

4.8 Testamentary Petition for Succession Certificate (Probate)

4.9 Application for Certified Guardian

4.10 Adoption Deed under Juvenile Justice Act, 2015

4.11 RTI applications, reply, appeal

SUGGESTED READINGS

1. Shiva Gopal, Conveyancing, Precedents and Forms, EBC, 2016
2. Hargopal, Hargopal's Legal Draftsman - A Comprehensive Guide to Deeds and Documents in 2 Vols.

PROGRAM: 3Yr/5 Yr Professional Law

Third Year LLB/ Fifth Year B.L.S LL B

Semester: V/IX

Course Title-: CIVIL PROCEDURE CODE 1908 AND LIMITATION ACT 1963

Course Code:

Credits: 4

Teaching Scheme:

COURSE OUTLINE

COURSE OBJECTIVES:

Study of procedural law is enormously pertinent for law students. This course is designed to acquaint the students with the various stages through which a civil case passes through in the courts of law. The course also includes law of limitation. The course aims to assist the students to understand the practice and procedure in the conduct of suits in and out of the court. It will also analyse this consolidated code with the substantive laws with regard to the procedure to be followed by the civil courts and thereby help in facilitating justice. The course thus explains in detail the role of civil court and the procedures to be followed in the administration of civil justice. Overall, this course makes an endeavour to familiarize the students with the plaints, written statements, Interlocutory applications, issuance of commissions, trial and other aspects of civil court proceedings which prepares the students adequately for practice in courts.

COURSE OUTCOMES:

After completing this course, the students will be able to:

1. Understand the Civil Court procedures to be followed in India.
2. Recall and apply the standard and uniform procedure to deal with the civil matters in issue.

3. Identify the procedure of execution of decrees, attachment and sale of property in execution and the importance of limitation of time in filing of suit, debt recovery, filing of appeals, review, revision and impact of delay on suit or appeal.
4. Apply the rules relating to the procedure of issuance of summons, substituted service of summons, admission and impounding of documents and conducting civil trial in courts.
5. Understand the procedure of examination of witnesses and different categories of witnesses involved in a suit or proceeding.
6. Identify a lawyer's professional obligations at each stage in the life cycle of a lawsuit.

MODULE 1: Introduction (Section 2-Section 25)

1. Definitions
2. Concepts: Res-sub judice, Res judicata, set off, counterclaim
3. Essentials of a suit
4. Cause of action and jurisdiction and its kind
5. Place of suing

MODULE 2: Of suits (Section 26-Section 35, Order I-Order XX)

2.1 Parties to a suit (Order I –Order III)

Death, marriage and insolvency of parties (Order XXII)

2.2 Institution of a suit (Order IV and V)

2.3 Pleadings, plaint and written statement

(Order VI- Order VIII)

2.4 Appearance of parties and consequence of non-appearance (Order IX)

2.5 Examination of Parties, Interrogatories, Discovery and inspection, Admissions, documents (Orders X, XI, XII and XIII)

2.5 Framing of issues, Disposal (Order XIV, XV)

2.6 Trial, Summons, Hearing of suit, evidence, judgment and decree and costs (Order V, Order XVI-Order XXA)

2.7 Withdrawal and adjustment of suits (Order XXIII)

2.8 Special suits – Orders XXVII to XXXIV

MODULE 3: Execution and other procedures (Orders XXI)

