

Course Plan

Course Title: Family Law I (Hindu Law)	Course Code:21LLLC104
Programme:LL.B	Semester: I
Credits:4	L-T-P: 3-1-0
ISA Marks: 50	ESA Marks:50
Course Teacher: Mr.Mahesh R.S.	Date of Preparation:
Course Plan Reviewer: Dr. Manojkumar V. Hiremath	Date of Review:

Course Objective:

To provide the students with knowledge of both codified and uncodified portions of Hindu law. To provide a framework of laws relating to marriage, matrimonial remedies, adoption, maintenance, guardianship, succession and contemporary trends in family institutions in India.

Course Outcomes (COs)

Mapping of Course Outcomes (COs) with Program Outcomes

Course Outcomes (COs)	Relevant Program Outcomes (POs)
At the end of the course students will be able to:	
1. Describe the importance and application of Personal Law.	1,4,6
2. Understand the importance of matrimonial remedies and will appreciate the amicable settlement	6,9

of matrimonial disputes.	
3. Identify the mode and ways of succession and inheritance of properties which is very useful for practice.	5,7,8
4. Identify the mode and ways of succession and inheritance of properties which is very useful for practice.	2,3
5. Understand the position and procedure in the matters Guardianship, Adoption and Maintenance.	8,11
6. Analyze the gender justice served in case of partition of a HUF property.	3,6,7

Course Content

Unit Contents	Number of Sessions
Unit – I: Introduction and Origin of Hindu Law, Application of Hindu law, Sources of Hindu Law: Ancient and Modern Schools of Hindu Law.	11
Unit – II: Marriage and Kinship, Evolution of the Institution of Marriage and Family, The Hindu Marriage Act, 1955, Matrimonial Remedies, Concept of dowry and legislative provisions relating to dowry prohibition, Family Courts Act, 1984.	13

<p>Unit – III: Law relating to Hindu Minority and Guardianship: Kinds of Guardians, Duties & Powers of Guardians, The Hindu Adoption and Maintenance Act, 1956, Foreign Adoption, Rights relating to maintenance.</p>	13
<p>Unit – IV: Hindu Undivided Family, Formation and Incidents, Property under Mitakshara School, Dayabhaga School, Kartha, Position, Powers, Privileges and Obligations, Debts, Partition and Reunion, Religious and Charitable Endowments.</p>	8
<p>Unit – V: Inheritance and Succession, Historical perspective of traditional Hindu Law relating to Inheritance, The Hindu Succession Act, 1956, Amendments to Hindu Succession Act, Stridhana, Women’s Estate, Gifts and Wills.</p>	8
<p>Total:</p>	

Prescribed Books:

1. Diwan, Paras, Modern Hindu Law, (Faridabad: Allahabad Law Agency, 1993)
2. Mulla, Principles of Hindu Law, (New Delhi: Lexis Nexis Butterworths, 2007)

References:

1. John D. Mayne, A Treatise on Hindu Law and Usage, 9th Edition, (Madras: Higginbotham, 1922)
2. Diwan, Paras, Law of Adoption, Ministry, Guardianship and Custody (Universal: 2000)
3. J. D. M. Derrett – Hindu Law – Past and Present, (Calcutta: A Mukherjee & Co., 1957)

4. N. Raghavachar, Hindu law.

5. Law Commission Reports

a. 71st Report –The Hindu Marriage Act, 1955-Irretrievable Breakdown of Marriage as a Ground of Divorce (April 1978).

b. 174th Report-“Property Rights of Women: Proposed Reforms under the Hindu Law”, (May 2000).

c. 208th Report On Proposal For Amendment Of Explanation To Section 6 of Hindu the Hindu Succession Act, 1956 to include oral partition and family arrangement in the definition of "partition" (July 2008).

d. 252nd Right of the Hindu Wife to Maintenance: A relook at Section 18 of the Hindu Adoptions and Maintenance Act, 1956, (January 2015).

Enactments:

1. The Hindu Marriage Act, 1955

2. The Hindu Adoption and Maintenance Act, 1956

3. The Hindu Minority and Guardianship Act, 1956

4. The Hindu Succession Act, 1956

Unit Wise Plan

Unit Number:I	Planned Sessions: 11
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Unit Learning Outcomes

Unit Learning Outcomes	COs	BL
Explain the origin of Hindu Law and development of Hindu law and jurisprudence.	1	2
Analyse scope of administration of Hindu Law.	1	2,4
Explain and compare various sources and	5	2

schools under Hindu law		
Explain and analyse the effects of conversion and apostasy	1	2,4

Topic Wise Plan

S. No.	Topic	Number of Sessions	Pedagogy
1	Introduction and Origin of Hindu Law	2	Lecture and Discussion
2	Application of Hindu Law	2	Lecture and Discussion
3	Sources of Hindu Law	4	Lecture and Discussion
4	Ancient and Modern Schools of Hindu Law	3	Lecture and Discussion

Prescribed Reading(s) / Learning Resource(s)

1. Diwan, Paras, Modern Hindu Law, (Faridabad: Allahabad Law Agency, 1993)

Additional Reading(s) / Learning Resource(s)-

1. Mulla, Principle of Hindu Law, (New Delhi, Lexis Nexis, Butterworths 2007)

Unit Wise Plan

Unit Number: II	Planned Sessions: 13
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Unit Learning Outcomes

