

**Course Title: Fundamental Principle of Jurisprudence**  
**Course no: HL 101**  
**Year / Semester: I/I**

**Full Marks: 100**  
**Pass Marks: 40**  
**Credit hours: 4 (T.H.60)**

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**Course objectives:**

- a. To provide basic knowledge on Law
- b. To develop basic foundation to study law

**Major Course Outlines**

1. Meaning and Definition of Law
2. Meaning and Definition of Jurisprudence
3. Types of Law
4. Different schools of Jurisprudencetial Thought
5. Introduction to Eastern and Western Jurisprudence and Laws
6. Morality and Ethics
7. Rights, Duties, Justice
8. Administration of Justice

**Course contents:**

**Chapter 1. Introduction of Law**

- Meaning
- Definition
- Scope
- Distinction between Legal and other Rule( Rule of Morality)

**Chapter 2. Types of Law**

- Substantive and Procedural Law
- Civil and Procedural Law
- Public and Private Law
- Common and Statutory Law

**Chapter 3. Importance of Law**

**Chapter 4. Sources of Law**

- Custom
- Precendent
- Legistation

**Chapter 5. Legal Theories**

- Natural Law School
- Analytical School

- Historical School
- Sociological School
- Realist School
- Economic School

### **Chapter 6. Introduction to Eastern and Western Jurisprudence and Law**

- a. Syllosism
- b. Perception
- c. Reasoning
- d. Charvaka
- e. Nyaya
- f. Yagyabalkya
- g. Manu

### **Reading Materials**

- Dias Jurisprudence
- B.N.M. Tripathi, Jurisprudence
- S.N. Dhyani, Jurisprudence and Indian Legal Theory
- Nomita Agrawal, Jurisprudence and Legal Theory
- Ranjit Bhakta Pradhanang and Kishor Silwal, *Bidhisastra*
- Yubaraj Sangroula, *Kanoon Sastra Ra Kanoon Ka Sidhanta*

**Course Title: Fundamentals of the Nepalese Economy**

**Course no: HL 102**

**Year / Semester: I/I**

**Full Marks: 100**

**Pass Marks: 40**

**Credit hours: 4 (T.H.58)**

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**Course objectives:**

- a. To introduce with different economic systems
- b. To familiarize with concepts of public finance, public expenditure, fiscal policy, etc

**Major Course Outlines**

1. Definition of Economics
2. Macro and Micro Economics
3. Basic Characteristics of the Nepalese Economy
4. Sources and Revenues
5. Concept and Types of tax
6. Economic Development Planning
7. Relation of Law and Development
8. Constitution of Nepal Regarding Rights to Development and Opportunities

**Course Contents:**

**Chapter 1. Introduction to Economics**

- Definition
- Methodology
- Scope
- Economic Problems, Economic Rationality, Optimality
- Micro Economics and Macro Economics, Static and Dynamic, Positive and Normative
- Development of Macro Economics

**Chapter 2. Economic System**

- Capitalist, Socialist and Mixed System
- Economic Rights Under Fundamental Rights and Directives Principles

**Chapter 3. New Trends:**

- Welfare Economy
- Liberalization
- Foreign AID and Foreign Direct Investment

**Chapter 4. Public Finance**

- Concept
- Public Revenue and Expenditure

## **Reading Materials**

- Stephen Slavin, Economics
- M.P Todaro, Economic Development
- Economic Survey of Nepal
- Joseph Stiglitz, Making Globalization Work
- Robert Corter and Thomas Ulen, Law and Economics
- D.N Dwivedi, Principles of Economics
- N.M Singh, A Comparative study of Capitalism and Socialism

**Course Title: Legal and Judicial History of Nepal**

**Course no: HL 103**

**Year / Semester: I/I**

**Full Marks: 50**

**Pass Marks: 20**

**Credit hours: 2(T.H.29)**

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**Course objectives:**

- a. To familiarize with general history of Nepal
- b. To help investigating laws and legal history of Nepal
- c. To acquaint them with basic knowledge of growth of Nepalese

**Major Course Outlines**

1. Ancient Legal and Judicial History
2. Medieval Legal and Judicial History
3. Legal System of Malla Kings in Kathmandu
4. Contribution of Ram Shah in Development of Fairness and Impartiality of Justice
5. Muluki Ain, 1854 and its Ammendments
6. Modernization of Legal Judicial Syste
7. New (code) Acts, 2017

