

UNIVERSITY OF THE PUNJAB

NOTIFICATION

It is hereby notified that the Syndicate at its meeting held on 27-07-2023 has approved the recommendations of the Academic Council made at its meeting dated 24-05-2022 regarding introduction of Diploma in Islamic Law (One Year) alongwith its Course Outlines at the Postgraduate School of Legal Studies (as its result is required to be notified by the Controller of Examinations) with effect from the Academic Session 2022-2023.

The Course Outlines of Diploma in Islamic Law is enclosed herewith as Annexure-‘A’.

**Admin. Block,
Quaid-i-Azam Campus,
Lahore.**

No. D/ 9215 /Acad.,

**Sd/-
REGISTRAR**

Dated: 12/12/2023.

Copy of the above is forwarded to the following for information and necessary action:-

1. Dean, Faculty of Law
2. Director, Postgraduate School of Legal Studies.
3. Controller of Examinations
4. Director, IT for placement at website
6. Admin. Officer (Statutes)
7. Secretary to the Vice-Chancellor
8. Private Secretary to the Registrar
9. Assistant Syllabus



**Assistant Registrar (Academic)
for Registrar**

Program Title: Diploma in Constitutional Law (One Year)
Department: Postgraduate School of Legal Studies
Faculty: Faculty of Law

1. Introduction

Postgraduate School of Legal Studies (PSLS) intends to commence the diploma program above mentioned from the academic session 2022-2023 on annual basis. After the establishment of the PSLS, an opportunity was created to start some new diploma programs. Thereafter, the Board of Studies in the PSLS thoroughly reviewed the syllabi of diploma program and concluded that PSLS should commence 'Diploma in Constitutional Law' from the present academic session (2022-2023). Due to the emergence of an era of specialization and the general significance of the constitutional system in any evolving democracy like Pakistan, a dire need was felt to start the said program. In this document, the diploma program and its course outlines are prepared as per format/template set for submission to the Academic Council of University of the Punjab.

2. Department's Mission:

Postgraduate School of Legal Studies (PSLS) is committed to the highest quality of integrated level of academic and professional education, realizing its sacred obligations as a public sector law school both to the academic and professional worlds. Our mission and commitment is to foster new insights through research and scholarship, to impart knowledge and analytical skills through instruction of the highest caliber, and to critically evaluate the role of law and legal institutions. We are also committed to developing those qualities and skills that our students will need to become successful practitioners and accomplished legal scholars. Having this aim, we search for ways to combine theory and practice in our instruction, and for opportunities to instill in our students the moral and ethical values that underlie a rational and just application of law.

The PSLS, being cognizant of the fact that sustainable development in the contemporary world is not possible without proper implementation of

of thinking, research and advocacy.

3. **Program's Introduction:**

Legal education occupies a significant place in every country. As an undergraduate level qualification in law, the Bachelor of Laws is a degree of choice for career advancement and international credibility, particularly in today's competitive and globally focused legal environment. For those legal professionals who are interested to expand their proficiency in a specific area of law and strengthen their analytical and research skills, the option of postgraduate diploma is the best to start with. For general public who have not completed a bachelor's degree in law, but are interested to learn only about a specialized area of law, the diploma's structure and course outline is the good avenue. At the PSLS, the students can pursue a diploma in a number of fields and to which the some new diplomas are being added.

4. **Program's Objectives**

- To educate and train the law related professionals as well as general public in specialized areas of law
- To improve the quality and standard of legal education to conform to the national and international demands and needs
- To develop a culture of legal research, analysis and reasoning

5. **Market Need / Rationale of the Program**

Holding diploma degree from a top university could significantly enhance the earning potential as well as chances of getting a good placement in a public sector or job offer from a top law firm. There are not many legal institutions that are offering this diploma program. However, having diploma degree from a reputed public sector university would have noteworthy benefits for the degree holders. Even those who do not have basic legal education, their learning in a specific area of law may have an impact for their overall legal understanding. Consequently, it would pave the way for a society founded on the principles of rule of law and transparency.

Admission Eligibility Criteria

- Years of Study completed **(One Year)**
- Percentage/CGPA (Marks)

- Entry Test (if applicable) with minimum requirement(**NA**)
- Any other (if applicable)(**NA**)

1. Duration of the Program

Semesters/Years/ Credit hours

Annual / 01 / 12

2. Categorization of Courses as per HEC Recommendation and Difference

Semester	Courses	Category(Credit Hours)					Semester Load
		Core Courses	Basic Courses	Major Electives	Minor Electives	Any Other	
1							
2							
3							
PU							
HEC Guidelines							
Difference (HEC &) PU							

3. Scheme of Studies / Part-wise workload

#	Code	Course Title	Course Type	Prerequisite	Credit hours		
Part-I							
1.	DIL	Islamic Jurisprudence (Sources & Methodology)			03		
2.	DIL	Muslim Personal Law			03		
3.	DIL	Islamic Law of Contract and Business Transactions			03		
	DIL	Islamic Law of Crimes			03		
1 Credit Hours							

1. Type of course may be core (compulsory), basic (foundation), major elective (professional), minor elective (specialization) etc.

