

PONDICHERY UNIVERSITY



POST GRADUATE DIPLOMA IN FRENCH LAW

**ONE YEAR EVENING COURSE
NON-SEMESTER PATTERN**

REGULATIONS AND SYLLABUS (For Affiliated Colleges)

2020-2021 ONWARDS

**REGULATIONS FOR
ONE YEAR POST-GRADUATE DIPLOMA IN FRENCH LAW
EVENING COURSE
NON - SEMESTER PATTERN
REVISED REGULATIONS
WITH EFFECT FROM 2020 – 2021**

**REGULATIONS FOR ONE YEAR POST GRADUATE DIPLOMA IN FRENCH LAW
EVENING COURSE
NON - SEMESTER PATTERN
WITH EFFECT FROM 2020 - 2021**

I. Eligibility for Admission:

1. In order to be eligible for admission into the One year Post Graduate Diploma in French Law an applicant should have successfully completed LL.B./B.A.LL.B. or equivalent recognized by the Pondicherry University.
2. Further, the candidates applying for admission to this course should have secured 45% of marks in the qualifying examination.
3. The upper age limit- As decided by the Government of Pondicherry in consultation with Pondicherry University from time to time.

II. Admission procedure:

The admission to the above courses shall be made following such procedure as may be prescribed by the Government of Puducherry from time to time.

III. Reservation:

The rule of reservation set in force by the Government of Puducherry shall be followed.

IV. Examination:

1. The course of Post Graduate Diploma in French Law shall be of one year duration. No student admitted to this course will be eligible for award of Post Graduate Diploma in French Law unless he or she successfully completes the one year course.
2. The Pondicherry University to which the college is affiliated holds examination at the end of the year and a student will be permitted to appear for the said examinations only if he/ she satisfies the following:
 - (i) He/she secures not less than 75% of overall attendance arrived at by taking into account the total number of periods engaged in all subjects put together offered by the institution.
 - (ii) He/she earns a progress certificate from the Head of the Institution for having satisfactorily completed the course of study in all subjects of the semester concerned.
 - (iii) His/ her conduct is found to be satisfactory as certified by the head of the institution, and

3. A student appearing for the semester examination will be declared successful only if he or she obtains not less than 50% of the marks in each of the subjects appeared. All other students shall be deemed to have failed in the examination. However, where a student who is not declared successful in the whole examination of a semester but obtains not less than 50 % in any paper of the concerned semester examination, will be exempted from re-examination in the said paper.
4. Candidates who join this Course should pass all the papers prescribed for the course within the time frame prescribed by the Pondicherry University.
5. **Scheme of the Examination in all Theory Papers:**

The scheme of examination for the Theory Papers shall be an end of year exam for 100 and the minimum pass marks for a paper is 50 out of 100.

- Note:** (i) **Maximum duration of the course and number of attempts:** Candidates who join the Post Graduate Diploma in French Law course should pass all the papers prescribed for the course within the following time frame prescribed by the Pondicherry University. The duration of the course is 1 year and thereafter two years time period is available to successfully complete the course, making it maximum of three years only.
- (ii) At the end of the year, Post Graduate Diploma in French Law will be awarded, provided the student has passed all the papers prescribed.

**POST GRADUATE DIPLOMA IN FRENCH LAW1 YEAR EVENING COURSE
COURSE OF STUDY AND SCHEME OF EXAMINATION**

Paper	Name of the Paper	Duration of Examination	Max. Marks	Min Marks
Paper – I	Private Law	3 hours	100	50
Paper – II	Personal Law	3 hours	100	50
Paper – III	Public Law	3 hours	100	50
Paper – IV	Economic Law	3 hours	100	50
TOTAL			400 Marks	

POST GRADUATE DIPLOMA IN FRENCH LAW

DETAILED SYLLABUS

PAPER-I PRIVATE LAW

1. History and Evolution of French Law - Significance and Structure of French Law – Jurisprudence - Different doctrines and Customs prevalent in French system – An overview of comparative laws.
2. Obligations – Contracts – Essential of Contract – Capacity of Parties – Quasi-Contracts – Torts – Concepts connected to deviation from Strict Law.
3. Possession – Effects of Possession – Real Rights.
4. Civil Courts – Constitution of Courts - Jurisdiction – Hierarchy of Civil Courts - Process and procedures in a Civil Court – Appeals.
5. Criminal Courts – Complaint, Arrest, Remand, Release on Bail, Investigation – Prosecution – Criminal Trial and its Kinds – Rights of Victim – Sentences – Law Professionals.