**Course Content:**

**Chapter 1. Introduction**

- In Relation to Law:
  - Scope
  - Importance
  - Relation

**Chapter 2 . History of Nepal (Legal Development and Impact)**

- Early Dynasty-
  - Gopal
  - Mahispal
  - Kirat
- Mid Dynasty-
  - Lichhavi
  - Malla
- Modern Dynasty-
  - Shah
  - Rana Regime
- Post Modern-
  - Shah
  - Democratic Movement (2063)

**Chapter3. Importance of historical Document:**

- Nyayabikashini/Manabnyayasastra
- Dibyaupadesh
- Ram Shah's Thiti

- Muluki Ain 1910
- Muluki Ain 2020

#### **Chapter 4. Democratic Movements(2007 and 2046) and Its Impact in Legal System**

##### **Reading Materials**

- Bishal Khanal, An Overview of Administration of Justice System of Nepal
- Bishal Khanal, Regeneration of Legal System of Nepal
- D.R Regmi, Medieval Nepal
- Daniel Wright, History of Nepal
- Jagdish Chandra Regmi, *Prachin Nepal Ko Rajnaitik Itihas*
- Risikesh Shah, Ancient Medival and Nepal
- Risikesh Shah, Modern Nepal
- Prakash Wasti, *Kanoon Sambandhi Kehi Aitihasic Abhilekharu*
- Tulsi Ram Baidya, An Advance History of Nepal

**Course Title: Outline to Sociology**

**Course no: HL 104**

**Year / Semester: I/I**

**Full Marks: 100**

**Pass Marks: 40**

**Credit hours: 4(T.H.56)**

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**Course objectives:**

- a. To introduce with key elements of society
- b. To impart knowledge on mechanisms of society
- c. To provide insights into sociological theories.

**Major Course Outlines**

1. Definition of Sociology
2. Theories of Sociology
3. August Comte- Theory of Positivism
4. Durkheim and Max Weber- Social Solidarity
5. Herbert Spenser
6. Charles Darwin
7. Influence of Human Behaviours in Law
8. Crimes and Human Behaviours.

**Course Content:**

**Chapter 1. Introduction**

- Meaning
- Nature
- Scope
- Contribution of August Comte, Emile Durkheim and Herbert Spencer
- Sub-division
  - Political sociology
  - Economic Sociology,
  - Industrial Sociology
  - Rural sociology
  - Urban Sociology,
  - Sociology of Law
- Relation of Man, Law and Society

**Chapter 2. Sociological Concept:**

- Social and Cultural Process
  - Co-operation
  - Conflict
  - Competition
  - Acculturation

- Assimilation
- Socialization
- Elements of Social Structure
  - Society,
  - Culture,
  - Status and Role,
  - Norms and Values

**Chapter 3. Individual and Society:**

- Social Contract Theory and Organismic Theory
- Feral Cases
- Social Control and Social Order
- Social Deviance and Conformity

**Chapter 4. Social Stratification:**

- Caste
- Class
- Ethnicity
- Gender

**Chapter 5. Sociological Theories:**

- Emile Durkheim and Malinowski (Structural Functional Theory)
- Max Weber and Talcott Parson (Social Action)
- Karl Marx (Conflict)
- George Goffman (Symbolic Interactionism)

**Reading Materials**

- R.M MacIver and Charles Page, Society: An Introductory Analysis
- Rishi Keshav Regmi, The Essentials of Sociology
- Slattery Martin, Key Ideas in Sociology
- Vidyabhusan and D.R Sachadeva, An Introduction to Sociology

**Course Title: Introduction to Political Thoughts.**

**Course no: HL 105**

**Year / Semester: I/I**

**Full Marks: 100**

**Pass Marks: 40**

**Credit hours: 4(T.H.60)**

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**Course objectives:**

- a. To introduce with political thoughts
- b. To acquaint students with basic problems of democracy
- c. To make comparative discourse between eastern and western thoughts

