

**KLE Society's Law College, Bengaluru**

**COURSE PLAN**

**Subject: FAMILY LAW I: HINDU LAW**

Classes:

**Date of Commencement: 06-08-2018**

**No. of Teaching Hours: 60**

**Date: 31-07-2018**

**COURSE OBJECTIVE:** The main objective of this course is to endow the students with knowledge of both the codified and uncodified portions of Hindu law. The broad objective of the course is to make the students of law understand the fine linkages between law and religion and how they influence each other. An overview of Hindu religion and an in-depth study of codified and uncodified Hindu law will play an instrumental role in achieving the broad objective. Additionally, studying Hindu law has its own importance for a student of law in India. Hinduism in today's times has become a world religion and forms the third largest religious group after Christians and Muslims. This course focuses on the sources, schools, institutions, succession, maintenance, dowry, etc.

UNIT	TOPIC	No. of Hours	PRESCRIBED READINGS	METHOD	SUPPLEMENTARY READING/OTHER MATERIALS/ASSIGNMENTS	UNIT OUTCOMES
1 (12 hrs)	Introduction: Religion and Law	1	Chapter II (pp. 11-26) of Paras Diwan, <i>Modern Hindu Law</i> , Allahabad Law Agency (2017)	Classroom Discussion	Introduction Chapter of Davis Jr, D.R., <i>The spirit of Hindu law</i> . Cambridge University Press (2010).	This unit aims to make students aware of the profound impact of religion on society and individuals, appreciate the connection between law and religion, and finally to know why they need to study religion in a law school.

2	The Concept of Hinduism and Hindu Law (The Concept of <i>dharmā</i> )	The concept of Hindu religion, it's place in the global context, The concept of <i>dharmā</i> , brief timeline of Hindu religion	2	Chapter II (pp. 11-26) of Paras Divan, <i>Modern Hindu Law</i> , Allahabad Law Agency (2017)	Lecture, Classroom Discussion and Multimedia Timeline	Hinduism Through Its Scriptures, Course by Harvard University Online; Conducted by Prof. Neelima Shukla-Bhatt and Prof. Jason Smith. Available at <a href="https://online-learning.harvard.edu/course/hinduism-through-its-scriptures">https://online-learning.harvard.edu/course/hinduism-through-its-scriptures</a>	Its	Students will be able to appreciate why they need to study Hindu Law, they will know about the foundation of Hindu law and the distinctive feature of Hinduism
3	Hindu Law: Its application, Codified and Uncodified Hindu Law		2	Chapter I (pp. 1-10) of Paras Divan, <i>Modern Hindu Law</i> , Allahabad Law Agency (2017)	Lecture, and a Small group Discussion,	DinshahFardunji <i>Principles of Hindu law</i> , LexisNexis (2018)	Mulla,	Students will be able to understand the application of Hindu law and the parts of Hindu law which are codified and uncodified
4	Sources of Hindu Law: Ancient and Modern		5	Chapter III (pp. 27-54) of Paras Divan, <i>Modern Hindu Law</i> , Allahabad Law Agency (2017)	Lecture, Group Exercise	DinshahFardunji <i>Principles of Hindu law</i> , LexisNexis (2018)	Mulla,	This will enable students to identify sources of different principles of Hindu law.
5	Dharma Shastras and their Importance		1	Introduction of Chapter of Davis Jr, D.R., <i>The spirit of Hindu law</i> . Cambridge University Press (2010).	Lecture and Discussion	DinshahFardunji <i>Principles of Hindu law</i> , LexisNexis (2018)	Mulla,	This unit will enable students to appreciate the importance of Dharmashastra texts such as the Manusmriti and Yajnavalkyasmriti
6	Schools of Hindu Law: Two Major Schools		1	Chapter IV (pp. 56-61) of Paras Divan, <i>Modern Hindu Law</i> , Allahabad Law Agency (2017)	Lecture and Group Exercise	DinshahFardunji <i>Principles of Hindu law</i> , LexisNexis (2018)	Mulla,	

