

Apart from teaching the relevant provisions of law and Simulation exercises, the course will include **not less than 15 practical exercises** in drafting carrying a **total of 45 marks (3 marks for each)** and **15 exercises in conveyancing carrying another 45 marks (3 marks for each exercise)** remaining **10 marks will be given for viva voice.**

Class room teaching:

- A. Drafting: -General principles of drafting and relevant substantive rules
- B. Pleadings: -
 - a) Civil: Plaint, Written Statement, Interlocutory Application, Original Petition, Affidavit, Execution Petition, Memorandum of Appeal and Revision, Petition under Article 226 and 32 of the Constitution of India
 - b) Criminal: Complaint, Criminal Miscellaneous petition, Bail Application, Memorandum of Appeal and Revision
- C. Conveyance: Sale Deed, Mortgage Deed, Lease Deed, Gift Deed, Promissory Note, Power of Attorney, Will, Trust Deed
- D. Drafting of writ petition and PIL petition

Semester –VI

Course Code- LL.B./601
Law of Evidence

UNIT-1 Preliminary and Relevancy of Facts:

- A. Definitions (section 3)- Court, Fact, Fact in issue, Relevant fact, Evidence-meaning and its kind, Circumstantial evidence, Document, Proved, Disproved, Not proved, Presumptions- may presume, shall presume and conclusive proof (sec. 4), Presumptions of Fact and law, Presumptions regarding documents
- B. Relevancy of facts: Relevancy and Admissibility of fact, Doctrine of Res Gestae (Sec.6,7,8,9), Conspiracy (sec.10) and Relevancy of otherwise irrelevant facts (sec.11); Facts concerning state of mind /state of body or bodily feelings (sec.14); Accidental and Incidental facts(sec.15) Facts which need not be proved (sec. 56-58), Relevancy of judgment of a court (sec.40-

44), Opinions of Third Persons (sec. 45-51), Opinion of Experts (sec. 45-46), Relevancy of Character (sec. 52-55)

Unit -2. Admission and Confession and Relevancy of statements:

- A. Admission (sec. 17-23 & 31): Definition, whose admission is relevant, relevancy of admission in civil cases, admission is not conclusive proof, admissions as estoppels.
- B. Confession : Definition., its kinds, Confession caused by inducement, threat or promise(sec.24), Confession to police officer (sec.25), Confession in the custody of police confession of Magistrate(sec.26), Confession by co-accused (sec.30), Confession when Relevant (sec. 27-29)
- C. Difference between Admission and Confession
- D. Relevancy of statements-
 - i. Statements by persons who cannot be called as witness(sec.32-33)
 - ii. Statement made under special circumstances (sec.34-39)

Unit-3 Evidence:

- A. Oral evidence and Hearsay Evidence (sec.59-60)
- B. Documentary Evidence (sec.61-90) - Kinds of Documentary Evidence; Special provision regarding Electronic Evidence and its admissibility; When Secondary Evidence is relevant; Public and Private Document; Exclusion of Oral Evidence by Documentary Evidence (sec.91-92) : Application of this principle and its exceptions; Ambiguous documents, Kinds of ambiguity.(93-100)
- C. Burden of Proof(Sec.101-114): Meaning, General principles of Burden of Proof in Civil l and Criminal cases and exceptions to it When burden of proof shifts, Proof of Legitimacy of Child, Proof in Dowry Deaths and in the matters of Rape.

Unit-4 Estoppel and Witness:

- A. Estoppel: Meaning, essentials, nature and its kinds. (Sec 115-117)

B. Witnesses: Competency of Witness to Testify (sec 118-120); Privileged Communications (sec 121-129); Accomplice (sec.133); Hostile Witness(sec.154)

Unit-5 Examination of Witnesses: (Sec.136-166)

- A. Order of examinations, Kinds of examinations
- B. Leading questions; Impeaching the credit to witness, Questions which can and which cannot be asked; Refreshing the memory of witness; Compulsion to answer questions; questions of corroboration, Production of document
- C. Judge's power to put questions and to order production
- D. Effect of Acceptance or Rejection of Improper Evidence

Leading Cases:

1. Nishi Kant Jha v. State of Bihar, AIR 1969 SC 422.
2. Himachal Pradesh Administration v. Om Prakash AIR 1972 SC 975,
3. Sat Pal V Delhi Administration, AIR 1976 SC 294.
4. Laxmipat Chorasias v. State of Maharashtra, AIR 1968 SC 938.
5. Pakala Narayan Swami v. Emperor, AIR 1939 PC 47.
6. Bhardwade Bhogui Bhan Herrji Bhai v State of Gujrat AIR 1988 SC 753. 26
7. RM Malkani v. State of Maharashtra, AIR 1973 SC 157

Suggested Readings:

1. Ratan Lal: The Law of Evidence
2. Batuklal: Law Evidence.
3. V.P. Sarathi: Law of Evidence.
4. Avtar Singh: Law of Evidence.
5. G S. Pande: Law of Evidence (English &Hindi)

Semester VI

Course Code- LL.B./602

Criminology, Penology, Victimology and Forensic Science

Unit I: Introduction and schools of Criminology

- A. Definition, Nature, Scope and Importance of Criminology

- B. The concept of crime and characteristic of criminal law
- C. Role of criminology in public policy
- D. Pre classical school
- E. Classical school
- F. Neo-classical
- G. Positivist school

Unit II: Methods of Study of Criminology and Factor Responsible for Causation of Crime, postmodern and feminist criminology etc.

