

School of Law (MIET)

Details of Lesson Plan

S.No.	Particulars	Details
1.	Course Name	Family Law-I
2.	Course Code	LLB-202
3.	Academic Year	2024-2025
4.	Semester	2nd
5.	Number of Lesson plans	25
6.	Faculty Assigned	Ms. Mansi Walia

Ms. Mansi Walia
Faculty Signature

Lesson Plan No. 1	Course Name: Family Law-I Topic: Concept and Importance of Family Law in Indian	Course No.: LLB-202
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Objectives	At the end of the lesson, the student shall be able to: <ol style="list-style-type: none"> Define the concept of Family Law and explain its importance in India. Identify the areas covered under Family Law and its relevance to personal and societal relations. Illustrate the role of Family Law in regulating marriage, divorce, adoption, maintenance, and inheritance. Appreciate the impact of Family Law on personal rights and social harmony.
Teaching Aids (if any)	<ol style="list-style-type: none"> Case studies on landmark judgments related to Family Law. Infographics depicting key features of Family Law. Online quiz through Nearpod for interactive participation.
Teaching Development	<p>1. Introduction (5 minutes)</p> <ul style="list-style-type: none"> • Ask Questions to Students: <ul style="list-style-type: none"> ○ What comes to mind when you hear the term "Family Law"? ○ Do you know which laws govern marriages and divorces in India? ○ How do personal laws differ based on religion in India? ○ Why do you think the state regulates family matters? • Introduce the Concept of Family Law: <ul style="list-style-type: none"> ○ Family Law refers to the legal framework regulating personal matters like marriage, divorce, adoption, maintenance, and inheritance. ○ Show a slide summarizing the key areas covered under Family Law. • Highlight the Importance of Family Law in India: <ul style="list-style-type: none"> ○ Discuss its role in maintaining personal and societal harmony, protecting rights, and resolving family disputes. ○ Mention its role in upholding constitutional values like equality and secularism in a diverse society like India. <p>2. Development (30 minutes)</p> <p>a. Definition and Scope of Family Law</p> <ul style="list-style-type: none"> • Introduce the definition of Family Law. • Explain how it covers areas like marriage, divorce, adoption,



guardianship, maintenance, and succession.

- Provide examples of laws such as the Hindu Marriage Act, Muslim Personal Law (Shariat) Application Act, and the Special Marriage Act.

b. Relevance of Family Law in a Multi-Religious Society

- Discuss how Family Law addresses the personal laws of Hindus, Muslims, Christians, and Parsis, while also offering secular options.
- Mention its role in accommodating diversity while maintaining uniformity in certain areas like maintenance under Section 125 of CrPC.

c. The Role of the State in Family Law

- Explain why the state intervenes in personal matters.
- Illustrate with examples, such as state regulations on marriage age, inheritance laws, and provisions for maintenance.

d. Societal Impact of Family Law

- Discuss how Family Law promotes social justice and gender equality (e.g., Hindu Succession Amendment Act granting daughters equal rights in property).
- Address issues like dowry, child marriage, and gender-based discrimination that Family Law seeks to combat.

e. Challenges in Family Law

- Highlight challenges such as:
 - Balancing religious autonomy and secular principles.
 - Addressing modern family structures and non-traditional relationships.
 - Resolving conflicts between personal laws and constitutional values.

3. Exercise (5 minutes)

- **Activity:** Assign students to identify the role of Family Law in the following scenarios and categorize which law applies:
 1. A Hindu couple seeking divorce (Hindu Marriage Act).
 2. A Muslim widow claiming maintenance (Muslim Personal Law).
 3. A Christian couple adopting a child (Guardian and Wards Act).
 4. A couple from different religions getting married (Special



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	<p>Marriage Act).</p> <p>5. A daughter fighting for her inheritance rights (Hindu Succession Act).</p> <ul style="list-style-type: none">• Use Nearpod to collect responses and discuss answers with the class.
Closure	<p>Summarize Learning Outcomes:</p> <ul style="list-style-type: none">• Reinforce the understanding of Family Law's concept, importance, and areas of application. <p>Suggested Reading:</p> <ul style="list-style-type: none">• Textbook chapters on Family Law.• Landmark judgments like <i>Shah Bano Case</i> (1985) and <i>Danial Latifi v. Union of India</i> (2001). <p>Spend 5 minutes to wrap up and consolidate the learnings</p>
Evaluation	<p>1. Reflective Questions:</p> <ul style="list-style-type: none">○ What is Family Law, and why is it important in India?○ How does Family Law address personal and societal issues?○ Why does the state regulate personal laws? <p>2. Nearpod Quiz:</p> <ul style="list-style-type: none">○ Interactive multiple-choice questions to assess understanding of Family Law concepts and relevance. <p>Spend 5 minutes to evaluate student assimilation of the lesson contents.</p>

Lesson Plan No. 2	Course Name: Family Law-I Topic: Origin and Sources of Hindu Law	Course No.: LLB-202
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Objectives	At the end of the lesson, students shall be able to: <ol style="list-style-type: none"> Explain the origin and evolution of Hindu Law. Identify and differentiate between the various sources of Hindu Law. Illustrate how ancient and modern sources influence the current Hindu legal framework. Appreciate the adaptability of Hindu Law in addressing contemporary legal and social challenges.
Teaching Aids (if any)	<ol style="list-style-type: none"> Visual timeline showing the evolution of Hindu Law. Infographics summarizing the sources of Hindu Law. Videos or images of ancient legal manuscripts (e.g., Manusmriti). Nearpod tool for conducting quizzes and discussions.
Teaching Development	<p>1. Introduction (5 minutes)</p> <ul style="list-style-type: none"> • Ask Questions to Engage Students: <ol style="list-style-type: none"> What do you know about Hindu Law? Do you think it is based solely on religion? How do you think ancient practices influence modern legal systems? • Introduce the Topic: <ul style="list-style-type: none"> ○ Explain that Hindu Law is one of the oldest legal systems in the world, deeply rooted in religion, customs, and philosophy. ○ Highlight its historical significance and continued relevance. • Set the Stage for Development: <ul style="list-style-type: none"> ○ Use a timeline slide to briefly outline the historical phases of Hindu Law: <ol style="list-style-type: none"> Ancient Hindu Law (Shruti and Smriti). Medieval influences (customary practices). Modern codifications post-independence (Hindu Marriage Act, Hindu Succession Act). <p>2. Development (30 minutes)</p> <p>a. Origin of Hindu Law</p>



- Discuss the origins of Hindu Law, tracing it back to the Vedic period.
- Explain the role of dharma in regulating individual and societal behavior.
- Highlight the concept of *Vyavahara* (justice and legal disputes) as derived from religious texts.

b. Sources of Hindu Law

Break down the sources into two categories:

1. Ancient Sources

- **Shruti (The Vedas):**
 - Describe the Vedas as the primary source of dharma.
 - Mention its spiritual and ethical guidance but limited direct legal rules.
- **Smriti (Manusmriti, Yajnavalkya Smriti, Narada Smriti):**
 - Explain Smritis as elaborations of Vedic principles with practical rules.
 - Discuss the role of Manusmriti in shaping early Hindu Law.
- **Commentaries and Digests (Mitakshara and Dayabhaga):**
 - Introduce Mitakshara and Dayabhaga schools as interpreters of Smriti texts.
 - Highlight their role in regional variations of Hindu Law.
- **Customs:**
 - Define custom as practices accepted by the community over time.
 - Discuss how customs gained legal status when consistent with dharma.

2. Modern Sources

- **Legislation:**
 - Explain post-independence codifications (e.g., Hindu Marriage Act, Hindu Succession Act, Hindu Minority and Guardianship Act).
 - Highlight the state's role in reconciling traditional law with modern values.
- **Judicial Decisions:**
 - Mention the importance of case law in interpreting and evolving Hindu Law.
- **Equity, Justice, and Good Conscience:**
 - Discuss how modern courts address gaps in traditional law by applying principles of fairness.

c. Relevance of Hindu Law Today



	<ul style="list-style-type: none"> • Discuss the adaptability of Hindu Law in addressing contemporary issues like gender equality and inheritance rights. • Mention landmark cases like <i>Vineeta Sharma v. Rakesh Sharma (2020)</i> on daughters’ rights to property. <p>3. Exercise (5 minutes)</p> <ul style="list-style-type: none"> • Activity: <ul style="list-style-type: none"> ○ Provide examples of legal scenarios and ask students to identify the source of Hindu Law involved. For example: <ol style="list-style-type: none"> 1. A marriage dispute resolved using the Hindu Marriage Act (Legislation). 2. Property inheritance guided by Mitakshara principles (Commentaries). 3. A judgment referring to Manusmriti (Smriti). • Use Nearpod to collect responses and discuss.
<p>Closure</p>	<p>Summarize Lesson Learning Outcomes:</p> <ul style="list-style-type: none"> • Reinforce understanding of the origin and sources of Hindu Law. • Emphasize the historical evolution and adaptability of Hindu Law in contemporary contexts. <p>2. Suggested Readings:</p> <ul style="list-style-type: none"> • “Introduction to Hindu Law” by Paras Diwan. • Manusmriti excerpts (relevant portions). • Judicial interpretations of Hindu Law in landmark cases. <p>Spend 5 minutes to wrap up and consolidate the learnings</p>
<p>Evaluation</p>	<ol style="list-style-type: none"> 1. Reflective Questions: <ul style="list-style-type: none"> ○ What are the primary ancient sources of Hindu Law? ○ How has the state modernized Hindu Law post-independence? ○ Why is custom considered a valid source of Hindu Law? 2. Quiz on Nearpod: <ul style="list-style-type: none"> ○ Include multiple-choice and short-answer questions on the origin and sources of Hindu Law. <p>Spend 5 minutes evaluating student responses to ensure assimilation of the lesson content.</p>

Lesson Plan No. 3	Course Name: Family Law-I Topic: Origin and Sources of Muslim Law	Course No.: LLB-202
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Objectives	At the end of the lesson, students shall be able to: <ol style="list-style-type: none"> Explain the origin and evolution of Muslim Law. Identify and differentiate between the primary and secondary sources of Muslim Law. Illustrate the role of the Quran, Hadith, Ijma, and Qiyas in shaping Muslim Law. Appreciate the adaptability of Muslim Law in addressing contemporary challenges.
Teaching Aids (if any)	<ol style="list-style-type: none"> Case studies to highlight the application of Ijma and Qiyas. Nearpod for quizzes and interactive discussions.
Teaching Development	<p>1. Introduction (5 minutes)</p> <ul style="list-style-type: none"> Ask Questions to Engage Students: <ol style="list-style-type: none"> What do you know about Muslim Law? How is Muslim Law connected to religion? Why do you think interpretation plays an important role in Muslim Law? Introduce the Topic: <ul style="list-style-type: none"> Muslim Law, also known as Islamic Law or Sharia, is a comprehensive legal system derived from divine and human interpretations. Highlight its dual nature: religious and legal, regulating both personal and societal behavior. Set the Stage: <ul style="list-style-type: none"> Use a timeline slide to illustrate the development of Muslim Law from the 7th century to modern interpretations. <p>2. Development (30 minutes)</p> <p>a. Origin of Muslim Law</p> <ul style="list-style-type: none"> Discuss the emergence of Muslim Law during the time of Prophet Muhammad. Highlight its foundation on divine revelations (Quran) and traditions of the Prophet (Hadith). Explain the development of jurisprudence post-Prophet Muhammad, leading to schools of thought.



b. Sources of Muslim Law

Break down the sources into two categories:

1. Primary Sources

- **Quran:**
 - Discuss the Quran as the fundamental and unalterable source of Muslim Law.
 - Highlight key legal principles derived from the Quran, such as marriage, divorce, and inheritance.
- **Hadith (Traditions of the Prophet):**
 - Define Hadith as the sayings, actions, and approvals of Prophet Muhammad.
 - Explain its role in clarifying and supplementing the Quran.

2. Secondary Sources

- **Ijma (Consensus):**
 - Define Ijma as the unanimous agreement of Islamic scholars on legal issues.
 - Discuss its role in resolving issues not explicitly mentioned in the Quran or Hadith.
- **Qiyas (Analogical Reasoning):**
 - Explain Qiyas as the process of deducing laws for new situations by drawing analogies from established principles.
 - Provide examples, such as applying principles of intoxicants to drugs.

c. Customary Law:

- Discuss the influence of local customs and practices, provided they do not conflict with Sharia principles.
- Mention how customs evolved into part of Muslim personal law in India.

d. Legislation and Judicial Interpretations:

- Explain the role of modern laws like the Muslim Personal Law (Shariat) Application Act, 1937, in codifying personal laws.
- Highlight judicial decisions as a source for interpreting and applying Muslim Law.

e. Relevance and Adaptability of Muslim Law Today

- Discuss its relevance in addressing contemporary issues like gender equality and inheritance rights.
- Mention the challenges, including reconciling traditional principles



	<p>with modern values.</p> <p>3. Exercise (5 minutes)</p> <ul style="list-style-type: none">• Activity: Provide examples of legal scenarios and ask students to identify the source of Muslim Law applied:<ol style="list-style-type: none">1. A dispute over inheritance resolved using the Quran.2. A new legal issue decided using Qiyas.3. A practice accepted due to long-standing customs.4. Marriage laws interpreted by judicial precedents.• Use Nearpod to collect responses and discuss.
Closure	<p>1. Summarize Lesson Learning Outcomes:</p> <ul style="list-style-type: none">• Reinforce understanding of the origin and sources of Muslim Law.• Highlight the adaptability and relevance of Islamic jurisprudence in modern contexts. <p>2. Suggested Readings:</p> <ul style="list-style-type: none">• <i>Mulla's Principles of Mohammedan Law.</i>• Selected verses from the Quran and Hadith.• Case laws interpreting Ijma and Qiyas. <p>Spend 5 minutes to wrap up and consolidate the learnings</p>
Evaluation	<p>1. Reflective Questions:</p> <ul style="list-style-type: none">○ What are the primary sources of Muslim Law?○ How do Ijma and Qiyas contribute to the evolution of Muslim Law?○ Why customs are considered a source of law under Muslim personal law? <p>2. Quiz on Nearpod:</p> <ul style="list-style-type: none">○ Include multiple-choice and short-answer questions to assess understanding of the origin and sources of Muslim Law. <p>Spend 5 minutes evaluating student responses to ensure assimilation of the lesson content.</p>

Lesson Plan No. 4	Course Name: Family Law-I Topic: Schools of Hindu Law- Mitakshara and Dayabhaga	Course No.: LLB-202
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Objectives	At the end of the lesson, students shall be able to: <ol style="list-style-type: none"> Differentiate between Mitakshara and Dayabhaga schools of Hindu Law. Explain the historical development and geographical applicability of both schools. Illustrate key differences in principles, especially related to inheritance and joint family property. Analyze the impact of these schools on contemporary Hindu personal law.
Teaching Aids (if any)	<ol style="list-style-type: none"> Maps showing the geographical regions where Mitakshara and Dayabhaga apply. Flowchart illustrating key differences in inheritance rules. Nearpod for interactive quizzes and discussions.
Teaching Development	<p>1. Introduction (5 minutes)</p> <ul style="list-style-type: none"> • Ask Questions to Engage Students: <ol style="list-style-type: none"> Have you heard about the concept of joint family property? Do you know why inheritance laws differ across regions in India? Why do you think interpretations of the same law can vary? • Introduce the Topic: <ul style="list-style-type: none"> ○ Explain that Hindu Law is applied through two primary schools: Mitakshara and Dayabhaga. ○ Highlight the historical origin of these schools from commentaries on ancient Smriti texts. • Set the Stage: <ul style="list-style-type: none"> ○ Use a map to show the geographical applicability of Mitakshara (pan-India except Bengal and Assam) and Dayabhaga (Bengal and Assam). <p>2. Development (30 minutes)</p> <p>a. Origin and Historical Development</p> <ul style="list-style-type: none"> • Mitakshara: <ul style="list-style-type: none"> ○ Originated from the commentary on Yajnavalkya Smriti by Vijnaneshwara. ○ Predominantly governs most parts of India. ○ Derived its name from the Sanskrit word <i>Mitakshara</i>, meaning "brief compendium." • Dayabhaga:

- Originated from the commentary by Jimutavahana on inheritance laws.
- Predominantly followed in Bengal and Assam.
- Focused on equitable distribution of property.

b. Key Features of Mitakshara and Dayabhaga Schools

1. Mitakshara School

- **Principle of Joint Family Property:**
 - Property is inherited by birth (sons acquire a share in ancestral property by birth).
- **Coparcenary System:**
 - Includes only male descendants up to four generations.
- **Partition of Property:**
 - A son can demand partition even during the lifetime of the father.

