

RAJA SHANKAR SHAH UNIVERSITY CHHINDWARA

B.A. LL.B. SEMESTER – VIII PAPER I LAW OF EVIDENCE

UNIT – I

Introductory

1. Definitions – Court, Fact, Fact in Issue, Relevant Facts, Evidence, Document, Proved, Disproved & Not Proved, Oral, Documentary & Hearsay Evidence
2. Standard or Degree of Proof in Civil / Criminal Proceeding
3. May presume, Shall Presume & Conclusive Proof

Central Conceptions in Law of Evidence

1. Facts: section 3 definition: distinction – relevant facts/ facts in issue
2. Evidence: oral and documentary
3. Circumstantial evidence and direct evidence
4. Presumption (section 4)
5. “Proving” “not proving” and “disproving”
6. Witness
7. Appreciation of evidence

UNIT – II

Facts: relevancy

1. The Doctrine of res gestae (section 6, 7, 8, 10)
2. The problems of relevancy of “otherwise” irrelevant facts (section 11)
3. Facts concerning bodies and mental state (section 14, 15)

Admission and Confessions

1. General principles concerning admission (section 17, 23)
2. Differences between “admission” and “confession”
3. The problems of non – admissibility of confessions caused by “any inducement, threat or promise” (section 24)
4. Inadmissibility of confession made before a police officer (section 25)
5. Admissibility of custodial confessions (section 26)
6. Admissibility of “information” received from accused person in custody; with special reference to the problem of discovery based on “joint statement” (section 27)
7. Confession by co-accused (section 30)
8. The problems with the judicial action based on a “retracted confession”

UNIT – III

Dying Declarations

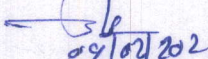
1. The justification for relevance on dying declarations (section 32)
2. The judicial standards for appreciation of evidentiary value of dying declarations

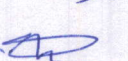
Relevance of judgments


1. Admissibility of judgments in civil and criminal matters (section 43)
2. “Fraud” and “Collusion” (section 44)


Expert Testimony

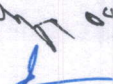
1. Who is an expert? : types of expert evidence
2. Opinion on relationship especially proof of marriage (section 50)
3. The problem of judicial defense to expert testimony

1. Mr. B.K. Akochia  09/02/23

2. Dr. Damyanti Kataria  09/02/23

3. Dr. Shweta Anurawanshi 

4. Aditya Garg  09/02/23

5. Dr. Sneha Kumari 

UNIT IV

Oral Documentary Evidence

1. General principles concerning oral evidence (sections 59- 60)
2. General principles concerning documentary evidence (section 67-90)
3. General principles regarding exclusion of oral by documentary evidence
4. Special problems: re-hearing evidence
5. Issue estoppel
6. Tenancy estoppel (section 116)

Witness Examination and cross Examinations

1. Competency to testify (section 118)
2. State privilege (section 123)
3. Professional privilege (section 126, 127,128)
4. Approval testimony (section 133)
5. General principles of examination and cross examination (section 135- 166)
6. Leading questions (section 141- 143)
7. Lawful questions in cross – examination (section 146)
8. Compulsion to answer questions put to witness
9. Hostile witness (section 154)
10. Impeaching of the standing or credit of witness (section 155)

UNIT V

Burden of Proof


1. General principles conception of onus probandi (section 101)
2. General and special exceptions to onus probandi
3. The justification of presumption and of the doctrine of judicial notice
4. Justification as to presumption as to certain offences (section 111A)
5. Presumption as to dowry (section 115)
6. The scope of the doctrine of judicial notice (section 114)


Estoppel

1. Why estoppel? The rationale (section 115)
2. Estoppel, res-judicial and waiver and presumption
3. Question of corroboration (section 156-157)
4. Improper admission and of witness in civil and criminal cases

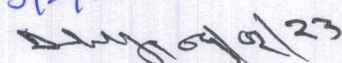
Selected Bibliography


1. Sarkar and Manohar, Sarkar on evidence (1999), Wadhwa & Co. Nagpur
2. Indian Evidence Act, (Amendment up to date)
3. Ratanlal, Dhirajlal: Law of Evidence (1994), Wadhwa Nagpur
4. Polein Murphy, Evidence (5th Reprint 2000), Universal Delhi
5. Albert S. Osborn, The Problem Proof (First Indian Reprint 1998), Universal Delhi
6. Avtar Singh, Principles of Law of evidence (1992), Central Law Agency, New Delhi

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RAJA SHANKAR SHAH UNIVERSITY CHHINDWARA

B.A. LL.B. SEMESTER – VIII

PAPER II CIVIL PROCEDURE CODE & LIMITATION ACT- II

UNIT I

1. By against Government (ss.79-82)
2. Public Nuisance (ss 91-93)
3. Suits by or against firm
4. Suits informa pauperis
5. Interpleader Suits
6. Suits relating to mortgages of immovable property(O34)

UNIT II

1. Commissions (O26) and Sec 75 to 78)
2. Settlement of disputes outside the court (sec.89)
3. Special Case (O36) (S 90)
4. Suits relating to public matters (S91-93)
5. Summary Procedure or Negotiable Instruments (O37)
6. Arrest and Attachment before judgment (O38) (S94&95)
7. Temporary Injunctions and Interlocutory Orders (O 39)
8. Appointment of Receiver(O40)

UNIT III

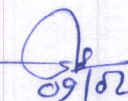
1. Appeals
2. Appeals from
3. Appeals from original decree
4. Appeals from appellate decree
5. Appeals from order
6. General provisions relating to appeal
7. Review, reference and revision.

