

MAHARSHI DAYANAND UNIVERSITY

ROHTAK



COURSE OUTCOMES OF OPEN ELECTIVE & FOUNDATION ELECTIVE SUBJECTS OF LLM

SESSION 2018-2019

LL.M. SECOND SEMESTER EXAMINATION w.e.f. Session 2016-17

Foundation Elective (Media Law)** (Code 16LAWF1)

Course Outcomes

Course Outcomes:

- CO1 The students will demonstrate the understanding of the restriction imposed on freedom of press and its impact on society.
- CO2 The students will get the knowledge of media trial and its impact on trial proceedings in a court.
- CO3 The students will be made acquainted with various types of media and will be made aware about evolution of freedom of press beyond the boundaries and barriers of various countries.
- CO4 Students will be made aware about the aspects like defamation, obscenity, and will also know about evolution of Media Law.

MM : 80

Time: 3 hours

NOTE FOR EXAMINER/PAPER SETTER

The question paper of each course will be divided into two sections A & B, Section A consists of Eight Small answer type questions (without internal choice) carrying 3 marks each covering the entire syllabus. This section as such will be compulsory. Section-B shall again consist eight questions carrying 14 marks each covering the entire syllabus. However, the candidate shall be required to attempt any four questions from this section.

NOTE FOR STUDENTS

Attempt all questions in Section A and Four Questions from Section B. Each Question in Section A carries 3 marks and each question in Section B carries 14 marks.

Unit: I. Introduction: Evolution of Media; Types of media: Print, Electronic; E-Media free flow of Information beyond boundaries and barriers; Difference between Visual and non-Visual Media- impact on People

Unit: II. Freedom of Speech and Expression- Article 19 (1) (a): An Introduction to Freedom of expression; Evolution of Freedom of Press; Restrictions under Constitution: Article 19 (2), Government power to legislate- Article 246 read with the Seventh Schedule.; Power to impose Tax- licensing and licence fee; Advertisement & Ethics: Misleading Advertisement vis-à-vis Consumers rights.

Unit: III. Law of defamation and obscenity: Defamation; Libel, Slander; Obscenity; Sedition

Unit: IV. Development of laws relating to Mass Media via a vis International regime: Censorship of films; Censorship under Constitution; Censorship under the Cinematograph Act; Pre- censorship of films.

Select Bibliography:

- M.P. Jam, Constitutional Law of India (1994) Wadawa, Nagpur
- H.M. Seervai, Constitutional Law of India 2002 Vol. 1 Universal
- John B. Howard, "The Social Accountability of Public Enterprises" in Law and Community Controls in New Development Strategies (International Center for law in development 1980)

- Bruce Michael Boys, Film Censorship in India: A Reasonable Restriction on Freedom of Speech and Expression” 14 J.I.L.I 501 (1972)
- Rajiv Dhavan “On the Law of the Press in India” 26J.I.L.I 288(1984)
- Rajeev Dhavan “Legitimizing Government Rhetoric: Reflections on Some Aspects of the Second Press Commission” 26 J.I.L.I 391 (1976)
- Soli Sorabjee, Law of Press Censorship in India (1976)
- Justice E.S. Venkaramiah, Freedom of Press: Some Recent Trends (1984)

LL.M. SECOND SEMESTER EXAMINATION w.e.f. Session 2016-17
Open Elective (Family Law)** (Code 16LAWO1)

Course Outcomes

Course Outcomes:

- CO1 The knowledge of the students will be enrich in the Family Law problems and effect of religion on family law.
- CO2 Students will develop the skills to resolve socio-legal issues which effect the family and their inter-relation with the restriction import by personal laws in resolution of family related issues like divorce, maintenance, matrimonial home etc.
- CO3 The students will able to understand and will be able to deal with different families' positions, traditions, rights and duties, family problems and legal solutions to them which directly relate to the society.

MM : 80
Time: 3 hours

NOTE FOR EXAMINER/PAPER SETTER

The question paper of each course will be divided into Five sections, each of the First Four Sections of the Question Paper will contain 2 questions respectively from Unit-1 to Unit-4 of the syllabus. The students will be required to attempt one question from each section. Section 5 of the question paper shall contain 8 short answer type questions of 3 marks each(without any choice) covering the entire syllabus. As such Section 5 will be compulsory. The examiner will be free to set the questions in problem forms based on case law.

NOTE FOR STUDENTS(ON QUESTION PAPER)

Attempt four questions from sections 1 to 4, selecting at least one question from each section. These questions shall carry 14 marks each. Section 5 is compulsory and each question in this section shall carry 3 marks.

UNIT-I

Application of Hindu Law, Sources of Hindu, Schools of Hindu Law, Hindu Joint Family, Features of Mitakshra and Dayabhaga Joint Families, Coparcenary, Classification of Property, Karta of Joint Family, Position, Liabilities and Powers of Karta. Karta's powers of Alienation, Coparcener's Power of Alienation, Coparcener's Right to Challenge Improper Alienation, Alienee's Rights and Remedies

Leading Case: Harihar Prasad V Balmika Prasad AIR 1975 SC 733
K.S. Subhiah Pillai V Commissioner of IT AIR 1999 SC 1220

UNIT-II

The nature and concept of Hindu Marriage, Evolution of the Institution of Marriage, The Hindu Marriage Act, 1955, Essential Conditions for Valid Hindu Marriage, Ceremonies of Marriage, Registration of Hindu Marriages, Remedy of Restitution of Conjugal Rights, Void and Voidable Marriages, Judicial Separation and Divorce, Various Types of Grounds for

Divorce and Judicial Separation, Fair Trial Rule, Legitimacy of Children, Jurisdiction, Bars to Matrimonial Remedies, Ancillary Reliefs, Permanent Alimony and Maintenance, Custody etc.