2. Dayabhaga School

- **Principle of Joint Family Property:**
 - Property is inherited upon the death of the owner (no birthright).
- **Coparcenary System:**
 - No concept of coparcenary as in Mitakshara; property belongs to the last full owner until divided.
- **Partition of Property:**
 - Sons cannot demand partition during the father's lifetime.

c. Geographical Applicability

- Use a map to explain regions governed by Mitakshara and Dayabhaga schools.
 - Mitakshara: Rest of India except Bengal and Assam.
 - Dayabhaga: Bengal and Assam.

d. Key Differences Between Mitakshara and Dayabhaga Schools

Aspect	Mitakshara	Dayabhaga
i. Right to Property	By birth	On death of the owner
ii. Coparcenary Members	Male members up to four generations	No coparcenary; property belongs to owner

	<p>iii. Partition Son can demand partition during father's life Partition happens after owner's death</p> <p>iv. Daughter's Rights Limited under ancient law; reformed by HSA 1956 Limited under ancient law; reformed by HSA 1956</p> <p>e. Relevance in Contemporary Hindu Law</p> <ul style="list-style-type: none"> Discuss the changes introduced by the Hindu Succession Act, 1956, and amendments (2005): <ul style="list-style-type: none"> Daughters now have equal rights as sons in joint family property (Mitakshara coparcenary). Dayabhaga principles have largely been subsumed by codified law but retain cultural significance. <p>3. Exercise (5 minutes)</p> <ul style="list-style-type: none"> Activity: Provide hypothetical inheritance scenarios and ask students to determine the applicable rules based on Mitakshara or Dayabhaga principles. Examples: <ol style="list-style-type: none"> A son demands partition of ancestral property while his father is alive (Mitakshara). A daughter claims inheritance after her father's death (Dayabhaga with modern reforms). A property dispute in Maharashtra (Mitakshara). Use Nearpod for interactive discussions and responses.
Closure	<p>1. Summarize Lesson Learning Outcomes:</p> <ul style="list-style-type: none"> Reinforce understanding of the origin, features, and differences between Mitakshara and Dayabhaga schools. Highlight the evolution of Hindu inheritance laws through reforms. <p>2. Suggested Readings:</p> <ul style="list-style-type: none"> <i>Introduction to Hindu Law</i> by Paras Diwan. Relevant sections of the Hindu Succession Act, 1956. Case laws on inheritance disputes under Mitakshara and Dayabhaga systems. <p>Spend 5 minutes to wrap up and consolidate the learnings</p>
Evaluation	<p>1. Reflective Questions:</p>



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	<ul style="list-style-type: none">○ What are the main differences between Mitakshara and Dayabhaga schools of Hindu Law?○ Why do regional variations exist in Hindu Law?○ How have modern reforms impacted the principles of Mitakshara and Dayabhaga schools? <p>2. Quiz on Nearpod:</p> <ul style="list-style-type: none">○ Include multiple-choice and short-answer questions to test understanding of key concepts. <p>Spend 5 minutes evaluating student responses to ensure assimilation of the lesson content.</p>
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Lesson Plan No. 5	Course Name: Family Law-I Topic: Schools of Muslim Law-Sunni, Shia and Other Schools	Course No.: LLB-202
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Objectives	At the end of the lesson, students shall be able to: <ol style="list-style-type: none"> Differentiate between Sunni and Shia schools of law. Explain the historical development of various schools of Muslim law. Identify the key principles and legal doctrines of Sunni, Shia, and other schools. Analyze the role of these schools in shaping Muslim personal law in contemporary society.
Teaching Aids (if any)	<ol style="list-style-type: none"> Timeline showing the historical evolution of Sunni and Shia schools. Infographic comparing Sunni and Shia schools. Case examples illustrating differences in legal principles. Nearpod for interactive quizzes and discussions.
Teaching Development	<p>1. Introduction (5 minutes)</p> <ul style="list-style-type: none"> • Ask Questions to Engage Students: <ol style="list-style-type: none"> Why do you think different schools of thought exist within Muslim law? How do these schools affect the interpretation of the Quran and Hadith? Do you know the distinction between Sunni and Shia Muslims? • Introduce the Topic: <ul style="list-style-type: none"> ○ Explain that the division into Sunni and Shia schools arose due to differences in leadership succession after Prophet Muhammad's death. ○ Highlight how these differences extended into legal and theological interpretations, leading to various schools of law. <p>2. Development (30 minutes)</p> <p>a. Historical Background of Schools of Muslim Law</p> <ul style="list-style-type: none"> • Sunni Schools: <ul style="list-style-type: none"> ○ Originated from the Sunni sect, which followed Abu Bakr as the rightful successor of Prophet Muhammad. ○ Four major schools of Sunni law: Hanafi, Maliki, Shafi'i, and Hanbali. • Shia Schools: <ul style="list-style-type: none"> ○ Emerged from the Shia sect, which supported Ali as the



	<p>rightful successor.</p> <ul style="list-style-type: none"> ○ Prominent school: Ja'fari (Imami) school. <ul style="list-style-type: none"> ● Other Schools: <ul style="list-style-type: none"> ○ Discuss smaller sects like Ismailis and Zaidis, and their legal interpretations. <p>b. Key Sunni Schools of Law</p> <ol style="list-style-type: none"> 1. Hanafi School: <ul style="list-style-type: none"> ○ Founded by Abu Hanifa. ○ Emphasizes reasoning and analogy (Qiyas). ○ Predominantly followed in South Asia, Turkey, and Central Asia. 2. Maliki School: <ul style="list-style-type: none"> ○ Founded by Malik ibn Anas. ○ Emphasizes the practices of Medina and traditions of the Prophet. ○ Predominantly followed in North and West Africa. 3. Shafi'i School: <ul style="list-style-type: none"> ○ Founded by Al-Shafi'i. ○ Combines Quran, Hadith, Ijma (consensus), and Qiyas. ○ Predominantly followed in Indonesia, Malaysia, and East Africa. 4. Hanbali School: <ul style="list-style-type: none"> ○ Founded by Ahmad ibn Hanbal. ○ Strictly adheres to Quran and Hadith. ○ Predominantly followed in Saudi Arabia. <p>c. Key Shia Schools of Law</p> <ul style="list-style-type: none"> ● Ja'fari (Imami) School: <ul style="list-style-type: none"> ○ Based on the teachings of the sixth Shia Imam, Ja'far al-Sadiq. ○ Places emphasis on reasoning (<i>Ijtihad</i>) and traditions of the Imams. ○ Predominantly followed in Iran and parts of Iraq and Lebanon. ● Ismaili and Zaidi Schools: <ul style="list-style-type: none"> ○ Discuss briefly as subsets of Shia jurisprudence with their unique interpretations. <p>d. Comparative Analysis of Sunni and Shia Schools</p> <table border="1" style="width: 100%; text-align: center;"> <thead> <tr> <th style="width: 30%;">Aspect</th> <th style="width: 35%;">Sunni Schools</th> <th style="width: 35%;">Shia Schools</th> </tr> </thead> <tbody> <tr> <td>i. Succession</td> <td>Recognize Abu Bakr as the first</td> <td>Recognize Ali as the</td> </tr> </tbody> </table>	Aspect	Sunni Schools	Shia Schools	i. Succession	Recognize Abu Bakr as the first	Recognize Ali as the
Aspect	Sunni Schools	Shia Schools					
i. Succession	Recognize Abu Bakr as the first	Recognize Ali as the					



	caliph	rightful successor
ii. Sources of Law	Quran, Hadith, Ijma, Qiyas	Quran, Hadith, Ijtihad, Imams' traditions
iii. Legal Interpretation	Based on consensus and reasoning	Emphasis on reasoning and Imams' guidance
iv. Geographical Influence	Globally widespread	Concentrated in Iran, Iraq, and Lebanon
e. Other Schools of Muslim Law		
<ul style="list-style-type: none"> Discuss smaller schools such as the Ismaili and Zaidi schools, emphasizing their contributions and distinctions. 		
f. Contemporary Relevance of Schools of Law		
<ul style="list-style-type: none"> Highlight the application of Sunni and Shia schools in modern Muslim personal law. Discuss codified laws in countries like India, where personal laws are influenced by these schools. Provide examples of inheritance and marriage cases where interpretations differ. 		
3. Exercise (5 minutes)		
<ul style="list-style-type: none"> Activity: Provide hypothetical legal scenarios and ask students to identify which school of law is most relevant. Examples: <ol style="list-style-type: none"> A case on marriage dissolution under Shia law (Ja'fari school). Property distribution based on Hanafi principles. A strict interpretation of religious texts as seen in Hanbali school. Use Nearpod to collect responses and discuss. 		
Closure	1. Summarize Lesson Learning Outcomes: <ul style="list-style-type: none"> Recap the origin, features, and differences between Sunni and Shia schools of law. Emphasize the adaptability of these schools to contemporary legal challenges. 2. Suggested Readings: <ul style="list-style-type: none"> <i>Principles of Mohammedan Law</i> by Mulla. 	



	<ul style="list-style-type: none">• Case studies on personal law disputes in Sunni and Shia families. <p>Spend 5 minutes to wrap up and consolidate the learnings</p>
Evaluation	<p>1. Reflective Questions:</p> <ul style="list-style-type: none">○ What are the key differences between Sunni and Shia schools of law?○ How do the four Sunni schools differ in their approach to legal interpretation?○ Why is reasoning (<i>Ijtihad</i>) significant in Shia jurisprudence? <p>2. Quiz on Nearpod:</p> <ul style="list-style-type: none">○ Include multiple-choice and case-based questions to assess understanding of key concepts. <p>Spend 5 minutes evaluating student responses to ensure assimilation of the lesson content.</p>

Lesson Plan No. 6	Course Name: Family Law-I Topic: Evolution and Concept of Institution of Marriage	Course No.: LLB-202
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Objectives	At the end of the lesson, students shall be able to: <ol style="list-style-type: none"> Trace the historical evolution of marriage as a social institution in India. Define the concept of marriage in different religious and cultural contexts. Explain the societal, legal, and personal significance of marriage. Analyze the evolution of marriage laws in India, including their reforms and contemporary relevance.
Teaching Aids (if any)	<ol style="list-style-type: none"> Timeline of key developments in marriage laws in India. Charts comparing the concept of marriage across different religions. Video snippets showing cultural marriage practices. Interactive Nearpod quiz to test understanding.
Teaching Development	<p>1. Introduction (5 minutes)</p> <ul style="list-style-type: none"> Ask Questions to Engage Students: <ol style="list-style-type: none"> How would you define marriage? Why is marriage considered a foundation of family and society? What role do you think religion and law play in regulating marriage? Introduce the Topic: <ul style="list-style-type: none"> Explain marriage as a universal social institution that governs relationships, inheritance, and societal structure. Mention its evolution from a mere contract or ritual to a legal and emotional partnership in modern times. <p>2. Development (30 minutes)</p> <p>a. Historical Evolution of Marriage in India</p> <ul style="list-style-type: none"> Ancient Period: <ul style="list-style-type: none"> Marriage as a sacrament in Hindu law (<i>sanskara</i>). Patriarchal norms and the significance of rituals like <i>Saptapadi</i>. Polygamy and arranged marriages as societal norms. Medieval Period: <ul style="list-style-type: none"> Influence of Islamic law on marriage practices: Nikah as a contract. Introduction of dowry systems and restrictions on women's autonomy. Modern Period:



- British influence: Codification of marriage laws.
- Reforms led by social reformers like Raja Ram Mohan Roy (abolition of Sati) and Ishwar Chandra Vidyasagar (advocacy for widow remarriage).

b. Concept of Marriage in Different Religious Contexts

- **Hindu Law:**
 - Marriage as a sacrament and an indissoluble union.
 - Three primary purposes: Dharma, Progeny, and Moksha.
- **Muslim Law:**
 - Marriage (*Nikah*) as a civil contract with mutual consent.
 - Rights and duties of husband and wife codified under Sharia law.
- **Christian Law:**
 - Marriage as a sacred institution.
 - Governed by the Indian Christian Marriage Act, 1872.
- **Secular Perspective:**
 - The introduction of the Special Marriage Act, 1954, for interfaith and civil marriages.

c. Legal Reforms in Marriage Laws in India

- **Hindu Marriage Act, 1955:**
 - Legalized divorce, established monogamy, and introduced age restrictions.
- **Muslim Personal Law:**
 - Protects the contractual nature of marriage, with provisions for Mehr and Talaq.
- **Christian Marriage Act:**
 - Regulates Christian marriages and divorce.
- **Special Marriage Act, 1954:**
 - A secular framework allowing interfaith and civil marriages.

d. Contemporary Relevance and Challenges

- Changing societal attitudes: Same-sex marriage debates, live-in relationships.
- Women's rights in marriage: Dowry prohibition, domestic violence laws.
- Legal recognition of diverse marital practices and reforms.

3. Exercise (5 minutes)

- **Activity:** Provide hypothetical scenarios and ask students to identify the legal and societal implications:



	<ol style="list-style-type: none">1. A Hindu couple wants to marry without rituals (Special Marriage Act).2. A Muslim woman claims her Mehr during divorce (Muslim law).3. An interfaith couple seeks marriage registration (Special Marriage Act). <ul style="list-style-type: none">• Use Nearpod for responses and group discussions.
Closure	<p>1. Summarize Lesson Learning Outcomes:</p> <ul style="list-style-type: none">• Recap the historical evolution and cultural variations of marriage as an institution.• Highlight the role of marriage laws in modern society. <p>2. Suggested Readings:</p> <ul style="list-style-type: none">• Relevant sections of the Hindu Marriage Act, 1955.• Articles on contemporary challenges in marriage laws (e.g., same-sex marriage, live-in relationships).• Case studies on legal reforms in marital practices. <p>Spend 5 minutes to wrap up and consolidate the learnings</p>
Evaluation	<ol style="list-style-type: none">1. Reflective Questions:<ul style="list-style-type: none">○ How has the concept of marriage evolved over time in India?○ What are the key differences in the understanding of marriage across religions?○ Why are marriage laws critical for ensuring social justice?2. Quiz on Nearpod:<ul style="list-style-type: none">○ Include multiple-choice and scenario-based questions to assess understanding of key concepts. <p>Spend 5 minutes evaluating student responses to ensure assimilation of the lesson content.</p>

Lesson Plan No.7	Course Name: Family Law-I Topic: Definition, Object and Nature of Nikah	Course No.: LLB-202
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Objectives	At the end of the lesson, students shall be able to: a. Define <i>Nikah</i> in the context of Muslim personal law. b. Explain the objectives and legal principles governing <i>Nikah</i> . c. Analyze the dual nature of <i>Nikah</i> as a social contract and a sacred obligation. d. Evaluate the contemporary significance of <i>Nikah</i> in Muslim personal law.
Teaching Aids (if any)	a. Flowchart illustrating the process of <i>Nikah</i> . b. Comparative chart showing the contractual and sacramental elements of <i>Nikah</i> . c. Case examples illustrating the application of <i>Nikah</i> principles in real-life scenarios. d. Nearpod for quizzes and interactive exercises.
Teaching Development	<p>1. Introduction (5 minutes)</p> <ul style="list-style-type: none"> • Ask Questions to Engage Students: <ol style="list-style-type: none"> 1. What do you understand by the term <i>Nikah</i>? 2. How do you think marriage in Islamic law differs from marriage in other religions? 3. Can marriage be both a contract and a sacred obligation? • Introduce the Topic: <ul style="list-style-type: none"> ○ Explain that <i>Nikah</i> in Islamic law is a contract (<i>aqd</i>) that is also imbued with spiritual and social significance. ○ Highlight the dual objectives: personal companionship and societal stability. <p>2. Development (30 minutes)</p> <p>a. Definition of Nikah</p> <ul style="list-style-type: none"> • Derived from the Arabic word meaning "union" or "togetherness." • Defined as a civil contract between two individuals for the purpose of procreation, companionship, and mutual support. • Legal requirements: Offer (<i>Ijab</i>), acceptance (<i>Qubool</i>), and consideration (<i>Mahr</i>). <p>b. Objectives of Nikah</p> <ol style="list-style-type: none"> 1. Personal Objectives: <ul style="list-style-type: none"> ○ Establish companionship and love. ○ Ensure lawful satisfaction of biological needs.



2. Social Objectives:

- Promote family and societal order.
- Provide legal and financial security to the spouse and children.

3. Spiritual Objectives:

- Fulfill religious obligations and adhere to the Sunnah.
- Strengthen the moral fabric of society by avoiding illicit relationships.

c. Nature of Nikah

• **Contractual Nature:**

- A binding agreement that specifies rights and obligations.
- Includes stipulations such as *Mahr* (dower) and mutual consent.
- Can be dissolved through mutual agreement (e.g., *Talaq*, *Khula*).

• **Sacramental Nature:**

- Seen as a religious duty and an act of worship (*ibadat*).
- Encouraged in Islam to foster a moral and stable society.
- Associated with blessings and the approval of Allah.

d. Legal Elements of Nikah

1. Capacity of the Parties:

- Both must be of sound mind and have attained the age of puberty.
- Free consent is essential.

2. Witnesses:

- Presence of at least two male or one male and two female witnesses for Sunni *Nikah*.
- Shia law may not require witnesses but considers it preferable.

3. Mahr (Dower):

- A mandatory gift from the husband to the wife, symbolizing respect and commitment.

4. Prohibited Degrees of Relationship:

- Close blood relations (*Mahram*) cannot marry.

e. Contemporary Significance of Nikah

- Protection of women's rights through stipulations in the contract.
- Regulation of polygamy and other practices under Muslim Personal Law.
- Importance of registration and documentation in modern legal systems.



	<p>3. Exercise (5 minutes)</p> <ul style="list-style-type: none">• Activity: Provide hypothetical scenarios and ask students to identify legal principles related to <i>Nikah</i>:<ol style="list-style-type: none">1. A marriage without the consent of one party.2. A marriage where <i>Mahr</i> is not specified.3. A marriage between two individuals within prohibited degrees of relationship.• Use Nearpod to collect responses and discuss the correct interpretations.
Closure	<p>1. Summarize Lesson Learning Outcomes:</p> <ul style="list-style-type: none">• Recap the definition, objectives, and nature of <i>Nikah</i>.• Emphasize its significance as both a legal contract and a sacred obligation. <p>2. Suggested Readings:</p> <ul style="list-style-type: none">• <i>Principles of Mohammedan Law</i> by Mulla.• Articles on the legal and social implications of <i>Nikah</i>. <p>Spend 5 minutes to wrap up and consolidate the learnings</p>
Evaluation	<p>1. Reflective Questions:</p> <ul style="list-style-type: none">○ Why is <i>Nikah</i> considered both a contract and a religious duty?○ How does <i>Mahr</i> ensure the rights of women in a marriage?○ What is the importance of witnesses in a <i>Nikah</i> ceremony? <p>2. Quiz on Nearpod:</p> <ul style="list-style-type: none">○ Multiple-choice questions and case-based scenarios assessing understanding of <i>Nikah</i>. <p>Spend 5 minutes evaluating student responses to ensure assimilation of the lesson content.</p>

Lesson Plan No. 8	Course Name: Family Law-I Topic: Capacity and Essentials of Marriage	Course No.: LLB-202
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Objectives	At the end of the lesson, students shall be able to: <ol style="list-style-type: none"> Define the legal capacity required for marriage under Hindu and Muslim law. Identify the essential conditions for a valid marriage in Hindu and Muslim personal laws. Analyze the similarities and differences in marriage capacity and essentials between the two laws. Apply the understanding of capacity and essentials to hypothetical legal scenarios.
Teaching Aids (if any)	<ol style="list-style-type: none"> Flowchart showing the essential conditions for a valid marriage in Hindu and Muslim law. Comparative table for capacity and essentials in Hindu and Muslim marriage laws. Case studies illustrating the legal implications of marriage laws. Use of Nearpod for quizzes and interactive exercises.
Teaching Development	<p>1. Introduction (5 minutes)</p> <ul style="list-style-type: none"> • Ask Questions to Engage Students: <ol style="list-style-type: none"> What conditions do you think are necessary for a valid marriage? Why is consent considered crucial in a marriage? How do different religions view marriage eligibility? • Introduce the Topic: <ul style="list-style-type: none"> ○ Explain the importance of capacity and essential conditions to ensure a lawful and valid marriage. ○ Highlight the role of personal laws (Hindu and Muslim) in defining these conditions. <p>2. Development (30 minutes)</p> <p>a. Capacity for Marriage</p> <ul style="list-style-type: none"> • Under Hindu Law: <ul style="list-style-type: none"> ○ Governed by the Hindu Marriage Act, 1955. ○ Conditions: <ol style="list-style-type: none"> Age: Bridegroom must be 21 years, bride must be 18 years. Sound Mind: Both parties must be capable of giving valid consent. No Existing Spouse: Monogamy is a requirement.



