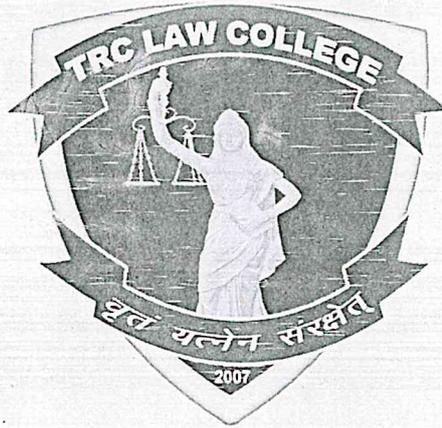


TRC LAW COLLEGE

(An Autonomous College)



SYLLABUS

Master of Laws (Two Year) Program



Vasudev Nagar, Satrikh, Barabanki- 225122

Schedule-A

First Semester

Compulsory Paper: Constitutional Law: New Challenges (LM-CP-101)

Optional Group I – Environmental Law

1. Indian Environmental Law (LM-EL-102)
2. International Environmental Law (LM-EL-103)
3. Law of Natural Resources (LM-EL-104)

Second Semester

Compulsory Paper: Legal Philosophy (Theory & Concept) (LM-CP-201)

Optional Group I – Family Law

1. Hindu Law and Philosophical Foundation of Hindu Law (LM-EL-202)
2. Muslim Law and Philosophical Foundation of Muslim Law (LM-EL-203)
3. Christian, Parsi, and Jewish Laws (LM-EL-204)

Third Semester

Compulsory Paper: Research Methodology (LM-CP-301)

Optional Group I – Criminal Law

1. Constitutional Dimensions of Criminal Law (LM-EL-302)
2. Criminal Justice Administration (LM-EL-303)
3. Emerging Trends in Criminal Law (LM-EL-304)

Fourth Semester

Compulsory Paper: Law & Social Transformation in India (LM-CP-401)

Seminar and Research Paper Publication (LM-CP-402)

Dissertation (LM-CP-403)

Viva-Voce (LM-CP-404)



FIRST SEMESTER

T.R.C. LAW COLLEGE
SYLLABUS

Course Title: Constitutional Law: New Challenges

Paper Code: LM-CP-101

Course Objectives:

1. To analyze the fundamental principles of the Indian Constitution and their relevance in contemporary times.
2. To explore the role of the judiciary in interpreting the Constitution in light of new challenges.
3. To critically examine emerging issues such as privacy, equality, social justice, and federalism.
4. Evaluate the interplay between fundamental rights, directive principles, and state policy.
5. Assess the role of the Indian judiciary in shaping constitutional governance.
6. To foster critical thinking and research skills in addressing constitutional challenges.

Course Outline:

- Constitutionalism: Classical, Liberal, and Contemporary Theories
- Cooperative and competitive federalism in India.
- Federalism and Centre-State Relations: Legislative, Administrative, and Financial
- Basic structure doctrine: Evolution and contemporary relevance.
- Fundamental rights and duties: Balancing individual and collective interests.
- Expanding scope of Article 21: Right to Privacy, Right to Die
- Hate speech, sedition, and freedom of expression
- Freedom of speech and expression in the digital age.
- Secularism and Religious Freedom
- Religious freedom and anti-conversion laws
- Right to Equality and affirmative action: Reservations, EWS quota
- Gender justice and feminist constitutionalism
- Legal recognition of live-in relationships
- Gender justice and the Constitution: Triple Talaq, Sabarimala, and beyond.
- Directive Principles of State Policy: Socio-economic justice in a changing society.
- Judicial Appointments and Reforms (NJAC & Collegium System)
- Public Interest Litigation (PIL): Achievements and criticisms.
- Judicial review and separation of powers: Contemporary issues.
- Emergency Provisions: misuse of emergency powers; judicial oversight.



Recommended Books:

1. Constitutionalism: Ancient and Modern by Charles Howard McIlwain
2. The Constitution of India: A Contextual Analysis by Arun K. Thiruvengadam
3. The Idea of Constitutional Law by Louis Michael Seidman
4. Federalism in India: Origins and Development by Balveer Arora
5. Indian Federalism: Emerging Issues by M.P. Singh and Rekha Saxena
6. Centre-State Relations in India by Mahendra Prasad Singh
7. The Basic Structure of the Indian Constitution by Sudhir Krishnaswamy
8. The Indian Constitution: Cornerstone of a Nation by Granville Austin
9. Fundamental Rights and Constitutional Remedies by H.M. Seervai
10. The Right to Privacy by Daniel J. Solove
11. Freedom of Speech and Expression in India by Faizan Mustafa
12. Expanding Horizons of Right to Life and Personal Liberty by Justice R.C. Lahoti
13. Right to Die: A Jurisprudential Analysis by Shubhangi Agarwal
14. Secularism and Its Critics by Rajeev Bhargava
15. Religious Freedom in India by Arvind Sharma
16. Reservations and Affirmative Action in India by Marc Galanter
17. The Constitution and Social Justice in India by B.N. Sampath
18. Gender and Constitutionalism in India by Archana Parashar
19. The Triple Talaq Debate: Constitutional and Legal Perspectives by Flavia Agnes
20. Directive Principles of State Policy in the Indian Constitution by B.M. Gandhi
21. Social Justice and the Indian Constitution by S.N. Jain
22. The Indian Judiciary and Politics: The Changing Landscape by A.G. Noorani
23. Judicial Reforms in India: Issues and Aspects by S.P. Sathe
24. Public Interest Litigation in India: A Renaissance by S.P. Sathe
25. Judicial Activism in India by S.K. Verma and Kusum
26. Judicial Review in India by M.P. Jain
27. Separation of Powers in the Indian Constitution by V.N. Shukla
28. The Indian Emergency: A Political and Constitutional Analysis by S.R. Maheshwari
29. Emergency Provisions in the Indian Constitution by H.M. Seervai
30. The Oxford Handbook of the Indian Constitution by Sujit Choudhry,
31. Indian Constitutional Law by M.P. Jain

Note: -Students must prefer latest edition of above mentioned books. The above list of books is not an exhaustive one.



Course Learning Outcomes:

By the end of this course, students will be able to:

1. Explain the foundational principles of constitutionalism and its evolution from classical to contemporary theories.
2. Assess the challenges and opportunities in achieving a balance between central authority and state autonomy.
3. Analyze contemporary debates and judicial interpretations related to the basic structure doctrine.
4. Analyze the judicial expansion of Article 21 to include rights such as privacy and the right to die with dignity.
5. Analyze the evolution of reservation policies and the introduction of the EWS quota.
6. Analyze the tension between freedom of expression and restrictions on hate speech and sedition.
7. Evaluate the role of the judiciary in addressing gender-based discrimination in religious practices.
8. Analyze the relationship between Directive Principles and Fundamental Rights.
9. Evaluate the impact of judicial review on democratic governance and constitutional balance.
10. Analyze the historical misuse of emergency powers and its impact on democracy.
11. Foster a deeper understanding of the dynamic relationship between law, society, and governance in India.



T.R.C. LAW COLLEGE

SYLLABUS

Course Title: Environmental Law

Paper- 1: Indian Environmental Law

Paper Code: LM-EL-102

Course Objectives:

1. To provide an in-depth understanding of the principles, policies, and legal framework governing environmental protection in India.
2. To critically analyze the constitutional and statutory provisions related to environmental law.
3. To examine the role of judicial activism in shaping environmental jurisprudence in India.
4. To explore international environmental laws and their influence on Indian environmental legislation.
5. To develop a comprehensive understanding of contemporary environmental issues and challenges.

Course Outline:

- Concept and Importance of Environmental Law
- Historical Evolution of Environmental Law in India
- Fundamental Rights and Environment (Article 21)
- Directive Principles of State Policy (Articles 48A and 51A(g))
- Public Interest Litigation (PIL) and Environmental Justice
- Environment (Protection) Act, 1986
- Hazardous Waste (Management, Handling, and Transboundary Movement) Rules
- Plastic Waste and E-Waste Management Rules
- Legal framework for air and water pollution control
- Environmental Crimes and Remedies-BNSS, BNS &Public Liability Insurance Act,
- Green Tribunal
- Legal framework for biodiversity conservation
- Environmental Impact Assessment (EIA) and People's Participat



Recommended Books:

1. Environmental Law by Elizabeth Fisher
2. Environmental Jurisprudence in India by Dr. N. MaheshwaraSwamiy
3. Right to Environment in India by Dr. M.K. Ramesh
4. Indian Constitutional Law by M.P. Jain
5. Public Interest Litigation in India: A Renaissance by S.P. Sathe
6. Commentary on the Environment (Protection) Act, 1986 by P. Leelakrishnan
7. Hazardous Waste Management: Law and Practice by Dr. Gurdip Singh
8. E-Waste Management in India: Issues and Challenges by Dr. Rakesh Kumar
9. Air and Water Pollution Control Laws in India by Dr. S.C. Shastri
10. Environmental Crimes and Enforcement in India by Dr. G.S. Bajpai
11. The National Green Tribunal: Law and Practice by Dr. Sanjay Upadhyay
12. Biodiversity Conservation and Legal Framework in India by Dr. S.K. Verma
13. Environmental Impact Assessment in India: Law and Practice by Dr. S. Bhatt
14. Environmental Law and Policy in India: A Reader by ShibaniGhosh
15. Judicial Activism on Environmental Issues in India by Dr. M.C. Mehta
16. Environmental Law and Sustainable Development in India by Dr. P. IshwaraBhat

Note: -Students must prefer latest edition of above mentioned books. The above list of books is not an exhaustive one.



