

COURSE HANDOUT

JURISPRUDENCE (LLB-301)

LLB – 3RD SEMESTER

ACADEMIC YEAR (2024-25)

Miss Shivani Misri

Assistant Professor

School of Law



School of Law

Model Institute of Engineering & Technology (Autonomous)

Kot Bhalwal, Jammu - 181122

www.mietjmu.in

S. No.	Course Code	Course Name	Course Type	C	L	T	P	Marks		
								Sessional	Final Exam	Total
1	LLB-301	Jurisprudence	Generic Core	4	4	0	0	30	70	100

COURSE OUTCOMES

At the end of the course the student will be able to: -	
CO1	Interpret the fundamentals & purpose of the law.
CO2	Analyse and comprehend the approaches of different schools of law.
CO3	Comprehend the approaches of different schools of law with respect to administration of justice.
CO4	Analyse the concept of legal rights and co-related duties.
CO5	Apply the understanding of possession and ownership.

Detailed Syllabus

Unit-I Meaning and Definition of Law:

- 1.1 Meaning of the term 'jurisprudence'
- 1.2 Legal system as a normative order
- 1.3 Similarities and differences of the legal system with other normative systems
- 1.4 Approaches of different schools
- 1.5 Power of the Supreme Court of India to do complete justice in a case - Article 142. **(9Hrs)**

Unit-II Schools of Law (Part-I):

- 2.1 Natural law School
- 2.2 Historical school
- 2.3 Analytical positivism: Bentham and Austin's view
- 2.4 Criticism of Austin's theory of positivism
- 2.5 Social Contract Theory **(10 Hrs)**

Unit-III Schools of Law (Part-II):

- 3.1 Sociological School
- 3.2 Kelson's Pure Theory of Law
- 3.3 H.L.A. Hart's Theory
- 3.4 Legal Realism
- 3.5 Administration of Justice: Civil and Criminal Justice System. **(9 Hrs)**

Unit-IV Legal Rights & Duties:

- 4.1 Nature of Rights and Duties
- 4.2 Correlation of Rights and Duties
- 4.3 Kinds of Rights and Duties
- 4.4 Essential conditions of legal right

4.5 Natural rights and Fundamental rights
Unit-V Person, Possession & Ownership
(10 Hrs)

- 5.1 Nature of personality
- 5.2 Status of the unborn, minor, lunatic, drunken and dead persons
- 5.3 Corporate personality
- 5.4 Possession and Ownership - Concept and Kinds
- 5.5 Difference between possession and ownership

(10 Hrs)
Textbooks

S. No.	Name of the Books	Name of the Author	Publisher Name	Edition (Pub. Yr.)
1.	Jurisprudence & Legal Theory	V.D. Mahajan	Eastern Book Company	6 th , 2022
2.	Jurisprudence & Legal Theory	Dr. S.R. Myneni	Asian Law	3 rd , 2020

Reference Books

S. No.	Name of the Books	Name of the Author	Publisher Name	Edition (Pub. Yr.)
1.	Jurisprudence: Or the Theory of Law	Sir John William Salmond	Ingram Short Title	6 th , 2022
2.	Studies in Jurisprudence & Legal Theory	Dr. V.N. Paranjape	Central Law Agency	Reprinted ed., 2021.

COURSE PLAN
Unit-I Meaning and Definition of Law

S. No	Topics	Recommended Books
1	Meaning of the term 'jurisprudence'	Book 1, Ch.1 https://www.law.cornell.edu/wex/jurisprudence
2	Legal system as a normative order	Book 1, Ch.2
3	Similarities and differences of the legal system with other normative systems	Book 1, Ch.2 https://scholarship.law.wm.edu/cgi/viewcontent.cgi?article=2772&context=wmlr
4	Approaches of different schools	Book 2, Ch.2
5	Power of the Supreme Court of India to do complete justice in a case - Article 142.	Book 2, Ch.2
Unit-II Schools of Law (Part-I)		



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6	Natural law School	Ref. Book 2, Ch.8 https://lawbhoomi.com/natural-law-school-theories/
7	Historical school	Ref. Book 2, Ch.3 https://blog.ipleaders.in/historical-school-of-jurisprudence/