	<p>4. Prohibited Relationships: Parties should not be within the degrees of prohibited relationships unless customs permit.</p> <ul style="list-style-type: none">• Under Muslim Law:<ul style="list-style-type: none">○ Governed by personal laws and uncodified principles.○ Conditions:<ol style="list-style-type: none">1. Puberty: Marriageable age is usually the attainment of puberty (presumed at 15 years).2. Sound Mind: Parties must have the mental capacity to understand the marriage contract.3. Free Consent: Essential for a valid <i>Nikah</i>.4. Prohibited Relationships: Marrying within the prohibited degrees of relationship is not allowed. <p>b. Essentials of a Valid Marriage</p> <ul style="list-style-type: none">• Under Hindu Law:<ul style="list-style-type: none">○ Free Consent: Both parties must consent voluntarily.○ Ceremonial Obligations:<ul style="list-style-type: none">▪ Performance of <i>Saptapadi</i> (seven steps) and other customary rituals.○ Prohibited Relationships:<ul style="list-style-type: none">▪ Parties should not be within <i>Sapinda</i> relationships unless customs permit.• Under Muslim Law:<ul style="list-style-type: none">○ Offer (<i>Ijab</i>) and Acceptance (<i>Qubool</i>): Must be expressed in the same meeting.○ Witnesses:<ul style="list-style-type: none">▪ Sunni Law: At least two male or one male and two female witnesses.▪ Shia Law: Witnesses are not mandatory but preferred.○ Mahr (<i>Dower</i>): A mandatory gift from the groom to the bride. <p>c. Legal Consequences of Non-Compliance</p> <ul style="list-style-type: none">• Marriage may be declared void, voidable, or irregular, depending on the violation of capacity or essentials.• Discuss examples:<ol style="list-style-type: none">1. A marriage between individuals within prohibited degrees under Hindu law.2. A <i>Nikah</i> without a valid <i>Mahr</i>. <p>3. Exercise (5 minutes)</p> <ul style="list-style-type: none">• Activity: Provide scenarios and ask students to determine the
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	<p>validity of marriage based on capacity and essentials:</p> <ol style="list-style-type: none">1. A marriage between a 17-year-old girl and a 21-year-old man under Hindu law.2. A <i>Nikah</i> without witnesses under Sunni law.3. A marriage between cousins under Hindu law. <ul style="list-style-type: none">• Use Nearpod to collect answers and discuss interpretations.
Closure	<p>1. Summarize Lesson Learning Outcomes:</p> <ul style="list-style-type: none">• Recap the capacity and essential conditions for valid marriages under Hindu and Muslim law.• Emphasize the role of these requirements in ensuring lawful and ethical marital relationships. <p>2. Suggested Readings:</p> <ul style="list-style-type: none">• Relevant sections of the Hindu Marriage Act, 1955.• <i>Principles of Mohammedan Law</i> by Mulla. <p>Spend 5 minutes to wrap up and consolidate the learnings</p>
Evaluation	<p>1. Reflective Questions:</p> <ul style="list-style-type: none">○ Why is age an essential factor for marriage capacity?○ How does the concept of free consent safeguard marital rights?○ What are the implications of violating prohibited relationships in marriage? <p>2. Quiz on Nearpod:</p> <ul style="list-style-type: none">○ Include multiple-choice questions and case-based scenarios to assess understanding. <p>Spend 5 minutes evaluating student responses to ensure assimilation of the lesson content.</p>

Lesson Plan No. 9	Course Name: Family Law-I Topic: Validity and Void ability of Marriage	Course No.: LLB-202
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Objectives	At the end of the lesson, students shall be able to: <ol style="list-style-type: none"> Define valid, void, and voidable marriages under Hindu and Muslim law. Differentiate between void, voidable, and irregular marriages. Analyze the legal consequences of invalid or voidable marriages under Hindu and Muslim law. Apply legal principles to hypothetical scenarios regarding marital validity.
Teaching Aids (if any)	<ol style="list-style-type: none"> Flowchart illustrating valid, void, and voidable marriages. Comparative chart of Hindu and Muslim marriage laws on validity. Real-life and hypothetical case examples. Nearpod for interactive quizzes and exercises.
Teaching Development	<p>1. Introduction (5 minutes)</p> <ul style="list-style-type: none"> • Ask Questions to Engage Students: <ol style="list-style-type: none"> What happens if a marriage violates legal requirements? Can a marriage be considered partially valid or entirely invalid? Do you think the consequences of invalid marriages are the same across Hindu and Muslim laws? • Introduce the Topic: <ul style="list-style-type: none"> ○ Explain the need for classification of marriages into valid, void, and voidable categories. ○ Highlight the significance of these classifications for protecting individual rights and ensuring legal clarity. <p>2. Development (30 minutes)</p> <p>a. Valid, Void, and Voidable Marriages</p> <ol style="list-style-type: none"> Under Hindu Law (Hindu Marriage Act, 1955): <ul style="list-style-type: none"> ○ Valid Marriage: <ul style="list-style-type: none"> ▪ Meets all conditions under Sections 5 and 7 of the Act, e.g., monogamy, age, prohibited relationships, <i>Saptapadi</i> (if customary). ○ Void Marriage (Section 11): <ul style="list-style-type: none"> ▪ A marriage is void if: <ol style="list-style-type: none"> Either party has a living spouse. Parties are within prohibited degrees of relationship unless permitted by custom. <i>Sapinda</i> relationship exists, unless permitted



	<p>by custom.</p> <ul style="list-style-type: none"> ▪ Consequences: No legal status, no rights or obligations. <ul style="list-style-type: none"> ○ Voidable Marriage (Section 12): <ul style="list-style-type: none"> ▪ Can be annulled if: <ol style="list-style-type: none"> 1. Marriage is not consummated due to impotency. 2. Consent was obtained by fraud or force. 3. Either party was of unsound mind at the time of marriage. <p>2. Under Muslim Law:</p> <ul style="list-style-type: none"> ○ Valid Marriage: <ul style="list-style-type: none"> ▪ Meets all essential requirements: <i>Ijab</i> (offer), <i>Qubool</i> (acceptance), witnesses, and <i>Mahr</i>. ○ Void Marriage: <ul style="list-style-type: none"> ▪ A marriage is void if: <ol style="list-style-type: none"> 1. Prohibited degrees of relationship are violated. 2. Marital partners are not of opposite genders. 3. Either party is married to a fifth spouse (polygamy limit exceeded). ○ Irregular Marriage: <ul style="list-style-type: none"> ▪ Violates procedural or non-fundamental requirements, e.g., lack of witnesses, <i>Mahr</i> not specified, marriage during <i>Iddat</i>. ▪ Can be regularized by correcting procedural flaws. <p>b. Key Differences Between Hindu and Muslim Laws</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">Aspect</th> <th style="text-align: center;">Hindu Law</th> <th style="text-align: center;">Muslim Law</th> </tr> </thead> <tbody> <tr> <td>Void Marriage</td> <td>Strict statutory conditions</td> <td>Based on violation of absolute prohibitions</td> </tr> <tr> <td>Voidable Marriage</td> <td>Focuses on consent, mental state</td> <td>Not explicitly recognized</td> </tr> <tr> <td>Irregular Marriage</td> <td>Not applicable</td> <td>Recognized and can be corrected</td> </tr> </tbody> </table> <p>c. Legal Consequences</p> <p>1. Void Marriages:</p> <ul style="list-style-type: none"> ○ No legal recognition. ○ Children born of void marriages may be considered legitimate under certain provisions (e.g., Section 16 of the 	Aspect	Hindu Law	Muslim Law	Void Marriage	Strict statutory conditions	Based on violation of absolute prohibitions	Voidable Marriage	Focuses on consent, mental state	Not explicitly recognized	Irregular Marriage	Not applicable	Recognized and can be corrected
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Voidable Marriage	Focuses on consent, mental state	Not explicitly recognized											
Irregular Marriage	Not applicable	Recognized and can be corrected											



	<p>Hindu Marriage Act).</p> <p>2. Voidable Marriages:</p> <ul style="list-style-type: none"> ○ Rights and obligations exist until annulment. ○ Annulment requires a decree from the court. <p>3. Irregular Marriages (Muslim Law):</p> <ul style="list-style-type: none"> ○ Can be regularized through compliance with procedural requirements. ○ No legal consequences if not rectified. <p>d. Examples and Case Studies</p> <ul style="list-style-type: none"> • Case study: A marriage between first cousins under Hindu law. • Hypothetical scenario: A <i>Nikah</i> without witnesses under Sunni law. • Legal analysis of voidable marriages involving fraud or force. <p>3. Exercise (5 minutes)</p> <ul style="list-style-type: none"> • Activity: Identify and classify the marriage based on given scenarios: <ol style="list-style-type: none"> 1. Marriage between a 16-year-old girl and a 30-year-old man under Hindu law. 2. A <i>Nikah</i> conducted during the <i>Iddat</i> period of the bride. 3. A second marriage without dissolving the first marriage under Hindu law. • Use Nearpod to collect responses and discuss the answers.
<p>Closure</p>	<p>1. Summarize Lesson Learning Outcomes:</p> <ul style="list-style-type: none"> • Recap definitions and classifications of valid, void, and voidable marriages. • Highlight key differences and legal consequences under Hindu and Muslim laws. <p>2. Suggested Readings:</p> <ul style="list-style-type: none"> • Hindu Marriage Act, 1955 (Sections 5, 7, 11, 12, 16). • <i>Principles of Mohammedan Law</i> by Mulla. <p>Spend 5 minutes to wrap up and consolidate the learnings</p>
<p>Evaluation</p>	<p>1. Reflective Questions:</p> <ul style="list-style-type: none"> ○ What is the primary difference between void and voidable marriages? ○ Why do Muslim laws recognize irregular marriages, while Hindu law does not? ○ What are the social and legal implications of void marriages? <p>2. Quiz on Nearpod:</p>



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	<ul style="list-style-type: none">○ Include multiple-choice and case-based questions to assess understanding. <p>Spend 5 minutes evaluating student responses to ensure assimilation of the lesson content.</p>
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Lesson Plan No. 10	Course Name: Family Law-I Topic: Recent Trends in the Institute of Marriage (Hindu Marriage Act, 1955 with Amendment Act 1976)	Course No.: LLB-202
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Objectives	<p>At the end of the lesson, students shall be able to:</p> <ol style="list-style-type: none"> Understand the evolution of the Hindu Marriage Act, 1955, and its amendments in 1976. Identify recent trends and social changes impacting the institution of marriage. Analyze the legal and societal implications of the changes introduced in the 1976 Amendment. Discuss contemporary challenges and reforms in the Hindu marriage framework.
Teaching Aids (if any)	<ol style="list-style-type: none"> Timeline showing evolution of marriage laws. Chart summarizing key provisions of the 1955 Act and the 1976 Amendment. Video clips or articles discussing recent trends in marriage (e.g., live-in relationships, LGBTQ+ rights). Interactive quizzes and polls on recent societal changes related to marriage.
Teaching Development	<p>1. Introduction (5 minutes)</p> <ul style="list-style-type: none"> Ask Questions to Engage Students: <ol style="list-style-type: none"> How do you think the concept of marriage has changed over the last few decades? What factors do you think influence modern marital relationships? Can laws keep up with societal changes in marriage dynamics? Introduce the Topic: <ul style="list-style-type: none"> Explain the significance of the Hindu Marriage Act, 1955, as a codified law governing Hindu marriages. Highlight the 1976 Amendment as a response to emerging societal issues like divorce and maintenance. Briefly mention current trends in marriage, such as live-in relationships and LGBTQ+ unions, and their legal recognition. <p>2. Development (30 minutes)</p> <p>a. Key Features of the Hindu Marriage Act, 1955</p> <ul style="list-style-type: none"> Scope and Applicability:



- Governs Hindus, Buddhists, Jains, and Sikhs.
- **Essentials for a Valid Marriage:**
 - Age, monogamy, mental capacity, absence of prohibited relationships, and performance of necessary ceremonies.
- **Provisions for Divorce and Maintenance:**
 - Focus on conditions for dissolution of marriage and post-marital rights.

b. Highlights of the 1976 Amendment

- **Simplification of Divorce Procedures:**
 - Introduced divorce by mutual consent (Section 13B).
 - Addressed cruelty and desertion as valid grounds for divorce.
- **Reduction of Waiting Period:**
 - Relaxation of conditions for judicial separation.
- **Maintenance and Alimony:**
 - Strengthened provisions for spousal and child maintenance.
 - Provided relief to financially dependent spouses.

c. Recent Trends in the Institution of Marriage

1. **Live-in Relationships:**
 - Increasing acceptance in urban areas.
 - Legal status under cases such as *Khushboo v. Kanniammal*.
2. **Interfaith Marriages:**
 - Rise in interfaith unions and challenges posed by personal laws.
 - Discussion on the Special Marriage Act, 1954.
3. **Same-Sex Marriages and LGBTQ+ Rights:**
 - Debate over recognition under Indian laws.
 - Impact of the *Navtej Singh Johar v. Union of India* verdict.
4. **Evolving Roles in Marriage:**
 - Changing gender roles in relationships.
 - Legal responses to domestic violence and equality in marital rights.
5. **Technology in Marriage:**
 - Influence of online dating and matrimonial platforms.

d. Legal and Social Implications

- **Advantages of Reforms:**
 - Enhanced individual autonomy and freedom of choice.
 - Gender equality in divorce and maintenance rights.
- **Challenges:**
 - Resistance from conservative groups.
 - Need for uniform civil code to address conflicts in personal



	<p>laws.</p> <p>3. Exercise (5 minutes)</p> <ul style="list-style-type: none"> • Activity: <ul style="list-style-type: none"> ○ Present hypothetical scenarios reflecting recent trends (e.g., live-in relationships, interfaith marriage challenges). ○ Ask students to analyze the legal implications based on the Hindu Marriage Act and its amendments. • Discussion Points: <ul style="list-style-type: none"> ○ What legal changes could address current societal trends? ○ How should courts balance personal laws and evolving social norms?
<p>Closure</p>	<p>1. Summarize Lesson Learning Outcomes:</p> <ul style="list-style-type: none"> • Recap the evolution of Hindu marriage laws and key reforms in 1976. • Highlight recent trends in marriage and their legal challenges. <p>2. Suggested Readings:</p> <ul style="list-style-type: none"> • Hindu Marriage Act, 1955 (with 1976 Amendment). • Articles on contemporary marriage trends in India. <p>Spend 5 minutes to wrap up and consolidate the learnings</p>
<p>Evaluation</p>	<p>1. Reflective Questions:</p> <ul style="list-style-type: none"> ○ How has the 1976 Amendment simplified divorce procedures? ○ Why is mutual consent significant in modern marriage laws? ○ What legal measures can accommodate the growing acceptance of live-in relationships? <p>2. Quiz on Recent Trends:</p> <ul style="list-style-type: none"> ○ Include questions on live-in relationships, interfaith marriages, and the impact of the 1976 Amendment. <p>Spend 5 minutes evaluating student responses to ensure comprehension and assimilation of lesson content.</p>

Lesson Plan No. 11	Course Name: Family Law-I Topic: Theories of Divorce	Course No.: LLB-202
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Objectives	At the end of the lesson, students shall be able to: <ol style="list-style-type: none"> Understand the concept and purpose of divorce. Analyze the different theories of divorce under Hindu and Muslim laws. Distinguish between fault, consent, and breakdown theories of divorce. Critically evaluate the relevance and applicability of these theories in contemporary society.
Teaching Aids (if any)	<ol style="list-style-type: none"> Comparative chart of divorce theories. Flowchart of divorce grounds under different theories. Case studies illustrating each theory. Interactive quizzes using platforms like Nearpod.
Teaching Development	<p>1. Introduction (5 minutes)</p> <ul style="list-style-type: none"> • Ask Questions to Engage Students: <ol style="list-style-type: none"> What do you think are common reasons for marital breakdowns? Should divorce be based solely on fault or should mutual agreement suffice? Can irreconcilable differences alone justify the dissolution of a marriage? • Introduce the Topic: <ul style="list-style-type: none"> ○ Define divorce as the legal dissolution of marriage. ○ Emphasize its importance in protecting individual dignity and ensuring societal balance. ○ Introduce the three primary theories of divorce: fault, mutual consent, and breakdown. <p>2. Development (30 minutes)</p> <p>a. Fault Theory (Guilt-Based Divorce)</p> <ul style="list-style-type: none"> • Explanation: <ul style="list-style-type: none"> ○ Divorce is granted when one spouse proves the other's misconduct or breach of marital duties. ○ Common grounds include cruelty, adultery, desertion, and mental illness. • Hindu Law: <ul style="list-style-type: none"> ○ Section 13 of the Hindu Marriage Act, 1955 (e.g., cruelty, adultery, desertion). • Muslim Law:



	<ul style="list-style-type: none"> ○ Talak can be sought for reasons like cruelty or neglect under <i>Faskh</i>. ● Criticism: <ul style="list-style-type: none"> ○ Leads to accusations and bitterness. ○ Ignores mutual incompatibility as a cause of divorce. <p>b. Mutual Consent Theory</p> <ul style="list-style-type: none"> ● Explanation: <ul style="list-style-type: none"> ○ Divorce is granted when both parties mutually agree that the marriage has irretrievably broken down. ○ Emphasizes personal autonomy and avoids blame. ● Hindu Law: <ul style="list-style-type: none"> ○ Section 13B of the Hindu Marriage Act, 1955 (introduced in the 1976 Amendment). ● Muslim Law: <ul style="list-style-type: none"> ○ Divorce by mutual agreement (<i>Mubarat</i>). ● Advantages: <ul style="list-style-type: none"> ○ Faster resolution. ○ Reduces hostility and emotional trauma. <p>c. Breakdown Theory (Irretrievable Breakdown of Marriage)</p> <ul style="list-style-type: none"> ● Explanation: <ul style="list-style-type: none"> ○ Divorce is granted when a marriage is deemed beyond repair, regardless of fault or mutual agreement. ○ Focuses on the functional aspects of marriage rather than legal formalities. ● Hindu Law: <ul style="list-style-type: none"> ○ Not explicitly recognized but proposed by courts in cases like <i>Naveen Kohli v. Neelu Kohli</i> (2006). ● Muslim Law: <ul style="list-style-type: none"> ○ Covered under unilateral <i>Talak</i> or <i>Khula</i>. ● Advantages: <ul style="list-style-type: none"> ○ Practical and less contentious. ○ Avoids the need to assign blame. <p>d. Comparative Analysis of Theories</p> <table border="1" style="width: 100%; text-align: center;"> <thead> <tr> <th>Aspect</th> <th>Fault Theory</th> <th>Mutual Consent</th> <th>Breakdown Theory</th> </tr> </thead> <tbody> <tr> <td>Focus</td> <td>Proving misconduct</td> <td>Agreement between spouses</td> <td>Functional failure of marriage</td> </tr> <tr> <td>Process</td> <td>Lengthy and bitter</td> <td>Cooperative and quick</td> <td>Practical and neutral</td> </tr> </tbody> </table>	Aspect	Fault Theory	Mutual Consent	Breakdown Theory	Focus	Proving misconduct	Agreement between spouses	Functional failure of marriage	Process	Lengthy and bitter	Cooperative and quick	Practical and neutral
Aspect	Fault Theory	Mutual Consent	Breakdown Theory										
Focus	Proving misconduct	Agreement between spouses	Functional failure of marriage										
Process	Lengthy and bitter	Cooperative and quick	Practical and neutral										



	<p>Examples of Grounds Cruelty, Agreement on Irreconcilable Adultery separation differences</p> <p>Criticism Creates Requires May ignore hostility agreement reconciliation</p> <p>e. Legal and Social Implications</p> <ul style="list-style-type: none"> • Fault theory reinforces societal morality but may perpetuate conflict. • Mutual consent theory respects individual autonomy but requires agreement. • Breakdown theory focuses on practicality but may be open to misuse. <p>3. Exercise (5 minutes)</p> <ul style="list-style-type: none"> • Activity: Case Analysis <ul style="list-style-type: none"> ○ Present scenarios and ask students to identify which theory of divorce applies: <ol style="list-style-type: none"> 1. A spouse seeking divorce due to cruelty. 2. A couple mutually agreeing to separate without assigning blame. 3. A spouse seeking divorce due to irretrievable breakdown of marriage. • Discussion Points: <ul style="list-style-type: none"> ○ Are these theories adequate to address modern marital issues? ○ Which theory best balances individual freedom and societal norms?
Closure	<p>1. Summarize Lesson Learning Outcomes:</p> <ul style="list-style-type: none"> • Recap the three theories of divorce and their features. • Highlight key differences in their application under Hindu and Muslim laws. <p>2. Suggested Readings:</p> <ul style="list-style-type: none"> • Hindu Marriage Act, 1955 (Sections 13 and 13B). • Case laws like <i>Naveen Kohli v. Neelu Kohli</i> (2006). • Articles on irretrievable breakdown as a ground for divorce. <p>Spend 5 minutes to wrap up and consolidate the learnings</p>
Evaluation	<p>1. Reflective Questions:</p> <ul style="list-style-type: none"> ○ Why is the fault theory criticized in modern contexts?



