

## COURSE HANDOUT

INDIAN LEGAL SYSTEM (BBALLB-106)

BBALLB – 1<sup>st</sup> SEMESTER

ACADEMIC YEAR (2024-25)

**Ms. Mansi Walia**

Assistant Professor

School of Law



School of Law

Model Institute of Engineering & Technology (Autonomous)

Kot Bhalwal, Jammu - 181122

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Course Code	Course Name	Course Type	Cd	L	T	P	Marks		
							Sessional	Final Exam	Total
BBALLB-106	Indian Legal System	Generic Core	3	4	0	0	30	70	100

### COURSE OUTCOMES

At the end of the course the student will be able to:

CO1	Describe and comprehend the concept of law
CO2	Explain the basic purpose and classification of law.
CO3	Describe the various sources of law and their relationship inter se.
CO4	Demonstrate and apply the basic principles of Indian legal system to real life legal problems.
CO5	Describe the structure of legal institutions and the hierarchy of courts in India.

### Detailed Syllabus

#### Unit-I Introduction to Legal Methods and Law:

- 1.1 Meaning and Concept of Law
- 1.2 Justice and Morality
- 1.3 Definitions of Law
- 1.4 Functions of Law
- 1.5 Advantages and Disadvantages of Law

(6 Hours)

#### Unit-II Classification of Law:

- 2.1 Public and Private Law
- 2.2 Municipal and International Law
- 2.3 Civil Law and Criminal Law
- 2.4 Substantive and Procedural Law
- 2.5 Physical and Scientific Law.

(6 Hours)

#### Unit-III Sources of Law:

- 3.1 Meaning and Definition of Source
- 3.2 Classification – Primary and Secondary Resources
- 3.3 Customs, Precedents and Legislations
- 3.4 Juristic Writings - Justice, Equity and Good Conscience
- 3.5 Concept of *Stare Decisis*, *Res Judicata*, *Ratio Decidendi* and *Obiter Dicta*.

(6 Hours)

#### Unit- IV Basic Principles of Indian Legal System:

- 4.1 Constitution as the Law of the Land
- 4.2 Rule of Law
- 4.3 Separation of Powers
- 4.4 Basic Structure Doctrine
- 4.5 Salient Features of Indian Constitution.

(11 Hours)

#### Unit-V Judicial System in India

- 5.1 Hierarchy of Courts in India
- 5.2 Jurisdiction of Courts – Territorial, Pecuniary and Subject Matter
- 5.3 Tribunals

## 5.4 Alternative Dispute Resolution – Arbitration, Negotiation, Mediation and Conciliation

## 5.5 Lok Adalat, Nyaya through Panchayati Raj Institutions.

(7 Hours)

**Textbooks**

S.No	Name of the Books	Name of the Author	Publisher Name	Edition (Pub.Yr.)
1	Jurisprudence and Legal Theory	V.D Mahajan	Eastern Book Company	6 <sup>th</sup> (2022)
2.	Studies in Jurisprudence and Legal Theory	Dr. N.V. Paranjape	Central Law Agency	4 <sup>th</sup> (2004)

**Reference Books**

S.No	Name of the Books	Name of the Author	Publisher Name	Edition (Pub.Yr.)
1.	Indian Legal and Constitutional History	Dr. S.C. Tripathi	Central Law Publications	3 <sup>rd</sup> (2023)
2.	Indian Constitutional Law	M.P Jain	Lexis Nexis	8 <sup>th</sup> (2018)

**COURSE PLAN**

Unit-I		
S.No	Topics	Recommended Books
1	Meaning and Concept of Law	Book 1, Ch.2
2	Justice and Morality	Book 1, Ch.4
3	Definitions of Law	Book 2, Ch.10
4	Functions of Law	Book 2, Ch.10
5	Advantages and Disadvantages of Law	Book 2, Ch.10
Unit-II		
6	Public and Private Law	Book 2, Ch.11
7.	Municipal and International Law	Book 2, Ch.11
8	Civil Law and Criminal Law	Book 2, Ch.11
9	Substantive and Procedural Law	Book 2, Ch.11
10	Physical and Scientific Law	Book 2, Ch.11
Unit-III		
11	Meaning and Definition of Source	Book 1, Ch.7
12	Classification – Primary and Secondary Resources	Book 2, Ch.13
13	Customs, Precedents and Legislations	Book 2, Ch.14,15,16
14	Juristic Writings - Justice, Equity and Good Conscience	Book 2, Ch.17
15	Concept of <i>Stare Decisis</i> , <i>Res Judicata</i> , <i>Ratio Decidendi</i> and <i>Obiter Dicta</i> .	Book 2, Ch.16
Unit-IV		
16	Constitution as the Law of the Land	Ref Book 1, Ch.6
17	Rule of Law	<a href="https://www.britannica.com/topic/">https://www.britannica.com/topic/</a>



