

## Common Pool of Generic Elective

### GE 9: Indian Legal System

#### Credit distribution, Eligibility and Pre-requisites of the Course

Course title & Code	Credits	Credit distribution of the course			Eligibility criteria	Prerequisite of the course
		Lecture	Tutorial	Practical/Practice		
Indian Legal System	04	3	1	0	Semester II Passed	Working Knowledge of Sanskrit

#### Course Objectives

- To provide an understanding of law in the Indian knowledge system
- To enable students to appreciate the practical and pragmatic aspects of Indian legal thought

#### Learning Outcomes

- Students will acquire a general understanding of various aspects of law
- They will understand the tensions between forces of change and status quo
- They will appreciate the role of people in the evolution of law
- They will learn how a legal system has to be sensitive to peoples' needs

#### Detailed Syllabus

##### Unit 1- Concept of law in the Indian knowledge system 09 hrs

- Vyavahara as Law, difference between dharma and vyavahara
- Survey of vyavahara literature – smritis, commentaries and nibandhas
- Peoples' Practices and the letter of law – Custom as a source of law
- Fundamental Principles of Vyavahara

##### Unit II- Wealth based Disputes 12 hrs

- Labour and Employment
- Market Operations
- Finance and Banking

Commercial Enterprises  
Laws of Inheritance

**Unit III- Violence based disputes** **12 hrs**

Law of Insolent speech  
Law of injury and Death  
Crimes against women

**Unit IV- Procedure and Evidence** **12 hrs**

Types and hierarchy of courts  
Legal procedure- Plaintiff, prima facie assessment, summons, injunctions,  
Reply, Judgement  
Laws of Evidence  
Legal Interpretation and Growth of law

**Suggested Readings**

1. Kane P.V. : History of Dharma Shastra, Bhandarkar Oriental Research Institute, Pune
2. Lingat Robert : Classical Hindu Law,
3. Mathur A.D. : Medieval Hindu Law, Oxford University Press, New Delhi
4. Sarkar Kishori Lal : Mimamsa principles of Interpretation, 1924 (Revised by Matkandey Katju)

**Examination scheme and mode: Subject to directions from the Examination  
Branch/University of Delhi from time to time**