad Law Agency, · ISBN-10 9783973819 .
- B. P. Beri., (1982), "*Law of Marriage and Divorce in India*". Front Cover. B. P. Beri. Eastern Book Company.





- Dr. Paras Diwan, (Edition 2019-2020), “*Modern Hindu Law*”, Publisher Allahabad Law Agency.
- Dinshah Fardunji Mulla, Satyajeet Atul Desai, (2007), “*Principles of Hindu Law*”, Volume 2. Front Cover.
- Mulla, Dinshah Fardunji., Satyajeet Atul Desai., (2007), LexisNexis Butterworths.
- Mulla, (19th ed. 1990), “*Principles of Mohammedan Law*”, LexisNexis Butterworths.
- Fyzee, “*Mohammedan Law*”, OUTLINES OF MUHAMMADAN LAW (2008). By Asaf A.A. Fyzee (Ed. Tahir Mahmood).
- Ahmed, Aqil., Edition: 26 Ed 2016, “*Mohammedan Law*”, Aqil Ahmad · Brand: Central Law Agency · · ISBN 13.

**Web links: -**

- <https://blog.ipleaders.in/judicial-separation-under-hindu-marriage-act-1955/>
- <http://www.legalserviceindia.com/legal/article-3379-legal-provisions-and-constitutional-validity-of-the-restitution-of-conjugal-rights.html>
- <https://lawtimesjournal.in/theories-of-divorce/>
- <https://blog.ipleaders.in/grounds-divorce-the-hindu-marriage-act/>
- [https://advocatetanwar.com/alternative-relief-in-divorce-proceedings/#:~:text=So%20the%20court%20using%20its,under%20section%2013\(A\).](https://advocatetanwar.com/alternative-relief-in-divorce-proceedings/#:~:text=So%20the%20court%20using%20its,under%20section%2013(A).)



**Course Name: New Problems in Family Law in Contemporary India**  
**Course Code: 1203405**  
**Semester: IV**

**Credits: -4**

**L T P**  
**4 0 0**

**Group-II Family Law**  
**Course Content**

**UNIT I**

Issues related to family disputes and Disposal of Family matters: New Trends

Dowry Prohibition Act, 1961:

Definition of Dowry

Distinction between Dowry and Dower

Dowry offenders

Transfer of Dowry to the bride

Dowry offences

Trial of Dowry offenders

Authorities under Dowry Prohibition Act, 1961

Punishment under the Act

Dowry death

Dowry and criminal breach of trust

Husband or relative of husband of a woman subjecting her to cruelty

Evidence in Dowry offences

**UNIT II**

Infanticide

Female-foeticide

The Pre-conception and Pre-Natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act

Bigamy

Homo-Sexuality

Live-in-Relationship

Surrogacy

The Commission of Sati (Prevention) Act, 1987:

Definitions

Punishment for offences relating to Sati

Power to prevent offences relating to Sati

Special Courts

Burden of Proof



Disqualification

The Prohibition of Child Marriage Act, 2006

**Bare Acts**

- Dowry Prohibition Act, 1961
- The Pre-conception and Pre-Natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, 1994
- The Commission of Sati (Prevention) Act, 1987:
- The Prohibition of Child Marriage Act, 2006

**Suggested Readings:**

- NalwaSuman &KohliHariDev, “Law Relating to Dowry, Dowry Death, Cruelty to Women & Domestic Violence”, Universal Law Publishing, 2nd edn. 2013
- V.K. Upadhay, “A Commentary on Presumption of Dowry Death”, Modern Law House, 1999
- ManjulaBatra, “Women and Law with Law relating to children in India”, Allahabad law Agency, 2012
- K.D. Gaur, “India Penal Code”, Universal Law Publication, Allahabad, 6<sup>th</sup> edn. 2016.
- S.K. Mishra, “Indian Penal Code”, Allahabad Law agency, Faridabad, 2016.

**Web links: -**

- <https://legislative.gov.in/actsofparliamentfromtheyear/national-commission-women-act-1990>
- <https://indiankanoon.org/doc/69064674/>

|                            |    |
|----------------------------|----|
| Total Number of Course     | 17 |
| Number of Theory Course    | 16 |
| Number of Practical Course | 0  |
| Total Number of Credits    | 72 |



**Annexure-4**

**ACADEMIC INSTRUCTIONS**

**Attendance Requirements**

A student shall have to attend 75% of the scheduled periods in each course in a semester; otherwise, he/she shall not be allowed to appear in that course in the University examination and shall be detained in the course(s). The University may condone attendance shortage in special circumstances (as specified by the Guru Kashi University authorities). A student detained in the course(s) would be allowed to appear in the subsequent university examination(s) only on having completed the attendance in the program when the program is offered in a regular semester(s) or otherwise as per the rules.

**Assessment of a Course**

Each course shall be assessed out of 100 marks. The distribution of these 100 marks is given in subsequent subsections (as applicable).

|                          | Internal (30) |              |              |              |      |      | External (70) | Total |
|--------------------------|---------------|--------------|--------------|--------------|------|------|---------------|-------|
| <b>Components</b>        | Attendance    | Assignment-1 | Assignment-2 | Presentation | MST1 | MST2 | ETE           |       |
| <b>Weightage</b>         | 10            | 10           | 10           | 10           | 30   | 30   | 70            |       |
| <b>Average Weightage</b> | 10            | 10           |              |              | 10   |      | 70            | 100   |

**Passing Criteria**

The students have to pass both in internal and external examinations. The minimum passing marks to clear in examination is 40% of the total marks.