Course Learning Outcomes:

By the end of this course, students will be able to:

1. Explain the significance of environmental law in addressing ecological challenges and promoting sustainable development.
2. Evaluate the influence of international environmental movements and treaties on Indian environmental law.
3. Analyze judicial interpretations linking environmental rights to fundamental rights.
4. Explain the role of PIL in advancing environmental justice in India.
5. Describe the objectives, scope, and key provisions of the Environment (Protection) Act, 1986.
6. Understand the legal framework for managing hazardous waste, including Trans boundary movement.
7. Explain the legal mechanisms for managing plastic and electronic waste.
8. Analyze key laws and regulations aimed at controlling air and water pollution.
9. Identify legal provisions for addressing environmental crimes under the Bharatiya Nyaya Sanhita (BNS), Bharatiya Nagarik Suraksha Sanhita (BNSS), and the Public Liability Insurance Act.
10. Evaluate the remedies available for victims of environmental harm.
11. Explain the structure, jurisdiction, and functions of the NGT.
12. Discuss laws and policies aimed at conserving biodiversity, including the Biological Diversity Act, 2002.
13. Explain the EIA process and its significance in environmental decision-making.

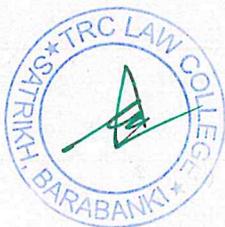


Course Objectives:

1. Understand the fundamental principles and concepts of international environmental law
2. Analyze the role of international institutions and agreements in environmental protection
3. Examine the intersection of international environmental law with other areas of international law, such as human rights and trade law
4. Evaluate the effectiveness of international environmental law in addressing global environmental challenges
5. Develop skills in applying international environmental law to real-world scenarios

Course Outline

- Scope, and historical development of international environmental law
- Role of the United Nations (UNEP, UNDP)
- International environmental organizations (IUCN, WWF)
- Trade and environment (WTO, environmental tariffs)
- Trans boundary environmental harm and liability
- Precautionary principle, polluter pays, public trust doctrine, common but differentiated responsibilities.
- sustainable development
- Conservation of wetland- RAMSAR Convention
- Climate Change: UNFCCC, Paris Agreement, Kyoto Protocol
- Biodiversity: Convention on Biological Diversity (CBD) and CITES
- Ozone Layer: Montreal Protocol
- Marine Environment: UNCLOS, MARPOL
- Hazardous Waste: Basel Convention



Recommended Books:

1. Environmental Law and Policy in India: Cases, Materials and Statutes by Shyam Divan & Armin Rosencranz
2. Environmental Law in India by P. Leelakrishnan
3. Environmental Law by S.C. Shastri
4. In the Public Interest: Landmark Judgments and Orders by M.C. Mehta
5. Environmental Law in India by Gurdip Singh
6. International Law and the Environment by Patricia Birnie, Alan Boyle, & Catherine Redgwell
7. International Climate Change Law by Daniel Bodansky, Jutta Brunnee, & Lavanya Rajamani
8. Environmentalism: A Global History by Ramachandra Guha
9. The Economics of Climate Change: The Stern Review by Nicholas Stern
10. The Law of Biodiversity and Ecosystem Management by John Copeland Nagle & J.B. Ruhl
11. Environmental Law: Cases and Materials by Rita Sharma & P.B. Sahasranaman
12. Environmental Protection Law and Policy in India by Kailash Thakur
13. International Environmental Law by Philippe Sands and Jacqueline Peel
14. International Environmental Law and Policy by David Hunter, James Salzman, and Durwood Zaelke
15. International Environmental Law: A Case Study Analysis by Lakshman D. Guruswamy
16. CITES as a Tool for Sustainable Development by Tanya Wyatt
17. Protecting the Ozone Layer: The United Nations History by Stephen O. Andersen and K. MadhavaSarma
18. The International Law of the Sea by Yoshifumi Tanaka
19. The Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal by Katharina Kummer
20. International Environmental Law Reports by Cambridge University Press
21. Yearbook of International Environmental Law

Note: -Students must prefer latest edition of above mentioned books. The above list of books is not an exhaustive one.



