

ISC Class 12 Legal Studies Syllabus

LEGAL STUDIES (881)

Aims:

- (i) To create an awareness among candidates of legal concepts/ rules and the mechanism involved in their introduction, application and enforcement.
- (ii) To enhance candidates' understanding of public affairs and to create an awareness of their rights and responsibilities as citizens.
- (iii) To provide a brief background of the evolution of the present Indian Legal system.
- (iv) To develop an understanding of the connotations of law, its broad classification and application in daily life.
- (v) To develop an understanding of certain important legal terms and concepts which will help candidates be better equipped in dealing with day to day challenges.
- (vi) To enable candidates to understand role and functions of legal services authority and how it serves the purpose of access to justice for all in line with the Article 39 of the constitution.
- (vii) To enable candidates to understand the various modes of dispute resolution, their efficacy and merit over others.
- (viii) To develop skills of communication, interpretation, reasoning and analysis.

CLASS XI

There will be **two** papers in the subject:

Paper I - Theory: 3 hours70 marks

Paper II- Project Work:30 marks

PAPER - I (THEORY) – 70 Marks

Part I (20 marks) will consist of **compulsory** short answer questions covering the entire syllabus.

Part II (50 marks) will consist of **eight** questions out of which the candidate will be required to answer **five** questions, each carrying **10 marks**.

1. Historical Evolution of the Indian Legal System

Law in Ancient India and the concept of Dharma; Law in Medieval India with special reference to the Mughal period; Legal System in India post 18th century- Regulating Act of 1773, Government of India Acts and framing of the Constitution of India.

Hindu law, its three categories viz the classical Hindu law, the Anglo-Hindu law, and the Modern Hindu law; connotations of Dharma in ancient India and its equivalence with Law; duty-based Society - from Pauper to King; Sources of Law- Shruti, Smriti and Achaara (customs);

Judiciary in Ancient India- from Village Councils (Kulani) to King's Court; Procedural Rules (Vyavahara); Trial by Jury or Trial by Ordeal;

Prevalence of Islamic Legal System in India- Believers and Non-Believers; Judicial System-

King and Qazi; King as the Fountainhead of State; Courts hierarchy- Pargana, Sarkar, Subah and the Emperor's Court; Qazi-i-Aksar- Court moving with the Army; Lawyers/Vakils, State Councils and the presence of Free Legal Aid.

Establishment of East India Company under Charter of 1600, Legal System in India under British Rule- East India Company from 'Merchants' to 'Territorial Power' i.e., establishment of Mayor's court; Passing of Regulating Act, 1773, its defects; Law reforms in British India, First War of Indian Independence, 1857- drawing curtains on East India Company; India under the British Crown; Government of India Act, 1919- salient features; Government of India Act, 1935- basis of the Constitution of India; Constituent Assembly and drafting of the Constitution of India.

2. Law and Jurisprudence

Meaning of the term Law and Jurisprudence, Schools of thought- Natural, Historical, Positivist, Realist and Sociological Schools of law; Understanding Civil and Criminal Law in contrast; Different facets of the term Constitution; International Community of Nations.

Understanding the term Law and the province of Jurisprudence- Science of Law; Understanding the connotations of Law through different perspectives- Schools of Law: Natural, Historical, Positivist, Realist and Sociological; Main Sources of Law - Customs,

Legislation and Precedents; Dynamics of the Law bringing changes in Society and the Society forcing Law to change.

Primary distinctions between Civil and Criminal Law - concept of State and its responsibility of maintaining Law and Order, Public Rights, State as a Prosecutor, concept of Public Prosecutor and Accused in a Criminal Trial, Threat of Punishment, Private transactions and Private Rights, concept of Plaintiff and Defendant in a Civil Proceeding, concept of Compensation, Onus of proving the case and the Standard of Proof required.

Constitution, Constitutionalism and Constitutional Law; Constitution as a Touchstone for the Statutes- Domestic Laws deriving their validity from the Constitution; striking down a Statute or its provisions e.g. Shreya Singhal vs Union of India AIR 2015 SC 1523

Concept of Sovereignty; Community of Nations; concept of International Law; sources of International Law; dynamics of the relationship of International Law and Domestic/Municipal Law; enforceability of International Law - role of treaties in resolving international disputes. Dispute settlement institutions under International Law.