3.1 Meaning of execution

3.2 Mode of execution and stay of execution (Order XXI)

3.3 Arrest, detention and attachment (Order XXI and XXXVIII)

3.4 Incidental proceeding, Payment into court, security costs and commissions (Orders XXIV, XXV and XXVI)

3.5 Interim orders, Temporary injunction (Order. XXXIX)

3.6 Interpleader, Special case and Summary procedure (Order XXXV, XXXVI and XXXVII)

MODULE 4: Receivers, Appeals and other procedures and Law of Limitation

4.1 Appointment of Receivers (Order XV)

4.2 Appeals, reference, review, revision (Order XLI –XLVII)

4.3 Miscellaneous, Chartered HCs, Provincial and Presidency Small Causes Courts (Orders XLVIII-LI)

4.4 Object and features of Limitation Act, 1963

4.5 Bar of limitation (S.3-5)

4.6 Legal disability (S.6-10)

4.7 Computation of period of limitation (S.12-24)

4.8 Effect of acknowledgment in writing and part-payment (S. 18-20)

4.9 Acquisition of ownership by possession (S. 25-27)

SUGGESTED READINGS:

1. C.K. Takwani: Code of Civil Procedure
2. Mulla: Code of Civil Procedure, Universal Law Publishing Delhi
3. M.P. Tandon: Code of Civil Procedure
4. Avtar Singh: Code of Civil Procedure, Central Law Publications
5. J.D. Jain: Limitation Act
6. S. R. Myneni, Law of Limitation, Asia Law house
7. Civil Procedure Code, 1908
8. Limitation Act, 1963
9. Code of Civil Procedure by Sarkar
10. Law of Limitation by Mulla

PROGRAM: 3 Yr /5 Yr Professional Law

Third Year LLB/ Fifth Year B.L.S LL B

Semester: V/IX

Course Title:- CRIMINAL PROCEDURE CODE 1973, THE JUVENILE JUSTICE (CARE AND PROTECTION OF CHILDREN) ACT, 2015 AND THE PROTECTION OF CHILDREN FROM SEXUAL OFFENCES (POCSO) ACT, 2012.

Course Code:

Credits: 4

Teaching Scheme:

COURSE OUTLINE

COURSE OBJECTIVES:

This course is specifically designed to assist students in understanding the importance of the Code of Criminal Procedure which is one of the essential acts in India as well as the primary legislation on the procedure for administering criminal justice. The course is aimed at driving home the students how the pretrial, trial and the subsequent process are geared up to make the administration of criminal justice effective. The course will acquaint the student with organization of the functionaries under the Code, their power and functions at various stages and the procedure according to which these powers and functions are to be exercised. The substantive law has to be applied through the uniform procedure as laid down which will be undertaken on completion of the course. The students will also understand the reason and manner of administering the punishments for any given offence under the substantive Penal Laws. The course will help in understanding the machinery for the investigation of crime, apprehension of suspected criminals, collection of evidence, determination of guilt or innocence of the accused person, and the determination of punishment of the guilty. The objective is also to sensitize the students about critical issues in administration of criminal justice like protection of human rights of victims and the principles of fair trial. The students will also undertake the study of two cognate Acts as a part of this course viz; Juvenile Justice Act (care and Protection of Children) 2015 and Protection of Children from Sexual Offences (POCSO) Act.

COURSE OUTCOMES:

After completing this course, the students will be able to:

1. Identify the stages in investigation and procedure of trial in criminal cases.
2. Explain the powers, functions, and duties of police and criminal courts.
3. Critically analyze the recent amendments in the Criminal Procedure Code.
4. Employ and promote adoption of humane and just practices in administration of justice.
5. Analyse the time period between when a crime has been committed until the time the sentence against the crime is passed and the case is closed.
6. Understand the machinery to be adopted by the State when a violation of the penal law, i.e., offence under the Indian Penal Code, has been detected or reported.
7. Analyse the principles and procedure that must be followed while prosecuting and adjudicating other claims.
8. Thoroughly understand the investigation, inquiry and trial of the offences governed by the provisions and subject to any other law that may be in force which regulates the manner of investigation, inquiry or trial of the matter.