Course Learning Outcomes:

By the end of this course, students will be able to:

1. Explain the origins and evolution of international environmental law.
2. Discuss the functions and contributions of UN agencies such as UNEP (United Nations Environment Programme) and UNDP (United Nations Development Programme) in addressing global environmental issues.
3. Analyze the contributions of organizations like IUCN (International Union for Conservation of Nature) and WWF (World Wide Fund for Nature) in promoting environmental conservation and sustainable development.
4. Evaluate the conflicts and synergies between trade policies and environmental goals.
5. Explain the legal principles governing transboundary environmental harm.
6. Discuss mechanisms for liability and compensation in cases of cross-border environmental damage.
7. Discuss the integration of environmental, social, and economic dimensions in sustainable development.
8. Analyze its role in the conservation and sustainable use of wetland ecosystems.
9. Evaluate the effectiveness of these agreements in mitigating climate change.
10. Evaluate their role in protecting biodiversity and regulating trade in endangered species.
11. Explain the objectives and achievements of the Montreal Protocol on substances that deplete the ozone layer.
12. Evaluate their role in protecting marine ecosystems and regulating ocean pollution.
13. Analyze its role in minimizing the generation and movement of hazardous waste.



Course Objectives:

1. To examine the legal and regulatory frameworks governing natural resources at national.
2. To analyze the interplay between natural resource management, environmental protection, and sustainable development.
3. To explore the rights of indigenous communities, states, and private entities in natural resource exploitation.
4. To critically assess the role of international treaties, domestic laws, and judicial decisions in shaping forest laws.
5. To understand the challenges of balancing economic development with environmental conservation.
6. To explore the rights of indigenous communities, states, and private entities in natural resource management.
7. Evaluate legal mechanisms for establishing and managing protected areas like national parks, wildlife sanctuaries, and biosphere reserves.
8. Assess the effectiveness of wildlife laws in protecting endangered species, preventing habitat destruction, and addressing threats like poaching and illegal trade.
9. Examine the role of wildlife legislation in supporting broader ecological goals, such as biodiversity preservation and ecosystem stability.

Course Outline:

1. **The Indian Forest Act, 1927-**
 - Objectives and Scope
 - Classification of Forests: Reserved Forests, Protected Forests, Village Forests
 - Powers of Forest Officers
 - Regulation of Forest Produce and Transit Rules
 - Offenses and Penalties under the Act
2. **The Forest Conservation Act, 1980:**
 - Need for Conservation and Background of the Act
 - Restrictions on the De-reservation of Forest Land
 - Process for Obtaining Permission for Non-Forest Use
 - Role of Central Government in Forest Conservation
 - Penalties and Punishments for Violation
3. **The Wildlife Protection Act, 1972:**
 - Objectives and Scope of the Act
 - National Board for Wildlife (NBWL)
 - State Board for Wildlife (SBWL)
 - Chief Wildlife Warden and Other Officials



- Powers and Functions of Authorities
- National Parks - Definition, Rules, and Regulations
- Wildlife Sanctuaries - Difference from National Parks
- Conservation Reserves & Community Reserves-Role of Local Communities
- Tiger Reserves - Project Tiger and Legal Provisions
- Prohibition of Hunting and Exceptions under the Act
- Protection of Endangered Species - Schedules I to VI
- Trade and Trafficking of Wildlife and Wildlife Products

4. Biological Diversity Act, 2002

- Conservation of biodiversity
- Promotion of sustainable use of biodiversity
- Equitable sharing of benefits from biological resources
- Judicial Approaches to protection of Natural Resources

Recommended Books:

1. Environmental Law and Policy in India: Cases, Materials, and Statutes by UshaTandon
2. Environmental Law in India by P. Leelakrishnan
3. Environmental Jurisprudence in India by Dr. N. MaheshwaraSwamy
4. Forest Laws and Conservation in India by Dr. S.C. Shastri
5. Commentary on the Indian Forest Act, 1927 by P. Leelakrishnan
6. Forest Conservation and the Law: A Legal Framework for Sustainable Development by Dr. Gurdip Singh
7. Environmental Law and Policy in India by Shyam Divan and Armin Rosencranz
8. Wildlife Protection Law in India by Dr. M.K. Ramesh
9. Wildlife Law and Conservation in India by Dr. S.K. Verma
10. Project Tiger: The Indian Experience by ValmikThapar
11. Biological Diversity Act, 2002: A Commentary by Dr. S. Bhatt
12. Biodiversity Conservation and Legal Framework in India by Dr. S.K. Verma
13. Judicial Activism on Environmental Issues in India by Dr. M.C. Mehta
14. Environmental Law and Sustainable Development in India by Dr. P. IshwaraBhat

Note: - Students must prefer latest edition of above mentioned books. The above list of books is not an exhaustive one.