Award of Degree

Degree awarding criteria stating:

As per University Rules**4. NOC from Professional Councils (if applicable)**

Provide the status of NOC from the concerned Professional Council(s), if applicable, depending on nature of the program being propose

5. Faculty Strength

Degree	Area/Specialization	Total
PhD	1. Prof. Dr. Shahbaz Ahmad Cheema 2. Prof. Dr. Aman Ullah Malik 3. Dr. Naeem Ullah Khan 4. Dr. Ali Nawaz Khan	
Total		04

6. Present Student Teacher Ratio in the Department

350 students admitted per year in different diploma programs

**Postgraduate School of Legal Studies
Faculty of Law
University of the Punjab, Lahore
Course Outline**



Program	Diploma in Islamic Law	Course Code	DIL-01	Credits/Hours	3
Course Title	Islamic Jurisprudence (Sources & Methodology)				
Course Introduction					
<p>Legal education occupies a significant place in every country. As an undergraduate level qualification in law, the Bachelor of Laws is a degree of choice for career advancement and international credibility, particularly in today's competitive and globally focused legal environment. For those legal professionals who are interested to expand their proficiency in a specific area of law and strengthen their analytical and research skills, it is the best option to get admission in the diploma after the completion of the Bachelor of Laws with an aim to enhance legal acumen in a specialized field. At the PSLS, the students can pursue a number of diploma programs to gain more expertise for enriching their career professionally. And the Diploma in Constitutional Law would be another good addition to the diploma programs in vogue at present.</p>					
Learning Outcomes					
<p>On the completion of the course, the students will:</p> <ol style="list-style-type: none"> 1. Understanding the role of Islam in Legal System of Pakistan 2. Understanding Criminal Law of Islam 3. Understanding family and Personal Law of Islam 					
Course Content					
Contents	Month 1	1. Islamic Jurisprudence (Sources & Methodology) 1.2 Introduction to Islamic Law and Jurisprudence			
	Month 2	1. History of Islamic law and Jurisprudence			

		2.1 Sources of Islamic law
Month 3		2. Quran & Sunnah 3.1 Ijma
Month 4		3. Qiyas & Istihsan 4.1 Maslahah Mursalah (Public Interest)
Month 5		4. Istislab (Presumption of Continuity) 5.1 Urf or Custom
Month 6		5. Sadd al-Dharai (Blocking of Means) 6.1 Ijtehad
Month 7		6. Maqasid al-Sharia (Objectives of Islamic Law) 7.1 Legal Capacity
Month 8		7. Ownership & Possession
Month 9		8. Islamic Constitutional Foundations

Textbooks and Reading Material

Recommended Books / Reference	<ol style="list-style-type: none"> i. Sir Abdur Rahim, Principles of Muhammadan Jurisprudence (Lahore: KLR Publishers). ii. Imran Ahsan Nyazee, Islamic Jurisprudence, (Islamabad: Advanced Legal Studies Institute). iii. Muhammad Hashim Kamali, Principles of Islamic Jurisprudence (Cambridge, United Kingdom: The Islamic Texts Society). iv. Ahmad Hasan, The Principles of Islamic Jurisprudence (Islamabad: Islamic Research Institute). v. Imran Ahsan Khan Nyazee & Ibrahim Abdullah Khan Nyazee, The Original Meaning of Hanafi Usul al-Fiqh (Islamabad, Pakistan: Shariah Academy). vi. N. J. Coulson, A History of Islamic Law (United Kingdom: Routledge). vii. Wael Hallaq, The Origins and Evolution of Islamic Law (Cambridge, United Kingdom: Cambridge University Press). viii. Imran Ahsan Nyazee, Islamic Legal Maxims (Islamabad, Pakistan: Shariah Academy). ix. Mahmood Ahmad Ghazi, State and Legislation in Islam (Islamabad, Pakistan: Shariah Academy).
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Teaching Learning Strategies

1. Lectures			
2. Assignment			
3. Presentation and Group discussion			
Assignments: Types and Number with Calendar			
1. Two Assignments annually			
Assessment			
Sr. No.	Elements	Weightage	Details
1.	Annual Assessment	100%	Written Annual examination at the end of the year