Books Recommended:

1. Eva Steiner, *French Law: A Comparative Approach*
2. Eva Steiner, *French Legal Method*
3. Francois Terre, *Introduction Generale au Droit*
4. David Annoussamy, *The French Legal System and its Indian Connections*
5. Dr. Simon Whitkar, John Bell and Sophie Boyron, *Principles of French Law*.
6. Prof. Brice Dickson, *Introduction to French Law*.
7. George A. Bermann & Etienne Picard, *Introduction to French Law*.
8. Barry Nicholas, *The French Law of Contract*

PAPER-II

PERSONALLAW

1. Nationality – Acquisition of Nationality - Loss of Nationality – General rules - Effect of Nationality on Marriages – Name and Etat Civil - Sphere of Personal Laws – Legal Matrimonial regime.
2. Marriage – Detailed conditions for Valid Marriage – Publicity – Objections – Marriage Celebrations – Nullity of Marriages – Rights of the Spouses – Duties imposed on the spouses.
3. Divorce – Grounds for Divorce – Proceedings - Effects of Divorce - Judicial Separation – Grounds – Effects - Dissolution, Matrimonial Reliefs- Related Reliefs.
4. Filiations – Parental Authority – Responsibility of Parents – Tutorship - Adoption and Custody of Children – Private international Law and related rules of adoption.
5. Succession – rules of succession – Order of Succession - Intestate Succession – Oral debts – Partition – Disposable quota and protection of the reserve – Estate left by a Frenchman in India.

Books Recommended:

1. Eva Steiner, *French Law: A Comparative Approach*
2. Eva Steiner, *French Legal Method*
3. Francois Terre, *Introduction Generale au Droit*
4. David Annoussamy, *The French Legal System and its Indian Connections*
5. Dr. Simon Whitkar, John Bell and Sophie Boyron, *Principles of French Law*.
6. Prof. Brice Dickson, *Introduction to French Law*.
7. George A. Bermann & Etienne Picard, *Introduction to French Law*.
8. Barry Nicholas, *The French Law of Contract*

PAPER–III

PUBLICLAW

1. Introduction to Public Laws - Understanding Public Laws - Constitution: Significance and Types of Constitution - Forms of Government. Administrative Law - Definition, Nature, Scope and reasons for growth of Administrative Laws.
2. Historical Perspectives of French Legal Systems - Law in France, Declaration of the Rights of Man and the Citizen 1789 - the President of the Republic - the Parliament and the Local Administration.
3. Overview of French Constitution - Constitutional Amendment and Referendum - the constitutional Council and the High Court of Justice. Administrative Laws and Principles - Administrative Liability and Administrative Legality.
4. Administrative Courts – Hierarchy of administrative tribunals – Procedure before the administrative courts – Jurisdiction of administrative courts – Judicial Review - Administrative Contracts.
5. European Union – An overview of European Union – European Convention of Human Rights – European courts.

Books Recommended:

1. Eva Steiner, *French Law: A Comparative Approach*
2. Eva Steiner, *French Legal Method*
3. Francois Terre, *Introduction Generale au Droit*
4. David Annoussamy, *The French Legal System and its Indian Connections*
5. Dr. Simon Whitkar, John Bell and Sophie Boyron, *Principles of French Law*.
6. Prof. Brice Dickson, *Introduction to French Law*.
7. George A. Bermann & Etienne Picard, *Introduction to French Law*.
8. Barry Nicholas, *The French Law of Contract*

PAPER-IV

ECONOMICLAW

1. Overview and differences between the National and the Global Economic Laws and trends.
2. Commercial Acts and Tribunal de Commerce – Business Associations – Obligations of Businessmen – Conformity of goods and services to the prescribed standards – Risks of goods & Services.
3. Labour Movement – Industrial relations and Labour Welfare - Industrial Disputes - Settlement of Individual Labour Disputes and Collective Industrial Disputes – Collective Bargaining.
4. Salient features and Peculiarities of: French Banking Law – French Insurance Law – French Taxation Law.
5. Overview of: European Company Laws – Financial Market Regulations – Competition and Business regulation – Anti-dumping laws – Environmental laws – Intellectual property Laws.

Books Recommended:

1. Eva Steiner, *French Law: A Comparative Approach*
2. Eva Steiner, *French Legal Method*
3. Francois Terre, *Introduction Generale au Droit*
4. David Annoussamy, *The French Legal System and its Indian Connections*
5. Dr. Simon Whitkar, John Bell and Sophie Boyron, *Principles of French Law*.
6. Prof. Brice Dickson, *Introduction to French Law*.
7. George A. Bermann & Etienne Picard, *Introduction to French Law*.
8. Barry Nicholas, *The French Law of Contract*

Note: Students are advised to consult all the suggested reading materials of recent editions.