8	Analytical positivism: Bentham and Austin's view	Ref. Book 2, Ch.2 https://legalvidhiya.com/analytical-school-of-jurisprudence/ https://www.legalservicesindia.com/article/2228/Analytical-Legal-Positivism.html
9	Criticism of Austin's theory of positivism	Ref. Book 2, Ch.2
10	Social Contract Theory	Book 2, Ch.2 https://plato.stanford.edu/entries/content/ractarianism-contemporary/
Unit-III Schools of Law (Part-II)		
11	Sociological School	Ref. Book 2, Ch.5 https://legalvidhiya.com/sociological-school-of-jurisprudence/ https://lawcorner.in/sociological-school-of-jurisprudence/
12	Kelson's Pure Theory of Law	Ref. Book 2, Ch.2 https://lawnotes.co/kelsens-pure-theory-of-law%E2%BF%BC/
13	H.L.A. Hart's Theory	Ref. Book 2, Ch.2 https://www.lawnotes4u.in/prof-h-l-a-harts-concept-of-law-jurisprudence/
14	Legal Realism	Ref. Book 2, Ch.6 https://blog.ipleaders.in/legal-realism-legal-positivism/
15	Administration of Justice: Civil and Criminal Justice System	Ref. Book 2, Ch.12 https://www.legalserviceindia.com/legal/article-856-administration-of-justice.html#:~:text=Administration%20of%20Justice%20is%20the%20p%20primary%20functions%20of%20the%20State.State%20which%20punishes%20the%20Criminals. https://www.srdlawnotes.com/2018/02/civil-administration-of-justice.html
Unit-IV Legal Rights & Duties		



16	Nature of Rights and Duties	Ref. Book 2, Ch.17 Book 1, Ch.11 https://lawbhoomi.com/legal-rights-nature-characteristics-kinds/
17	Correlation of Rights and Duties	Ref. Book 2, Ch.17 Book 1, Ch.11 https://lawbhoomi.com/correlation-between-rights-and-duties-in-

18	Kinds of Rights and Duties	Ref. Book 2, Ch.17 Book 1, Ch.11 https://www.legalserviceindia.com/legal/article-1919-rights-and-duties-in-the-light-of-jurisprudence-an-overview.html
19	Essential conditions of legal right	Ref. Book 2, Ch.17 Book 1, Ch.11
20	Natural rights and Fundamental rights	Ref. Book 2, Ch.17 Book 1, Ch.11 https://thelegalquotient.com/jurisprudence/kinds-of-rights/2265/

Unit-V Person, Possession & Ownership

21	Nature of personality	Book 2, Part -V, Ch.4 https://legalvidhiya.com/legal-personality-in-jurisprudence/
22	Status of the unborn, minor, lunatic, drunken and dead persons	Book 2, Part -V, Ch.4 https://www.brillopedia.net/post/legal-status-of-unborn-minor-and-lunatic-person https://lawbhoomi.com/legal-status-and-rights-of-lunatic-and-drunken-person/
23	Corporate personality	Book 2, Part -V, Ch.4 https://legalserviceindia.com/legal/article-9318-corporate-personality-and-it-s-theories.html https://ilrjs.com/legal-person-and-theories-of-corporate-personality/



24	Possession and Ownership - Concept and Kinds	Book 2, Part -V, Ch.5 & 6 https://www.intolegalworld.com/article?title=jurisprudence-concepts-of-property-ownership-and-possession https://bnwjournal.com/2022/02/26/ownership-and-possession-under-jurisprudence/
25	Difference between possession and ownership	Book 2, Part -V, Ch. 5 & 6 https://lawbhoomi.com/difference-between-possession-and-ownership-in-jurisprudence/

ADDITIONAL WEB RESOURCES

1	Jurisprudence: Nature And Sources Of Law https://www.legalserviceindia.com/legal/article-2632-jurisprudence-nature-and-sources-of-law.html
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GRADING AND ASSESSMENT

- **Sessional Test:** 15 marks
- **Assignment:** 10 marks
- **Attendance:** 5 marks
- **Final Examination:** 70 marks

COURSE POLICIES

- **Attendance:** Minimum 75% attendance is mandatory to appear in the final examination of the course.
- **Academic Integrity:** MIET's academic integrity policies apply. Plagiarism will not be tolerated.
- **Late Submissions:** Assignments and projects must be submitted by the specified timelines.

FACULTY INFORMATION

- **Office Hours**
Tuesday : (12:05 PM – 01:25 PM)
Thursday : (12:05 PM – 12:55 PM)

- **Contact Information**
Shivani.llb@mietjammu.in