**Major Course Outlines**

1. Definition of Political Science
2. Concept of State and Government
3. Social Contract Theories
4. Capitalism Vs. Marxism
5. Democracy
6. Forms of Government
7. Separation of Powers
8. Federal System of Government
9. Political History and Transition in Nepal

**Course Content:**

**PART-A**

**1. Introduction:**

- a. Political Studies
- b. State
- c. Welfare State
- d. Political Party

**2. Concept of Welfare State**

**3. Types of Government:**

- a. Presidential Vs. Parliamentary
- b. Unitary Vs. Federal

**4. Organs of State:**

- a. Executive
- b. Legislative
- c. Judiciary
- d. Theory of Separation of Power and Check and Balance

**5. Democracy:**

- a. Concept
- b. Colonial Rule and South Asia
- c. History in Nepal
- d. Importance of Civil Society

**6. Theory of Sovereignty:**

**7. Franchise and Election:**

**8. Good Governance:**

- a. Definition
- b. Interface of Government, Human Rights and Development
- c. Devolution of Powers
- d. Concept of Local autonomous governance

## **PART-B**

### **1. Western Philosophy**

- a. Plato :Concept of Justice and Ideal State
- b. Aristotle: State, Classification of Government and Citizenship
- c. Cicero: Concept of Law
- d. Machiavelli: Statecraft
- e. Thomas Hobes: Absolute Monarchy
- f. John Locke: liberal Democracy
- g. J.J. Rousseau: Popular Sovereignty
- h. J.S. Mill: Justice

### **2. Eastern Philosophy**

- a. Manu: Raj Dharma
- b. Kautilya: Saptanga
- c. Kung Fu Tzu: Educated Monarch and State

## **Reading Materials**

- A.C Kapoor, Principles of Political Sciences
- Russell Bertrand, History of Western Philosophy
- David Easton, The Political System
- IDEA, Consolidating Democracy in Nepal
- C.L Wayper, Political Thought
- William T. Blum, Theories of Plitical System: Classics of Political Thoughts and Modern Political Analysis

**Course Title: Concept of Management**

**Course no: HL 106**

**Year / Semester: I/I**

**Full Marks: 50**

**Pass Marks: 20**

**Credit hours:2(T.H.27)**

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**Course Objectives:**

- a. To provide knowledge about functional areas of management
- b. To enable applying management knowledge into practice

**Major Course Outlines**

1. Definition of Management
2. Concept of Organization
3. Theories of Management
4. Concept of Human Resource: Planning, leadership, Communication, Direction, Co-ordination, Control, Decision Making
5. Emerging Concepts

**Course Content:**

**1. Introduction to management:**

- a. Meaning
- b. Objectives
- c. Importance
- d. Nature
- e. Principle of Henry Fayol
- f. Taylors Principle
- g. Function

**2. Planning**

**3. Human Resource Management**

- a. Motivation
- b. Leadership
- c. Communication
- d. Directing
- e. Co-ordination
- f. Controlling
- g. Decision making

**4. Emerging Concepts:**

- a. Participatory Management
- b. Corporate Social Responsibility
- c. Time Management
- d. Organizational Conflict Management

## **Reading Materials**

- Ricky W.Griffin, Fundamentals of Management
- Michael A. Hitt and others, Management
- Govinda Pd. Kusum, Durgesh Kumar Shrestha, Principles of Management in Nepal
- Govinda Ram Agrawal, Principles of Management in Nepal

**Course Title: Observation Study of Justice Institutions:**

**Course no: HL 107**

**Year / Semester: I/I**

**Full Marks: 50**

**Pass Marks: 20**

**Credit hours:2(T.H.28)**

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**Course Objectives:**

To introduce students with different law enforcing institutions and hearing in Local Judicial Committee

**Major Course Outlines**

1. Observation Visit of Crime Investigation Office
2. Observation Visit of Prosecution Office (Government Attorney Office).
3. Observation Visit of the District Court
4. Observation Visit of the Bar Association
5. Observation Visit of the Forest Office, District Administration Office
6. Observation Visit of Municipality
7. Preparation of Observation Report by Students

**Course Content:**

**Observation Study of Justice Institutions:**

1. Visit to Detention Center
2. Observation Visit to Judicial Hearing of Local Government
3. Observation Visit to at least one Quasi Judicial Body
4. Report Preparation and Presentation