- A. Statistics of Crimes, Individual case study method, Limited case method
- B. Environment, home and community influences, Urban and rural crimes, The ghetto, broken homes, effect of TV, Video, Press, Narcotics and Alcohol, Wars and Communal riots-their causes and demoralizing effects, Postmodern Criminology and Feminist Criminology
- C. Crimes of the powerful, white collars-crimes in the profession viz. medical, legal, engineering, Organised crime, sexual offences, prostitution & drugs abuse, Perpetrators of ordinary crimes, the situational criminals, chronic offenders and criminal gangs

Unit III: Penology

- A. Penology: Meaning and scope of Penology, Relationship between Criminology and Penology
- B. Definition of Punishment, origin and evaluation of Punishment
- C. Theories of Punishment, kinds of Punishment, Penal system in India, Capital punishment

Unit IV: Probation and Parole, Prison system and Juvenile House in India

- A. Probation and Parole, Definitions, Nature of probation and parole, Duties of Probation Officers, Difference between Parole and Probation, Authority for granting Parole, Supervisor of Parole
- B. Problems of the released offender, Attitude of the community towards released offender
- C. History of Prisons, Aims, objectives and conditions of prison, Types of prisons, Prison work, Education, Open Jail, Prison reform (schools and reformations), Rights of prisoners (contribution of the Supreme Court), Brosthel, Remand Homes, Nari Niketan

Unit V: Victimology and Forensic Science

- A. Victimology: Need for compensation, Compensation and Rehabilitation, Compensation as a mode of punishment, Constitutional perspective of compensation
- B. Forensic Science: Meaning of forensic science, Elements and methods of criminal investigation

Leading Cases:

- 1. Francis Coralie Mullinv. Union Territory Delhi, AIR (1981) SC 746
- 2. R.K. Garg v. unionofIndia (1981) 133ITR239
- 3. Mitthuv State of Punjab, A1R1983 SC 473

Suggested Readings:

- 1. Korm, R.R. and Me Gorble, LW- Criminology & Penology
 - 2. Grunhut- Penal Reforms
 - 3. Garden Rose-The Struggle for Penal reform
 - 4. I.L.I. -Essays on Indian Penal Code
 - 5. Ben; Penology -Old and New -Tagore Law Lectures
 - 6. Elton-Conflicting Penal Theories m Statutory Criminal Law.
 - 7. Cillin- Criminology and Penology
 - 8. R Beccaria-Crime and Punishment
 - 9. The Criminal Procedure Code
 - 10.The Constitution of India
 - 11.Sutherland and Gisey: Criminology
 - 12.Ahmed Sidelique – Criminology
 - 13.N. V. Pranjape - Criminology and Penology
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Semester VI

LL.B./603

Law of Crimes-II (Cr.P.C)

Unit 1: 1. Criminal Procedure Code, 1973: Preliminary-

- A. Object, Extent and definitions (Chapter-1)
- B. Duties of Public-
 - i. To assist police and Magistrate
 - ii. To give information about certain offences (Chapter IV Ss. 37 to 40)

2. Criminal Courts-

- A. Territorial divisions and classifications (Chapter II, Ss, 10,14,15,19,22 and 23)
- B. Powers (Chapter II, ss. 26 to 31)

Unit 2: 1. Pre-Trial Procedures-

- A. Process to compel appearance (Chapter VI)
- B. Process to compel Production of things (Chapter VII)
- C. Arrest of Persons Chapter V)
- D. Information to Police and their powers of Investigation (Chapter XII)
- E. Bail (Chapter XXXIII)
- F. Maintenance of Public Order and Tranquility (Chapter X)

2. Jurisdiction of the Courts in the inquiries and Trials (Chapter XIII)

Unit 3: 1. Complaints to Magistrates and Cognizance of Offence (Chapter-XV and XIV)

2. Charge Chapter XVII)

3. Types of Trials-

- A. Trial before Court of Session (Chapter XVIII)
- B. Trial of Summons and Warrant Cases (Chapter XIX & XX)
- C. Summary Trials (Chapter XXVII)

Unit 4: 1. Judgment

2. Appeals (Chapter XXIX) References and revision (Chapter XXX)

3. Misc. Provisions-

- A. Period of Limitation (Chapter XXXVI)
- B. Irregular Proceedings (Chapter XXXV)
- C. Autrefois acquit and Autrefois convict
- D. Legal Aid to accused at State Expenses (S. 304)
- E. Pardon to an accomplice
- F. Saving to Inherent powers of High Court
- G. Maintenance of Wives, Children and Parents
- H. Plea Bargaining (S. 265 A to L)