2 (18 hrs)	1	Codification of Hindu Law	1	None	Documentary Clip on Hindu Code Bill followed by Discussion <sup>a</sup>	Episode 5, Pradhanmantri Documentary Series, Produced by ABP News. Available on <a href="https://www.youtube.com/playlist?list=ELYR5tkmTpa_c">https://www.youtube.com/playlist?list=ELYR5tkmTpa_c</a>	Students will be able to understand the social and political context of the codification of Hindu law.
	2	Marriage and Kinship and Law Prior to Hindu Marriage Act	4	Chapter V and Selected parts of Chapter VII (pp. 62-77, 85-87) of Paras Divan, <i>Modern Hindu Law</i> , Allahabad Law Agency (2017)	Discussion and Lecture	DinshahFardunji <i>Principles of Hindu law</i> , LexisNexis (2018)	This unit will introduce students to concepts of marriage, and the menace dowry as existed in the traditional Hindu law and its evolution over time.
	4	Hindu Marriage Act, 1955	12				
	5	Dowry: Customary Practices and Legislative Prohibition	1	Chapter VI (pp. 78-84) of Paras Divan, <i>Modern Hindu Law</i> , Allahabad Law Agency (2017)	Small Group Discussion and Lecture and a Short Video Clip	Associated Press Video on Dowry Deaths in India, Available at <a href="https://www.youtube.com/watch?v=qQJ3fzsbbcM">https://www.youtube.com/watch?v=qQJ3fzsbbcM</a>	
	1	Hindu Undivided family	2	None	General Discussion	DinshahFardunji <i>Principles of Hindu law</i> , Mulla, LexisNexis (2018)	This unit will enable students to answer questions like what Hindu joint family is, what is joint family property, who is a karta, how is joint family property partitioned.
3 (16 hrs)	2	Joint Family Property	2	(pp. 285-322) of Paras Divan, <i>Modern Hindu Law</i> , Allahabad Law Agency (2017)	Lecture and Discussion		
	3	Joint Family Under Mitakshara School	2		Lecture and Discussion		
	4	Joint Family Under Dayabhaga School	2	Chapter XIII (pp. 323-325) of Paras Divan, <i>Modern Hindu Law</i> , Allahabad Law Agency (2017)	Lecture and Discussion	DinshahFardunji <i>Principles of Hindu law</i> , LexisNexis (2018)	

5	Karttha: His Position, Powers, Privileges and Obligations	3	Chapter XIV (pp. 326-342) of Paras Divan, <i>Modern Hindu Law</i> , Allahabad Law Agency (2017)	Lecture and Discussion		
6	Debts – Doctrine of Pious Obligation	1	Chapter XV (pp. 343-349) of Paras Divan, <i>Modern Hindu Law</i> , Allahabad Law Agency (2017)	Lecture and Discussion		
7	Partition and Reunion	3	Chapter XVI (pp. 350-384) of Paras Divan, <i>Modern Hindu Law</i> , Allahabad Law Agency (2017)	Lecture and Discussion		
4 (10 hrs)	1	The social and economic foundations of law of inheritance and how it evolved.	2	Small Group Discussion, Lecture	DinshahFardunji <i>Principles of Hindu Law</i> , LexisNexis (2018)	This will acquaint student with a foundational understanding of the concept of inheritance allow students to form a firm base for the study of Hindu law of inheritance
	2	Inheritance: Traditional Hindu Law	1	Chapter XVIII (pp. 405-459) of Paras Divan, <i>Modern Hindu Law</i> , Allahabad Law Agency (2017)		
3	Hindu Succession Act, 1956	4	Chapter XVIII (pp. 405-459) of Paras Divan, <i>Modern Hindu Law</i> , Allahabad Law Agency	Lecture, Discussion, and Quiz		

4	Stridhana: Woman's Property		2	(2017) Chapter XVII (pp. 385-404) of Paras Divan, <i>Modern Hindu Law</i> , Allahabad Law Agency (2017)	Lecture and Discussion	Dinshah Fardunji <i>Principles of Hindu Law</i> , LexisNexis (2018)	Mulla, <i>Principles of Hindu Law</i> , This unit will introduce students to the concept of adoption and its evolution over time and the Hindu law of adoption and maintenance.
	1	Hindu Minority and Guardianship	1	Paras Divan, <i>Modern Hindu Law</i> , Allahabad Law Agency (2017)			
	2	Hindu Minority and Guardianship Act, 1956	1				
5 (4 hrs)	3	Hindu Adoption and Maintenance Act, 1956	2	Law Agency (2017)			

**INDUSTRY/ PROFESSIONAL SKILLS:** Knowledge of various petitions relating to matrimonial and related matters such as divorce, judicial separation, maintenance, adoption, etc.

**HUMAN VALUES:** Sanctity of marriage, respect and appreciation of Religion and its influence, importance of family.

**Number of Handouts:** 10-15

**Number of Group Presentations:** 5

**Number of Documentary Screenings:** 3

**Number of Case Studies:** 2

**Total Teaching Hours:** 60

**Cases analysis:** Sushli Kumari Dang v. Prem Kumar, Chand Dhawan v. Jawaharlal Dhawan, Ankush Narayan v. Janabai, Lily Thomas v. Union of India, Sitabai v. Ramachandra, Guradas v. Rasaranjan, Harvinder Kaur v. Harmander Singh Choudhary, Jijabai v. Pathan Khan, Aykut v. Aykut, Thirumal v. Rajamma, M.E. Querashi v. Hazraba, Sitabai v. Ramchandra, Sarla Mudgal v. Union of India, Jijabai v. Pathankhan, R. Virupakshaiah v. Saramma & Anr, Chamunniya v. Virendra Kumar Singh Kushwaha

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