**Reading Material**

1. **Part of the Nepal Constitution, 2072**
2. **Government Cases Act, 199**
3. **Forest Act**
4. **Some Public Offences Act**
5. **Judicial Administration Act**

Course Title : **Concept of Law and Justice**

Full Marks: 100

Course no: HL 153

Pass Marks: 40

Year /Semester: I/II

Credit Hours : 4(T.H.59)

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**Course objectives:**

- a. To impart Knowledge on basic ideas on concepts of law
- b. To make students understand theoretical knowledge on legal concepts

To develop conceptual background of laws and their concepts

**Major Course Outlines**

1. Marriage
2. Personality
3. Rights and Duties
4. Possession
5. Ownership
6. Liability
7. Trust
8. Property
9. Justice
10. Intellectual Property

**Course Contents:**

**1. Rights and Duties**

- Definition of Rights and Duties
- Types of Rights and Duties
- Elements of Rights
- Relation between Right and Duty

**2. Personality**

- Definition of Person
- Kinds of Person- Natural and Legal Person
- Theories of Corporate Personality
  - I. Fiction Theory,
  - II. Concession Theory,
  - III. Bracket Theory and
  - IV. Realist Theory

**3. Possession**

- Definition of Possession
- Kinds of Possession
- Acquisition and Termination of Possession

- Forms of Rights Available Under Possession
- 4. Ownership**
  - Definition of Ownership
  - Kinds of Ownership
  - Acquisition and Termination of Ownership
  - Forms of Rights Available Under Ownership
- 5. Marriage**
  - Definition
  - Conditions of Legal Marriage in Nepal
  - Void and Voidable Marriage in Nepal
  - Termination of Marriage
- 6. Property**
  - Definition
  - Kinds of Property
  - Acquisition and Transfer of Property
  - Property Law in Nepal
    - I. Partition ( aungsabanda)
    - II. Inheritance ( aputali)
    - III. Women's Exclusive Property( Shtridhan)
  - Modes of Property Transfer in Nepal
- 7. Guthi and Trust**
  - Meaning and Definition
  - Status of Guthi and Trust
  - Guthi as a Special Concept in Nepal
- 8. Justice**
  - Definition
  - Types of Justice
  - Principles of Justice

### **Reading Materials**

- Dr S.R. Myneni, Jurisprudence (Legal Theory)
- G.W. Paton, A Text Book on Jurisprudence
- Holland on Jurisprudence
- R.W.M., Dias Jurisprudence
- W.Friedman, Legal Theory

Course Title : **Theories of Logic and Legal Reasoning**

Full Marks: 50

Course no: HL 154

Pass Marks: 20

Year /Semester: I/II

Credit Hours : 2(T.H.25)

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**Course objectives:**

- a. To introduce with basic system of logic
- b. To enhance cognitive/analytical capacity

**Major Course Outlines**

1. Definition of Logic
2. Definition of Truth
3. Hindu System of Logic
4. Arabian System of Logic
5. Aristotalian Syllogism
6. Types of Logic
7. Fallacies
8. Buddhism and Logic
9. Relation of Fact with Logic
10. Truth and Common Sense, Knowledge

**Course Contents:**

**Definition of Logic**

- c. Language in the Land
- d. Function of Legal Language
- e. Logic as Right Reasoning

**2. Method of Logic**

- Inductive Method
- Deductive Method

**Types of Logic**

**3. Differentiate between Scientific Knowledge and Common Science**

**4. Syllogism**

- Definition of syllogism
- Syllogism in Western Philosophy
- Syllogism in Eastern Philosophy

**5. Truth, Reality and Belief**

**6. Logic and Fallacy(T. H.=4)**

**Oriental Logic**

- a. Seven System of Hindu Philosophy

- b. Buddhism Logic
- c. Islamic Logic

### **Reading Materials**

- Bertrand Russell, History of Western Philosophy, Special Indian Edition
- Pandit Rajmani Tigunait, Seven Systems of Indian Philosophy
- Yubaraj Sangroula, Jurisprudence
- Introductory Books of Hindu, Buddhism and Islamic Philosophy

Course Title : **Nepalese Constitution**

Full Marks: 100

Course no: HL 161

Pass Marks: 40

Year /Semester: I/II

Credit Hours: 4(T.H.58)