Leading Case: Kailishwati V Ayudhia Parkash AIR 1977 PLR 216
Naveen Kohli V Neelu Kohli, (2006) 4 SCC 558

UNIT-III

The Hindu Succession Act, 1956, Effects of the Hindu (Succession) Amendment, 2005, Rules of Succession to the Property of Hindu Male, Succession to the Property of Hindu Female, Succession to the Mitakshara Coparcener's Interest, General Rules of Succession, Partition, Subject Matter of Partition, Persons who have a Right to Partition & Right to Share, Persons who are entitled to Share, if, Partition takes place, Modes of Partition, How Partition is effected, Partial Partition, Reopening of Partition, Re-Union.

Leading Case: Raghuvamma V Chenchamma AIR 1964 SC 136
Commissioner of Income Tax V Chandersen, AIR 1986 SC 1753

UNIT-IV

The Hindu Minority and Guardianship Act, 1956, Concept of Minority and Guardianship, Natural Guardians and their Powers, Testamentary Guardian: Appointment and Powers, Certified Guardian, Defecto Guardian, Guardian By Affinity, The Hindu Adoption & Maintenance Act, 1956, Nature of Adoption, Essential Conditions for Valid Adoption, Effects of Adoption, Registration of Adoption, Maintenance As Personal Obligation, Maintenance of Dependents, Quantum of Maintenance, Maintenance As a Charge on Property

Leading Cases: G. Appaswami Chettiar V R.Sarangapani AIR 1978 SC 1051
Githa Hariharan V Reserve Bank of India(1999)2 SCC 228

BOOKS RECOMMENDED

Mulla	-	<u>Principles of Hindu Law</u>
Dr. Paras Diwan	-	<u>Modern Hindu Law</u>
Mayne's	-	<u>Hindu Law and Usage</u>
Dr. U.P.D.Kesari	-	<u>Modern Hindu Law</u>
Basant Kumar Sharma	-	<u>Modern Hindu Law</u>

LL.M. THIRD SEMESTER EXAMINATION w.e.f. Session 2017-18

Open Elective (Constitutional Law)** (Code 16LAWO2)

Course Outcomes

Course Outcomes:

- CO1 The students will demonstrate the understanding of federalism and various other aspects like Preamble, Citizenship, Fundamental Rights etc.
- CO2 The students knowledge will be enriched in knowing the importance of over-riding effect of fundamental rights over directive principles of state policy.
- CO3 The students will be made aware of relationship between Fundamental Rights and Directive Principles, are imparted to the students so as to enable them to have a comprehensive knowledge about the above mentioned contents of the Constitutional Law of India which is the basic Law of land.

MM : 80

Time: 3 hours

NOTE FOR EXAMINER/PAPER SETTER

The question paper of each course will be divided into Five sections, each of the First Four Sections of the Question Paper will contain 2 questions respectively from Unit-1 to Unit-4 of the syllabus. The students will be required to attempt one question from each section. Section 5 of the question paper shall contain 8 short answer type questions of 3 marks each (without any choice) covering the entire syllabus. As such Section 5 will be compulsory. The examiner will be free to set the questions in problem forms based on case law.

NOTE FOR STUDENTS(ON QUESTION PAPER)

Attempt four questions from sections 1 to 4, selecting at least one question from each section. These questions shall carry 14 marks each. Section 5 is compulsory and each question in this section shall carry 3 marks.

UNIT-I

Preamble, Citizenship, Definition of State Under Art, 12. Rules of Interpretation under Art. 13

Leading Case: Mohmmad Raza V State of Bombay AIR 1966 , SC 1436

UNIT-II

Right to Equality(Art.14), Special Provision for Weaker Sections of the Society, Reservation Polity, Fundamental Freedoms under Art.19, Freedom of Press.

Leading Case: Indira Sawhney v Union of India, AIR 1993, SC 477

UNIT-III

Protection in respect of conviction of offence (Art-20), Right to Life and Personal Liberty Article 21), Protection against Arrest and Detention (Art 22), Right against Exploitation (Art-23 & 24), Right to Religion (Art 25-28).

Leading Cases: Maneka Gandhi v Union of India, AIR 1978, SC 597

UNIT-IV

Cultural & Educational Rights of Minorities (Art.29 & 30), Right to Constitutional Remedies (Art, 32), Directive Principles of State Policy, Fundamental Duties.

Leading Case: T.M.A. Pai Foundation V State Karanataka AIR 2003 SC 355

BOOKS RECOMMENDED

- Seervai, H.M. : Constitutional Law of India
Hidayatullah, M. : -do-
Tope, T.R. : -do-
Shukla, V.N. : -do-
Jain, M.P. : Constitutional Law
Chander Pal : Centre State Relations and Indian Cooperative Federalism
Chander Pal : State Autonomy in Indian Federation: Emerging Trends
J.N.Pandey : Constitutional Law of India