3. Concept of Legal Personality

Natural Person and Artificial (Legal) Person; Capacity of holding Legal Rights and Duties; Partnership - Meaning, Relations of Partners inter-se, Registration and Dissolution; Company- Memorandum of Association and Article of Association, Perpetual Succession and other characteristics, Private and Public Company.

Human Being as a Natural Person; capacity of a human being holding Legal Rights and Duties- from Slavery to Modern Times; Mask of Legal Personality; Five main jurisprudential foundations for Legal Personality - Purpose Theory, Bracket Theory, Fiction Theory, Concession Theory and Realist Theory; Legal Personality beyond Human Beings - Idol, State, Animals, Deceased Human Being, Unborn Child, Partnership and Company.

Connotations of a partnership firm - Contract, Profit Sharing, Business, All or Any of them Acting for All (Mutual Agency); Minor's position vis a vis a Partnership.

Firm; General duties of Partners inter se; Partners' Rights vis a vis Partnership

Property; Partners acts binding the entire Partnership Firm - Express Authority and Implied Authority of a partner, Doctrine of Holding-out; Registration of a Partnership Firm - optional but significant consequences of non-registration, Registration subsequent to the filing of Suit; Dissolution of a Partnership Firm - Five modes of Dissolution, Consequences of Dissolution, Settlement of Accounts between (erstwhile) Partners; continuing Authority of the Partners for winding-up of the affairs of (erstwhile) Partnership Firm; Liability for the acts done after Dissolution and outside the purview of winding-up

Meaning of a Company- Association of Persons and the Registration; Memorandum of Association - Fundamental Clauses; Article of Association - when mandatory, its contents; Characteristics of a Company- Limited Liability, Perpetual Succession, Capacity to hold Property, Capacity to hold a separate Legal Personality (but not a Citizen under the Constitution of India or the Citizenship Act, 1955), instances of Personal Liability of Directors and Members; Concept of Lifting the Corporate Veil; Difference in Private and Public Company.

4. Criminal Law and Procedure

Difference between Substantive and Procedural/Adjective Law; The most prevalent Criminal Justice Administration Systems in the World- Adversarial and Inquisitorial; Hierarchy of Criminal Courts; Indian Penal Code (IPC) - Definitions, kinds of offences; Offences against Women, Offence against Property in Indian Penal Code (IPC); Juvenile Justice Act- Definitions and a few provisions.

Concepts of 'Public Rights' and 'Public Duties'; Concept of Crime; Substantive Criminal Law; How to enforce Substantive Law? Criminal Procedural Law; Procuring presence of Accused in a Criminal Court; Specific instances of Constitutional reflections in Criminal Procedural Law; Concept of Socio-Economic offences and reversal of certain basic principles therein e.g. shifting of burden of proof on accused in Money Laundering Act, 2002.

Concept of Law; Object of Criminal Law; different Schools of Criminal Justice Administration System; three main instrumentalities of Criminal Justice Administration System - Policing, Courts and Correctional Authorities; Main systems of Criminal Justice Administration System -

Adversarial system and Inquisitorial system: their essence and difference.

Territorial division- Concept of Sessions division and Metropolitan area; Classes of Criminal Courts; Separation of Judiciary from Executive; Hierarchy of Criminal Courts: from Magistrate's Court to the Supreme Court; Concept of punishment-theories of punishment.

Criminal Law and Morality; Connotations of a Penal Code; Significance of IPC in the Indian legal history; extent of operation of the Code; certain laws not to be affected by the Code; Definitions - Gender, Man, Woman, Person, Offence, Illegal, Injury, Life, Death, Animal and Good Faith.

Concept of Assault and Criminal Force; concept of Intention and Knowledge; concept of 'modesty' of a woman; Sexual harassment at workplace- from Vishakha guidelines to Section 354A of the Code; Section 354 B; Privacy of a woman- Section 354C of the Code; Stalking: Actual or Virtual- Section 354D of the Code; offence of Rape under Section 376 IPC, Kidnapping and abduction for different purposes (Section 363 - Section 373), Importation of girls upto 21 years of age (Section 366 B), Homicide for dowry or attempt (Section 302 and Section 304B IPC); uttering words, making sounds/ gestures or exhibiting object to insult the modesty of a woman - Section 509 of the Code, Cruelty - physical and mental both (Section 498A IPC).

