

LEGAL STUDIES (881)

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

1. Basic features of the Indian Constitution & the Constitutional Courts

The Constitution of India – Meaning and features; Preamble

- (i) *Constitution-Meaning & Functions*
- (ii) *Salient Features of the Constitution of India*
 - (a) *Modern Constitution*
 - (b) *Longest written Constitution*
 - (c) *Preamble to the Constitution*
 - (d) *Fundamental Rights; Directive Principles of State Policy; Fundamental Duties*
 - (e) *Constitutional Provision for Amendment of the Constitution of India*
 - (f) *Schedules to the Constitution*
 - (g) *Adult Suffrage*
 - (h) *Single Citizenship*
 - (i) *Independent Judiciary*
 - (j) *Emergency Provision*
 - (k) *Federal in form Unitary in character*
 - (l) *Separation of Power - three organs of the government*
- (iii) *Preamble to the Indian constitution – Importance of the Preamble; Amendability & Justiciability of Preamble*

2. Law and Jurisprudence

Meaning of the term Law and Jurisprudence, Schools of thought- Natural, Historical, Positivist, Realist and Sociological; Sources of law

- (i) *Understanding the term Law and the province of Jurisprudence- Science of Law;*
- (ii) *Understanding the connotations of Law*

through different perspectives- Schools of Law: Natural, Historical, Positivist, Realist and Sociological;

- (iii) *Main Sources of Law - Customs, Legislation and Precedents;*
- (iv) *Dynamics of the Law bringing changes in Society and the Society forcing Law to change.*

3. Law of Civil Procedure and Consumer Protection Act

Jurisdiction & Hierarchy of Civil Courts; Consumer Protection Act.

- (i) *Civil Procedural Law*
 - (a) *How to choose the proper Court - Territorial, Pecuniary and Subject-matter jurisdictions.*
 - (b) *Hierarchy of Civil Courts.*
- (ii) *Connotations of 'Consumer' and his Rights under the Consumer Protection Act, 1986 & 2019.*

4. 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 Geographical Indications of Goods (Registration and Protection) Act, 1999; International Aspect of the protection of Geographical Indications.

- (i) *Intellectual Property Rights – definition, The Agreement on Trade-related aspects of Intellectual Property Rights (TRIPS)- objectives and features, The World Intellectual Property Organization (WIPO)- objectives and features.*
- (ii) *The Copyright Act, 1957- Connotations of Copyright- Idea-Expression Dichotomy; Definition (Section 13 & 14); Criteria for*

protection, Authorship and ownership, Duration of Copyright.

- (iii) The Trademark Act, 1999 - What is a Trademark? Prerequisites of being a Trademark, Importance of protecting Trademarks, Duration of Trademark.*
- (iv) Patent Act, 1970- Definition and Patentable Subject matter (Novelty, Inventive Step, Industrial Application), Non-patentable Inventions, Duration of Patent rights,*
- (v) Geographical Indication (GI) of Goods - Understanding from the perspective of International Intellectual Property Rights regime; The Geographical Indications of Goods (Registration and protection) Act, 1999; Definition, Conditions required to obtain GI, Duration, Who can apply and who is an Authorised User.*

5. 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.

- (i) Schools of Hindu Law;*
- (ii) Hindu Marriage Act, 1955- Who is a Hindu, Connotations under section 3;*
- (iii) Essential conditions of a valid hindu marriage*
- (iv) Void Marriage & Voidable Marriage - Meaning and Differences*
- (v) Concept of Divorce - three main theories: Fault, Irretrievable Breakdown and Mutual Consent;*
- (vi) Concept of Restitution of Conjugal Rights and Judicial Separation.*
- (vii) Concept of Maintenance in husband wife relationship (Sections 24 & 25).*

6. Law of Criminal Procedure-Criminal Procedure Code, 1973

Substantive and Procedural/Adjective Law; The most prevalent Criminal Justice Administration Systems in the World- Adversarial and Inquisitorial; Hierarchy of Criminal Courts; Theories of Punishment; Crime - Cognizable and Non-Cognizable; Complaint and First Information Report (FIR); Rights of Arrested Person

- (i) Concept of Crime; Object of Criminal Law;*
- (ii) Substantive Criminal Law & Criminal Procedural Law- Meaning & difference*
- (iii) Main systems of Criminal Justice Administration System - Adversarial system and Inquisitorial system: their essence and difference.*
- (iv) Hierarchy & Classes of Criminal Courts: from Magistrate's Court to the Supreme Court;*
- (v) Concept of punishment-theories of punishment.*
- (vi) Cognizable offence and non-Cognizable offence- Meaning & difference;*
- (vii) FIR and Complaint – Meaning and to whom it is made;*
- (viii) Entitlements of an Arrested person*

7. Cyber Crime

Meaning and need of Cyber law and cyber safety and security; Cyber-crimes

- (i) Meaning and need;*
- (ii) Meaning of Cyber safety and Security;*
- (iii) Definition and categories of cyber-crime (Child pornography or child sexually abusive material (CSAM);*
- (iv) Specific types of Cyber Crimes (Meaning only):*
 - Cyberbullying;*
 - Cyberstalking;*
 - Cyber grooming;*
 - Online job fraud;*
 - Online sextortion;*
 - Phishing; Vishing; Smishing;*
 - Credit card fraud or debit card fraud;*
 - Impersonation and identity theft.*

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. Make a presentation on 'Structure of Judiciary in India'. The presentation should contain the following:
 - (i) Hierarchy of Courts in India
 - (ii) Establishment of the Supreme Court, High Courts & Subordinate Courts-Jurisdiction
 - (iii) Concept of Single Bench, Division Bench, full bench and Constitutional bench
2. Would there be a different viewpoint if the ensuing cases were determined today? (Any one to be discussed)
 - (i) Kesavananda Bharati Case
 - (ii) Golaknath Case
 - (iii) AK Gopalan case
 - (iv) SR Bommai case
3. Using contemporary examples, investigate the legal rights of consumers and the effectiveness of the law in achieving justice for consumers. To support your research, cite pertinent case studies.
4. Research the following case studies and submit your findings:
 - (i) Star India (P) Ltd. V. Piyush Agarwal & Ors, C.S. (O.S.) No. 2722/2012, Del HC
 - (ii) Super Cassettes Industries Limited V. YouTube & Google
5. Present a comparative analysis on the following:
Generic Medicines Vs. Patented Medicines
6. Make a presentation on Types of Trademarks. Your presentation should contain:
 - (i) Meaning & importance of Trademarks
 - (ii) Types of Trademarks that can be registered in India with illustrations.
 - (iii) Any five trademarks in which it is impossible to tell the difference between the goods and the trademark.
 - (iv) Make a logo for a business that does ethical hacking.
7. Write an essay on 'India- Pakistan tug of war over GI tag for Basmati Rice'.
8. Critically analyse the Theories of Punishment. Write an essay with relevant case studies on any one from the following topics:
 - (i) Social Media and Cyber Laws in India,
 - (ii) E-commerce and Cyber Laws in India,
 - (iii) Intellectual Property Rights and Cyber Laws in India, and
 - (iv) Cyber Forensics and its Legal Aspects in India

OR

Write a paper on "The Jurisdictional Issues In Cyberspace-Indian & International Perspective"

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.