9. Understand and apply the Juvenile Justice (Care and Protection of Children) Act, 2015 and The Protection of Children from Sexual Offences (POCSO) Act, 2012

MODULE 1:

- 1.1 Object Purpose and History of the Criminal Procedure Code.
- 1.2 Definitions – Section 2
- 1.3 Constitution and Powers of Criminal and Executive Courts – Section 6 to 35
- 1.4 Powers of Superior Officers of Police – Section 36
Aid to the Magistrates and the Police – Section 37 to 40
- 1.5 Arrest of Persons- Section 41 to 60
- 1.6 Process to Compel Appearance and Production of Things and Reciprocal Arrangements Sections 61 to 105L
- 1.7 Preventive and Precautionary Measures of Security Proceedings Section 106 to 124, Section 129 to 153.
- 1.8 Maintenance of Wives, Children and Parents – Section 125 to 128
- 1.9 Information to the Police and their Powers to Investigate – Section 154 to 176
- 1.10 Jurisdiction of the Criminal Courts in Inquiries and Trials- Section 177 to 189.
- 1.11 Cognizance of Offences and Commencement of Judicial Proceedings – Sections 190 to 210

MODULE 2:

- 2.1 Charge – Section 211 to 224
- 2.2 Trial before various Courts
- a. Court of Sessions-Section 225 to 237
 - b. Warrant Cases by Magistrates-Sections 238 to 250
 - c. Summons cases by Magistrates- Section 251 to 259
 - d. Summary Trial-Section 260 to 265

MODULE 3:

- 3.1 Mode of Taking Evidence and General Provisions as to Inquiries and Trials - Section 266 to 352
- 3.2 Judgement – Sections 353 to 365

- 3.3 Appeals-Sections 372 to 394
- 3.4 Reference and Revision-Section 395 to 405
- 3.5 Provisions as to Bails and Bonds – Section 436 to 450
- 3.6 Irregular Proceedings-Section 460 to 466
- 3.7 Limitation for taking cognizance –Sections 467 to 473

MODULE 4:

1. The Juvenile Justice (Care and Protection of Children) Act, 2015

Chapter I & II – Preliminary and General Principles of General Care and Protection of Children.

Chapter III – Juvenile Justice Board.

Chapter IV – Procedure in relation of children in conflict with Law.

Chapter V – Children Welfare Committee.

Chapter VI – Procedure in relation to children in need of care And protection.

Chapter VII – Rehabilitation and social re-integration.

Chapter VIII – Adoption

Chapter IX – Other offences against Children.

Chapter X – Miscellaneous.

1. The Protection of Children from Sexual Offences (POCSO) Act, 2012 (POCSO Act)

Chapter I – Preliminary and General Principles of General Care and Protection of Children.

Chapter II – Sexual Offences against Children.

Chapter III – Using Child for Pornographic Purposes and Punishment Therefor.

Chapter IV – Abetment of and Attempt to Commit an Offence.

Chapter V – Procedure for reporting of cases.

Chapter VI – Procedures for recording statement of the child.

Chapter VII – Special Courts.

Chapter VIII – Procedure and Powers of Special Courts and

Recording of Evidence.
Chapter 1X – Miscellaneous.

RECOMMENDED READINGS:

1. Sarkar's Code of Criminal Procedure.
 2. Ratanlal and Dhirajlal – Criminal Procedure.
 3. B. B. Mitra - Code of Criminal Procedure.
 4. R.V.Kelkar's Criminal Procedure.
 5. Mishra-Code of Criminal Procedure.
 6. Criminal Manual – Gupte & Dighe
 7. The Bombay Police Act - Puranik
 8. Juvenile Justice (Care & Protection of Children) Act, 2000 -Bare Act
 9. The Protection of Children from Sexual Offences (POCSO) Act, 2012 (POCSO Act) Bare Act
1. Commentary on Protection Of Children From Sexual Offences Act 2012 by Nayan Joshi, Kamal Publishers

PROGRAM: 3 Yr/5 Yr Professional Law

Third Year LLB/ Fifth Year B.L.S LL B

Semester: V/IX

Course Title:- LABOUR LAW AND INDUSTRIAL RELATIONS-II

Course Code:

Credits: 4

COURSE OUTLINE

COURSE OBJECTIVES: This is a second course on Labour Law as required by the Bar Council of India. This course includes the study on Wages and Minimum Wages and putting concepts in their practical perspective. It aims in providing an elementary understanding of the penalties and offences under Child Labour (Prohibition and Regulation) Act and also providing extensive knowledge regarding Powers and Duties of Authorities under Standing Orders Act. The course is designed to provide knowledge of the Industrial Employment (Standing Orders) Act, 1946 and Employee State Insurance Act, 1948 and Employee Compensation Act, 1923 and the Unorganized Workers Social Security Act, 2008.

Outcome:

After completion of the course the students will be able to

1. Understand the technicalities of payment of wages and minimum wages and apply the relevant provisions of law.
2. Understand and apply The Child Labour (Prohibition and Regulation) Act, 1986.

1. Understand the powers and duties of Authorities under Industrial Standing Orders Act.
Comprehend the nature and legal provisions of Employee State Insurance Act.
1. Understand the concepts and principles of Employee Compensation Act.
1. Understand the principles and authorities under the Maternity Benefit Act, 1961
1. Understand and apply the Unorganized Workers Social Security Act, 2008

Module I.

PAYMENT OF WAGES ACT, 1936 AND MINIMUM WAGES ACT, 1948.

1. Object and Salient features with various Definitions under the Act.
2. Deductions and Contracting Out.
3. Authorities under the Act.
4. Fixation and Revising of Minimum Wages.
5. Regulation of working conditions.
6. Overtime and Settlement of Claims.

Module II: - EMPLOYEE'S COMPENSATION ACT, 1923 AND INDUSTRIAL STANDING ORDERS ACT, 1946.

1. Concept – Employee, Employer, Dependent, Disablement and its kinds.
2. Employer's Liability for Compensation – Conditions & Exceptions.
3. Computation of Compensation.
4. Commissioner – Jurisdiction, Power etc.
5. Legal nature and feature of Standing Order
6. Procedure, Power, Penalties and Interpretation of Standing Order

Module III EMPLOYEE STATE INSURANCE ACT, 1948 AND THE MATERNITY BENEFIT ACT, 1961.

1. Concept – Employment injury, principal employer, delivery, maternity benefit etc.
2. Corporation, Standing Committee and Medical Benefit Council.
3. Finance, Audit, Contributions and Benefits.
4. Adjudication of Disputes and Claims.
5. Claim for maternity benefit and payment thereof.
6. Inspector – Appointment, Power, Duties and Penalties.

Module IV THE UNORGANISED WORKERS SOCIAL SECURITY ACT, 2008 AND THE CHILD LABOUR (PROHIBITION AND REGULATION) ACT, 1986.

1. Concept: Home based worker, self-employed worker, unorganized sector etc.
2. Social Security Board for Unorganized Workers.
3. Administrative Mechanisms – Composition and Powers.
4. Prohibition of Employment of Children in certain Occupations.
5. Regulation of Conditions of Work of Children.
6. Procedure relating to offences and Penalties.

Suggested Readings

- S.C. Srivastava – Industrial Relations and Labour Laws.
- Dr. V.G. Goswami – Labour Industrial Laws.
- S.N. Mishra – Labour and Industrial Laws.
- O.P. Malhotra – Law of Industrial Disputes.
- Dr. Avatar Singh – Introduction to Labour and Industrial Laws

**PROGRAM: 3 Yr/5 Yr Professional Law
Third Year LLB/ Fifth Year B.L.S LL B**

Semester: V/IX

Course Title:- PUBLIC INTERNATIONAL LAW

Course Code:

Credits: 4

COURSE OBJECTIVES:

In a world where nations have come too close due to developments of technology, international law shapes national law; further there is more need to have sound knowledge of international legal principles. The aim of the course is to acquaint the students with the fundamental concepts and broad view of Public International Law and its complex nature. It also aims to familiarize the students with the origin and nature of Public International Law. It explores concepts like State, Recognition and Jurisdiction of States in International Law. Special attention is paid to the belief and notion of State Responsibility and topical issues in International Law. For example, the international framework with respect to extradition, asylum and the Law of the Sea. The course is planned in a meticulous manner to assist the students to focus on the “International Legal Framework” in case of disputes between the parties. The course includes the study of general principles of international law including law of peace. Third world concerns in respect of security and development and the role of U.N. and International

Agencies in structuring solutions in the context of changing balance of power are also to be appreciated. The course will also delve into India's position with respect to International Law.

COURSE OUTCOMES:

After completing this course, the students will be able to:

1. Understand the basic concepts of International Law and its complex nature.
2. Critically analyse the notions, related to recognition and jurisdiction of State in International Law.
3. Examine the international framework with respect to certain current issues in international law like extradition and asylum.
4. Evaluate and suggest measures in cases of international conflict
5. Critically examine the operation and application of International Law in practical contexts.

MODULE1:

1.1. Nature, Origin and Historical Development of International Law

1.2 Definitions of International Law

1.3 Fundamentals of International Law – Theories and Doctrines in International Laws

1.4 Definition of Nationality, Concept of Double Nationality, Distinction between Nationality and citizenship

1.5 Sources of International Law:

Custom

Treaties

General principles of Law, Recognized by Civilized Nations

Judicial Decisions

Writings of Jurists

Equity

Resolutions of the General Assembly

1.6 Relationship between International Law and Municipal Law, Monistic Theory, Dualistic Theory)

1.7 Recognition of States and Government

MODULE 2:

2.1 State Territory

Constitution, acquisition, loss

2.2 State Jurisdiction

2.3 State Responsibility

2.2

2.4 The Law of the Sea: (Law of Sea Convention, 1982)

2.4.1 Maritime Zones:

A. Territorial Sea:

- i. Anglo-Norwegian Fisheries Case (United Kingdom v. Norway), ICJ Rep. 1951, p.116
- ii. Corfu Channel Case, ICJ Rep. 1949

B. Contiguous Zone

A. Continental Shelf

A. Exclusive Economic Zone

A. High Seas

2.4.2 Delimitation of Adjacent and Opposite Maritime Boundaries:

A. North Sea Continental Shelf Cases, ICJ Rep. 1969

B. Libya v. Tunisia Continental Shelf Case, ICJ Rep. 1982

C. Republic of Italy v. Union of India (2013) 4 SCC 721

D. In the Matter of the Bay of Bengal Maritime Boundary Arbitration (between the People's Republic of Bangladesh and the Republic of India), 2014

2.5 Concept of "Common Heritage of Mankind" Relating to the Resources of International Sea-bed Area

2.6 International Seabed Mining: -Parallel System of Mining

MODULE 3:

3.1 Law of Treaties

Definition, kinds and essentials

Inception, interpretation of treaties

Rights and duties of parties

Validity and enforcement

3.2 The United Nations Organisation:

A. The United Nations Organisation

B. The General Assembly

C. Security Council

D. United Nations Economic and Social Council

E. The International Court of Justice (ICJ)

F. The Secretariat

G. The International Trusteeship System and Trusteeship Council

3.3 International Specialised agencies Protection Agencies and NGOs

1. ILO

2. WTO

3. Amnesty international

4. UNESCO.

5. UNICEF

6. UNDP and UNEP

MODULE 4: Contemporary and Allied Laws under International Laws:

4.1 WHO, Global Health law Consortium Communicable Diseases, and the International Health Regulations

4.2 International Health Regulations (IHR)

4.3 General Principles of International Trade Laws, UNCITRAL, International Arbitration Laws and TRIPS

4.4 International Laws on Air and Space Rights

RECOMMENDED READINGS:

1. **I A Shearer**, Starke's International Law, Oxford
2. **Dr. S. R. Myneni** Asia Law House's Public International Law--
3. **Dr. S. K. Kapoor** Central Law Agency's International Law & Human Rights--
4. **Dr. H. O. Agarwal** Central Law Publication's International Law & Human Rights for LL.B & LLM--
5. **Olivier De Schutter** Cambridge University's International Human Rights Law [Cases, Materials & Commentary]--
6. **V. K. Ahuja**, Lexis Nexis's Public International Law--
7. **S. K. Verma** Satyam Law International's, An Introduction to Public International Law--
8. **Malcolm N. Shaw** Cambridge University's International Law --
9. **Ivan Anthony Shearer, J. G. Starke**, Oxford's Starke's International Law
10. **Dr. Sai Ramani Garimella** ,Central Law Publication's Private International Law (Conflict of Laws)--
11. **M.P. Tandon & V.K. Anand** ,Allahabad Law Agency's International Law & Human Rights--
12. **James Fawcett & Janeen M. Carruthers**, Oxford's Cheshire, North & Fawcett: Private International Law--
13. **Ian Brownlie**, Principles of Public International Law, Oxford University Press, 2008
14. **Gurdip Singh**, International Law, Eastern Book Company, 2015
15. **Lassa Oppenheim, Robert Jennings and Arthur Watts** Oppenheim's International Law, Oxford University Press, USA, 2008
16. **Jain Kanade & Vishal Kanade** Public International Law – A Primer, Lexis Nexis, 2013
17. **Tim Hillier** Sourcebook on Public International Law, Routledge,1998

LL B Semester V / Semester IX BLS LLB

PRACTICAL TRAINING – III Moot Court Exercise and Internship

Course objectives

This third course on practical training as prescribed by BCI aims at imparting training in court proceedings, advocates' office work and moots. The course prescribes actual court visits, virtual court visits and visits to advocates offices apart from exercises in moot courts. The objectives are: to familiarize the students with the proceedings in civil and criminal courts and

to prepare them to play effective role as officers of the court to familiarize the students with the work at advocates offices/ law firms
to train the future lawyers in the art of arguing the matters

Course outcomes

At the end of this third course on practical training the students will be able to

1. Understand the civil and criminal court proceedings
2. Understand the nature and magnitude of work in advocates offices/law firms
3. Argue and counter argue in litigation matters
4. Learn the art of report writing
5. Learn the art of writing moot court memorials/ arguments

Module I Moots

- 1.1 Study and analysis of Moot problems including issues involved
- 1.2 Drafting of Moot Memorials/ Arguments
- 1.3 Studying laws, rules and case laws for Moot Problems

Module II Observance of trial proceedings

- 2.1 Attending and Observing Trial proceedings- civil and criminal
- 2.2 Observing live telecast of court proceedings
- 2.3 Writing brief report on proceedings attended

Module III Internship at lawyer's office

- 3.1 Internship at lawyer's office
- 3.2 Internship details - daily diary to be maintained, court attendance, Lawyer's /Firms certificate
- 3.3 Report of learning various skills during internship

Module IV

- 4.1 Viva Voce
- 4.2 Moot- oral submissions

Suggested Reading

1. Moot Courts and Mooting by Abhinandan Malik, Edition: 2015, Reprinted 2016
2. The Art of Argument: A Guide to Mooting, by Christopher Kee, Deakin University, Victoria- 2007
1. Moot Court, Exercise and Internship, Dr. S.R. Myneni, Asia Law House, Edition: 2 Ed 2021
1. Developing Skills Through Moot Court & Mock Trails (English, Paperback, Ujjwala Sakhalkar)
1. Arguendo : A Moot Court Handbook by Satyendra Mani Tripathi, Central Law Publications,
1. Justice Malik, The Art of A Lawyer, Universal Law Publishing Company
1. P Ramanatha Aiyer, Cross Examination, Lexis Nexis