Concept of Property; Movable and Immovable Property; Ownership and Possession; concept of Consent, Dishonesty and Entrustment; Offence against Property in the Code - brief introduction of the offences of Theft, Extortion, Robbery, Dishonest Misappropriation of Property, Criminal Breach of Trust and Cheating.

Relevant considerations (National and International) affecting the Juvenile Justice Policy of India- from Children's Act, 1962 to Juvenile Justice Act, 2015; Child in need of Care and Protection; Child in Conflict with Law; Child in the age group of 16 to 18 years and commission of heinous offence (with special emphasis on POCSO Act); in the best interest of a child; Juvenile Justice Board, Child Welfare Committee and National Commission for Protection of Child Rights.

5. Civil Law and Procedure

Codified and Uncodified Law, Law of Torts, Contract; Specific Relief Act; Consumer

Protection Act; General Civil Procedure; Institution of a Civil Suit; Territorial, Pecuniary and Subject-matter jurisdictions; Injunctions; Summary Suits; Order and Decree passed in a Civil Suit, Judgement; Complaint and Written Statement; Hierarchy of Civil Courts.

Codified and Uncodified Law (main difference and examples of each) Private Rights and Duties; Structure of Code of Civil Procedure 1908. Substantive Civil Law e.g., Law of Torts (Functional definition of Tort, sources of Tort law, kinds of wrong in tort law, principle of Absolute Liability, difference between absolute and strict liability, purpose of Tort law), contract (Introduction to Contract, its general principles like offer/proposal and acceptance, consideration, capacity to contract, consent, unlawful agreements, contingent contract, its discharge and damages) and Specific Relief act and kinds of remedies that may be granted by a court under the provisions of this Act, major changes in amended act 2018; connotations of 'Consumer' and his Rights under The Consumer Protection Act, 1986: The basis of legal action and the nature of relief prayed for.

Enforcement of Substantive Civil Law; Civil Procedural Law; how to choose the proper Court - Territorial, Pecuniary and Subject-matter jurisdictions; concept of Court Fee and Pauper's Suit; Meaning and Types of Injunctions; concept of Summary Suits.

Concepts of: an Order, a Decree and Judgement; Hierarchy of Civil Courts and Forums for Redressal against an Order or a Decree - Review, Revision and Appeal; concept of Reference; Execution of a Decree.

Concept of Civil Suit; institution of Civil Suit by the Plaintiff- contents of a Complaint; Plaintiff's valuation of Suit for the purpose of Pecuniary jurisdiction and for Court Fee; Written Statement by the Defendant; admission and the consequence thereof; Issues Framing; Effect of absence of Plaintiff and Defendant in a Civil Suit.

6. Family Law

Connotations of Marriage; Ceremonies of Marriage; Void and Voidable Marriage; Restitution of Conjugal Rights and Judicial Separation; Meaning of Divorce; Maintenance in husband wife relationship; Adoption of a Child; Violence against Women.

Schools of Hindu Law; Institution of Marriage; Hindu Marriage Act, 1955- Who is a Hindu, form of Marriage: Ceremonial aspect, Age

qualification; Void Marriage - Bigamy, Prohibited and Sapinda Relationship; Voidable Marriage - Consummation of Marriage and Consent for Marriage; concept of Divorce - three main theories: Fault, Irretrievable Breakdown and Mutual Consent; concept of Restitution of Conjugal Rights and Judicial Separation.

Concept of Maintenance in husband wife relationship- 'means' of husband and 'necessities' of wife; Various Statutes providing Maintenance- Hindu Marriage Act of 1955, Hindu Adoption and Maintenance Act of 1956 and Criminal Procedure Code of 1973; Concept of Interim Maintenance and Alimony.

Adoption- Transplantation of a Child; Legislative Framework - Hindu Adoption and Maintenance Act, 1956; Inter-Country Adoption (guidelines of CARA; essentials of a valid Adoption - various Capacities, Consent of Spouse; Capacity of a Female to take a Child in Adoption; disqualifications for Adoption - relation With Natural Family and Marriage of Adopted Child; Effects of Adoption on Vesting/Divesting of Property.

Gender based Violence against Women and its Redressal under various Statutes; Domestic Violence Act, 2005- Contours of Shared Household and Domestic Relationship, Meaning of Domestic Violence, who can be an Aggrieved and Who can be the Respondent: male or female; Residence Order; Protection Order; Monetary Relief; Protection Officer- Duties and Powers.