Unit 5: 1. Probation of Offenders Act, 1958

- 2. The Narcotic Drugs And Psychotropic Substances Act, 1985

Leading Cases-

- 1. Tehsildar Singh v. State of Delhi, AIR 1955 SC

2. State of U.P. v. Singhara Singh, AIR 1964 SC 359
3. Nisar Ali v. State of UP, AIR 1957 SC 336
4. Purshottam Das Dalmia v. State of West Bengal, AIR 1968 SC 1989
5. State of Andhra Pradesh v. Ganeshwara Rao, AIR 1968 SC 1050
6. Satwant Singh v. State of Punjab, AIR 1956 SC 415

Bare Acts:

1. Criminal Procedure Code, 1973
2. Probation of Offenders Act, 1958
3. Juvenile Justice Act, 2000

Suggested Readings:

1. Ratan Lal: Criminal Procedure Code (English & Hindi)
2. A.C. Ganguli: A Guide to Criminal Code Practice
3. Juvenile Justice Act, 2000
4. Probation of Offenders Act, 1958
5. B.D. Khatri: Law of Probation in India along with Juvenile Justice Act, 2000
6. N.K. Chakravarti: Probation System in the Administration of Criminal Justice

Semester VI

LL.B./604

Labour and Industrial Laws –II

Unit 1:

The Employees' Compensation Act, 1923:

- A. Definitions, Employers liability for compensation, Amount of Compensation,
- B. Method of Calculating wages, Commutation of payments,
- C. Commissioners- appointment, powers & procedure of commissioners.

Unit 2:

The Employees' State Insurance Act, 1948:

- A. Object & Scope, Definitions,
- B. Establishment of Employees state insurance corporations
- C. standing committee & medical benefit council

Unit 3:

The Employees' Provident Funds and Miscellaneous Provisions Act, 1952:

- A. Object & Scope, Definitions,
- B. Employees provident funds scheme & authorities

C. Penalties

Unit 4:

- A. **The Bonded Labour System (Abolition) Act, 1976:** Aim object & operation, Definitions, abolition of bonded labour system, implementing authorities, Vigilance Committee, Offences and procedure for Trial.
- B. **The Contract Labour (Regulation and Abolition) Act, 1970:** Object & Scope, Definitions, Advisory Board, Registration of establishment employing contract labour, Licensing of contractor, Welfare health of contract labour, Penalties & procedures

Unit 5:

The Child Labour (prohibition and Regulation) Act, 1986:

- A. Object & Scope, definition,
- B. Prohibition of employment of children in certain occupations and process,
- C. Regulation of conditions of Work of Children.
- D. Constitutional provisions

Leading Cases:

1. Jaya Biswal v. IFFCO Tokio General Insurance Co. Ltd., (2016) 11 SCC 201
2. K Sivaraman & Ors v. P Sathishkumar & Anr Civil Appeal No. 9046 of 2019 (Arising out of SLP (C) No 18110 of 2019) decided on February 13, 2020.
3. Regional Director, ESI Corporation v Francis De Costa (1997) 1 LLJ 34
4. JyothiAdemma v. Plant Engineer, Nellore (2006) 5 SCC 513
5. Shakuntala Chandrakant Shresthi v Prabhakar Maruti Garvali AIR 2007 SC 248

Suggested Readings:

1. Indian Law Institute : Law and labour Management relations in India.
2. Ganga Sahai Sharma : Shram Vidhi.
3. N.D. Sharma : Shram Vidhi.
4. S.C. Srivastava: Social Security and Labour Laws.
5. Myres, Charles : Industrial Relations in India
6. Darwell & Karr : Law of Service Industry, Vol. 2, 1956

Semester VI

LL.B./605

Moot Court and Internship
(Clinical Course)

This paper will have three components of 30 marks each and a viva for 10 marks

- A. Moot Court (30 Marks).** Every student is required to do at least three moot courts in a year with 10 marks for each. The moot court work will be on assigned problem and it will be evaluated for 5 marks for written submissions and 5 marks for oral advocacy.
- B. Observance of Trial in two cases, one Civil and one Criminal (30 marks):**
Students are required to attend two trials in the course of the last two or three years of LL.B. studies. They will maintain a record and enter the various steps observed during their attendance on different days in the court assignment. This scheme will carry 30 marks.
- C. Interviewing techniques and Pre-trial preparations and Internship diary (30 marks):** Each student will observe two interviewing sessions of clients at the Lawyer's Office/Legal Aid Office and record the proceedings in a diary, which will carry 15 marks. Each student will further observe the preparation of documents and court papers by the Advocate and the procedure for the filing of the suit/petition. This will be recorded in the diary, which will carry 15 marks.
- D. The fourth component of this paper will be Viva Voce examination on all the above three aspects. This will carry 10 marks.**