Course Learning Outcomes:

By the end of this course, students will be able to:

1. Analyze its role in forest management and conservation.
2. Differentiate between Reserved Forests, Protected Forests, and Village Forests.
3. Analyze their authority in regulating forest use and enforcing penalties.
4. Describe the legal framework for the regulation of forest produce and transit.
5. Discuss the environmental and ecological significance of forest conservation.
6. Describe the legal restrictions on the de-reservation of forest land.
7. Analyze its role in wildlife conservation and protection.
8. Analyze their powers in enforcing wildlife protection laws.
9. Explain the provisions of Project Tiger and its legal basis.
10. Analyze the role of tiger reserves in conserving endangered species.
11. Explain the legal provisions for regulating trade and trafficking of wildlife and wildlife products.
12. Explain the rules focus on conservation of biodiversity, sustainable use, and equitable benefit-sharing.
13. Evaluate the role of the judiciary in interpreting and enforcing environmental laws.



SECOND SEMESTER

T.R.C. LAW COLLEGE
SYLLABUS

Course Title: Legal Philosophy (Theory & Concept)

Paper Code: LM-CP-201

Course Objectives:

1. To provide students with a thorough understanding of the fundamental concepts, theories, and schools of jurisprudential thought
2. To develop critical thinking skills in analyzing various philosophical approaches to law and legal systems
3. To enable students to understand the relationship between law, justice, morality, and society
4. To familiarize students with the evolution of legal philosophy from classical natural law to modern jurisprudential theories
5. To help students appreciate the practical implications of different jurisprudential approaches in contemporary legal systems

Course Outline:

- Nature and scope of jurisprudence
- Relationship between law and justice, law and morality
- Natural law theory-Classical natural law theory, Hugo Grotius, Kant, Lock, Hobbs' revival of natural law; Fuller's procedural natural law; Finnis and new natural law theory, Rudolf Stammler and Kohler,
- Analytical School-Austin's theory of law, Bentham' Utilitarian theory, Salmond's Imperative theory, Hans Kelsen's pure theory of law, H.L.A. Hart's rule of recognition
- Historical School- Savigny's Theory, criticism of this theory, Hegal, English historical school and Sir Henery Maine,
- Sociological School- August Compte's Scientific Positivism, Rudolf Von Ihring, Leon Duguit, Eugen Ehrlich's views, Pound's principle of Social Engineering, Marxist theory



- Realistic School: Karl Llewellyn, Jerome Frank, Justice Holmes, Chipman Gray, John Rawls, K. Olivecrona, Axel Hagerstorm

Recommended Books:

1. Salmond – *Jurisprudence*
2. H.L.A. Hart – *The Concept of Law*
3. Ronald Dworkin – *Law's Empire*
4. Roscoe Pound – *Interpretations of Legal History*
5. Upendra Baxi – *The Crisis of the Indian Legal System*
6. John Finnis – *Natural Law and Natural Rights*
7. Amartya Sen – *The Idea of Justice*
8. N.E. Simmonds – *Central Issues in Jurisprudence*
9. Duncan Kennedy – *Legal Education and the Reproduction of Hierarchy*
10. "Jurisprudence" by S.N. Dhyani
11. "Jurisprudence and Legal Theory" by V.D. Mahajan
12. "Jurisprudence" by R.W.M. Dias.
13. "Jurisprudence" by G.W. Paton (Edited by David P. Derham)
14. "Law's Empire" by Ronald Dworkin
15. "Justice as Fairness: A Restatement" by John Rawls
16. "Legal Theory" by W. Friedmann
17. Marc Galanter – *Law and Society in Modern India*



Course Learning Outcomes

Upon successful completion of this course, students will be able to:

1. Analyze and explain the nature and scope of jurisprudence as a discipline, including its importance in legal education and practice
2. Critically examine the relationship between law and justice, and law and morality, demonstrating understanding of their interconnections and distinctions
3. Compare and contrast different schools of jurisprudential thought
4. Demonstrate the ability to apply jurisprudential concepts to contemporary legal issues and problems
5. Evaluate the strengths and limitations of different jurisprudential approaches in addressing modern legal challenges
6. Develop and articulate well-reasoned arguments about the nature of law and its relationship with society, drawing from various jurisprudential perspectives
7. Understand how different jurisprudential theories influence legal systems, judicial decision-making, and law reform
8. Synthesize complex philosophical concepts and communicate them effectively



T.R.C. LAW COLLEGE

SYLLABUS

Course Title: Family Law

Paper 1: Hindu Law and Philosophical Foundations of Hindu Law

Paper Code: LM-EL-202

Course Objectives:

1. To provide an in-depth understanding of the principles, concepts, and evolution of Hindu Law.
2. To critically analyze the sources, nature, and applicability of Hindu Law in contemporary India.
3. To examine the role of Hindu jurisprudence in shaping personal laws and its interaction with constitutional principles.
4. To explore the judicial interpretation and reforms in Hindu Law.
5. To develop a comparative perspective on Hindu Law with other personal laws in India.