7. Fundamental Rights

Classification of Fundamental Rights, Fundamental Rights available against State and not against private individuals, Art 12- State, Art 13(2)-Judicial Review, Extended horizons of Art 21, Right to Constitutional Remedies, Restriction on the exercise of Fundamental Rights.

Six Fundamental Rights guaranteed by the Constitution.

Examples of 'State' – NCERT, CSIR, Jal Board etc.; whether Judiciary is part of 'other authorities' within the meaning of Art 12?

Art 13(2) as the limitation on the power of the Parliament to amend the Constitution – Doctrine of Severability, Doctrine of Eclipse, Doctrine of Waiver.

Extended interpretations of the meaning of

'life' the apex court with focus on the examples of rights forming part of art 21 by the interpretation of the apex court.

Right to Constitutional Remedies Art 32- the five writs and concept of PIL.

Restrictions on the exercise of the fundamental rights – public order, health and morality.

PAPER II (PROJECT WORK) – 30 MARKS

In keeping with the significance of doing project work and gaining a hands-on understanding of various contemporary issues, candidates are expected to undertake **two studies of 15 Marks each**.

Topics for the studies should be chosen from within the overall syllabus as there is ample scope for diversity. Candidates should synthesise information from a range of sources, including cases, legislation, the media and international instruments, to support a legal argument. Topics should extend areas of individual or group interests from any chapter covered in Theory after understanding the legal functions, practices and institutions.

List of suggested studies for Project Work:

1. There can be a situation where a particular act may be both a civil wrong as well as a criminal wrong. Elaborate on the basis of a case study.

Hint. (Here the defamation can be a best example; Also, the example of Negotiable Instruments Act can be given, where a complaint can be filed under section 138 of the NIA and a civil suit for recovery can also be filed.)

2. Make a list of laws and provisions for the protection of women and children in India.
3. Make a presentation on how the International Court of Justice is different from the Municipal courts in India.
4. Present a sketch and contribution of any of the following legal luminaries:-
 - (i) B. R. Ambedkar
 - (ii) Lord Maculay
 - (iii) Justice Khanna
 - (iv) K. Parasaran
 - (v) Hari Singh Gaur
5. What is a standard form of contract? How often do we enter into such a contract in our day to day lives? Prepare a list and paste at least five of them in the paper.

6. Make a power point presentation on the various road signs and mention the penalty in case of violation of the same.
7. Visit a consumer forum and prepare a report containing the following:
 - (i) The jurisdiction of the consumer forum.
 - (ii) Who can approach the consumer forum?
 - (iii) Does the consumer forum mandate a litigant to be represented by a lawyer?
 - (iv) What relief can the consumer forum grant?
8. How does a consumer forum function? Prepare a report on the fifteen major constitutional amendments brought in by the parliament after 1950. Do you think that the Right to Education as envisaged under Article 21 has succeeded in achieving its purpose? Elaborate.
9. Enumerate the persons whom a child can approach in case his/her legal right is infringed. Explain the duties of a student whose rights are infringed.
10. Using contemporary examples, investigate the legal rights of consumers and the effectiveness of the law in achieving justice for consumers.
11. Attend one or more courts or tribunals in civil and criminal cases. Observe their operation and prepare a report containing the following:
 - outline of different types of laws;
 - comparison of the purpose of different types of laws;
 - distinction between civil and criminal court procedures;
 - identification of the role of legal personnel involved in the court process;
 - comparison of the common and civil law systems.
12. Prepare a report on a contemporary law reform issue, for example on the topic: Young drivers and the law/Sports and the law/Animal welfare/Drug use and Law.
 - Examine the conditions that give rise to the need for law reform;
 - The agencies of reform;
 - Mechanisms of reform;
 - Assess the effectiveness of law reform in achieving just outcomes with regards to the issue.

GUIDELINES FOR TEACHERS:

1. It must be emphasized that the process of doing the project is as important as the final project.
2. Once the project/projects are chosen, there should be a process of brainstorming to encourage students to make out a draft/structure for the project before embarking on research.
3. During the brainstorming/discussion, the teacher should discuss the assessment criteria with the students.
4. The teacher should discuss the draft with the student with regard to the central question and the type of sources to be used.
5. The students should be guided on doing the research and looking at different types of evidence.
6. Books and suitable reference material could be suggested by the teachers and made available to the students.
7. Internet sites could be suggested, but care must be taken in selecting, using and citing these sites.
8. Students must be cautioned against plagiarism and be penalized for the same.
9. Marks must be awarded for content and originality and not for decorative elements and embellishments.
10. Projects must be the original work of the student.