		<a href="#">rule-of-law</a>
18	Separation of Powers	<a href="https://www.legalserviceindia.com/legal/article-6034-separation-of-powers-in-india.html">https://www.legalserviceindia.com/legal/article-6034-separation-of-powers-in-india.html</a>
19	Basic Structure Doctrine	<a href="https://blog.ipleaders.in/basic-structure-doctrine/">https://blog.ipleaders.in/basic-structure-doctrine/</a>
20	Salient Features of Indian Constitution.	Ref Book 1, Ch.6
<b>Unit-V</b>		
21	Hierarchy of Courts in India	Ref Book 1, Ch.7
22	Jurisdiction of Courts – Territorial, Pecuniary and Subject Matter	Ref Book 1, Ch.7 <a href="https://districts.ecourts.gov.in/sites/default/files/Jurisdiction%20of%20courts%20by%20Sri%20K%20Srinivasa%20Rao.pdf">https://districts.ecourts.gov.in/sites/default/files/Jurisdiction%20of%20courts%20by%20Sri%20K%20Srinivasa%20Rao.pdf</a>
23	Tribunals	<a href="https://prsindia.org/files/bills_acts/bills_parliament/2021/Note%20-%20Tribunal%20system%20in%20India.pdf">https://prsindia.org/files/bills_acts/bills_parliament/2021/Note%20-%20Tribunal%20system%20in%20India.pdf</a>
24	Alternative Dispute Resolution – Arbitration, Negotiation, Mediation and Conciliation	<a href="https://legalaffairs.gov.in/sites/default/files/Arbitration_Mediation.pdf">https://legalaffairs.gov.in/sites/default/files/Arbitration_Mediation.pdf</a>
25	Lok Adalat, Nyaya through Panchayati Raj Institutions	<a href="https://epgp.inflibnet.ac.in/epgpdata/uploads/epgp_content/S000020LA/P001369/M010330/ET/1513750901JPLAW-20-Q-I.pdf">https://epgp.inflibnet.ac.in/epgpdata/uploads/epgp_content/S000020LA/P001369/M010330/ET/1513750901JPLAW-20-Q-I.pdf</a>

**ADDITIONAL WEB RESOURCES**

1	Indian Legal System Study Material available on <b>eGyankosh</b> Available at: <a href="https://egyankosh.ac.in/handle/123456789/52026">https://egyankosh.ac.in/handle/123456789/52026</a>
2	<a href="https://prsindia.org/files/bills_acts/bills_parliament/2021/Note%20-%20Tribunal%20system%20in%20India.pdf">https://prsindia.org/files/bills_acts/bills_parliament/2021/Note%20-%20Tribunal%20system%20in%20India.pdf</a>
3	<a href="https://districts.ecourts.gov.in/sites/default/files/Jurisdiction%20of%20courts%20by%20Sri%20K%20Srinivasa%20Rao.pdf">https://districts.ecourts.gov.in/sites/default/files/Jurisdiction%20of%20courts%20by%20Sri%20K%20Srinivasa%20Rao.pdf</a>
4	<a href="https://legalaffairs.gov.in/sites/default/files/Arbitration_Mediation.pdf">https://legalaffairs.gov.in/sites/default/files/Arbitration_Mediation.pdf</a>
5	<a href="https://epgp.inflibnet.ac.in/epgpdata/uploads/epgp_content/S000020LA/P001369/M010330/ET/1513750901JPLAW-20-Q-I.pdf">https://epgp.inflibnet.ac.in/epgpdata/uploads/epgp_content/S000020LA/P001369/M010330/ET/1513750901JPLAW-20-Q-I.pdf</a>



6 <https://www.britannica.com/topic/rule-of-law>

### 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**  
Monday (12:05 PM - 12:55 PM)  
Friday (12:05 PM - 12:55 PM)
- **Contact Information**  
[mansi.llb@mietjammu.in](mailto:mansi.llb@mietjammu.in)