Course Outline:

- Definition and applicability of Hindu Law.
- Schools of Hindu Law: Mitakshara and Dayabhaga.
- Ancient sources: Shrutis, Smritis, Dharmashastras, and Commentaries.
- Custom as a source of Hindu Law.
- Modern sources: Legislation and judicial precedents.
- Dharma as a guiding principle in Hindu jurisprudence.
- Relationship between Dharma, Artha, Kama, and Moksha.
- Vedic and Upanishadic influences.
- Role of Manusmriti and other Dharmashastras.
- Natural law, positivism, and Hindu jurisprudential thought.
- Concept of sacramental marriage.
- Conditions for a valid Hindu marriage.
- Void and voidable marriages, Judicial analysis
- Restitution of conjugal rights and Judicial Separation: Challenges
- Grounds for divorce under the Hindu Marriage Act, 1955.
- Alimony and maintenance: Legal provisions and judicial trends.
- Rights of daughters: Pre- and post-2005 Amendment.
- General rules of succession, ancestral property vs self-acquired property
- Coparcenary and its evolution.
- Hindu Succession (Amendment) Act, 2005.-Impact on gender equality and women's rights.



- Conditions for valid adoption.
- Rights and liabilities of adopted children.
- Obligations under the Hindu Adoptions and Maintenance Act, 1956.
- Guardianship under the Hindu Minority and Guardianship Act, 1956.
- Fundamental rights vs. personal laws.

Recommended Books:

- Principles of Hindu Law by Mulla
- Modern Hindu Law by Paras Diwan
- Hindu Law by S.V. Gupta
- History of Dharmashastra by P.V. Kane
- The Classical Law of India by Robert Lingat
- The Laws of Manu (Manusmriti) by Wendy Doniger and Brian K. Smith (Translators)
- The Principal Upanishads by S. Radhakrishnan
- Hindu Law (Family Law) by Dr. S.R. Myneni
- Hindu Law by B.M. Gandhi
- Hindu Succession Act, 1956 by Mulla
- Family Law Lectures: Hindu Law by Dr. Kusum
- Law of Adoption, Maintenance, and Guardianship by Dr. S.R. Myneni
- Family Law in India by B.M. Gandhi
- Family Law Volume 1: Family Laws and Constitutional Claims by Flavia Agnes
- Women and Family Law Reform in India by Archana Parashar
- The Hindu Marriage Act, 1955 by Ratanlal & Dhirajlal
- The Hindu Succession Act, 1956 by Ratanlal & Dhirajlal

Note: -Students must prefer latest edition of above mentioned books. The above list of books is not an exhaustive one.



Course Learning Outcomes:

By the end of this course, students will be able to:

1. Define Hindu law and explain its scope and applicability.
2. Differentiate between the Mitakshara and Dayabhaga schools of Hindu law.
3. Explain the historical and geographical significance of these schools.
4. Analyze ancient sources such as Shrutis, Smritis, Dharmashastras, and Commentaries.
5. Discuss modern sources, including custom, legislation and judicial precedents.
6. Evaluate the role of Manusmriti and other Dharmashastras in shaping Hindu legal thought.
7. Identify the conditions for a valid Hindu marriage under the law.
8. Evaluate legal provisions and judicial trends related to alimony and maintenance.
9. Explain the concept of coparcenary and its evolution.
10. Discuss the general rules of succession under Hindu law.
11. Analyze the rights and liabilities of adopted children.
12. Discuss the obligations of maintenance under Hindu law.
13. Analyze the rights and responsibilities of guardians.
14. Examine the modernization of Hindu personal laws and its implications.



Paper 2: Muslim Law and Philosophical Foundations of Muslim Law

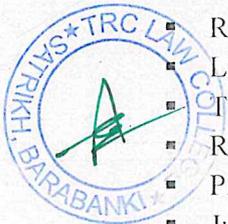
Paper Code: LM-EL-203

Course Objectives:

1. To provide an in-depth understanding of the principles, sources, and evolution of Muslim Law.
2. To critically analyze the applicability of Muslim Law in contemporary India.
3. To examine the role of Islamic jurisprudence (Fiqh) in shaping personal laws and its interaction with constitutional principles.
4. To explore judicial interpretations and reforms in Muslim Law.
5. To develop a comparative perspective on Muslim Law with other personal laws in India.