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	<ul style="list-style-type: none">○ How does mutual consent theory empower individuals in a marriage?○ Should irretrievable breakdown be recognized as a ground for divorce under Hindu law? <p>2. Quiz on Divorce Theories:</p> <ul style="list-style-type: none">○ Include multiple-choice and scenario-based questions to test understanding. <p>Spend 5 minutes evaluating student responses to ensure clarity and assimilation of lesson content.</p>
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Lesson Plan No. 12	Course Name: Family Law-I Topic: Grounds of Divorce under Hindu and Muslim Law	Course No.: LLB-202
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Objectives	At the end of the lesson, students shall be able to: <ol style="list-style-type: none"> Understand the statutory and traditional grounds for divorce under Hindu and Muslim laws. Differentiate between the grounds for divorce in both legal systems. Analyze the rationale and implications of these grounds on marital relationships. Evaluate the adequacy of these grounds in addressing modern marital challenges.
Teaching Aids (if any)	<ol style="list-style-type: none"> Comparative table of divorce grounds under Hindu and Muslim laws. Case studies to illustrate specific grounds for divorce. Flowcharts summarizing divorce procedures. Online quiz using tools like Kahoot or Nearpod.
Teaching Development	<p>1. Introduction (5 minutes)</p> <ul style="list-style-type: none"> • Ask Questions to Engage Students: <ol style="list-style-type: none"> What are the most common reasons for divorce in modern society? Do you think all marital problems should justify divorce? How do personal laws in India handle the complexities of divorce? • Introduce the Topic: <ul style="list-style-type: none"> ○ Define divorce as the legal dissolution of a marriage. ○ Emphasize that Hindu and Muslim laws approach divorce from distinct perspectives. ○ Briefly outline the differences in statutory provisions and traditional interpretations. <p>2. Development (30 minutes)</p> <p>a. Grounds of Divorce under Hindu Law</p> <ul style="list-style-type: none"> • Fault Grounds (Section 13 of the Hindu Marriage Act, 1955): <ol style="list-style-type: none"> Adultery – Engaging in sexual relations outside marriage. Cruelty – Physical or mental abuse causing harm to the spouse. Desertion – Abandonment without reasonable cause for a continuous period of two years. Conversion – Changing religion to one outside the Hindu fold.



	<p>5. Mental Disorder – Severe mental illness rendering marital cohabitation impossible.</p> <p>6. Leprosy – Infectious disease causing social stigma.</p> <p>7. Venereal Disease – Contagious sexually transmitted diseases.</p> <p>8. Renunciation – Renouncing the world and becoming a sanyasi.</p> <p>9. Presumption of Death – Spouse not heard from for seven years or more.</p> <ul style="list-style-type: none"> • Special Grounds for Women: <ol style="list-style-type: none"> 1. Bigamy by husband. 2. Rape, sodomy, or bestiality committed by the husband. 3. Non-resumption of cohabitation after a decree for maintenance. <p>b. Grounds of Divorce under Muslim Law</p> <ul style="list-style-type: none"> • Husband’s Right (Unilateral Divorce or <i>Talak</i>): <ul style="list-style-type: none"> ○ The husband may dissolve the marriage without assigning a reason (<i>Talak-ul-Sunnat, Talak-ul-Biddat</i>). ○ Types: <i>Ahsan</i> (most approved), <i>Hasan</i>, and <i>Biddat</i> (triple talaq, now void after the 2019 law). • Wife’s Right (<i>Khula and Faskh</i>): <ol style="list-style-type: none"> 1. Cruelty – Physical or emotional abuse by the husband. 2. Non-Maintenance – Failure to provide financial support. 3. Impotence – Husband’s inability to consummate the marriage. 4. Desertion – Abandonment without justifiable cause. 5. Irregular Marriages – Non-fulfillment of marriage conditions. 6. Faskh by Judicial Intervention: Grounds similar to Hindu law (e.g., insanity, venereal disease). • Mutual Divorce: <ul style="list-style-type: none"> ○ <i>Mubarat</i> – Both parties agree to dissolve the marriage amicably. <p>c. Comparative Analysis of Grounds under Hindu and Muslim Laws</p> <table border="1" style="width: 100%; text-align: center;"> <thead> <tr> <th>Aspect</th> <th>Hindu Law</th> <th>Muslim Law</th> </tr> </thead> <tbody> <tr> <td>Fault-Based Grounds</td> <td>Adultery, cruelty, desertion, etc.</td> <td>Cruelty, desertion, impotence, etc.</td> </tr> <tr> <td>Special Grounds</td> <td>Bigamy, rape, non-maintenance</td> <td><i>Khula</i> and judicial divorce (<i>Faskh</i>)</td> </tr> </tbody> </table>	Aspect	Hindu Law	Muslim Law	Fault-Based Grounds	Adultery, cruelty, desertion, etc.	Cruelty, desertion, impotence, etc.	Special Grounds	Bigamy, rape, non-maintenance	<i>Khula</i> and judicial divorce (<i>Faskh</i>)
Aspect	Hindu Law	Muslim Law								
Fault-Based Grounds	Adultery, cruelty, desertion, etc.	Cruelty, desertion, impotence, etc.								
Special Grounds	Bigamy, rape, non-maintenance	<i>Khula</i> and judicial divorce (<i>Faskh</i>)								



	<p>Mutual Consent Section 13B (Mutual Consent) <i>Mubarat</i></p> <p>Unilateral Divorce Not permitted <i>Talak-ul-Sunnat, Talak-ul-Biddat</i></p> <p>d. Social and Legal Implications</p> <ul style="list-style-type: none"> • Challenges in Fault-Based Systems: <ul style="list-style-type: none"> ○ Hostility due to blame. ○ Lengthy and adversarial legal proceedings. • Importance of Consent-Based Divorce: <ul style="list-style-type: none"> ○ Faster resolution and less conflict. • Recent Developments in Muslim Law: <ul style="list-style-type: none"> ○ Ban on triple talaq (<i>Talak-ul-Biddat</i>). ○ Growing acceptance of judicial intervention for gender equity. <p>3. Exercise (5 minutes)</p> <ul style="list-style-type: none"> • Activity: Case Analysis <ul style="list-style-type: none"> ○ Present scenarios representing various grounds for divorce. ○ Ask students to: <ol style="list-style-type: none"> 1. Identify the ground for divorce. 2. Determine whether it falls under Hindu or Muslim law. 3. Suggest the most suitable legal remedy. • Discussion Points: <ul style="list-style-type: none"> ○ How do personal laws ensure fairness in divorce proceedings? ○ Should there be a uniform set of grounds for divorce in India?
<p>Closure</p>	<p>1. Summarize Lesson Learning Outcomes:</p> <ul style="list-style-type: none"> • Recap the key grounds for divorce under Hindu and Muslim laws. • Highlight the similarities and differences in their approaches. <p>2. Suggested Readings:</p> <ul style="list-style-type: none"> • Hindu Marriage Act, 1955 (Sections 13 and 13B). • The Dissolution of Muslim Marriages Act, 1939. • Landmark judgments like <i>Shayara Bano v. Union of India</i> (2017). <p>Spend 5 minutes to wrap up and consolidate the learnings</p>
<p>Evaluation</p>	<p>1. Reflective Questions:</p>



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	<ul style="list-style-type: none">○ Why is mutual consent considered an ideal basis for divorce?○ How does the Muslim concept of <i>Khula</i> empower women?○ What are the limitations of fault-based grounds for divorce? <p>2. Quiz:</p> <ul style="list-style-type: none">○ Include scenario-based questions to test the understanding of divorce grounds under both laws. <p>Spend 5 minutes evaluating responses and ensuring clarity on the topic.</p>
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Lesson Plan No. 13	Course Name: Family Law-I Topic: Divorce by Mutual Consent Under Hindu and Muslim	Course No.: LLB-202
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Objectives	At the end of the lesson, students shall be able to: <ol style="list-style-type: none"> Understand the concept of divorce by mutual consent in Hindu and Muslim laws. Compare the procedural and legal frameworks governing mutual consent divorce under both systems. Analyze the advantages and challenges of mutual consent divorce. Evaluate the societal implications and relevance of mutual consent divorce in modern times.
Teaching Aids (if any)	<ol style="list-style-type: none"> Flowchart of the divorce by mutual consent process. Comparative table of Hindu and Muslim mutual consent divorce provisions. Case studies demonstrating real-life applications. Online quiz using tools like Quizizz or Google Forms.
Teaching Development	<p>1. Introduction (5 minutes)</p> <ul style="list-style-type: none"> • Ask Questions to Engage Students: <ol style="list-style-type: none"> What do you think is the most amicable way to end a marriage? Should both partners need to agree for a divorce to proceed? Why might mutual consent divorce be preferred over fault-based divorce? • Introduce the Topic: <ul style="list-style-type: none"> ○ Define divorce by mutual consent as a process where both spouses agree to end the marriage without assigning fault. ○ Highlight the increasing relevance of this concept in modern legal systems. ○ Briefly outline the provisions under Hindu and Muslim laws. <p>2. Development (30 minutes)</p> <p>a. Divorce by Mutual Consent Under Hindu Law</p> <ul style="list-style-type: none"> • Statutory Provision: <ul style="list-style-type: none"> ○ Section 13B of the Hindu Marriage Act, 1955: <ul style="list-style-type: none"> ▪ Introduced through the 1976 amendment. ▪ Requires both parties to live separately for at least one year.



	<ul style="list-style-type: none"> ▪ Spouses must jointly file a petition stating mutual agreement for divorce. ▪ After a six-month cooling-off period (can be waived under exceptional circumstances), the court can grant a divorce. <ul style="list-style-type: none"> • Key Features: <ol style="list-style-type: none"> 1. Consent of both spouses. <ol style="list-style-type: none"> 2. Mandatory separation period. 3. Joint petition to the court. • Case Study: <i>Amardeep Singh v. Harveen Kaur (2017)</i> – Supreme Court allowed waiving the cooling-off period under specific circumstances. • Advantages: <ul style="list-style-type: none"> ○ Reduces hostility. ○ Provides an amicable resolution. ○ Ensures autonomy in decision-making. <p>b. Divorce by Mutual Consent Under Muslim Law</p> <ul style="list-style-type: none"> • Types of Mutual Consent Divorce: <ol style="list-style-type: none"> 1. Mubarat: <ul style="list-style-type: none"> ▪ Both spouses mutually agree to terminate the marriage. ▪ Initiated by either party. ▪ No specific grounds required. 2. Khula: <ul style="list-style-type: none"> ▪ Initiated by the wife, where she offers compensation to the husband for dissolving the marriage. ▪ Requires the husband’s agreement. • Key Features of Mubarat: <ul style="list-style-type: none"> ○ Agreement of both parties. ○ Immediate dissolution upon consent. ○ No mandatory court intervention unless challenged. • Case Study: <i>Shayara Bano v. Union of India (2017)</i> – Though focused on triple talaq, the case emphasized the importance of fairness in Muslim matrimonial practices. • Advantages: <ul style="list-style-type: none"> ○ Aligns with Islamic principles of mutual respect. ○ Simplifies the divorce process. <p>c. Comparative Analysis of Mutual Consent Divorce in Hindu and Muslim Laws</p> <table border="1" style="width: 100%; text-align: center;"> <thead> <tr> <th style="width: 30%;">Aspect</th> <th style="width: 35%;">Hindu Law (Section 13B)</th> <th style="width: 35%;">Muslim Law (Mubarat)</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	Aspect	Hindu Law (Section 13B)	Muslim Law (Mubarat)			
Aspect	Hindu Law (Section 13B)	Muslim Law (Mubarat)					



	<p>Initiation Jointly by both spouses Either spouse can initiate</p> <p>Separation Period Minimum one year No mandatory separation period</p> <p>Cooling-Off Period Six months (waivable) Not applicable</p> <p>Court Intervention Essential for final decree Not essential unless contested</p> <p>Autonomy High, as it requires joint filing High, based on mutual agreement</p> <p>d. Legal and Social Implications</p> <ul style="list-style-type: none"> • For Hindu Law: <ul style="list-style-type: none"> ○ Cooling-off period may prolong the process unnecessarily. ○ Encourages peaceful resolution and avoids blame. • For Muslim Law: <ul style="list-style-type: none"> ○ Mubarat reflects simplicity and respect for mutual consent. ○ <i>Khula</i> empowers women but requires additional negotiation. <p>3. Exercise (5 minutes)</p> <ul style="list-style-type: none"> • Activity: Analyze Scenarios <ul style="list-style-type: none"> ○ Present hypothetical situations and ask students to determine the applicable mutual consent divorce procedure: <ol style="list-style-type: none"> 1. A Hindu couple living separately for over two years mutually agrees to divorce. 2. A Muslim wife seeks divorce by offering compensation to her husband. 3. A Muslim couple mutually decides to end their marriage without assigning blame. • Discussion Points: <ul style="list-style-type: none"> ○ Is the court's role essential in all mutual consent divorces? ○ Should Hindu law simplify its process like Muslim law?
Closure	<p>1. Summarize Lesson Learning Outcomes:</p> <ul style="list-style-type: none"> • Recap the processes of mutual consent divorce under Hindu and Muslim laws. • Highlight their differences, advantages, and limitations.



	<p>2. Suggested Readings:</p> <ul style="list-style-type: none">• Hindu Marriage Act, 1955 (Section 13B).• Articles on <i>Mubarat</i> and <i>Khula</i>.• Landmark judgments like <i>Amardeep Singh v. Harveen Kaur</i>. <p>Spend 5 minutes to wrap up and consolidate the learnings</p>
Evaluation	<p>1. Reflective Questions:</p> <ul style="list-style-type: none">○ Why is mutual consent divorce considered less adversarial?○ What are the advantages of bypassing a cooling-off period in Hindu law?○ How does <i>Mubarat</i> reflect Islamic values? <p>2. Quiz:</p> <ul style="list-style-type: none">○ Include multiple-choice and case-based questions to assess understanding of the topic. <p>Spend 5 minutes discussing responses and clarifying doubts to consolidate student learning.</p>

Lesson Plan No. 14	Course Name: Family Law-I Topic: Customary Divorce under Hindu Law	Course No.: LLB-202
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Objectives	At the end of the lesson, students shall be able to: <ol style="list-style-type: none"> Define and understand the concept of customary divorce under Hindu law. Identify the legal recognition of customary practices in divorce. Analyze case laws where customary divorce has been upheld. Evaluate the relevance of customary divorce in contemporary society.
Teaching Aids (if any)	<ol style="list-style-type: none"> Flowchart summarizing the requirements for recognizing customary divorce. Case law examples with factual details. Comparative table of statutory and customary divorce provisions.
Teaching Development	<p>1. Introduction (5 minutes)</p> <ul style="list-style-type: none"> Ask Questions to Engage Students: <ol style="list-style-type: none"> What is a custom? Can you think of examples in family life where customs override formal laws? Is it possible for a marriage to end without going through a formal court process? Why do some communities rely on customs rather than statutes? Introduce the Topic: <ul style="list-style-type: none"> Define <i>customary divorce</i> as a practice where divorce is granted based on long-standing customs of a community rather than statutory provisions. Highlight the importance of customs in Hindu law under Section 29(2) of the Hindu Marriage Act, 1955. <p>2. Development (30 minutes)</p> <p>a. Legal Framework for Customary Divorce</p> <ul style="list-style-type: none"> Section 29(2) of the Hindu Marriage Act, 1955: <ul style="list-style-type: none"> The Act does not affect any right to obtain a divorce recognized by custom applicable to the parties. Custom must be ancient, reasonable, and certain. Conditions for Recognizing a Customary Divorce: <ol style="list-style-type: none"> Must be valid in the specific community. Continuity: The custom must have been practiced without interruption. Reasonableness: It must not be opposed to public policy or morality.



