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## केन्द्रीय माध्यमिक शिक्षा बोर्ड

(मानव संसाधन विकास मंत्रालय, भारत सरकार, के अधीन एक स्वायत्त संगठन)

शिक्षा सदन, 17, इन्सटिट्यूशनल क्षेत्र, राउज एवेन्यु, दिल्ली-110002.

### CENTRAL BOARD OF SECONDARY EDUCATION

(An Autonomous Organization under the Union Ministry of Human Resource Development, Govt. of India)

"Shiksha Sadan", 17, Institutional Area, Rouse Avenue, Delhi-110002

No.: CBSE/ACAD&VOC/AP&JD/03-2013/1536

Date: 05.04.2013

Circular No.: Acad-23/2013

#### All the Heads of Institutions Affiliated to CBSE

**Subject:** Introduction of 'Legal Studies' as a new elective for classes XI-XII from session 2013-14 Reg.

Dear Principal,

As we are aware that law has been around for centuries since the beginning of time. Although ideas have changed over time, the laws in general still exist in today's society. The idea of law was intended for creating a stable and safer society. From writers to politicians to freedom fighters, lawyers have donned many hats. Mahatma Gandhi, Dr. Bhim Rao Ambedkar, Dr. Rajendra Prasad, Franz Kafka and Abraham Lincoln – all came from a legal background. As citizens many of us have faced or may face various situations requiring legal assistance. In most instances, there are many rights and defenses that can help us in becoming assertive, if we know what and how to do it within the time limits provided by the law. However, most people lose by default simply because of lack of information and awareness. In many instances, it is merely a matter of taking right action in a specific and timely manner. By the time most people take action, it is too late or at least too late to remedy the situation easily.

Law is not only a measure for restrictions and regulations. It is also a storehouse of benefits to the common citizen. Knowledge of Law can provide several benefits to the common man. This legal awareness should help one to gain benefits and avoid pitfalls as well as it is not a domain only for the Lawyers to specialize. Everyone should know about the basic provisions of law applicable to her and the laws that regulate particular activities.

Law is a career which requires analytical and logical skills. It takes hard work and dedication to become a successful professional. Power of logical reasoning, a quick brain, power of concentration, patience, perseverance and ability to discuss matters with all types of people are some of the skills required in this field. In addition, self-confidence, good communication skills and the gift of expression and a good voice are essential.

There are many career opportunities available to a legal professional in India. Apart from entering into practice, legal professionals have the option to join an industry and work as a law officer/legal executive. Large industrial houses are recruiting legal professional directly from the campus and legal professional are now in demand in the various industries as negotiators. The day-to-day business of most companies is contracts, joint ventures and strategic alliances, licensing, securities, mergers and acquisitions, and support of the manufacturing, marketing, sales, and distribution functions of the company. Other career options available to a legal professional are he/she can start the self-practice, join a law firm which may specialize in litigation or/chamber work or both, join as the Judge Advocate General's office/law cadre of the Defence services, join public and banking sectors where law graduates are recruited as trainees or probationary law officers, opt for a government job such as law officers, legal advisors and legal assistants to administer different departments, join the state judicial services, work as freelance journalists and contribute to newspapers or joining a publishing house.

In the wake of present day's scenario and also during its academic interactions and debates at key meetings with scholars, and experts, the Central Board of Secondary Education (CBSE) is currently seeking to introduce 'Legal Studies' at the Class XI level from the academic year 2013-14. The Course titled "Legal Studies" is being introduced as a pilot course on first come first serve basis to around 20 schools in class XI from the current academic session 2013-2014. It can be offered as an elective subject with any combination of three other electives and a language.

It is brought to the notice of all heads of schools interested in taking up this course in their respective schools/institutions to express their willingness by filling in the attached proforma (Annexure A). The filled in proforma along with a bank draft\* of the requisite amount in favour of **Secretary, Central Board of Secondary Education, Delhi**, payable at **Delhi** may be sent to the **Director (Academic, Research, Training and Innovation) CBSE Shiksha Sadan, 17-Rouse Avenue, New Delhi -110002** on or before 20th April, 2013.

In case of any queries related to this elective, you may contact **Mr. Ram Shankar, Joint Director, CBSE** at telephone number – 011-23211576 or at [jdcbse@gmail.com](mailto:jdcbse@gmail.com).