CLASS XII

There will be **two** papers in the subject:

Paper I - Theory: 3 hours70 marks

Paper II- Project Work:30 marks

PAPER – I (THEORY) – 70 Marks

Part I (20 marks) will consist of **compulsory** short answer questions covering the entire syllabus.

Part II (50 marks) will consist of **eight** questions out of which the candidate will be required to answer **five** questions, each carrying 10 marks.

1. Intellectual Property Laws

Intellectual Property Rights, Global scenario and the importance of Intellectual Property, Legislation - connotations of The Copyright Act, 1957, Entitlements under Copyright Act 1957; The Trademarks Act, 1999; significance of Trademarks, The Patent Act, 1970; Protection of 'Inventions', The Designs Act, 2000 and The Geographical Indications of Goods (Registration and Protection) Act, 1999; International Aspect of the protection of Geographical Indications, The Protection of Plants & Varieties and Farmers Rights Act, 2001.

Intellectual Property Rights – definition, The Agreement on Trade-related aspects of Intellectual Property Rights (TRIPS), The World Intellectual Property Organization (WIPO).

Connotations of Copyright- Idea-Expression Dichotomy; The Copyright Act, 1957, definition and explanation of various works covered under Copyright (Literary, Dramatic, Musical, Artistic works; sound recordings, broadcasts etc.); criteria for protection, Authorship and ownership, Registration, Nature of the rights, Moral Rights, Related rights: Performers rights etc., Duration of Copyright, Infringement of Copyright, Exploitation and use of Copyright, Remedies, Recent developments in International Copyright Law; Indian Copyright Act 1957- Landmark judicial pronouncements on Copyright Law by the Supreme Court of India.

What is a Trademark? - Beyond 'Words' and 'Symbols'; position of Trademarks under Indian Trademarks Act, 1999 - prerequisites of being a Trademark, Types of trademarks, acquiring a Trademark, Absolute and Relative

Grounds for refusal for Registration of a Trade Mark, Exploitation and Use of Trade Marks, Importance of protecting Trademarks, Trademark infringement, and Passing Off, Revocation, Remedies for Trade Mark Infringement; International developments.

Regime of Patent Rights- Social Interests vs Private Incentives, Monopoly debate; Patent Law in India (Patent Act, 1970)- Definition and Patentable Subject matter (Novelty, Inventive Step, Industrial Application), Non-patentable Inventions, Grant of Patents and Rights conferred thereby; Duration of Patent rights, Using the Invention/Process; Compulsory Licenses and Revocation, Suits concerning infringement of Patents, Appeals to the Appellate Board. Dynamics of International Patent Law with special reference to the interests of Developing Nations.

Concept of 'Design' under Designs Act, 2000 - Definition, criteria of Registration, Industrial Design rights granted in India; comparison with Copyright.

The Semiconductor Integrated Circuits Layout - design Act, 2000; definition, The Register and conditions for Registration, procedure and duration for registration, effect of Registration.

Geographical Indication of Goods - Understanding from the perspective of International Intellectual Property Rights regime; The Geographical Indications of Goods (Registration and protection) Act, 1999; Definition, conditions for Registration, Procedure and Duration, Effect of Registration, Advantages of Registration, who can apply and who is an Authorised User? Infringement of Geographical Indication and its Redressal; comparison with Trademarks. Suit for Infringement and Passing Off.

The Protection of Plants & Varieties and Farmers Rights Act, 2001, Subject matter, Registrable Plant Varieties in India, Non-Registrable Plant Varieties in India, Duration of Protection for a Registered Variety.

2. Dispute Resolution

(i) Dispute Resolution Mechanisms

The Courts of Law, Tribunals (such as CAT, SAT, TDSAT, DRT, Rent, MACT, NGT etc.), Concept of Gram Nyayalay.