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**Course objectives:**

- a. To introduce with Nepalese Constitution
- b. To introduce with basic constitutional structure

**Major Course Outlines**

1. History of Nepalese Constitution
2. Definition of Constitution in Nepal
3. Fundamental Characters of the Constitution of Nepal
4. Separation of Power
5. Judiciary in the Constitution of Nepal
6. Amendment of the Constitution of Nepal

**Course Contents:**

1. **Introduction**
  - a. Meaning and Definition
  - b. Scope and Subject Matter
  - c. Sources
  - d. Concept of Constitutionalism
2. **Constitutional Supremacy**
  - a. Fundamental Law of Land
  - b. Judicial Independency and Judicial Review
3. **Rule of Law (T. H.=4)**
2. **Separation of Power and Check and Balance**
  - a. Conceptual Framework
  - b. Principles
  - c. Separation of Power and Check and Balance under Precedential and Parliamentary System
4. **Emergency Power**
5. **Constitution Making Process in Nepal**
3. **History of Nepalese Constitution**

## Reading Materials

- LaxmiPdKharel, Constitutional Law and Comparative Nepalese Constitution
- GopalSiwakoti, *TulamatomakShasanraRajaniti*
- A.V.Dicey, An Introduction to the Law of Constitution
- G.Anderson, Federalism: An Introduction
- Ian Loveland, Constitutional Law: Administrative Law and Human Rights
- K.C.Wheare, Federal Government

Course Title : **Clinical Work:**

Full Marks: 50

Course no: HL 162

Pass Marks: 20

Year /Semester: I/II

Credit Hours : 2(T.H.27)

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**Course objectives:**

- a. To introduce with prison and its structure

**Major Course Outlines**

1. Orientation on Prison and Detention Cell
2. Visit of Prison's Physical Infrastructure
3. Orientation on Prison Administration by Prison Officer
4. Conversation and Interview with Prisoners
5. Preparation of Report Reflecting on Actual Prison Situation and Enjoyment of Rights by Prisoners Based on International Human Rights Laws

**Course Contents:**

Students shall form a group and make necessary visit to prison, preparation of report and presentation.

**Reading Materials:**

1. **Prison Act and Regulation**
2. **International Covenant on Civil and Political Rights**
3. **Convention against Torture**
4. **UN Guidelines on Treatment of Detainees and Prisoners.**

Course Title : **Laws of Crime -I**

Full Marks: 100

Course no: HL 163

Pass Marks: 40

Year /Semester: I/II

Credit Hours : 4(T.H.55)

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**Course objectives:**

- b. To introduce with basic principles of criminal laws
- c. To analyze and apply the case law
- d. To impart critical knowledge on criminal jurisprudence

**Major Course Outlines**

2. General Principles
3. Definition of Crime
4. Types of Crime
5. Types of Punishment
6. Definition of Criminal Liability
7. The Actus Reus and Mens Rea
8. Transfer of Liability
9. Strict Liability
10. Elements of Criminality
11. Provocation
12. Self-Defence

**Course Contents:**

**2. Introduction**

- a. Meaning and Definition of Crime
- b. Nature of Crime
- c. Difference between Crime, Tort and Breach of Contract

**3. Elements of Crime**

- Actusreus
  - I. Act
  - II. Ommission
  - III. State of Affairs
- Act Committed Through Innocent Agent
- Act Committed in a series of Fragmentation Forming Part of the Same Transaction
- Mensrea
- Transferred Intention

**4. Jurisdiction**

- a. Territorial
- b. Extra- Territorial

- c. Personnel
- d. Universal

**5. Types of Crime**

- a. Property Offence
- b. Offence against Person
- c. Sexual Offence
- d. Offence related to Marriage
- e. Offence related to Documents
- f. Banking Offence

**6. Self Defense**

**7. Provocation**

**Reading Materials**

- Ranjeet Bhakta Pradhananga, Homicide Crime in Nepal
- MadhavPd Acharya, *AparadhSastra*
- TulsiramBaidya and TriratnaManamdhar, Crime and Punishment in Nepal: A Historical Prospective
- KhushalVibhute, Pillai's Criminal Law
- Glanville Willams, Text Book of Criminal Law