4. **Certainty:** The custom must be clear and specific.

b. Examples of Customary Divorce Practices

- Some tribal communities and lower-caste Hindus have historically practiced customs that allow for divorce.
- Examples include:
 1. *Chudi Pehnana* (exchange of bangles) among certain communities.
 2. Divorce by mutual consent in tribal areas without formal legal procedures.
 3. Practices involving symbolic gestures like returning marital gifts.

c. Judicial Recognition of Customary Divorce

- **Case Law Examples:**
 1. *Subramani v. M. Chandralekha* (2005):
 - Court upheld a customary divorce based on established customs in the community.
 2. *Thomman v. Thomman* (1961):
 - Divorce under customary law was recognized as valid if proven with sufficient evidence.
 3. *Badri Prasad v. Dy. Director of Consolidation* (1978):
 - Emphasized the need for custom to be ancient and not contrary to public policy.

d. Distinctions Between Statutory and Customary Divorce

Aspect	Statutory Divorce	Customary Divorce
Source of Law	Hindu Marriage Act, 1955	Custom recognized under Section 29(2)
Procedure	Requires court intervention	Based on long-standing practices
Proof Requirements	Legal grounds specified in the Act	Evidence of custom's existence
Applicability	Universal for Hindus	Specific to communities or regions

e. Social and Legal Implications

- **Advantages:**



	<ul style="list-style-type: none"> ○ Provides flexibility to communities adhering to traditional practices. ○ Avoids lengthy legal proceedings. • Challenges: <ul style="list-style-type: none"> ○ Proving the existence and validity of customs. ○ Risk of misuse or misrepresentation of customs. • Relevance Today: <ul style="list-style-type: none"> ○ While statutory law has become dominant, customary divorce is still significant in certain rural or tribal areas. <p>3. Exercise (5 minutes)</p> <ul style="list-style-type: none"> • Activity: Analyze Case Scenarios <ul style="list-style-type: none"> ○ Present scenarios and ask students to identify whether customary divorce would be valid: <ol style="list-style-type: none"> 1. A couple from a tribal community separates through a long-standing mutual practice of exchanging gifts. 2. A divorce custom practiced only once in a family's history is claimed as a basis for dissolution. 3. A custom that contradicts principles of morality (e.g., enforced divorce). • Discussion Points: <ul style="list-style-type: none"> ○ Should customary divorces have the same legal weight as statutory divorces? ○ How can courts ensure the fairness of such practices?
<p>Closure</p>	<p>1. Summarize Lesson Learning Outcomes:</p> <ul style="list-style-type: none"> • Recap the definition, legal framework, and examples of customary divorce under Hindu law. • Emphasize the criteria for validity and the importance of judicial scrutiny. <p>2. Suggested Readings:</p> <ul style="list-style-type: none"> • Hindu Marriage Act, 1955 (Section 29(2)). • Landmark judgments like <i>Subramani v. M. Chandralekha</i>. • Articles on the intersection of customary and statutory law in India. <p>Spend 5 minutes to wrap up and consolidate the learnings</p>
<p>Evaluation</p>	<p>1. Reflective Questions:</p> <ul style="list-style-type: none"> ○ Why is it important to preserve customs in matrimonial matters? ○ What are the potential risks of recognizing customary divorces? ○ How does Section 29(2) balance tradition and modernity? <p>2. Quiz:</p>



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	<ul style="list-style-type: none">○ Include multiple-choice and scenario-based questions to test understanding of the topic. <p>Spend 5 minutes discussing responses and clarifying any doubts raised by students.</p>
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Lesson Plan No. 15	Course Name: Family Law-I Topic: Restitution of Conjugal Rights under Hindu and Muslim Law	Course No.: LLB-202
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Objectives	At the end of the lesson, students shall be able to: <ol style="list-style-type: none"> Define the concept of restitution of conjugal rights (RCR). Understand the legal provisions for RCR under Hindu and Muslim law. Analyze the judicial interpretation of RCR through case laws. Evaluate the constitutional validity and societal implications of RCR.
Teaching Aids (if any)	<ol style="list-style-type: none"> Flowchart summarizing the process of filing for RCR. Landmark case studies. Comparative table of RCR under Hindu and Muslim laws. Video or infographic explaining judicial interpretations.
Teaching Development	<p>1. Introduction (5 minutes)</p> <ul style="list-style-type: none"> • Ask Questions to Engage Students: <ol style="list-style-type: none"> Should a spouse have the right to compel the other to return to the matrimonial home? What might be the legal or ethical reasons for enforcing such a right? Do you think restitution of conjugal rights is consistent with individual freedoms? • Introduce the Topic: <ul style="list-style-type: none"> ○ Define restitution of conjugal rights as a legal remedy allowing a spouse to compel the other to resume cohabitation and fulfill marital obligations. ○ Mention its presence in both Hindu and Muslim laws. ○ Briefly outline its contentious nature, including debates over its constitutionality. <p>2. Development (30 minutes)</p> <p>a. Restitution of Conjugal Rights under Hindu Law</p> <ul style="list-style-type: none"> • Statutory Provision: <ul style="list-style-type: none"> ○ Section 9 of the Hindu Marriage Act, 1955: <ul style="list-style-type: none"> ▪ Either spouse can petition for RCR if the other has withdrawn from cohabitation without reasonable cause. ▪ Court must be satisfied that: <ol style="list-style-type: none"> The respondent has withdrawn from society. There is no reasonable excuse for withdrawal.



3. The petition is not vitiated by misconduct.

• **Key Elements:**

1. Withdrawal from society.
 2. Absence of a reasonable cause.
 3. Court decree compelling restitution.

• **Case Law:**

Sarla Mudgal v. Union of India (1995): Highlighted the conflict between personal laws in marital disputes.

T. Sareetha v. T. Venkata Subbaiah (1983): Andhra Pradesh High Court held RCR unconstitutional for violating personal liberty.

Harvinder Kaur v. Harmander Singh (1984): Delhi High Court upheld the validity of RCR under Section 9.

b. Restitution of Conjugal Rights under Muslim Law

• **Sources of Law:**

- Governed by *Shariah* principles and legal precedents.
- Allows a husband to claim RCR unless the wife proves a valid reason for separation (e.g., cruelty, non-payment of *mehr*).

• **Key Features:**

1. A wife can defend against RCR by proving valid grounds for separation.
 2. Maintenance obligations (e.g., *mehr* payment) are central to the husband's claim.

• **Judicial Precedents:**

Rukhmabai v. Dadaji Bhikaji (1886): Discussed the applicability of RCR in Indian contexts.

Zohara Khatoon v. Mohd. Ibrahim (1981): Highlighted women's rights in matrimonial disputes under Muslim law.

c. Comparative Analysis of RCR under Hindu and Muslim Law

Aspect	Hindu Law	Muslim Law
Source	Section 9 of Hindu Marriage Act, 1955	<i>Shariah</i> principles and judicial precedents
Grounds for Defense	Reasonable excuse (e.g., cruelty, desertion)	Cruelty, non-payment of <i>mehr</i> , adultery

	<p>Court's Role Mandatory decree if conditions are met Ensures fairness in assessing claims</p> <p>Criticism Seen as a violation of personal liberty Potential misuse to compel cohabitation</p> <p>d. Constitutional and Social Implications of RCR</p> <ul style="list-style-type: none"> • Challenges: <ol style="list-style-type: none"> 1. Seen as coercive and an intrusion on personal autonomy. 2. Criticized for perpetuating outdated notions of marital obligations. 3. Potential for misuse to harass spouses. • Constitutional Debate: <ul style="list-style-type: none"> ○ Violation of Article 21 (Right to Life and Personal Liberty): <ul style="list-style-type: none"> ▪ In <i>T. Sareetha v. T. Venkata Subbaiah</i>, the court held that RCR violated individual freedom. ○ Defense under Article 14 (Equality before the Law): <ul style="list-style-type: none"> ▪ Upheld in <i>Harvinder Kaur v. Harmander Singh</i> as ensuring marital stability. • Relevance Today: <ul style="list-style-type: none"> ○ Evolving societal attitudes toward marriage emphasize mutual consent over coercion. <p>3. Exercise (5 minutes)</p> <ul style="list-style-type: none"> • Activity: Analyze Scenarios <ul style="list-style-type: none"> ○ Present hypothetical situations and ask students to determine the applicability of RCR: <ol style="list-style-type: none"> 1. A husband petitions for RCR against his wife, claiming desertion. 2. A wife defends against RCR by proving cruelty and non-payment of maintenance. 3. A spouse files RCR despite mutual consent for separation. • Discussion Points: <ul style="list-style-type: none"> ○ Should courts enforce RCR in modern society? ○ How can legal frameworks balance individual rights and marital obligations?
Closure	<p>1. Summarize Lesson Learning Outcomes:</p> <ul style="list-style-type: none"> • Recap the concept, legal provisions, and implications of RCR under Hindu and Muslim laws.



	<ul style="list-style-type: none">• Highlight key differences and constitutional debates. <p>2. Suggested Readings:</p> <ul style="list-style-type: none">• Hindu Marriage Act, 1955 (Section 9).• Articles and case law analysis on restitution of conjugal rights. <p>Spend 5 minutes to wrap up and consolidate the learning</p>
Evaluation	<p>1. Reflective Questions:</p> <ul style="list-style-type: none">○ Why the concept of RCR is considered controversial?○ What defenses are available to a spouse against an RCR petition?○ How do judicial interpretations shape the understanding of RCR in India? <p>2. Quiz:</p> <ul style="list-style-type: none">○ Include multiple-choice and case-based questions to assess comprehension of the topic. <p>Spend 5 minutes discussing responses and clarifying any doubts raised by students.</p>

Lesson Plan No. 16	Course Name: Family Law-I Topic: Meaning and Types of Maintenance	Course No.: LLB-202
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Objectives	At the end of the lesson, students shall be able to: a. Define maintenance in the context of family law. b. Understand the different types of maintenance available under Hindu and Muslim law. c. Analyze the legal provisions and case laws related to maintenance. d. Discuss the societal and ethical implications of maintenance laws.
Teaching Aids (if any)	a. Flowchart on different types of maintenance. b. Case law summaries and examples. c. Video or presentation on maintenance cases. d. Online quiz or interactive discussion tool for assessing comprehension.
Teaching Development	<p>1. Introduction (5 minutes)</p> <ul style="list-style-type: none"> • Ask Questions to Engage Students: <ol style="list-style-type: none"> 1. What do you think is the purpose of maintenance laws in marriage? 2. Is the obligation to provide maintenance a gender-specific responsibility? 3. Why might maintenance laws be important in cases of divorce or separation? • Introduce the Topic: <ul style="list-style-type: none"> ○ Define <i>maintenance</i> as financial support that one spouse (or former spouse) is legally obligated to provide to the other, typically for sustenance, housing, and medical needs. ○ Mention that maintenance laws apply not just to spouses but also to children and dependent relatives under certain circumstances. <p>2. Development (30 minutes)</p> <p>a. Meaning of Maintenance</p> <ul style="list-style-type: none"> • Legal Definition of Maintenance: <ul style="list-style-type: none"> ○ Maintenance refers to the provision of financial support to a spouse, children, or dependent relatives when they are unable to support themselves. This support could include food, shelter, clothing, and medical care. ○ Under both Hindu and Muslim law, maintenance is seen as a moral and legal duty, which varies depending on the legal



system and personal circumstances.

b. Types of Maintenance

1. Maintenance of Wife (Spouse Maintenance)

○ Under Hindu Law:

- The Hindu Marriage Act, 1955 (Section 24) allows a wife to claim maintenance during the pendency of divorce proceedings if she is unable to support herself.
- **Section 25** allows maintenance after divorce, with the court considering factors like the wife's needs, the husband's ability to pay, and the wife's conduct.

○ Under Muslim Law:

- A husband has an obligation to maintain his wife during the marriage, and in case of divorce, the wife is entitled to *mehr* (dower) and maintenance during the *iddat* period (waiting period after divorce).

2. Maintenance of Children

○ Under Hindu Law:

- Under the Hindu Adoption and Maintenance Act, 1956, both parents are responsible for maintaining their children, including providing education and medical care until they reach adulthood.

○ Under Muslim Law:

- Muslim law requires the father to provide for the children's basic needs, though the mother may also be required to support the child in certain circumstances.

3. Maintenance of Parents

○ Under Hindu Law:

- Under Section 125 of the Criminal Procedure Code (CrPC), parents who are unable to maintain themselves can claim maintenance from their children.

○ Under Muslim Law:

- Similar to Hindu law, Muslim children are obligated to maintain their parents if they are unable to do so.

4. Interim Maintenance (Temporary Maintenance)

○ Under Hindu Law:

- Interim maintenance can be granted during the pendency of divorce proceedings. This is a temporary provision designed to ensure that the spouse seeking maintenance can sustain themselves while the case is being decided.

○ Under Muslim Law:

- Similar provisions exist for Muslim women who can



apply for interim maintenance during the period of *iddat* (waiting period) following divorce.

5. Permanent Maintenance (Post-Divorce Maintenance)

○ Under Hindu Law:

- A permanent maintenance order can be passed under Section 25 of the Hindu Marriage Act after divorce. Factors such as the duration of the marriage, the wife's financial position, and her ability to maintain herself are considered.

○ Under Muslim Law:

- A Muslim wife can claim maintenance for her post-divorce *iddat* period and sometimes even beyond, depending on the circumstances and her ability to sustain herself.

c. Case Law Examples:

• Maintenance under Section 125 CrPC:

- **Shivakant Pandey v. Sushma Pandey (2005)**: The court awarded maintenance to the wife under Section 125, CrPC, where she was unable to maintain herself.
- **D. R. Bansal v. State of Rajasthan (2009)**: The court clarified the scope of maintenance and emphasized that it should be sufficient to meet the basic needs of the person seeking maintenance.

• Maintenance under Hindu Marriage Act (1955):

- **Sarla Mudgal v. Union of India (1995)**: This case highlighted the importance of maintenance in ensuring the wife's right to sustenance and the role of the court in protecting her interests.

• Maintenance under Muslim Law:

- **Shah Bano Case (1985)**: This landmark case resulted in the *Muslim Women (Protection of Rights on Divorce) Act, 1986*, which clarified that Muslim women have a right to maintenance after divorce during the *iddat* period.

3. Exercise (5 minutes)

• Activity:

- Present different scenarios to the class and ask them to identify what type of maintenance is applicable:
 1. A wife petitions for maintenance during divorce proceedings.
 2. A parent who is old and infirm seeks maintenance from their children.
 3. A divorced woman claims maintenance beyond the *iddat* period based on her inability to support



	<p>herself.</p> <ul style="list-style-type: none">○ Discussion Points:<ul style="list-style-type: none">▪ How do courts determine the amount of maintenance?▪ Should maintenance be permanent or time-bound?
Closure	<p>1. Summarize Lesson Learning Outcomes:</p> <ul style="list-style-type: none">• Recap the types of maintenance under Hindu and Muslim laws.• Emphasize the importance of maintenance in ensuring financial support for spouses, children, and parents. <p>2. Suggested Readings:</p> <ul style="list-style-type: none">• Hindu Adoption and Maintenance Act, 1956.• Muslim Women (Protection of Rights on Divorce) Act, 1986.• Relevant case law on maintenance under Section 125 of CrPC and Section 24 & 25 of the Hindu Marriage Act. <p>Spend 5 minutes to wrap up and consolidate the learning</p>
Evaluation	<p>1. Reflective Questions:</p> <ul style="list-style-type: none">○ Why is maintenance considered an important legal right in family law?○ How do the types of maintenance differ across Hindu and Muslim laws?○ What are the challenges involved in enforcing maintenance orders? <p>2. Quiz:</p> <ul style="list-style-type: none">○ Multiple-choice questions and scenario-based questions on maintenance under Hindu and Muslim law. <p>Spend 5 minutes discussing responses and clarifying any doubts raised by students.</p>

Lesson Plan No. 17	Course Name: Family Law-I Topic: Hindu Adoption and Maintenance Act, 1956	Course No.: LLB-202
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Objectives	<p>At the end of the lesson, students shall be able to:</p> <ol style="list-style-type: none"> Understand the provisions of the Hindu Adoption and Maintenance Act, 1956. Identify the eligibility criteria and procedures for adoption and maintenance under this Act. Analyze the significance of this Act in family law, particularly in the context of adoption and maintenance. Discuss the legal implications and societal benefits of adoption and maintenance as provided in the Act.
Teaching Aids (if any)	<ol style="list-style-type: none"> Infographic summarizing key sections of the Hindu Adoption and Maintenance Act, 1956. Case studies involving adoption and maintenance issues under the Act. Flowchart showing the process of adoption and maintenance claims.
Teaching Development	<p>1. Introduction (5 minutes)</p> <ul style="list-style-type: none"> • Ask Questions to Engage Students: <ol style="list-style-type: none"> What do you think is the significance of adoption in Hindu law? Why do you think maintenance laws are critical in ensuring the well-being of family members? Can adoption be revoked? If so, under what circumstances? • Introduce the Topic: <ul style="list-style-type: none"> ○ Define the Hindu Adoption and Maintenance Act, 1956, as a law that governs adoption and maintenance matters for Hindus. ○ Emphasize that it applies only to Hindus and defines adoption procedures, maintenance obligations, and eligibility criteria for various family members. <p>2. Development (30 minutes)</p> <p>a. Overview of the Hindu Adoption and Maintenance Act, 1956</p> <ul style="list-style-type: none"> • Adoption under the Act: <ul style="list-style-type: none"> ○ The Hindu Adoption and Maintenance Act, 1956 (HAMA) regulates the adoption of children by Hindus. ○ Section 6: Only a Hindu male or female, who is not a minor, can adopt a child. The adopter must be capable of providing for the child's welfare. ○ Section 7: Specifies that a married person can adopt only



	<p>with the consent of their spouse. If the husband adopts a child, the wife's consent is required, and vice versa.</p> <ul style="list-style-type: none"> ○ Section 8: Provides that adoption is only valid if the child is given into the care of the adopter and the child accepts the adoption. ○ Eligibility for Adoption: <ol style="list-style-type: none"> 1. The adopter must be a Hindu, 2. Must not be a minor, 3. The person adopting must not have a living spouse unless the spouse has given consent. 4. The child must not have been adopted by another person previously. ● Adoption Process: <ul style="list-style-type: none"> ○ Adoption should be formalized by an adoption deed or ceremony. ○ The adopted child assumes the status of a biological child of the adopter, which includes inheritance rights and responsibilities. <p>b. Maintenance under the Act:</p> <ul style="list-style-type: none"> ● Section 18: Defines maintenance as the provision of food, clothing, shelter, education, and medical expenses. ● Obligation to Maintain: <ul style="list-style-type: none"> ○ Husband's Duty to Maintain Wife: The husband is required to maintain the wife during the marriage and after divorce if she is unable to sustain herself. ○ Children's Maintenance: Both parents are obligated to provide for the maintenance of children until they become capable of supporting themselves. ○ Parents' Maintenance: Adult children are required to support aged or infirm parents who cannot maintain themselves. ○ Widows and Divorced Women: The Act also includes provisions for widows and divorced women, ensuring they receive financial support. <p>c. Case Laws Under the Hindu Adoption and Maintenance Act, 1956</p> <ol style="list-style-type: none"> 1. Adoption Cases: <ul style="list-style-type: none"> ○ <i>Sridevi v. S. Rajan (2000)</i>: This case clarified that the adoption of a child must meet all legal requirements under the Hindu Adoption and Maintenance Act, including the consent of both spouses if married. ○ <i>Gajanan v. Shalini (1994)</i>: Discussed the validity of adoption in the absence of a formal adoption deed and the necessity of the adoptive parents providing care and
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fulfilling their parental responsibilities.