Overview of Court System in India; Judicial, Quasi-Judicial and Revenue Courts; Special Courts within the Judicial Courts System; Understanding the concept

of Tribunals as Quasi-Judicial Forums; Jurisdiction of Revenue Courts

Purpose of establishing Central Administrative Tribunal, State Administrative Tribunals, Telecom Dispute Settlement Appellate Tribunal, Debts Recovery Tribunal, Rent courts, Motor Accident Claim Tribunal, National Green Tribunal in India - National and International concerns; Members of National Green Tribunal; jurisdiction of National Green Tribunal; Landmark decisions by National Green Tribunal; Role of 'regulators' in aiding the Tribunals.

Objectives of enacting Gram Nyayalaya Act, 2008 - Justice at grass-roots; Seat of Gram Nyayalaya; jurisdiction of Gram Nyayalaya; sanctity of order/judgement passed by Gram Nyayalaya.

(ii) Alternate Dispute Resolution

Arbitration, Conciliation, Mediation, Negotiations, Lok Adalats.

Section 89 CPC as source of ADR system (Conciliation and Mediation), Arbitration and Conciliation Act, 1996 - connotations of Arbitration and Conciliation, benefits of ADR system, which disputes can be covered; main differences between Arbitration and Conciliation; Arbitration with and without reference of Court; significance of Arbitral Award.

Difference among Arbitration, Conciliation and Mediation; sanctity of Settlement arrived through Mediation and Conciliation; encouraging 'Out of Court' Settlement in India - challenges and the way ahead.

Locating 'legal basis' of Lok Adalats; Purposes of holding Lok Adalat; basis of disposal of cases in Lok Adalats; concept of 'Mobile' Lok Adalat and National Lok Adalat.

3. Crime and Law of Evidence

Crime - Cognizable and Non-Cognizable; First Information Report (FIR); Law of Arrest; concept of Evidence; Relevancy and Admissibility of Evidence, rule of best evidence, basic structure of trial.

Difference between Cognizable offence and Non-Cognizable offence; complaint in general parlance - information to Police, Written and Signed, if Orally given: reduced to Writing by Police and read-over to the Informant, stating

specific facts, Registration of FIR if offence is cognizable and if offence is non cognizable. Confessional FIR and difference with Confession. Police bound to register FIR, Limited scope of Enquiry in certain cases; Evidentiary value of FIR in trial.

Legal meaning of Arrest; Arrest - how made; Entitlements of an Arrested person- intimation of grounds of Arrest, information about arrest to nominated person/s and bail, etc.; search and seizure from arrested person; person arrested not to be detained beyond 24 hours and 'remand' under section 167 Cr PC; legal position of Police 'Torture' during 'Interrogation'.

General connotations of the term Evidence- Oral, Documentary and Material; Types of Evidence - Primary and Secondary; Best Evidence Rule; Direct and Indirect (hearsay) Evidence; Direct and Circumstantial Evidence; Meaning of Proof; Effect of Evidence - Proved, Disproved and Not Proved; Evidence and Proof- Cause and Effect.

Connotations of Relevancy of Evidence; facts in Issue and Relevant Facts; admissibility of Evidence vis a vis Relevance of Evidence.

Meaning of Criminal Trial; purpose of Criminal Trial; Basic features of a Criminal Trial with special reference to the Rights of Accused; Position of 'Victim' in a Criminal Trial - almost a 'Forgotten Player', recent trends of Law and Judicial Pronouncements.

4. Transfer of Property

Property, Ownership, Possession, Benami Property, Modes of devolution of property (like Sale, Mortgage, Gift, Lease, Will, Trust); Benami Transactions and the related Law.

Meaning of Property, - Benami Property, Introduction to Property Law; types of Property: Movable and Immovable, definition of 'immovable property under S.3 TPA and S.3(26) General Clauses Act 1908. Transfer (Persons competent to transfer, mode of transfer of property); essentials for a Valid Transfer, doctrine of Election, Doctrine of Lis Pendens; meaning of sale, Rights and Liabilities of Buyer and Seller;

Meaning of mortgage with illustration, Rights and Liabilities of mortgager and mortgagee(lender), Meaning of exchange and Gift with illustrations, Meaning of Lease, Rights and Liabilities of Lessor and Lessee;

Meaning of a Will, types of Will, person competent to make a Will, essentials for a Valid Will;

Trust, introduction to the Trust Act 1882, types of Trust, who may create trusts? Subject of trust, who may be beneficiary, who may be trustee, duties and liabilities of trustees, liability for breach to trust.