Sl. No.	Type of the school*	Fee
1.	Independent schools within the country	Rs. 3,000/-
2.	Overseas Independent Schools	Rs. 10,000/-

**(DR. SADHANA PARASHAR)**

Professor & Director

(Academic, Research, Training and Innovation)

**Copy to the respective Heads of Directorates, Organizations and Institutions as indicated below with a request to disseminate the information to all the schools under their jurisdiction:**

- 1.** The Commissioner, Kendriya Vidyalaya Sangathan, 18-Institutional Area, Shaheed Jeet Singh Marg, New Delhi-16.
- 2.** The Commissioner, Navodaya Vidyalaya Samiti, B-15, Sector 62, Institutional Area, Noida-201309.
- 3.** The Director of Education, Directorate of Education, Govt. of NCT of Delhi, Old Secretariat, Delhi- 54.
- 4.** The Director of Public Instructions (Schools), Union Territory Secretariat, Sector-9, Chandigarh- 160017.
- 5.** The Director of Education, Govt. of Sikkim, Gangtok, Sikkim- 737101.
- 6.** The Director of School Education, Govt. of Arunachal Pradesh, Itanagar-791111.
- 7.** The Director of Education, Govt. of A&N Islands, Port Blair- 744101.
- 8.** The Director of Education, S.I.E., CBSE Cell, VIP Road, Junglee Ghat, P.O. 744103, A&N Islands.
- 9.** The Secretary, Central Tibetan School Administration, ESS Plaza, Community Centre, Sector 3, Rohini, Delhi- 85.
- 10.** All the Regional Officers of CBSE with the request to send this circular to all the Heads of the affiliated schools of the Board in their respective regions.
- 11.** All Associate Professor & Additional Director.
- 12.** The Associate Professor & Programme Officer (Vocational).
- 13.** The Research Officer (Tech.) with the request to put this circular on the CBSE Academic website and ensure that all copies are received from Sl. No. 1-25.
- 14.** The Assistant Professor & Joint Director (Academics & Vocational).
- 15.** The Assistant Professor & Joint Director (Sports).
- 16.** All Assistant Professor & Deputy Director.
- 17.** Assistant Professor & Assistant Programme Officer (Vocational) .
- 18.** Deputy Director (Examination & Reforms).
- 19.** Assistant Librarian, CBSE.
- 20.** Public Relations Officer, CBSE
- 21.** PS to Chairman, CBSE
- 22.** PS to Secretary, CBSE
- 23.** SO to CE, CBSE
- 24.** PS to Director (Special Exams)
- 25.** PA to Professor & Director (Academics, Research, Training & Innovation)

**LEGAL STUDIES****Code no.: 074***(PROFORMA)***• School/Institution Details:**

<i>Name of the School</i>	
<i>CBSE Affiliation No.</i>	<i>Senior Secondary since:</i>
<i>Name of Trust/ Society / Managing Committee</i>	
<i>Name of the Principal/Head</i>	
<i>Contact Address of the Principal/Head</i>	
<i>Postal Address of the School</i>	
<i>City</i>	<i>State</i>
<i>Pin Code</i>	<i>Telephone with STD</i>
<i>Mobile</i>	<i>Fax</i>
<i>Email</i>	<i>Website</i>

**• SENIOR SECONDARY ENROLLMENT DETAILS**

(Academic Session 2012-2013)

<b>Class XI</b>	
<i>No. of sections</i>	<i>No. of students</i>
<b>Class XII</b>	
<i>No. of sections</i>	<i>No. of students</i>

**TEACHING STAFF SPECIFICATIONS**

(Refer Annexure 'B')

**(For the course Legal Studies)**

<b>S. No.</b>	<b>Name of Teacher</b>	<b>Educational Qualification</b>	<b>Teaching experience (no. of years)</b>
1.			
2.			
3.			
4.			

**ADDITIONAL INFORMATION RELEVANT TO THE SCHOOL/ INSTITUTIONS'S REASON FOR OPTING THE PILOT COURSE****AUTHORISATION**

I, (Name) \_\_\_\_\_, (Principal/Head of Institution) of (Name of School)\_\_\_\_\_ hereby declare that all the information furnished in this Proforma are true and correct to my knowledge. I also undertake that if our school is selected for the aforesaid Pilot course in 'Legal Studies', it will abide by the rules, regulation, confidentiality, co-operation and guidelines conveyed by CBSE from time to time.

I am submitting bank draft number \_\_\_\_\_ of amount \_\_\_\_\_ dated \_\_\_\_\_ drawn on bank \_\_\_\_\_ in favour of Secretary, Central Board of Secondary Education, Delhi, payable at Delhi.

Signature:

Name:

Day/ Month/ Year

## LEGAL STUDIES (Code No. 074)

The Latin maxim *ignorantia juris neminem excusat*, in plain, which reads as 'ignorance of law is not an excuse'. This is one of the age old principles followed under the Roman Law and even in our own Common Law. If every person of discretion is to know what law is, an effort to teach law outside the remit of a professional law school may have significant social benefits.

Law is a subject which has been traditionally taught in Universities for almost eight centuries. Learning law outside the settings of a professional law school has a number of perceived benefits. Some familiarity with law enhances one's understanding of public affairs and an awareness of one's entitlements and duties as a citizen. It may also be helpful in eliminating some of the mistaken notions about law and some of the inveterate prejudices about law, lawyers and the legal system as such. Another advantage is that an understanding of law can undoubtedly encourage talented students to pursue a career in law—an objective which is laudable in its own right.

The pitfalls of learning law outside the settings of a professional school are rooted in two key assumptions: (1) law is too vast and complicated to be taught in a non-professional setting; (2) the lack of professional trainers and experienced teachers could lead to incorrect appreciation and understanding of law. If an understanding of law is mis-formed or ill-formed as some academicians think, it may require greater efforts to unlearn whatever was learnt earlier. Both these criticisms have attracted detailed scrutiny, but at least a few countries have introduced law at the High School level.