Course Outline:

- Definition and applicability of Muslim Law.
- Who is a Muslim? (Sunni and Shia schools).
- Sources of Muslim Law: Quran, Sunnah, Ijma, Qiyas, and customs.
- Development of Islamic jurisprudence (Fiqh).
- Influence of schools of Islamic law: Hanafi, Maliki, Shafi'i, and Hanbali.
- Sharia as a divine law and its principles.
- Objectives of Sharia (Maqasid al-Sharia).
- Quranic injunctions and Prophetic traditions.
- Role of Ijtihad (independent reasoning) in Islamic jurisprudence.
- Natural law, positivism, and Islamic jurisprudential thought.
- Concept of marriage as a civil contract.
- Conditions for a valid Muslim marriage.
- Void (Batil) and irregular (Fasid) marriages.
- Forms of divorce: Talaq, Khula, and Mubarat.
- Judicial and legislative interventions in triple talaq.
- Maintenance under Muslim Law: Legal provisions and judicial trends.
- Heirs and their shares under the Quranic scheme.
- Distinction between Sunni and Shia laws of inheritance.
- Rules governing wills and gifts under Muslim Law.
- Limitations and conditions for valid wills and gifts.
- Types of guardianship: Natural, testamentary, and appointed by court.
- Rights and duties of guardians.
- Principles governing custody of minor children.
- Judicial interpretation of custody rights.



- Definition and essentials of a valid Wakf.
- Types of Wakf: Public and private.
- Role of Wakf boards and judicial oversight.
- Recent reforms and challenges in Wakf management.
- Fundamental rights vs. personal laws.
- Uniform Civil Code: Debates and challenges.
- Gender justice and equality.
- Modernization of Muslim personal laws.

Recommended Books:

1. Outlines of Muhammadan Law by Asaf A. A. Fyzee
2. Mohammedan Law by Syed Khalid Rashid
3. Muslim Law in India and Abroad by TahirMahmood
4. Principles of Mohammedan Law by Mulla
5. Islamic Jurisprudence by Imran Ahsan Khan Nyazee
6. The Principles of Islamic Jurisprudence by Mohammad HashimKamali
7. Shariah: Theory, Practice, Transformations by Wael B. Hallaq
8. The Philosophy of Islamic Law by Anver M. Emon
9. Muslim Law of Marriage, Divorce, and Maintenance by Aquil Ahmed
10. Family Law in Islam: Divorce, Marriage, and Women in the Muslim World by MaaikeVoorhoeve
11. The Islamic Law of Inheritance by Hamid Khan
12. Islamic Law of Inheritance: A Comparative Study by Ali Adnan Ibrahim
13. The Law of Wakfs: A Comparative Study by S. S. HussainJafri
14. Guardianship and Custody in Islamic Law by Ziba Mir-Hosseini
15. Muslim Personal Law: Role of the State by TahirMahmood
16. Gender and Justice in Family Law Disputes: Women, Mediation, and Religious Arbitration by Samia Bano
17. Reformulating Islam: The Role of Ijtihad in Modern Islamic Legal Thought by Muhammad Khalid Masud
18. Maqasid al-Sharia: The Objectives of Islamic Law by JasserAuda
19. Sharia: Theory, Practice, Transformations by Wael B. Hallaq
20. Islamic Law and Legal Theory by Ian Edge
21. Islamic Natural Law Theories by Anver M. Emon
22. Cases and Materials on Muslim Law by A. M. Bhattacharjee
23. Judicial Activism in Islamic Law by Sami Zubaida

Note: - Students must prefer latest edition of above mentioned books. The above list of books is not an exhaustive one.



Course Learning Outcomes:

By the end of this course, students will be able to:

1. Evaluate the role of Quran, Sunnah, Ijma, Qiyas, and customs in the development of Islamic jurisprudence (Fiqh).
2. Compare the influence of the major schools of Islamic law: Hanafi, Maliki, Shafi and Hanbali.
3. Analyze the objectives of Sharia (Maqasid al-Sharia) and their relevance in modern contexts.
4. Explain the concept of marriage as a civil contract under Muslim Law.
5. Analyze the forms of divorce: Talaq, Khula, and Mubarat, and evaluate judicial and legislative interventions in triple talaq.
6. Discuss the legal provisions and judicial trends related to maintenance under Muslim Law.
7. Explain the rules of inheritance under the Quranic scheme and distinguish between Sunni and Shia laws of inheritance.
8. Analyze judicial interpretations of custody rights and their implications.
9. Discuss recent reforms and challenges in Wakf management.
10. Evaluate the debates and challenges surrounding the implementation of a Uniform Civil Code.
11. Discuss issues of gender justice, equality, and the modernization of Muslim personal laws.