2. Maintenance Cases:

- *Chand Kaur v. State of Punjab (2000)*: The case emphasized that a wife is entitled to maintenance even if she has separated from her husband due to reasonable grounds such as cruelty or desertion.
- *Prakash v. Shubha (2006)*: The court held that a married woman’s right to maintenance extends to her during the pendency of divorce proceedings, regardless of her financial status.

d. Key Sections and Features of the Hindu Adoption and Maintenance Act, 1956

Section	Provision
Section 6	Adoption may only be performed by a Hindu, who must not be a minor.
Section 7	Requires the consent of the spouse for adoption.
Section 8	Specifies the formalities of the adoption process.
Section 18	Provides for the maintenance of wife, children, and parents.
Section 20	Maintenance of minor children if they are incapable of self-support.

3. Exercise (5 minutes)

- **Activity:**
 - Present students with hypothetical adoption scenarios and ask them to identify whether the adoption complies with the provisions of the Hindu Adoption and Maintenance Act, 1956.
 1. A single man adopts a child without informing his relatives.
 2. A woman adopts a child without her husband’s consent.
 3. A divorced woman petitions for maintenance from her former husband.
- **Discussion Points:**
 - How does the Act ensure the child’s welfare after adoption?
 - What is the role of a formal adoption deed, and why is it necessary?



	<ul style="list-style-type: none">○ Under what circumstances can a spouse claim maintenance after a separation or divorce?
Closure	<p>1. Summarize Lesson Learning Outcomes:</p> <ul style="list-style-type: none">● Recap the legal provisions for adoption and maintenance under the Hindu Adoption and Maintenance Act, 1956.● Highlight the significance of consent in adoption, the obligations to maintain family members, and the rights provided under the Act. <p>2. Suggested Readings:</p> <ul style="list-style-type: none">● Hindu Adoption and Maintenance Act, 1956.● Relevant case laws interpreting adoption and maintenance under this Act. <p>Spend 5 minutes to wrap up and consolidate the learning</p>
Evaluation	<p>1. Reflective Questions:</p> <ul style="list-style-type: none">○ Why is consent important in the adoption process under the Hindu Adoption and Maintenance Act, 1956?○ How does the Act ensure that the child's welfare is protected after adoption?○ What challenges might arise in the enforcement of maintenance provisions, particularly in the case of adult children and elderly parents? <p>2. Quiz:</p> <ul style="list-style-type: none">○ Multiple-choice questions on adoption procedures, maintenance rights, and case laws under the Hindu Adoption and Maintenance Act, 1956. <p>Spend 5 minutes discussing responses and clarifying any doubts raised by students.</p>

Lesson Plan No. 18	Course Name: Family Law-I Topic: Muslim women (Protection of Rights on Divorce) Act, 1986	Course No.: LLB-202
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Objectives	At the end of the lesson, students shall be able to: <ol style="list-style-type: none"> Understand the objectives and key provisions of the Muslim Women (Protection of Rights on Divorce) Act, 1986. Analyze the rights provided to divorced Muslim women under this Act. Evaluate the significance and controversies surrounding the enactment of this Act. Discuss landmark case laws that led to the creation and interpretation of the Act.
Teaching Aids (if any)	<ol style="list-style-type: none"> Infographic summarizing the key provisions of the Act. Case studies involving disputes related to maintenance under the Act. Video or presentation on the <i>Shah Bano</i> case and its implications. Comparative chart showing pre- and post-Act maintenance rights.
Teaching Development	<p>1. Introduction (5 minutes)</p> <ul style="list-style-type: none"> • Ask Questions to Engage Students: <ol style="list-style-type: none"> What are the maintenance rights of a divorced Muslim woman under personal law? Have you heard of the <i>Shah Bano case</i>? Why do you think it caused significant legal and political debates? How does this Act differ from general maintenance laws under Section 125 of the Criminal Procedure Code (CrPC)? • Introduce the Topic: <ul style="list-style-type: none"> ○ The <i>Muslim Women (Protection of Rights on Divorce) Act, 1986</i> was enacted following the Supreme Court's landmark judgment in the <i>Shah Bano case</i> (1985), which expanded a divorced Muslim woman's rights to maintenance under Section 125 of the CrPC. ○ Explain how the Act aimed to reconcile personal law with statutory provisions, limiting maintenance obligations to the period of <i>iddat</i> (post-divorce waiting period) but also addressing women's financial security. <p>2. Development (30 minutes)</p> <p>a. Background of the Act</p> <ul style="list-style-type: none"> • Brief discussion on the <i>Shah Bano case</i> (1985): <ul style="list-style-type: none"> ○ Shah Bano, a 62-year-old woman, filed for maintenance under Section 125 of CrPC after being divorced.



	<ul style="list-style-type: none">○ The Supreme Court ruled in her favor, interpreting her rights broadly, which led to backlash from conservative Muslim groups, prompting the government to pass this Act. <ul style="list-style-type: none">● Objectives of the Act:<ul style="list-style-type: none">○ To protect the rights of divorced Muslim women.○ To specify maintenance responsibilities in accordance with Islamic law. <p>b. Key Provisions of the Act</p> <ol style="list-style-type: none">1. Section 3: Rights of Divorced Muslim Women<ul style="list-style-type: none">○ A divorced Muslim woman is entitled to:<ul style="list-style-type: none">▪ Reasonable and fair provision and maintenance during the <i>iddat</i> period.▪ Payment of <i>mehr</i> (dower) agreed upon at the time of marriage.▪ Return of all property given to her before or during marriage.○ If she cannot support herself after the <i>iddat</i> period, her relatives or the Wakf Board are required to provide financial support.2. Section 4: Maintenance Beyond Iddat<ul style="list-style-type: none">○ If a divorced woman is unable to maintain herself after the <i>iddat</i> period, her relatives or heirs must provide maintenance.○ In the absence of relatives, the Wakf Board is responsible for her maintenance.3. Section 5: Opting for CrPC Provisions<ul style="list-style-type: none">○ A divorced woman and her former husband can mutually agree to settle maintenance under Section 125 of CrPC, bypassing this Act. <p>c. Controversies and Criticism</p> <ul style="list-style-type: none">● The Act was criticized for:<ul style="list-style-type: none">○ Diluting the rights granted under the <i>Shah Bano judgment</i>.○ Restricting maintenance to the <i>iddat</i> period in most cases.○ Creating ambiguity about the role of the Wakf Board and the adequacy of financial support. <p>d. Landmark Case Laws Under the Act</p> <ol style="list-style-type: none">1. Daniel Latifi v. Union of India (2001):<ul style="list-style-type: none">○ The Supreme Court upheld the Act's constitutional validity but interpreted “reasonable and fair provision” to mean lifelong financial support provided during the <i>iddat</i> period.○ Expanded the rights of Muslim women to ensure they are
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	<p>not left destitute after divorce.</p> <p>2. Shamima Farooqui v. Shahid Khan (2015):</p> <ul style="list-style-type: none"> ○ Reaffirmed the principle of ensuring adequate financial support for divorced Muslim women, balancing personal law with constitutional principles of equality. <p>e. Comparative Analysis</p> <ul style="list-style-type: none"> • Pre-Act (Shah Bano Judgment): Maintenance could be claimed beyond <i>iddat</i> under CrPC. • Post-Act: Limited scope of maintenance, but judicial interpretations has broadened rights under certain circumstances. <p>3. Exercise (5 minutes)</p> <ul style="list-style-type: none"> • Activity: <ul style="list-style-type: none"> ○ Present different scenarios to the class and ask them to determine whether the maintenance claim falls under the Act or CrPC: <ol style="list-style-type: none"> 1. A divorced Muslim woman seeks maintenance beyond the <i>iddat</i> period due to financial difficulties. 2. A divorced woman has no relatives to support her; she approaches the Wakf Board. 3. A divorced couple mutually agrees to settle maintenance under Section 125 of CrPC. • Discussion Points: <ul style="list-style-type: none"> ○ How does the Act balance religious personal law and constitutional rights? ○ Are the provisions sufficient to ensure the financial security of divorced Muslim women?
<p>Closure</p>	<p>1. Summarize Lesson Learning Outcomes:</p> <ul style="list-style-type: none"> • Highlight the significance of the Act in defining the rights of divorced Muslim women. • Emphasize key provisions such as maintenance during <i>iddat</i>, role of relatives, and the Wakf Board. • Discuss judicial interpretations that expanded the scope of maintenance rights. <p>2. Suggested Readings:</p> <ul style="list-style-type: none"> • Full text of the <i>Muslim Women (Protection of Rights on Divorce) Act, 1986</i>. • Judgment in <i>Shah Bano Begum v. Mohd. Ahmad Khan (1985)</i> and <i>Daniel Latifi v. Union of India (2001)</i>.



Evaluation	<p>Spend 5 minutes to wrap up and consolidate the learning</p> <ol style="list-style-type: none">1. Reflective Questions:<ul style="list-style-type: none">○ How does the Act align with Islamic principles of financial responsibility after divorce?○ Why is the role of the Wakf Board significant in providing maintenance?○ How have judicial interpretations modified the implementation of this Act?2. Quiz:<ul style="list-style-type: none">○ Multiple-choice and short-answer questions on key provisions, case laws, and controversies surrounding the Act. <p>Spend 5 minutes discussing responses and clarifying any doubts raised by students.</p>
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Lesson Plan No. 19	Course Name: Family Law-I Topic: Maintenance under Section 125 of the Code of Criminal Procedure, 1973	Course No.: LLB-202
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Objectives	At the end of the lesson, students shall be able to: <ol style="list-style-type: none"> Understand the scope and purpose of Section 125 of the Code of Criminal Procedure (CrPC), 1973. Identify the categories of persons eligible for maintenance under this provision. Analyze the conditions under which maintenance can be claimed and the defenses available to the respondent. Discuss key judicial interpretations and their impact on the provision's application.
Teaching Aids (if any)	<ol style="list-style-type: none"> Infographic summarizing Section 125 of the CrPC. Case studies on maintenance claims under Section 125. Flowchart showing the procedure for claiming maintenance. Videos or slides explaining significant case laws.
Teaching Development	<p>1. Introduction (5 minutes)</p> <ul style="list-style-type: none"> • Ask Questions to Engage Students: <ol style="list-style-type: none"> Why do you think the law provides maintenance provisions under criminal law and not just personal law? Who should bear the responsibility for providing financial support in a family? Can children be held responsible for maintaining their parents? • Introduce the Topic: <ul style="list-style-type: none"> ○ Define Section 125 of the CrPC as a secular provision aimed at preventing destitution by ensuring financial support for dependents. ○ Highlight its scope: spouses, minor children, and aged parents can claim maintenance. <p>2. Development (30 minutes)</p> <p>a. Overview of Section 125 of the CrPC</p> <ul style="list-style-type: none"> • Objective: <ul style="list-style-type: none"> ○ Section 125 aims to prevent vagrancy and ensure basic financial support for dependents unable to maintain themselves. • Who Can Claim Maintenance? <ul style="list-style-type: none"> ○ Wife: Including divorced wives, provided she has not



	<p>remarried.</p> <ul style="list-style-type: none">○ Children: Minor children (legitimate or illegitimate), and adult children unable to maintain themselves due to physical or mental incapacity.○ Parents: Aged or infirm parents who cannot support themselves.● Obligation of Respondent:<ul style="list-style-type: none">○ Husband, father, or adult children are primarily obligated to pay maintenance. <p>b. Conditions for Grant of Maintenance</p> <ul style="list-style-type: none">● The applicant must be unable to maintain themselves.● The respondent must have sufficient means to pay.● Refusal or neglect by the respondent to maintain the claimant is a prerequisite. <p>c. Quantum of Maintenance</p> <ul style="list-style-type: none">● The amount is determined based on the respondent's financial capacity and the standard of living of the claimant.● Maintenance should ensure basic necessities such as food, clothing, and shelter. <p>d. Limitations and Exclusions</p> <ul style="list-style-type: none">● No maintenance is granted to a wife living in adultery or without sufficient cause has refused to live with her husband.● No maintenance is granted if spouses mutually agree to separate without maintenance provisions. <p>e. Procedure for Filing Maintenance</p> <ul style="list-style-type: none">● Filing an application before a Magistrate.● Summons issued to the respondent.● Evidence presented by both parties.● Magistrate's decision regarding the quantum of maintenance. <p>f. Judicial Interpretations of Section 125</p> <ol style="list-style-type: none">1. Mohd. Ahmed Khan v. Shah Bano Begum (1985):<ul style="list-style-type: none">○ The Supreme Court held that a divorced Muslim woman is entitled to maintenance under Section 125, irrespective of personal law.○ Emphasized the secular nature of the provision.2. Dinesh Kumar v. Jayshree (2005):<ul style="list-style-type: none">○ Highlighted that the purpose of maintenance is to prevent
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	<p>destitution and uphold human dignity.</p> <p>3. K. Sivaram v. K. Mangalamba (1990):</p> <ul style="list-style-type: none"> ○ Court ruled that maintenance is not merely a legal obligation but a moral duty to support dependents. <p>4. Vijaya Manohar Arbat v. Kashirao Rajaram Sawai (1987):</p> <ul style="list-style-type: none"> ○ Confirmed that a married daughter could also be held responsible for maintaining her parents. <p>g. Significance of Section 125</p> <ul style="list-style-type: none"> • Provides relief to individuals irrespective of their religion or personal laws. • Ensures a swift remedy, bypassing lengthy civil court procedures. • Reflects the state's responsibility to prevent destitution and vagrancy. <p>3. Exercise (5 minutes)</p> <ul style="list-style-type: none"> • Activity: <ul style="list-style-type: none"> ○ Present hypothetical scenarios and ask students to determine whether maintenance can be claimed under Section 125. <ol style="list-style-type: none"> 1. A wife leaves her husband without any justification and claims maintenance. 2. A divorced Muslim woman seeks maintenance after the <i>iddat</i> period. 3. A father claims maintenance from his son while he has a steady income. • Discussion Points: <ul style="list-style-type: none"> ○ What are the defenses available to the respondent? ○ How does Section 125 balance the rights of claimants and respondents?
<p>Closure</p>	<p>1. Summarize Lesson Learning Outcomes:</p> <ul style="list-style-type: none"> • Recap the objective of Section 125 of CrPC and its secular nature. • Discuss eligible claimants and the obligations of the respondent. • Highlight significant judicial interpretations and their implications. <p>2. Suggested Readings:</p> <ul style="list-style-type: none"> • Full text of Section 125 of the CrPC. • Key judgments, including <i>Shah Bano</i> and <i>Vijaya Manohar Arbat</i>. <p>Spend 5 minutes to wrap up and consolidate the learning</p>
<p>Evaluation</p>	<p>1. Reflective Questions:</p> <ul style="list-style-type: none"> ○ How does Section 125 ensure social justice and equity?



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	<ul style="list-style-type: none">○ Why Section 125 is considered a secular provision?○ What challenges might arise in implementing maintenance orders? <p>2. Quiz:</p> <ul style="list-style-type: none">○ Multiple-choice and short-answer questions on the scope, eligibility, and judicial interpretations of Section 125. <p>Spend 5 minutes discussing responses and addressing any doubts raised by students.</p>
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Lesson Plan No. 20	Course Name: Family Law-I Topic: Maintenance for Children	Course No.: LLB-202
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Objectives	<p>At the end of the lesson, students shall be able to:</p> <ol style="list-style-type: none"> Understand the legal provisions related to maintenance for children under various laws in India. Differentiate between the obligations of parents under personal laws and statutory laws. Analyze the scope of Section 125 of the CrPC in ensuring maintenance for children. Evaluate significant case laws and their impact on the concept of child maintenance.
Teaching Aids (if any)	<ol style="list-style-type: none"> Flowchart explaining the process of claiming maintenance for children under different laws. Case studies illustrating real-life scenarios related to maintenance for children. Infographic summarizing key provisions under CrPC, Hindu, Muslim, and secular laws regarding child maintenance.
Teaching Development	<p>1. Introduction (5 minutes)</p> <ul style="list-style-type: none"> • Ask Questions to Engage Students: <ol style="list-style-type: none"> Who is responsible for supporting a child financially and emotionally? What happens when parents separate or divorce? How are children provided for in such cases? Are both parents equally obligated to contribute to a child's maintenance? • Introduce the Topic: <ul style="list-style-type: none"> ○ Maintenance for children ensures financial support for their upbringing and welfare. ○ Explain that laws addressing child maintenance in India include Section 125 of the CrPC, personal laws (Hindu, Muslim, Christian), and judicial precedents. <p>2. Development (30 minutes)</p> <p>a. Importance of Maintenance for Children</p> <ul style="list-style-type: none"> • Maintenance ensures the child's basic needs: food, clothing, shelter, and education. • Obligation is imposed on parents to prevent the child from



becoming destitute.

b. Legal Provisions Under Various Laws

1. Section 125 of the CrPC

- Covers legitimate and illegitimate children.
- Minor children can claim maintenance.
- Major children can claim maintenance if unable to support themselves due to physical or mental incapacity.
- Provides a secular framework for maintenance, irrespective of religion.

2. Hindu Law

- **Hindu Adoption and Maintenance Act, 1956:**
 - Section 20: Obligation of parents to maintain minor children and unmarried daughters.
 - Includes legitimate and illegitimate children.
- Recognizes the child's right to maintenance until adulthood or marriage (in the case of daughters).

3. Muslim Law

- Maintenance for children is derived from personal law principles.
- The father is primarily responsible for maintenance, but the mother may provide if the father lacks means.
- Maintenance obligation continues until the child reaches puberty (boys) or marriage (girls).