PROF. DR. SHAHBAZ AHMAD CHEEMA
 Director

1.	Program	Diploma in Islamic Law	
2.	Title	Muslim Personal Law	
3.	Annual	One year	
4.	Code	DIL-02	
5.	Rating	03 Credit Hours	
7.	Contents	Week	Contents
		Month 1	1. Marriage 1.1 Dower
		Month 2	2. Maintenance
		Month 3	3. Divorce and Khula
		Month 4	4. Legitimacy and Acknowledgement
		Month 5	5. Custody and Guardianship
		Month 6	6. Will 6.1 Hiba
		Month 7	7. Waqf
		Month 8	8. Inheritance
		Month 9	9. Pakistani Laws on Personal Matters
9.	Recommended Books / Reference	Books & Reference Material: i. D. F. Mulla, Principles of Mahomecan Law (Lahore: PLD Publishers). ii. Syed Ameer Ali, Muhamradan Law (2 Volumes), (Delhi, India: Kitab Bhavan). iii. Faiz Badruddin Tyabji, Muslim Law: The Personal Law of Muslims in India and Pakistan (Bombay, India: N. M. Tripathi).	

		<ul style="list-style-type: none"> iv. Asaf A. A. Fyzee, Outlines of Muhammadan Law (Karachi, Pakistan Oxford University Press). v. Muhammad Tahir Mansoori, Family Law in Islam (Islamabad, Pakistan: Shariah Academy). vi. Muhammad Zubair Abbasi & Shahbaz Ahmad Cheema, Family Laws in Pakistan (Karachi, Pakistan: Oxford University Press). vii. Hamid Khan, The Islamic Law of Inheritance (Karachi, Pakistan Oxford University Press). viii. Shahbaz Ahmad Cheema, Islamic Law of Inheritance: Practices in Pakistan (Islamabad, Pakistan: Shariah Academy). ix. Muslim Family Laws Ordinance 1961 x. Family Courts Act 1964 xi. Dissolution of Muslim Marriages Act 1939 xii. Guardian and Wards Act 1890
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1.	Program	Diploma in Islamic Law	
2.	Title	Islamic Law of Contract and Business Transactions	
3.	Annual	One year	
4.	Code	DIL-03	
5.	Rating	03 Credit Hours	
7.	Contents	Month 1	1. General Principles of Contracts in Islam 1.1 Meaning of Aqd 2. Elements of Contract: Form (Sighah) of Contract
		Month 2	2. Subject Matter of Contract
		Month 3	3. Contractual Capacity of Contracting Parties 3.1 Delegated Authority
		Month 4	4. Sahih, Fasid and Batil Contracts 4.1 Gharar (Uncertainty)
		Month 5	5. Usury (Interest) 5.1 Defects of Consent
		Month 6	6. Islamic Law of Options 6.1 Contract of Sale
		Month 7	7. Contract of Ijarah (Leasing) 7.1 Contract of Musharakah
		Month 8	8. Contract of Mudarabah 8.1 Contract of Kafalah
		Month 9	9. Contract of Hawalah (Assignment of Debt)

		9.1 Contract of Rahn (Pledge)
8.	Outcome	
9.	Recommended Books / Reference	<p>Books & Reference Material:</p> <ul style="list-style-type: none"> i. Muhammad Tahir Mansoori, Islamic Law of Contracts and Business Transactions (Islamabad, Pakistan: Shariah Academy). ii. Liaquat Ali Khan Niazi, Islamic Law of Contract (Lahore: Research Cell, Dyal Sing Trust Library). iii. Muhammad Naseem and Saman Naseem, Islamic Law of Contracts (Netherlands: Wolters Kluwer). iv. Siti SALwani Razali, Islamic Law of Contract (Singapore: Cengage Learning Asia). v. Muhammad Tahir Mansoori, Shariah Maxims: Modern Applications in Islamic Finance (Islamabad, Pakistan: Shariah Academy). vi. Imran Ahsan Khan Nyazee, The Concept of Riba (Islamabad, Pakistan: Shariah Academy). vii. Noor Muhammad, (1988) "Principles of Islamic Contract Law", Journal of Law and Religion, Vol. (6)1, pp. 115-130.

1.	Program	Diploma in Islamic Law	
2.	Title	Islamic Law of Crimes	
3.	Annual	One year	
4.	Code	DIL-04	
5.	Rating	03 Credit Hours	
7.	Contents	Week	Contents
		Month 1	1. Introduction to Islamic law of Crimes/Offences 1.1 Categories of Crimes
		Month 2	2. Philosophy of Hudood Offences 2.1 Sexual Offences (Consensual and non-consensual)
		Month 3	3. Qazf (Slanderous Accusations) 3.1 Theft and Robbery
		Month 4	4. Hirabah (Banditry and Terrorism) 4.1 Riddah (Apostasy)
		Month 5	5. Murder and its kinds 5.1 Hurt and its kinds
		Month 6	6. Evidential Requirements 6.1 Doubt and its Impact
		Month 7	7. Tazir (Discretionary Punishments)
		Month 8	8. Siyasa Sharia & State's Legislative Authority
		Month 9	9. Pakistani Laws on Hudood, Tazir and Evidence
8.	Outcome		