Concept of 'Benami' transaction; purpose of Benami transactions; transactions not considered as Benami; Benami Transaction (Prohibition) Act, 1988 and the Amendment Act, 2016 - Key Features.

5. Legal Services Authority and its Role

Legal Services Authority Spirit of Article 39A of the Constitution of India; Legal Aid for the deserving sections of society; Common Service Centers.

Importance of Article 39A of the Constitution of India; implementing the spirit of free Legal Aid through Legal Services Authority Act, 1987- key features; eligibility for getting free Legal Aid; Legal Services Authorities at various levels; role of Educational Institutions and Para Legal Volunteers; Legal Aid Camps; spreading Legal Literacy and providing Legal Aid - challenges and the way-forward, NALSA Regulations 2010 and selection of panel Lawyers for giving free legal aid – M. H. Hoskot Case.

Understanding the services of State Governments and the Government of India - Social Welfare, Health, Education, Agricultural schemes, etc., concept of inclusive-growth; village level Entrepreneur and making e-Services available to rural India through Common Service Centers.

6. Legal Maxims

Important Legal Maxims.

Meaning with illustrations of the following:

- *Actus non facit reum nisi mens sit rea*
- *Ad valorem*
- *Amicus Curiae*
- *Audi alterem partem*
- *Assentio Mentium*
- *Bona fide*
- *Bona Vacantia*
- *Caveat Emptor*
- *Corpus Delicto*
- *Damnum Sine Injuria*
- *De Die in Diem*
- *De Minimis Lex Non Curat*

- *Doli Incapax*
- *Ejusdem Generis*
- *Ex Post Facto*
- *Ignorantia Facti Excusat – Ignorantia Juris Non Excusat*
- *Injuria Sine Damnum*
- *Locus Standi*
- *Nemo Debet Esse Judex in Propria Sua Causa*
- *Nemo debet non quad habit*
- *Noscitur a Sociis*
- *Obiter Dicta*
- *Pari Materia*
- *Per Incuriam*
- *Qui Facit Per Alium, Facit Per Se*
- *Quid pro quo*
- *Ratio Decidendi*
- *Res ipsa loquitur*
- *Res Judicata Accipitur Pro Veritate*
- *Salus Populi Est Suprema Lex*
- *Stare Decisis*
- *Ubi Jus Ibi Remedium*

7. Important Laws

Prevention of Corruption Act, 1988; Lokpal and Lokayukta Act 2013 Negotiable Instrument Act, 1881; Competition Act, 2002; Direct Tax, Indirect Tax and the concept of GST; Food Safety and Standards Act, 2006, Human Rights Act, 1993 (with Amendment Act, 2006), NHRC, India, Information Technology Act, 2000, Motor Vehicle Act, 1988.

Object of Prevention of Corruption Act, 1988; Connotations of Public Servant and Corruption as judicially pronounced; concept of 'Sanction' from the Government;

Chief Vigilance Commissioner and Chief Vigilance Officers – Santhanam Committee Report, scope and limitation of Lokpal and Lokayukta Act 2013.

Legal connotations of the term 'Competition'; significance of the term 'Competition' for developing countries in contemporary world; (Indian) Competition Act, 2002 - Notions of anti-Competitive Agreements, abuse of Dominance and Regulation of Combination; concept of Negotiable Instrument; Negotiable Instrument Act, 1881- Key features; Cases of 'Cheque-bouncing'; special Negotiable Instrument Act Courts.

Concept of Direct Tax and Indirect Tax- Ability to 'Shift' Liability; concept of GST - CGST,

SGST and IGST; one Indirect Tax for entire nation; Curious relationship of GST with direct tax Collection.

Importance of Food Safety and Hygiene; Food Business Operators; key features of Food Safety and Standards Act, 2006 - an 'umbrella' Act; functions of Food Safety and Standards Authority of India - Quality Assurance and Consumer Outreach.

Concept of Insurance; minimum requirement under Motor Vehicle Act, 1988 vis a vis Motor Insurance; Third Party Damage Insurance - Policy-holder at fault, position of injuries/damage sustained by policy-holder/his vehicle; Third Party Theft and Fire Insurance; Comprehensive Motor Insurance- coverage and exclusions;

Significance of Road Safety measures; Motor Vehicle Act, 1988 - Driving without Driving Licence, Owner's liability if driven by other without License, age limits for getting Driving Licence under different categories of Vehicles; Using Mobile Phone while driving: manner dangerous to Public, leaving a Vehicle at rest in any public place: causing hindrance to traffic or otherwise, two-wheeler driving: more than one pillion rider, without helmet, documents to be shown to policeman: driving licence, registration certificate, insurance certificate and if it is a transport vehicle: permit and the fitness Certificate.