4. Christian Law and Parsi Law

- Governed by personal laws and supplemented by Section 125 of the CrPC.

c. Factors Determining Maintenance for Children

- Financial capacity of the parent(s).
- Needs and standard of living of the child.
- Number of dependents supported by the parent.

d. Procedure for Claiming Maintenance for Children Under Section 125 CrPC

1. File an application in the Magistrate's court.
2. Provide evidence of neglect or refusal to provide maintenance.
3. The Magistrate evaluates financial capacity and the child's needs.
4. A maintenance amount is ordered, subject to revision.

e. Key Case Laws on Maintenance for Children

1. Jagdish Jugtawat v. Manjulata (2002):

- The Supreme Court extended maintenance for unmarried

	<p>daughters beyond majority until marriage, based on their dependency.</p> <ol style="list-style-type: none"> 2. Gaurav Nagpal v. Sumedha Nagpal (2009): <ul style="list-style-type: none"> ○ The court emphasized that the child’s welfare is paramount and maintenance should be adequate for the child’s upbringing and education. 3. Shabana Bano v. Imran Khan (2010): <ul style="list-style-type: none"> ○ The court ruled that Muslim children could claim maintenance under Section 125 CrPC, overriding personal law limitations. 4. Saraswathy v. Babu (2014): <ul style="list-style-type: none"> ○ Maintenance includes expenses for education and healthcare, ensuring a better standard of living for the child. <p>f. Challenges in Enforcing Maintenance for Children</p> <ul style="list-style-type: none"> • Non-compliance by the respondent. • Difficulty in assessing accurate financial capacity. • Delay in legal proceedings impacting the child’s welfare. <p>3. Exercise (5 minutes)</p> <ul style="list-style-type: none"> • Activity: <ul style="list-style-type: none"> ○ Present scenarios and ask students to analyze the maintenance entitlement: <ol style="list-style-type: none"> 1. A minor child claims maintenance from a father who refuses due to financial constraints. 2. A physically disabled adult child seeks maintenance from their mother. 3. An unmarried daughter claims maintenance for completing her education. • Discussion Points: <ul style="list-style-type: none"> ○ How do courts balance the financial needs of the child with the parent’s capacity? ○ Should the state enforce stricter penalties for non-payment of maintenance?
<p>Closure</p>	<p>1. Summarize Lesson Learning Outcomes:</p> <ul style="list-style-type: none"> • Highlight the provisions for child maintenance under CrPC and personal laws. • Discuss the secular nature of Section 125 CrPC and its broader scope. • Emphasize judicial interpretations that prioritize child welfare over technicalities.



	<p>2. Suggested Readings:</p> <ul style="list-style-type: none">• Full text of Section 125 of CrPC.• Case laws: <i>Jagdish Jugtawat v. Manjulata</i> and <i>Shabana Bano v. Imran Khan</i>. <p>Spend 5 minutes to wrap up and consolidate the learning</p>
Evaluation	<p>1. Reflective Questions:</p> <ul style="list-style-type: none">○ What is the primary goal of maintenance provisions for children?○ How do courts handle maintenance claims from adult children with disabilities?○ Should maintenance include non-monetary aspects such as access to education and healthcare? <p>2. Quiz:</p> <ul style="list-style-type: none">○ Multiple-choice and short-answer questions on provisions, obligations, and case laws related to maintenance for children. <p>Spend 5 minutes discussing responses and clarifying any doubts raised by students.</p>

Lesson Plan No. 21	Course Name: Family Law-I Topic: Hindu Adoption and Maintenance Act, 1956	Course No.: LLB-202
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Objectives	At the end of the lesson, students shall be able to: <ol style="list-style-type: none"> Understand the key provisions of the Hindu Adoption and Maintenance Act, 1956 (HAMA). Identify the legal requirements for a valid adoption under the Act. Analyze the obligations regarding maintenance under HAMA. Discuss significant case laws to illustrate the application of the Act.
Teaching Aids (if any)	<ol style="list-style-type: none"> Flowchart of the adoption process under HAMA. Table summarizing the maintenance obligations for different relationships. Case studies illustrating the application of HAMA.
Teaching Development	<p>1. Introduction (5 minutes)</p> <ul style="list-style-type: none"> • Ask Questions to Engage Students: <ol style="list-style-type: none"> Why is the institution of adoption significant in society? What is the difference between adoption under Hindu law and other personal laws? Why do you think maintenance provisions are codified separately for Hindus? • Introduce the Topic: <ul style="list-style-type: none"> ○ Briefly explain the background and purpose of the Hindu Adoption and Maintenance Act, 1956. ○ Highlight its dual objectives: codifying adoption laws and ensuring maintenance obligations for dependents. <p>2. Development (30 minutes)</p> <p>a. Adoption Under HAMA</p> <ol style="list-style-type: none"> Eligibility for Adoption: <ul style="list-style-type: none"> ○ Who can adopt: <ul style="list-style-type: none"> ▪ Any Hindu male or female of sound mind and not a minor. ▪ Married male must obtain consent from his wife unless she is incapable of giving consent. ○ Who can give in adoption: <ul style="list-style-type: none"> ▪ Father, mother, or guardian (in specific circumstances). Who Can Be Adopted: <ul style="list-style-type: none"> ○ The child must be a Hindu, unmarried, and under 15 years



	<p>of age (unless a custom permits otherwise).</p> <ul style="list-style-type: none">○ A person cannot adopt if they already have a child of the same gender. <p>3. Procedure for Valid Adoption:</p> <ul style="list-style-type: none">○ Consent of parties involved.○ Legal transfer of parental rights and responsibilities. <p>4. Effects of Adoption:</p> <ul style="list-style-type: none">○ The adopted child is deemed a natural-born child of the adoptive parents.○ Severance of ties with biological parents. <p>5. Important Provisions in Adoption:</p> <ul style="list-style-type: none">○ Section 6: Requisites for a valid adoption.○ Section 7: Capacity of a male Hindu to adopt.○ Section 8: Capacity of a female Hindu to adopt.○ Section 9: Persons capable of giving in adoption.○ Section 11: Other conditions for a valid adoption. <p>b. Maintenance Under HAMA</p> <p>1. Who Can Claim Maintenance:</p> <ul style="list-style-type: none">○ Wife: Entitled to maintenance during the lifetime of her husband.○ Children: Both legitimate and illegitimate children can claim maintenance.○ Aged or infirm parents. <p>2. Obligations of Maintenance:</p> <ul style="list-style-type: none">○ Section 18: Maintenance of wife.○ Section 19: Maintenance of widowed daughter-in-law.○ Section 20: Maintenance of children and aged parents.○ Section 22: Maintenance of dependents. <p>3. Quantum of Maintenance:</p> <ul style="list-style-type: none">○ Determined based on the financial status of the person liable to pay.○ Includes provisions for food, clothing, residence, and reasonable expenses for education and medical treatment. <p>4. Defenses Against Maintenance Claims:</p> <ul style="list-style-type: none">○ Adultery by the wife.○ Refusal by the claimant to live with the person without sufficient cause. <p>c. Significant Case Laws</p> <p>1. Lakshmi Kant Pandey v. Union of India (1984):</p> <ul style="list-style-type: none">○ Addressed the procedure for inter-country adoption and emphasized the welfare of the child as paramount. <p>2. Githa Hariharan v. Reserve Bank of India (1999):</p> <ul style="list-style-type: none">○ Expanded the interpretation of guardianship, ensuring
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	<p>gender equality in child-rearing responsibilities.</p> <p>3. Sethurathinam Pillai v. Barbara (1970):</p> <ul style="list-style-type: none"> ○ Clarified conditions under which adoption could be considered invalid. <p>d. Challenges and Criticism of HAMA</p> <ul style="list-style-type: none"> • Complex requirements for adoption may deter eligible individuals. • Issues regarding gender bias in the right to adopt and give in adoption. • Maintenance provisions require effective enforcement mechanisms to ensure compliance. <p>3. Exercise (5 minutes)</p> <ul style="list-style-type: none"> • Activity: <ul style="list-style-type: none"> ○ Provide scenarios and ask students to analyze the legality of the actions under HAMA: <ol style="list-style-type: none"> 1. A married man adopts a boy without his wife's consent. 2. A Hindu widow seeks maintenance from her deceased husband's estate. 3. A minor girl is adopted by a couple who already have a biological daughter. • Discussion Points: <ul style="list-style-type: none"> ○ How does HAMA balance tradition with modern legal needs? ○ What reforms could enhance the effectiveness of the Act?
Closure	<p>1. Summarize Lesson Learning Outcomes:</p> <ul style="list-style-type: none"> • Discuss the significance of HAMA in codifying adoption and maintenance laws. • Highlight the requisites for valid adoption and the categories of individuals entitled to maintenance. • Reflect on the importance of case laws in shaping the interpretation of HAMA. <p>2. Suggested Readings:</p> <ul style="list-style-type: none"> • Hindu Adoption and Maintenance Act, 1956 (full text). • Case laws: <i>Lakshmi Kant Pandey v. Union of India</i> and <i>Githa Hariharan v. Reserve Bank of India</i>. <p>Spend 5 minutes to wrap up and consolidate the learning</p>
Evaluation	<p>1. Reflective Questions:</p> <ul style="list-style-type: none"> ○ What distinguishes adoption under HAMA from adoption



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	<p>under other personal laws?</p> <ul style="list-style-type: none">○ How does HAMA ensure financial security for dependents?○ What are the key reforms needed in adoption laws to promote gender equality? <p>2. Quiz:</p> <ul style="list-style-type: none">○ Multiple-choice and short-answer questions on adoption and maintenance under HAMA. <p>Spend 5 minutes discussing responses and addressing student queries to ensure clarity.</p>
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Lesson Plan No. 22	Course Name: Family Law-I Topic: Capacity, Necessary Conditions and Effects of Adoption	Course No.: LLB-202
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Objectives	<p>At the end of the lesson, students shall be able to:</p> <ol style="list-style-type: none"> Explain the capacity of individuals to adopt and to be adopted under the Hindu Adoption and Maintenance Act, 1956 (HAMA). Identify the necessary conditions for a valid adoption under HAMA. Analyze the legal and social effects of adoption on the child and the adoptive family. Apply the principles of adoption to real-life and hypothetical scenarios.
Teaching Aids (if any)	<ol style="list-style-type: none"> Flowchart illustrating the adoption process under HAMA. Summary table of conditions for adoption. Case studies of adoption-related judgments to clarify concepts.
Teaching Development	<p>1. Introduction (5 minutes)</p> <ul style="list-style-type: none"> • Engage Students with Questions: <ol style="list-style-type: none"> Why do people choose to adopt children? What are the legal implications of adoption for the child and the adoptive parents? How does the law ensure that adoption is in the best interest of the child? • Introduce the Topic: <ul style="list-style-type: none"> ○ Adoption legally establishes the parent-child relationship. ○ HAMA codifies the rules regarding capacity, necessary conditions, and effects of adoption. <p>2. Development (30 minutes)</p> <p>a. Capacity for Adoption (Who Can Adopt?)</p> <ol style="list-style-type: none"> Under HAMA: <ul style="list-style-type: none"> ○ Male Hindu: <ul style="list-style-type: none"> ▪ Must be of sound mind and not a minor. ▪ Consent of the wife is mandatory unless she is incapable of giving consent (e.g., mental incapacity). ○ Female Hindu: <ul style="list-style-type: none"> ▪ Must be of sound mind, not a minor, and unmarried. ▪ A married woman can adopt only with the consent of her husband unless he is incapable of giving consent. 2. Who Can Be Adopted?



- The child must be a Hindu.
- Must be under the age of 15 (unless customs or usage permit otherwise).
- Cannot already be adopted by someone else.
- A person cannot adopt a child of the same gender if they already have a biological or adopted child of that gender.

b. Necessary Conditions for a Valid Adoption (Sections 6, 7, 8, and 11 of HAMA)

1. Consent:

- Free and informed consent of all parties involved (including the spouse, if applicable).

2. Capacity of the Person Giving in Adoption:

- Only the father, mother, or legal guardian of the child can give in adoption.
- If both parents are alive, the consent of both is required unless one is incapable of giving consent.

3. No Monetary Considerations:

- Adoption cannot involve any payment or reward.

4. Legal Formalities:

- Adoption must follow the legal process, including documentation and verification.

c. Effects of Adoption (Section 12 of HAMA)

1. On the Adopted Child:

- The adopted child is deemed a legitimate child of the adoptive parents.
- All ties with biological parents are severed (except in the case of prohibited degrees for marriage).
- The child gains rights to inherit property from the adoptive parents.

2. On the Adoptive Parents:

- They assume all parental rights and obligations for the adopted child.
- Cannot adopt another child of the same gender if one is already adopted.

3. On the Biological Parents:

- They lose all parental rights and responsibilities toward the child.

d. Challenges and Misuse of Adoption Provisions

- Misuse for child trafficking or inheritance disputes.
- Gender bias in adoption preferences.
- Lack of awareness about legal formalities, leading to disputes over

	<p>validity.</p> <p>e. Key Case Laws to Illustrate Concepts</p> <ol style="list-style-type: none"> Lakshmi Kant Pandey v. Union of India (1984): <ul style="list-style-type: none"> Emphasized safeguards to prevent misuse of adoption and prioritize child welfare. Sundarabai v. Subrahmanyam (1922): <ul style="list-style-type: none"> Clarified the need for free and informed consent of all parties in adoption. G. Appaswami Chettiar v. R. Sarangapani (1978): <ul style="list-style-type: none"> Highlighted that adoption must comply with all legal requisites to be valid. <p>3. Exercise (5 minutes)</p> <ul style="list-style-type: none"> Activity: <ul style="list-style-type: none"> Present scenarios for students to analyze and identify the legality of the adoption: <ol style="list-style-type: none"> A 17-year-old unmarried female adopts a child. A father gives his 14-year-old son in adoption without the mother's consent. A couple with a biological daughter seeks to adopt another girl. Discussion Points: <ul style="list-style-type: none"> Can the law be modified to accommodate modern family structures (e.g., same-sex couples)? Should the age limit for adoption be relaxed in certain cases?
<p>Closure</p>	<p>1. Summarize Lesson Learning Outcomes:</p> <ul style="list-style-type: none"> Discuss the capacities of individuals to adopt and be adopted. Highlight the necessary conditions for valid adoption under HAMA. Explain the legal effects of adoption on the child, adoptive parents, and biological parents. <p>2. Suggested Readings:</p> <ul style="list-style-type: none"> Hindu Adoption and Maintenance Act, 1956 (focus on Sections 6–12). Case laws: <i>Lakshmi Kant Pandey v. Union of India</i> and <i>G. Appaswami Chettiar v. R. Sarangapani</i>. <p>Spend 5 minutes to wrap up and consolidate the learning</p>
<p>Evaluation</p>	<p>1. Reflective Questions:</p>



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	<ul style="list-style-type: none">○ Why is the consent of all parties crucial in adoption?○ How does adoption under HAMA differ from guardianship?○ What are the social and legal impacts of adoption on the adopted child? <p>2. Quiz:</p> <ul style="list-style-type: none">○ Multiple-choice and short-answer questions on capacity, necessary conditions, and effects of adoption. <p>Spend 5 minutes discussing student responses and clarifying doubts to ensure comprehension.</p>
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Lesson Plan No. 23	Course Name: Family Law-I Topic: Guardian under Hindu and Muslim Law	Course No.: LLB-202
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Objectives	At the end of the lesson, students shall be able to: <ol style="list-style-type: none"> Define the concept of guardianship under both Hindu and Muslim law. Identify the categories of persons who can act as guardians under Hindu and Muslim law. Understand the conditions and rights of guardianship under both legal systems. Compare and contrast guardianship under Hindu and Muslim law, highlighting key differences and similarities.
Teaching Aids (if any)	<ol style="list-style-type: none"> Comparative chart on guardianship under Hindu and Muslim law. Case studies for discussing practical applications of guardianship laws. Visual aids (slides) highlighting guardianship rules for both systems.
Teaching Development	<p>1. Introduction (5 minutes)</p> <ul style="list-style-type: none"> • Engage Students with Questions: <ol style="list-style-type: none"> What do you understand by the term 'guardianship'? Who can be a guardian in the case of a minor child under Hindu and Muslim law? Why is guardianship important in family law? • Introduce the Topic: <ul style="list-style-type: none"> ○ Explain the concept of guardianship as the legal responsibility for a minor's welfare, which includes making decisions related to the child's health, education, and overall well-being. ○ Highlight that guardianship under Hindu and Muslim law is rooted in religious customs and personal law, with legal provisions guiding their application. <p>2. Development (30 minutes)</p> <p>a. Guardianship under Hindu Law</p> <ol style="list-style-type: none"> Sources of Guardianship: <ul style="list-style-type: none"> ○ Hindu law on guardianship is primarily based on the <i>Hindu Minority and Guardianship Act, 1956</i> (HMGA). ○ The Act defines the term "guardian" and specifies the legal guardianship rights of both parents and others. Categories of Guardians: <ul style="list-style-type: none"> ○ Natural Guardians: <ul style="list-style-type: none"> ▪ Father: Generally considered the natural guardian of a minor child, whether male or female, unless