Unit Learning Outcomes	COs	BL
The Students will be able to understand the Concept of Marriage, Essentials of Hindu Marriage and categorical usage of matrimonial remedies.	1,2	2,4
The students will be able to understand the menace and Dowry and ways of its eradication.	1,2	2,4
The students will be able to understand the importance of Family Courts as modes of settlement for matrimonial matters.	2	3

Topic Wise Plan

Sl. No.	Topic	Number of Sessions	Pedagogy
1	Evolution of the Institution of Marriage and Family	2	Lecture, Discussion and Research Based Learning.
2	The Hindu Marriage Act, 1955	4	Lecture, Discussion, Case Based Learning.
3	Matrimonial Remedies	5	Lecture and Discussion
4	Concept of dowry and legislative provisions relating to dowry prohibition	2	Lecture and Discussion

Prescribed Reading(s) / Learning Resource(s)

1. Diwan, Paras, Modern Hindu Law, (Faridabad: Allahabad Law Agency, 1993)

Additional Reading(s) / Learning Resource(s)-

1.Mulla, Principle of Hindu Law, (New Delhi, Lexis Nexis, Butterworths 2007)

Unit Wise Plan

Unit Number: III	Planned Sessions: 13
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Unit Learning Outcomes

Unit Learning Outcomes	COs	BL
The students will be able to understand the Powers and Functions of Guardians.	2,4	2
Students will be able to explain and analyze Concept of Adoption and Maintenance.	2,4	2, 4

Topic Wise Plan

S.No.	Topic	Number of Sessions	Pedagogy
1.	Kinds of Guardians	3	Lecture, Discussion, Debate.
2.	Duties & Powers of Guardians	5	Lecture, Discussion, Debate, Case Based Learning.
3.	The Hindu Adoption and Maintenance Act, 1956	3	Lecture and Discussion

4.	Foreign Adoption, Rights relating to maintenance.	2	Lecture and Discussion
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Prescribed Reading(s) / Learning Resource(s)

1. Diwan, Paras, Modern Hindu Law, (Faridabad: Allahabad Law Agency, 1993)

Additional Reading(s) / Learning Resource(s)-

1. Mulla, Principles of Hindu Law, (New Delhi: Lexis Nexis Butterworths, 2007)

Unit Wise Plan

Unit Number: IV	Planned Sessions: 8
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Unit Learning Outcomes

Unit Learning Outcomes	COs	BL
The students will be able to Understand the Concept of HUF and Position, Rights, Privileges of its Members.	6	2
Students will understand the gift in the form of charity for religious purposes.	6	2

Topic Wise Plan

Sl. No.	Topic	Number of Sessions	Pedagogy
1.	HUF- Formation and Incidents, Property under Mitakshara School, Dayabhaga School	3	Lecture and / Research Based Learning

2.	Kartha, Position, Powers, Privileges and Obligations, Debts, Partition and Reunion	3	Lecture and Research Based Learning
3.	Religious and Charitable Endowments	2	Lecture

Prescribed Reading(s) / Learning Resource(s)

1. Diwan, Paras, Modern Hindu Law, (Faridabad: Allahabad Law Agency, 1993)

Additional Reading(s) / Learning Resource(s)-

1. Mulla, Principles of Hindu Law, (New Delhi: Lexis Nexis Butterworths, 2007)
2. Bare Act.

Unit Wise Plan

Unit Number: V	Planned Sessions:8
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Unit Learning Outcomes

Unit Learning Outcomes	COs	BL
Students will be able to distinguish the Modes of Succession traditional as well as modern.	4	2, 4
Students will be able to explain and apply the equal rights of woman under succession after 2005 amendment.	4,6	2, 4

Topic Wise Plan

S.No.	Topic	Number of Sessions	Pedagogy
1.	Succession, Historical perspective of traditional Hindu Law relating to Inheritance.	3	Lecture, debate, Discussion and Case Based learning.
2.	Stridhana, Women's Estate	3	Lecture and discussion
3.	Gifts and Wills	2	Lecture and discussion

Prescribed Reading(s) / Learning Resource(s)

1. Diwan, Paras, Modern Hindu Law, (Faridabad: Allahabad Law Agency, 1993)

Additional Reading(s) / Learning Resource(s)-

- 1.Mulla, Principles of Hindu Law, (New Delhi: Lexis Nexis Butterworths, 2007)
- 2.Bare Act.

Industry/Professional Skills, Human Values, Service Learning

Industry/Professional Skills	Advocacy, Research, Argumentative
Human Values	Honesty, Sincerity, Cooperation, Democratic Values,
Service Learning (if any)	

Evaluation Scheme for ISA

Assessment	Weightage in Marks
Mid-Term Exam	25
Teacher Chosen Assessment	20
Attendance	5
Total	50

Teacher Chosen Assessment Method

Component	Details	Weightage
Research paper	Submission of a research paper on a topic assigned to them.	10
Presentation	Presentation of the submitted research paper in front of peers.	10
Attendance		5

Weightage of Course Outcomes

Course Outcomes (COs)	Weightage in Assessment
1. Describe the importance and application of Personal Law.	15
2. Understand the importance of matrimonial remedies and will appreciate the amicable settlement of matrimonial disputes.	15

3. Identify the mode and ways of succession and inheritance of properties which is very useful for practice.	15
4. Identify the mode and ways of succession and inheritance of properties which is very useful for practice.	20
5. Understand the position and procedure in the matters Guardianship, Adoption and Maintenance.	20
6. Analyze the gender justice served in case of partition of a HUF property.	15