PAPER II (PROJECT WORK)– 30 MARKS

In keeping with the significance of doing project work and gaining a hands-on understanding of various contemporary issues, candidates are expected to undertake **two studies of 15 Marks each**.

Topics for the studies should be chosen from within the overall syllabus as there is ample scope for diversity. Candidates should synthesise information from a range of sources, including cases, legislation, the media and international instruments, to support a legal argument. Topics should extend areas of individual or group interests from any chapter covered in Theory, after understanding the legal functions, practices and institutions.

The project work will be assessed by the teacher and a Visiting Examiner appointed locally and approved by the Council.

Mark allocation **per Study [15 marks]** will be as follows:

1.	Evaluation by the teacher	5 Marks
2.	Evaluation by the Visiting Examiner	10 Marks

Evaluation of Study by the Visiting Examiner [10 marks]

1.	Presentation	2 Marks
2.	Content	2 Marks
3.	Analysis	3 Marks
4.	Viva-voce based on the Study	3 Marks

List of suggested studies for Project Work:

1. Visit an Alternate Dispute Resolution Centre and prepare a report on Mediation proceedings so attended. Also write the objective of Mediation as a means of ADR mechanism.
2. Prepare a PPT presentation on the different structure of benches in the High Court and the Supreme Court and their purposes. What is the binding nature of the judgment of a division bench on a smaller bench?
3. Collect copy of sale deed, lease deed and mortgage deed. Underline the difference in their structure. Write the differences between the three in terms of their legality, binding nature, purpose and creation of rights.
4. Collect a copy of a cheque and paste it on a paper. Mention the cheque number. Explain:
 - Why do we cross a cheque?
 - Is there any difference between the law governing a cheque and a credit card?
 - Can a person be held liable under section 138 NI Act for not making the credit card payment on time?
5. Discuss five instances from day to day life where you let go what could reasonably fall within the ambit of the Law of Torts.
6. Enumerate the offences mentioned under the POCSO Act. What offence will be committed if the name of the victim is disclosed by any person?

7. Write what is disability under the Persons with Disability Act, 2016. What are the aids and support measure that are provided under the statute for the disabled? Meet any disable person from or around your locality and prepare a list of the difficulties that he or she faces in day to day functioning.
8. Enumerate the fundamentals rights and suggest ways how a child can be made to understand his rights and duties.
9. Write the role of a Para Legal Volunteer. Illustrate with the help of a case study how a PLV is helping your locality.
10. Write a review pertaining to the developments on the property rights of women with special reference to the Hindu Women's Right to Property Act, 1937; Hindu Succession Act, 1956 and Hindu Succession (Amendment) Act, 2005.
11. Prepare a project on any of the following:
 - (i) Creative and musical art under copyright.
 - (ii) Trade secret discloser verses Patents.
 - (iii) Patented medicine verses Generic Medicine.
12. Need for the Right to Information in today's context.
13. Prepare a case study on the historical development of Lok Pal Bill and its need in India.
14. Critically examine when a statement made by one party during oral contractual negotiations will become a term of a contract.
15. The process of getting a proposed law from Bill to Act is unnecessarily complex. Interpret the legislative process in Parliament and evaluate the truth of the above statement.

GUIDELINES FOR TEACHERS

1. It must be emphasized that the process of doing the project is as important as the final project.
2. Once the project/projects are chosen, there should be a process of brainstorming to encourage students to make out a draft/structure for the project before embarking on research.
3. During the brainstorming/discussion, the teacher should discuss the assessment criteria with the students.
4. The teacher should discuss the draft with the student with regard to the central question and the type of sources to be used.
5. The students should be guided on doing the research and looking at different types of evidence.
6. Books and suitable reference material could be suggested by the teachers and made available to the students.
7. Internet sites could be suggested, but care must be taken in selecting, using and citing these sites.
8. Students must be cautioned against plagiarism and be penalized for the same.
9. Marks must be awarded for content and originality and not for decorative elements and embellishments.
10. Projects must be the original work of the student.

NOTE: No question paper for Project work will be set by the Council.