Paper 3: Christian, Parsi, and Jewish Laws

Paper Code: LM-EL-204

Course Objectives:

1. To provide an in-depth understanding of the principles, sources, and evolution of Christian, Parsi, and Jewish Laws in India.
2. To critically analyze the applicability of these personal laws in contemporary India.
3. To examine the role of religious jurisprudence in shaping personal laws and their interaction with constitutional principles.
4. To explore judicial interpretations and reforms in Christian, Parsi, and Jewish Laws.
5. To develop a comparative perspective on these laws with other personal laws in India.

Course Outline:

- Definition and applicability of Christian, Parsi, and Jewish Laws.
- Historical evolution and sources of these laws.
- Indian Christian Marriage Act, 1872: Conditions for a valid Christian marriage.
- Divorce Act, 1869: Grounds for divorce and judicial separation.
- Indian Succession Act, 1925: General principles and applicability to Christians.
- Rights of widows, widowers, and children under Christian law.
- Gender justice and equality in Christian personal laws.
- Parsi Marriage and Divorce Act, 1936: Conditions for a valid Parsi marriage.
- Grounds for divorce and judicial separation under Parsi Law.
- Indian Succession Act, 1925: Special provisions for Parsis, Rights of heirs and distribution of property.
- Gender justice and equality in Parsi personal laws.
- Jewish Law's Customary practices and legal recognition in India.
- Grounds for divorce and dissolution of marriage under Jewish Law.
- Succession and Inheritance- Rights of heirs and distribution of property.
- Christian, Parsi, and Jewish Law's Interaction with constitutional principles and fundamental rights.



Recommended Books:

1. Family Law Lectures: Family Law-I by Dr. Paras Diwan
2. Family Law in India by Flavia Agnes
3. Indian Christian Law by K. S. N. Sastri
4. Parsi Law in India by S. J. Sorabjee
5. Jewish Law in India by Ezekiel Isaac Malekar
6. Christian Law of Divorce in India by A. S. Mathew
7. Christian Law of Succession in India by K. T. Philip
8. Gender Justice and Christian Personal Laws by Mary E. John
9. Parsi Law: A Comprehensive Study by M. J. Framjee
10. Parsi Law of Succession by D. F. Mulla
11. Gender Justice in Parsi Personal Laws by Coomi Kapoor
12. Jewish Law in India: A Historical and Legal Perspective by Ezekiel Isaac Malekar
13. Jewish Law of Divorce and Succession by Rachel Simon
14. Personal Laws and Constitutional Rights in India by Tahir Mahmood
15. Uniform Civil Code: A Critical Analysis by Flavia Agnes
16. The Indian Succession Act, 1925 (Bare Act)
17. The Indian Christian Marriage Act, 1872 (Bare Act)
18. The Parsi Marriage and Divorce Act, 1936 (Bare Act)
19. The Divorce Act, 1869 (Bare Act)
20. Gender Justice and Family Law Reform in India by Archana Parashar
21. Women and Family Law Reform in India by Flavia Agnes
22. The Evolution of Personal Laws in India by Narendra Subramanian
23. Religious Personal Laws in India: A Historical Perspective by Tahir Mahmood

Note: -Students must prefer latest edition of above mentioned books. The above list of books is not an exhaustive one.



Course Learning Outcomes:

By the end of this course, students will be able to:

1. Define Christian, Parsi, and Jewish Laws and explain their applicability in India.
2. Explain the conditions for a valid Christian marriage under the Indian Christian Marriage Act, 1872.
3. Identify the grounds for divorce and judicial separation under the Divorce Act, 1869.
4. Analyze the general principles of the Indian Succession Act, 1925 and its applicability to Christians.
5. Discuss the rights of widows, widowers, and children under Christian law.
6. Evaluate issues of gender justice and equality in Christian personal laws.
7. Explain the conditions for a valid Parsi marriage under the Parsi Marriage and Divorce Act, 1936.
8. Identify the grounds for divorce and judicial separation under Parsi Law.
9. Analyze the special provisions for Parsis under the Indian Succession Act, 1925, including the rights of heirs and distribution of property.
10. Evaluate issues of gender justice and equality in Parsi personal laws.
11. Explain the customary practices of Jewish Law and their legal recognition in India.
12. Identify the grounds for divorce and dissolution of marriage under Jewish Law.
13. Analyze the rules of succession and inheritance, including the rights of heirs and distribution of property.
14. Analyze the interaction of Christian, Parsi, and Jewish Laws with constitutional principles and fundamental rights.

