

B.A. LL.B. (HONS.) SEMESTER - III
PAPER – V : Legal Method

Course Objective:

This course seeks to enable first year students to identify, analyse and research issues in any area of law. It is a bridge course designed to equip students with the basic skills and information necessary to navigate the law-related courses and activities during their law school life and later.

Unit-I

How to use a law library; Sources of Legal Materials – Primary and Secondary Sources; How to locate central legislative materials as well as state specific legislative materials in India; Understanding the structure and content of primary and delegated legislation in India; Entry into force of legislations and amendment of legislations in India; Law Reports – Official Law Report and Unofficial Law Reports in India.

Legal research using internet and other online legal databases like mantra, SCC online Understanding the general framework of Indian, English, American and French Legal Systems - Hierarchy of Courts, Tribunals and other Judicial Organs - Nature of disputes decided by the relevant courts – General Overview of Important law reform and law making bodies in the respective jurisdictions.

Unit-II

Understanding the Judicial Process Doctrine of *stare decisis* in India - Rules of practice relating to precedents in India –Retrospective and prospective operation of judicial decisions – Overruling, reversing and distinguishing of cases.

Unit-III

Understanding a Judicial Opinion - Structure of a judicial opinion - Methods of legal reasoning – Deductive and inductive - Determination of *ratio decidendi* – Obiter dicta and its binding - Majority opinion-Significance of Minority, Dissenting and Concurring opinions.

Unit-IV

Legal Citations – their function in legal writing; Overview of some select legal citation formats followed in India, (Bluebook SILC APA)

Unit-V

Legal Writing – skills necessary for the preparation of a legal research paper, synopsis of a research paper, abstracts of research papers, preparation of head notes of cases, indexes of books, and case briefs; Writing case comments. Doctrinal & Non- doctrinal Research.

Learning outcome:

At the end of this course, students should: *f* have an elementary understanding of the debates around the nature of law; *f* be able to distinguish between the major kinds of law, legal systems and institutions; *f* know the structure of the legal institutions and the hierarchy of courts in India; *f* acquire the ability to identify legal issues and principles underlying any given factual situation, and to undertake and present research on such issues; *f* know the various sources of law and be able to synthesise such sources and use them to formulate arguments in their research; *f* be familiar with legal research sources and tools and basic techniques of legal and logical reasoning; and *f* be better able to write clearly and succinctly, tailoring their writing to their audience and their purpose.

Readings:

1. S.K. Verma & M. Afzal Wani, Legal Research and Methodology, The Indian Law Institute (2001) [Particularly the chapter “Using a Law Library”]
2. T.K. Viswanathan, Legislative Drafting – Shaping the Law for the New Millennium, Indian Law Institute (2007). [Particularly Chapter IX titled “The Structure of an Act
– The Form of a Law and Its Constituent Parts”]
3. David R Thomas & Ian D. Hodges, Designing and Managing Your Research Project
– Core Knowledge for Social and Health Researchers, Sage (2010)
4. K.N. Chandrasekharan Pillai & Jacob Joseph, Cases and Materials on Legal Method, National Institute of Advanced Legal Studies (2005)
5. John C. Dernbach, Richard V. Singleton & Catherine j. Wasson, A Practical Guide to Legal Writing and Legal Method, Wolters Kluwer Law & Business (2013)
6. Lakshminath, Precedent in Indian Law, Eastern Book Company
7. Research articles and readings recommended by the teacher from time to time.

LL.M (BUSINESS LAW) SEMESTER - II

PAPER – IV : Internship/Project

This Internship/Project is to be carried out in II semester. The Guidelines for the Internship/ Project are as follows:-

The student must complete internship for a period of three weeks as convenience of the organisation/NGO working for the socio-legal problems the society with the object of social welfare. The student is allotted one socio-Legal area/to/ok, in which Government Organisation/NGO is working.

The student must complete and present the project at three points of time:-

1 First Phase (20 Marks)

- 1.1 Topic of project:
- 1.2 Synopsis of the project.
- 1.3 Socio- Legal area in which NGO/Organisation is working.
- 1.4 Provision of relevant Act/ Regulation/International instruments.

2 Second Phase (20 Marks)

- 2.1 Brief overview of field work
- 2.2 Introduction of the Organisation/NGO
- 2.3 Problems in the related area.
- 2.4 Research Methodology, Tools for data collection, if applicable

3 Final Project and Presentation (60 Marks)

- 3.1 Title Page
- 3.2 Certificate
- 3.3 Acknowledgement
- 3.4 Table of Content
- 3.5 Literature Review
- 3.6 Objectives of the study
- 3.7 Hypothesis, data-collection, Data Analysis Data Presentation (Charts, Graphs, Tables and Figures).
- 3.8 Interpretation of data.
- 3.9 Relevant Case Laws
- 3.10 Conclusion and Suggestion.
- 3.11 Bibliography and Appendix