

# LAWS 7055 FOUNDATIONS OF INDIAN LAW

**Credit Points** 10

**Legacy Code** 201078

**Coordinator** John Juriansz ([https://directory.westernsydney.edu.au/search/name/John Juriansz/](https://directory.westernsydney.edu.au/search/name/John%20Juriansz/))

**Description** Foundations of Indian Law is taught intensively at a selected Indian university. The unit introduces students to the basic structure of the Indian legal system, its laws and the legal culture. Through seminars and field trips to Indian courts and law firms, the unit aims to develop your understanding of how the Indian legal system has developed in its political and cultural contexts. It covers the Indian legal systems at the general level and in relation to specific law, such as contracts, foreign investment law, dispute resolution and procedure. Students will compare and reflect on key themes in Indian and Australian law and practice.

**School** Law

**Discipline** Law, Not Elsewhere Classified.

**Student Contribution Band** HECS Band 4 10cp

Check your HECS Band contribution amount via the Fees ([https://www.westernsydney.edu.au/currentstudents/current\\_students/fees/](https://www.westernsydney.edu.au/currentstudents/current_students/fees/)) page.

**Level** Postgraduate Coursework Level 7 subject

**Pre-requisite(s)** LAWS 7047

**Restrictions**

Students must be enrolled in a postgraduate program. The subject is not available for self-select enrolment. Intake in the subject will be restricted to expressions of interest. GPA and progression in program will be considered. Pre-requisites must be met. Students must be able to travel to India for a specified period. (Dates for session of offer will be made available to students through the School of Law's regular communication channels).

## Learning Outcomes

On successful completion of this subject, students should be able to:

1. Demonstrate advanced knowledge of the general structure of the Indian legal system and institutions
2. Critically examine the history of legal reform in India in its cultural context
3. Evaluate selected laws and dispute resolution procedures in India
4. Critically reflect on key themes in Indian and Australian law and legal practice

## Subject Content

1. The Indian Legal System and Legal Institutions: historical and cultural contexts.
2. Sources of Law in India.
3. The Indian Judicial System.
4. Constitutional Law in India.
5. Indian Civil Law.
6. Common Law in India.
7. Customary Law in India.
8. Muslim Law in India.

9. International Law in India.
10. Indian Commercial Laws and Regulations: including Foreign Investment and Trade Laws in India.
11. Dispute Resolution Systems in India.
12. Indian Legal Scholarship and the Legal Education system in India.
13. The Legal Profession and Professional Legal Practice and Ethics in India.

## Special Requirements

Legislative pre-requisites

Relevant visa for India.

Prescribed Texts

- Durga Das Basu, Introduction to the Constitution of India (LexisNexis, 22nd ed, 2015).

Teaching Periods