

## 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- Plaint, 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**