



**NATIONAL LAW UNIVERSITY AND JUDICIAL ACADEMY, ASSAM**

**PROGRAMME: B.A., LL.B (HONS.) FYIC**

**DETAILS OF COURSE OFFERED**

**EVEN SEMESTER (IV)– ACADEMIC YEAR: 2022-23**

<b>SL. NO</b>	<b>COURSE CODE</b>	<b>COURSE TITLE</b>	<b>L</b>	<b>T/P</b>	<b>CR</b>	<b>CH</b>
<b>1</b>	<b>407</b>	<b>INDIAN JURISPRUDENCE</b>	<b>2</b>	<b>0</b>	<b>2</b>	<b>2</b>

- A. CODE AND TITLE OF THE COURSE: 407, INDIAN JURISPRUDENCE**
- B. COURSE CREDIT: 2 (TOTAL MARKS 50)**
- C. MEDIUM OF INSTRUCTION: ENGLISH**
- D. COURSE COMPILED BY: PROF. (DR.) R. N. SHARMA**
- E. COURSE INSTRUCTOR: PROF. (DR.) R. N. SHARMA**

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## **1. COURSE OBJECTIVES**

- a) To impart knowledge about philosophy of law in Indian Perspective.
- b) To impart knowledge about Ancient Indian legal system.
- c) To impart knowledge about the applicability of Natural Law in India.
- d) To impart knowledge about concept of justice in Indian Perspective.

## **2. TEACHING METHODOLOGY**

- a) Lecture Method
- b) Active Learning
- c) Participative Pedagogy

## **3. EXPECTED OUTCOMES OF THE COURSE**

**After completing the course the students will be able to:**

- a) Understand the genesis of laws which were in practice in ancient India
- b) Understand and analyse legal system in ancient India.
- c) Understand and analyse the Indigenous principles of natural justice, concept of justice .
- d) Understand and analyse the Indigenous of justice delivery system .

## **4. COURSE EVALUATION METHOD**

The course shall be assessed for 50 marks.

## **5. DETAILED STRUCTURE OF THE COURSE (SPECIFYING COURSE MODULES AND SUB-MODULES)**

### **MODULE I- Introduction to Indian Jurisprudence**

Indian Legal Theory- Meaning, Nature and Importance – Philosophy, Theological Interpretation, Metaphysical Character, Science Spiritual Jurisprudence  
Dharma (righteousness) – Meaning , Concept and Sources, in Indian context  
Duty (Karma) – Meaning, Kinds, Importance and Sources

### **MODULE II- Ancient Indian Legal System**

Sources- Veda, Sruti, Smriti, Acharas (Customs)

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Traditional Indian Legal Theory :

1. Positive ideals & social harmony
2. Supremacy of Dharma over king of State
3. Ancient ideals of Trusteeship
4. Materialistic ideals
5. Ideals of Welfare State
6. Human Rights Jurisprudence

Natural Law – Indian Perspective

Sources: Para and Apra Vidya & Theory of Knowledge

Law of Rita, Dharma, Dand (Sanctions) – Concept & Meaning

Indian way of life – Dominant Trends

Law - Meaning, Idea of Law, Functions of Laws, Law – Religion & Morality and Vedic concept of Laws

### **MODULE III- Concept of Justice-An Indian Perspective**

Justice - Meaning, Concept, Nature & Kinds :

1. Justice as Knowledge (Gyan)
2. Justice as Power (Shakti)
3. Justice as Felicity (Anand)

Law of Equality- Post Vedic Concept of Justice,

Theories of Justice - Gandhian theory, Indian Heritage, Vedic Perception, Buddhistic Notion, Code of Manu of Justice.

Justice – Muslim Era, British Era, Post-Colonial Period

### **MODULE IV- Indigenous Justice Delivery System**

1. Kulani
2. Sreni
3. Puga
4. Mahajan
5. Mediation
6. Panchayat

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## 6. PRESCRIBED READINGS

Sl.	Name of Books	Author
1	An Introduction to Jurisprudence	Gokulesh Sharma
2	Jurisprudence & Indian Legal Theory	Prof. S.N Dhyani
3	Hinduism and Law an Introduction	Timothy Lubin, Donald R. Davis, Jr., and Jayanth K. Krishnan
4	Studies in Jurisprudence and Legal Theory, Six <sup>th</sup> Edition	Dr. N.V. Paranjape
5	Lectures in Jurisprudence , Third Edition	NK Jayakumar
6	Krishna and Mediation	Prof. V. K. Ahuja