The experience of countries that have introduced law has been by and large optimistic. The Central Board of Secondary Education is introducing Legal Studies at the Class XI level. The proposal is to introduce one module in Class XI and a second module in Class XII.

### Objectives

- To provide a background of the evolution of the Indian legal system in a short and concise form.
- To focus on the applicability of *justice, equity and good conscience* and more importantly the development of Common Law system in India.
- To provide exposure on various systems of law such as Common Law, Civil Law, Hindu Law, Islamic Law etc.
- To develop an understanding of the essential features of the Indian Constitution, including the role and importance of Fundamental Rights, Separation of Powers, Structure and operation of Courts, concept of precedent in judicial functioning, the process of legislation, basic principles of statutory interpretation, etc
- To deal with principles of practical utility such as the concept of Rule of Law, principles of justice, differences between criminal and civil cases, the concept of crime and the fundamental theories of punishment, rights available to the accused at various stages of the criminal investigative process, or the key components of Human Rights, etc.
- To understand the fundamental concept and subject matter of property, contract and tort.
- To understand the rudimentary aspects of contract law such as formation of contract, terms and conditions, discharge, etc.
- To enable students to form an understanding of rights and duties and various categories of liability principles which form the bedrock for an understanding of Law.

**Class XI**

**One Paper**

**Time 3hrs.**

**Marks 100**

<b>Units</b>	<b>Periods</b>	<b>Marks</b>
1. Theory and Nature of Political Institutions	40	20
2. Nature and sources of law	45	20
3. Historical Evolution of Indian Legal System	45	20
4. Civil and Criminal Courts and Process	45	20
5. Family Justice System	45	20
<b>Total</b>	<b>220</b>	<b>100</b>

**Course Contents:**

<p><b>1. Theory and Nature of Political Institutions</b>                      Concept of State/Nation                      Organs of Government - Legislative, Executive and Judiciary                      Separation of Powers – Parliamentary Sovereignty and Judicial Independence                      Constitutional Framework of India</p>	<b>40 Periods</b>
<p><b>2. Nature and Sources of Law</b>                      Legislation – process, delegated and subordinate legislation                      Case Law – <i>Stare decisis</i>, precedents within the hierarchy of courts                      Authoritative Sources                      Custom                      Law Reform</p>	<b>45 Periods</b>
<p><b>3. Historical Evolution of Indian Legal System</b>                      Ancient Indian Law                      English law in India                      Administration of Justice in British India                      Charter of 1861 and subsequent Charters                      Establishment of High Courts and the Federal Court                      Drafting of the Indian Constitution                      Ancient Indian Law in Modern Legal Framework</p>	<b>45 Periods</b>
<p><b>4. Civil and Criminal Courts and Process</b>                      The Civil Court Structure                      The Criminal Court Structure                      The Civil Process                      The Criminal Process – investigation and prosecution</p>	<b>45 Periods</b>
<p><b>5. Family Justice System</b>                      Institutional Framework                      Marriage and Divorce                      Children                      Domestic Violence</p>	<b>45 Periods</b>

**Class XII**  
**Time 3hrs.**

**One Paper**

**Marks 100**

<b>Contents</b>	<b>Periods</b>	<b>Marks</b>
1. Judiciary	35	15
2. Topics in Law	35	15
3. Arbitration, Tribunal Adjudication and Alternate Dispute Resolution	35	15
4. Human Rights in India	35	15
5. Legal Profession in India	35	15
6. Legal Services	35	15
7. International Context	10	10
<b>Total</b>	<b>220</b>	<b>100</b>

**Course Contents:**

<p><b>1. Judiciary</b> Constitution, Roles and Impartiality Structure, Hierarchy of Courts, and Legal Offices in India Appointments, Trainings, Retirement and Removal of Judges Judicial Review</p>	<b>35 Periods</b>
<p><b>2. Topics in Law</b> Property Contracts Torts Crimes Administrative Law</p>	<b>35 Periods</b>
<p><b>3. Arbitration, Tribunal Adjudication and Alternate Dispute Resolution</b> Adversarial and Inquisitorial System Arbitration Administrative Tribunals Ombudsman Mediation and Conciliation Lok Adalats Lokpal and Lokayukt</p>	<b>35 Periods</b>
<p><b>4. Human Rights in India</b> Human Rights Laws – Constitution, Statutes Complaint Mechanisms and Human Rights Commissions</p>	<b>35 Periods</b>
<p><b>5. Legal Profession in India</b> History of Legal profession in India Role and types of functions of judges and lawyers Barristers, Solicitors and Advocates Changes Affected by Indian Advocates Act, 1961</p>	<b>35 Periods</b>
<p><b>6. Legal Services</b> Legal Services Boards Funding</p>	<b>35 Periods</b>
<p><b>7. International Context</b> Introduction to International Law Sources of International Law International Institutions International Human Rights</p>	<b>10 Periods</b>