	<p>disqualified.</p> <ul style="list-style-type: none"> ▪ Mother: For minor children, especially in the absence of the father, the mother becomes the natural guardian. However, her rights are secondary to those of the father for boys above 5 years. ▪ Exceptions: If the father is deemed unfit (e.g., due to criminality), the mother may act as the sole guardian. <ul style="list-style-type: none"> ○ Testamentary Guardians: <ul style="list-style-type: none"> ▪ Parents can appoint a guardian for their child through a will. The appointed guardian can only act when both natural guardians are unable to care for the child. ○ Guardian by Court Order: <ul style="list-style-type: none"> ▪ In cases where both parents are dead or unfit to be guardians, the court may appoint a guardian. ○ Guardianship in Hindu Marriage Act, 1955: <ul style="list-style-type: none"> ▪ Guardianship is an important part of family law, as it ensures the welfare of the child after divorce or separation. <p>3. Conditions and Rights of Guardianship:</p> <ul style="list-style-type: none"> ○ Father's Primacy: The father has the primary right to act as a guardian, though the mother's consent is necessary for major decisions. ○ Mother's Rights: If the father is not alive or is unable to act, the mother can act as the guardian. ○ Major Decisions: Guardianship includes the right to make decisions about education, religion, and medical care. ○ Court's Role: If a dispute arises, the court can intervene, ensuring the best interest of the minor child. <p>b. Guardianship under Muslim Law</p> <p>1. Sources of Guardianship:</p> <ul style="list-style-type: none"> ○ Guardianship under Muslim law is based on personal law and religious customs, particularly the <i>Muslim Personal Law (Shariat) Application Act, 1937</i>. ○ Guardianship laws are more flexible compared to Hindu law and vary depending on sects (Sunni and Shia). <p>2. Categories of Guardians:</p> <ul style="list-style-type: none"> ○ Natural Guardians: <ul style="list-style-type: none"> ▪ Father: The father is the primary guardian for his children under Muslim law. ▪ Mother: While the mother does not have automatic guardianship, she may be given guardianship rights over the child if the father is absent or deemed unfit. ▪ Grandfather: If the father is absent or deceased, the
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	<p>grandfather may assume guardianship.</p> <ul style="list-style-type: none"> ○ Testamentary Guardians: <ul style="list-style-type: none"> ▪ A Muslim parent may appoint a guardian through a will, although this appointment is subject to the approval of the court. ○ Guardianship by Court: <ul style="list-style-type: none"> ▪ The court may intervene when it determines that the natural guardians are unfit, ensuring the child's welfare. <p>3. Conditions and Rights of Guardianship:</p> <ul style="list-style-type: none"> ○ Father's Primacy: The father is the natural guardian, and his rights take precedence over those of the mother. ○ Mother's Rights: The mother's rights are significant, particularly for children below the age of 7. ○ The Role of the Guardian: Guardianship includes decisions about the child's welfare, education, marriage, and maintenance. ○ Discretion of the Guardian: The guardian's authority is vast but must always be exercised with the child's welfare as the priority. <p>c. Differences Between Hindu and Muslim Law of Guardianship</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">Aspect</th> <th style="text-align: center;">Hindu Law</th> <th style="text-align: center;">Muslim Law</th> </tr> </thead> <tbody> <tr> <td>Source</td> <td>Hindu Minority and Guardianship Act, 1956</td> <td>Shariat and Muslim Personal Law</td> </tr> <tr> <td>Natural Guardian</td> <td>Father (primary), mother (secondary)</td> <td>Father (primary), mother (secondary)</td> </tr> <tr> <td>Guardianship by Court</td> <td>Available in case of disputes or incapacity</td> <td>Available when the father is unfit or deceased</td> </tr> <tr> <td>Testamentary Guardian</td> <td>Parent can appoint guardian via will</td> <td>Parent can appoint guardian via will, but requires court approval</td> </tr> <tr> <td>Child's Welfare</td> <td>Focuses on child's welfare post-divorce or separation</td> <td>Focuses on child's welfare, especially when the father is absent</td> </tr> </tbody> </table> <p>d. Role of Guardianship in Protecting Minor's Welfare:</p> <ul style="list-style-type: none"> • Both systems of law emphasize the importance of the child's welfare, but the Hindu law is more rigid in assigning guardianship 		Aspect	Hindu Law	Muslim Law	Source	Hindu Minority and Guardianship Act, 1956	Shariat and Muslim Personal Law	Natural Guardian	Father (primary), mother (secondary)	Father (primary), mother (secondary)	Guardianship by Court	Available in case of disputes or incapacity	Available when the father is unfit or deceased	Testamentary Guardian	Parent can appoint guardian via will	Parent can appoint guardian via will, but requires court approval	Child's Welfare	Focuses on child's welfare post-divorce or separation	Focuses on child's welfare, especially when the father is absent
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	<p>rights.</p> <ul style="list-style-type: none"> • Muslim law offers greater flexibility in appointing a guardian, but in practice, the father generally holds the primary responsibility. <p>3. Exercise (5 minutes)</p> <ul style="list-style-type: none"> • Activity: <ul style="list-style-type: none"> ○ Present hypothetical scenarios and ask students to identify the appropriate guardian under Hindu and Muslim law: <ol style="list-style-type: none"> 1. A father dies, and his wife seeks custody of their 10-year-old son. 2. A 15-year-old Muslim girl's father is unfit to be a guardian due to criminal activity. 3. A Hindu woman wishes to adopt her deceased sister's child without the consent of her brother-in-law. • Discussion Points: <ul style="list-style-type: none"> ○ Compare how the Hindu and Muslim systems would resolve each situation. ○ Which system offers more flexibility in guardianship decisions?
<p>Closure</p>	<p>1. Summarize Lesson Learning Outcomes:</p> <ul style="list-style-type: none"> • Discuss the key features of guardianship under Hindu and Muslim law, with emphasis on natural guardianship, court-appointed guardians, and testamentary guardianship. • Highlight the differences between both systems and how each prioritizes the child's welfare. <p>2. Suggested Readings:</p> <ul style="list-style-type: none"> • <i>Hindu Minority and Guardianship Act, 1956</i> • <i>Muslim Personal Law (Shariat) Application Act, 1937</i> <p>Spend 5 minutes to wrap up and consolidate the learning</p>
<p>Evaluation</p>	<p>1. Reflective Questions:</p> <ul style="list-style-type: none"> ○ Why is the concept of guardianship crucial in family law? ○ How does the role of the mother in guardianship differ between Hindu and Muslim law? ○ What challenges might arise in applying guardianship laws in cases of interfaith marriages? <p>Spend 5 minutes discussing the answers to ensure comprehension and provide feedback on student understanding.</p>

Lesson Plan No. 24	Course Name: Family Law-I Topic: Concept of Welfare of Child	Course No.: LLB-202
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Objectives	At the end of the lesson, students shall be able to: <ol style="list-style-type: none"> Understand and explain the concept of "welfare of the child" in family law. Identify the factors that courts consider when determining a child's welfare in legal disputes. Analyze the legal framework surrounding child welfare in India, including relevant statutes and case laws. Discuss the impact of the child's welfare principle on guardianship, custody, adoption, and other family law matters.
Teaching Aids (if any)	<ol style="list-style-type: none"> Slide presentation on the concept of child welfare. Case study examples on child custody and welfare determination. Flowchart of factors courts consider when determining the welfare of the child.
Teaching Development	<p>1. Introduction (5 minutes)</p> <ul style="list-style-type: none"> • Engage Students with Questions: <ol style="list-style-type: none"> What do you understand by the "welfare of the child"? Why is the principle of child welfare so important in family law? Can a child's preferences be considered in custody cases? If so, how? • Introduce the Topic: <ul style="list-style-type: none"> ○ The principle of "welfare of the child" is central to family law and guides decisions regarding custody, guardianship, and adoption. ○ This concept ensures that decisions made by courts and other legal entities are focused on ensuring the well-being and best interests of the child, even when the parents' interests conflict. <p>2. Development (30 minutes)</p> <p>a. Definition of Welfare of the Child</p> <ol style="list-style-type: none"> Welfare as a Primary Consideration: <ul style="list-style-type: none"> ○ The welfare of the child is the paramount consideration in family law, particularly in cases involving custody and guardianship. ○ Section 13 of the Hindu Minority and Guardianship Act, 1956 (HMG Act): States that the welfare of the child must



	<p>be the primary consideration when appointing a guardian.</p> <ul style="list-style-type: none">○ Article 21 of the Indian Constitution: The right to life and personal liberty includes the right to be treated with dignity and the right to a safe and secure environment, which can be interpreted as a child's right to welfare. <p>2. Best Interests of the Child:</p> <ul style="list-style-type: none">○ The welfare of the child encompasses their physical, emotional, intellectual, and social well-being.○ Courts must consider factors such as the child's safety, health, education, and emotional development. <p>b. Key Factors in Determining the Welfare of the Child</p> <p>1. The Age of the Child:</p> <ul style="list-style-type: none">○ Younger children's welfare is typically prioritized in the context of their need for emotional bonding with a mother figure.○ Older children's opinions and preferences may carry more weight, especially in custody disputes. <p>2. Parental Care and Ability to Provide for the Child:</p> <ul style="list-style-type: none">○ Courts assess the ability of the parent(s) to provide the child with a stable environment, financial security, education, and emotional support. <p>3. The Child's Emotional and Psychological Needs:</p> <ul style="list-style-type: none">○ Courts consider how the environment provided by each parent affects the child's emotional and psychological well-being.○ A child may be separated from one parent if they are emotionally closer to the other parent or if it is deemed beneficial to their development. <p>4. Parental Conflicts:</p> <ul style="list-style-type: none">○ A history of domestic violence, abuse, or ongoing conflict between parents can affect the child's welfare. Courts often favor the parent who can provide a less turbulent environment. <p>5. Child's Preference:</p> <ul style="list-style-type: none">○ The child's wishes may be considered, especially when the child is mature enough to make informed decisions (typically from the age of 12 or 13, depending on the jurisdiction).○ However, the child's preference is only one factor among many and must be weighed against other considerations. <p>6. Custody Arrangements:</p> <ul style="list-style-type: none">○ The primary concern is whether the child will benefit from joint custody or be placed with one parent. Courts consider factors such as each parent's living situation, ability to
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provide, and history of care.

c. Welfare of the Child and Legal Framework in India

1. **The Hindu Minority and Guardianship Act, 1956 (HMG Act):**

- Focuses on the welfare of the child in determining guardianship and custody matters.
- Courts must assess the child's welfare above all else when making decisions regarding custody and guardianship.

2. **The Guardian and Wards Act, 1890:**

- The Act provides a framework for the appointment of guardians for minor children.
- The welfare of the child is the paramount consideration when a court appoints a guardian.

3. **The Juvenile Justice (Care and Protection of Children) Act, 2015:**

- The Act outlines the procedures for the care and protection of children who are in conflict with the law or are in need of care and protection.
- It stresses the child's best interests, including the need for rehabilitation and reintegration into society.

4. **Constitutional Provisions:**

- **Article 15(3):** Allows the state to make special provisions for children.
- **Article 21:** Guarantees the right to life and personal liberty, which includes the right to a dignified life and protection from abuse.

d. Key Case Laws Relating to Welfare of the Child

1. **Githa Hariharan v. Reserve Bank of India (1999):**

- The Supreme Court discussed the importance of ensuring the welfare of the child in guardianship cases. It emphasized that the mother, being the natural guardian, should be given equal consideration in the welfare of the child.

2. **Shah Bano Case (1985):**

- The case highlighted the rights of a divorced Muslim woman to maintenance, emphasizing her child's welfare and well-being.

3. **Laxmikant Pandey v. Union of India (1984):**

- The case focused on the welfare of children in adoption proceedings, where the court emphasized the need for safeguards to prevent child trafficking and to ensure the child's well-being.

3. Exercise (5 minutes)

	<ul style="list-style-type: none"> • Activity: <ul style="list-style-type: none"> ○ Present a case scenario involving a custody dispute between parents. Ask students to identify the key factors that the court should consider to determine the child's welfare. ○ Example: A 10-year-old child is caught between two parents, one with financial stability but a history of emotional neglect, and the other with emotional support but fewer financial resources. Which factors should the court prioritize?
Closure	<p>1. Summarize Lesson Learning Outcomes:</p> <ul style="list-style-type: none"> • Reiterate the importance of the welfare of the child in legal decisions related to custody, guardianship, and adoption. • Discuss how the concept applies to real-life family law cases. <p>2. Suggested Readings:</p> <ul style="list-style-type: none"> • <i>The Hindu Minority and Guardianship Act, 1956</i> • <i>The Juvenile Justice (Care and Protection of Children) Act, 2015</i> • Relevant case laws like <i>Githa Hariharan v. Reserve Bank of India</i> and <i>Laxmikant Pandey v. Union of India</i> <p>Spend 5 minutes to wrap up and consolidate the learning</p>
Evaluation	<p>1. Reflective Questions:</p> <ul style="list-style-type: none"> ○ Why is the welfare of the child the most important consideration in family law? ○ How do courts balance the child's welfare with parental rights in custody disputes? ○ Do you think the welfare principle adequately protects the child's rights in cases of inter-parental conflict? <p>2. Quiz:</p> <ul style="list-style-type: none"> ○ Short-answer and multiple-choice questions on the concept of child welfare, factors considered by courts, and relevant statutes and case laws. <p>Spend 5 minutes discussing student responses and providing feedback.</p>

Lesson Plan No. 25	Course Name: Family Law-I Topic: Secular Concept of Adoption under JJ Act, 2015	Course No.: LLB-202
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Objectives	<p>At the end of the lesson, students shall be able to:</p> <ol style="list-style-type: none"> Understand the secular concept of adoption as outlined in the Juvenile Justice (Care and Protection of Children) Act, 2015 (JJ Act). Analyze the provisions of the JJ Act, 2015, with respect to adoption. Identify the key features and procedures of adoption under the JJ Act, including eligibility and requirements. Compare and contrast adoption under the JJ Act with adoption under other personal laws (Hindu Adoption and Maintenance Act, 1956).
Teaching Aids (if any)	<ol style="list-style-type: none"> Slide presentation on the concept of adoption under the JJ Act, 2015. Flowchart on adoption procedure under the JJ Act, 2015. Case study examples of adoption decisions under the JJ Act.
Teaching Development	<p>1. Introduction (5 minutes)</p> <ul style="list-style-type: none"> • Engage Students with Questions: <ol style="list-style-type: none"> What do you understand by adoption? Is adoption a religious or secular practice? How is adoption different in Hindu law versus secular law? • Introduce the Topic: <ul style="list-style-type: none"> ○ Adoption in India is traditionally seen through a religious lens, but the Juvenile Justice (Care and Protection of Children) Act, 2015, introduces a secular approach. This legislation aims to safeguard children's rights in adoption and care, ensuring uniformity across different communities and legal systems. ○ The JJ Act, 2015, is inclusive and does not tie adoption to any specific religion, making it secular in nature. <p>2. Development (30 minutes)</p> <p>a. Overview of the Juvenile Justice (Care and Protection of Children) Act, 2015</p> <ol style="list-style-type: none"> Purpose of the JJ Act: <ul style="list-style-type: none"> ○ The JJ Act, 2015, aims to provide for the care, protection, development, and rehabilitation of children in need. ○ It applies to all children under the age of 18 who are in need of care and protection, including those without family, those abandoned, or those in conflict with the law. Secular Nature of Adoption under the JJ Act:



- Unlike the Hindu Adoption and Maintenance Act (HAMA), which applies only to Hindus, the JJ Act applies to all children regardless of religion. It provides a uniform and secular process for adoption.
- The concept of adoption under the JJ Act is not based on religious customs or practices but focuses purely on the welfare of the child.

b. Adoption under the JJ Act, 2015

1. Eligibility for Adoption (Section 56):

- Any child who is legally free for adoption can be adopted under the JJ Act.
- Children must be declared legally free for adoption by a Child Welfare Committee (CWC) or a Juvenile Justice Board (JJB).
- The adoption process is applicable to children who are orphaned, abandoned, or surrendered.

2. Eligibility of Adoptive Parents (Section 57):

- The Act allows for adoption by married couples, single individuals, and even same-sex couples (as long as they meet the criteria set out by the Act).
- A married couple must have been married for at least two years before adopting a child.
- Single individuals, both male and female, are allowed to adopt a child.

3. Procedure for Adoption (Section 58 and Section 59):

- **Central Adoption Resource Authority (CARA):** Under the JJ Act, CARA is the apex body responsible for regulating adoptions. It is empowered to create policies and guidelines to ensure that the process is child-friendly and does not lead to exploitation.
- **Adoption by Specialised Adoption Agencies (SAAs):** The JJ Act mandates that all adoptions take place through recognised and registered adoption agencies. These agencies must follow the procedures outlined in the law.
- **Home Study Reports (HSRs):** Adoptive parents undergo a thorough home study process to assess their suitability.
- **Matching of Adoptive Parents and Children:** Once the home study report is completed and the child is declared legally free for adoption, the matching process begins.

4. Adoption Order (Section 61):

- Once a child is matched with prospective adoptive parents, the child is placed in their home under a foster care arrangement. After a probationary period, the court issues a final adoption order.
- Adoption is legally recognized only when the court issues



this final order, after determining that the adoption is in the child's best interest.

c. Key Features of Adoption under the JJ Act

1. Child-Centric Focus:

- The welfare of the child is the paramount consideration in all adoption procedures. The best interest of the child, their safety, health, and emotional development, are central to any decision-making process.

2. Uniformity across Religions:

- The JJ Act ensures that the adoption process is uniform, secular, and based on the principle of child welfare, irrespective of the religion, caste, or community of the child or adoptive parents.

3. Prevention of Child Trafficking:

- The Act contains stringent provisions to prevent child trafficking and exploitation. Adoption is a regulated and monitored process, ensuring transparency and accountability at every stage.
- There are provisions for the removal of children from illegal or unregistered adoption agencies.

4. Regulation of Inter-Country Adoption:

- The JJ Act also regulates inter-country adoptions, requiring a thorough assessment of the suitability of foreign parents, and ensuring that the adoption follows international conventions, such as the Hague Convention on Inter-Country Adoption.

d. Comparison with Hindu Adoption and Maintenance Act, 1956

1. Religious Boundaries:

- The Hindu Adoption and Maintenance Act applies only to Hindus and does not extend to non-Hindus, while the JJ Act applies to all children, regardless of the religion of the child or the adoptive parents.

2. Adoptive Parents:

- Under the HAMA, adoption is permitted only to a Hindu individual or couple, whereas the JJ Act permits adoption by both single individuals and couples from all religious backgrounds, thereby making it more inclusive.

3. Legal Process and Child Welfare Focus:

- Both laws emphasize the welfare of the child, but the JJ Act establishes a more detailed, child-centric framework that includes adoption by non-Hindu individuals, whereas the Hindu Adoption and Maintenance Act focuses specifically on Hindu adoptive parents and the legal recognition of



	<p>adoption within the Hindu community.</p> <p>3. Exercise (5 minutes)</p> <ul style="list-style-type: none"> • Activity: <ul style="list-style-type: none"> ○ Present a hypothetical case where a Muslim couple wishes to adopt a child. Discuss how the JJ Act would allow for this adoption, and compare it with the legal options available under other personal laws like HAMA or the Muslim personal law.
Closure	<p>1. Summarize Lesson Learning Outcomes:</p> <ul style="list-style-type: none"> • Reiterate that the JJ Act, 2015 provides a secular and uniform approach to adoption, focusing solely on the welfare of the child and ensuring protection from exploitation. • Discuss the inclusivity of the JJ Act, making it applicable to all children and adoptive parents, regardless of religion. <p>2. Suggested Readings:</p> <ul style="list-style-type: none"> • Juvenile Justice (Care and Protection of Children) Act, 2015 (Chapter on Adoption). • Relevant case laws on adoption under the JJ Act. <p>Spend 5 minutes to wrap up and consolidate the learning</p>
Evaluation	<p>1. Reflective Questions:</p> <ul style="list-style-type: none"> ○ How does the JJ Act’s secular approach to adoption ensure child welfare? ○ What are the advantages of having a uniform adoption law applicable to all children in India, regardless of religion? <p>2. Quiz:</p> <ul style="list-style-type: none"> ○ Multiple-choice questions and short-answer questions on the provisions and procedures of adoption under the JJ Act, 2015. <p>Spend 5 minutes discussing student responses and providing feedback.</p>