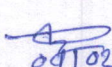
UNIT IV

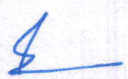
1. Transfer of Cases
2. Restitution
3. Caveat
4. Inherent powers of courts
5. Provisional Small Causes Court (O50)
6. Presidents small causes courts (O51)


UNIT V


1. General Provisions as to the Bar of limitation and Extension of the prescribed time (Sec. 1-5)
2. Legal Disability, exclusion of time etc. (Sec.6-24)
3. Acquisition and Extinguishment of Proprietary rights by the virtue of limitation (Sec. 25-27)
4. Limitation act

1. Dr. B. K. Akodhi  09/02/2023

2. Dr. Janyanti Kabre  09/02/23

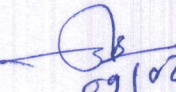
5. Dr. Sneha Kumari 

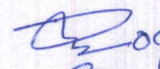
3. Dr. Shweta Anurawanshi  09/2/23

4. Aditya Garg  09/02/23

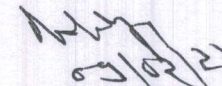
Selected Bibliography: (Latest Editions of All Books)

1. Mulla : Code of Civil Procedure, (1999). Universal Delhi
2. C K Thakker : Code of Civil Procedure. (1999). Universal Delhi
3. M.R .Mallick (cd) B.B. Mitra on Limitation Act, 1998 Eastern Lucknow
4. Majumdar P K and Katariya R P Commentary on the Code of Civil Procedure 1908 (1998) Universal Delhi
6. Saha A N The Code of Civil Procedure (2000). Universal Delhi
7. Sarkar Law of Civil Procedure. Vol. (2000). Universal Delhi

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RAJA SHANKAR SHAH UNIVERSITY CHHINDWARA

B.A. LL.B. SEMESTER – VIII

PAPER – III LAW OF CRIME II (CODE OF CRIMINAL PROCEDURE)

This details of syllabus of this paper are as under: - Code of Criminal Procedure, 1973.
(Section 225-484)

UNIT – I

Trial of Sessions (Sec 225-239)
Trial of Warrant- Cases by Magistrate (Sec 238-250)
Trial of Summons - Cases by Magistrate (251-259)
Summary Trials (Sec 260-265)
Plea bargaining (Sec 256 A to 256 L)

UNIT – II

Attendance of persons confined or detained in prison (Sec 266-271)
Evidence in inquiries and trials (Sec 272-299)
General Provisions as to inquiries and trials (Sec 300-327)

UNIT- III

Provisions as to accused persons of unsound mind (Sec 328-339)
Provisions as to offences affecting the administration of Justice (Sec 340-352)
The Judgment (Sec 353-365)
Submission of death sentences for the Confirmation (Sec 366-371)
Appeals (Sec 372-394)
Reference and Revisions (Sec 395-405)

UNIT IV

Transfer of Criminal cases (Sec 406-412)
Execution, suspension, Remission and commutation of sentences (Sec 413-435)
Provisions as to bail and bonds (Sec 436-450)
Disposal of property (Sec 451-459)
Irregular proceeding (Sec 460-466)
Limitation for taking cognizance of certain offences (Sec 467-473)
Miscellaneous (Sec 474-484)
All Schedules are in Course.
All Amendments which may be made from time to time

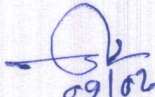
UNIT V: The Probation of offenders Act 1958

Admonition
Probation on Good Conduct
Cost and Compensation
Offenders under 21 years of age

1. Dr. B.K. Anandhi 09/02/2023
2. Dr. Damyanti Kabre 09/02/23
3. Dr. Shweta Amrawanshi 09/02/23
4. Aditya Gang 09/02/23
5. Dr. Sneha Kumari

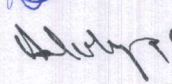
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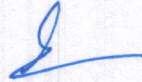
1. R.V. Kelkar : Outlines of Criminal Procedure Code, 1973
2. R.D. Agarwal : Code of Criminal Procedure, 1973
3. P.C. Sarkar : Criminal Procedure Code, 1973
4. M.P. Tendon : Code of Criminal Procedure, 1973
5. Dr N.V. Paranjape : The Code of Criminal Procedure, 1973
6. महावीर सिंह : दण्ड प्रक्रिया संहिता

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5. Dr. Sneha Kumari 

RAJA SHANKAR SHAH UNIVERSITY CHHINDWARA

B.A. LL.B. SEMESTER – VIII

PAPER IV INVESTMENT & SECURITY LAWS (OPTIONAL)

UNIT – I

Introduction- History of Investment law in India, Banks and Liquidity- Liquidity Assets

UNIT - II

Advances- Considerations for sound lending, forms of advances, collection of credit information, factors limiting the level of advances, consortium advances, recalling of advances, transfer of borrowed accounts

UNIT - III

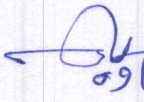

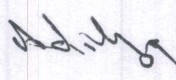
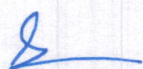
Housing loan, interest terms, no diversion of loan funds, modes of charging the security, lien, pledge, hypothecation, mortgage of charge, registration of Mortgage and Charges, Assignment.

UNIT - IV

Types of Securities: General Principles, Advances against Immovable properties, Advances against Goods, Advances against Documents of Title, Stock- Exchange policies, advances Letters of Allotment, ,

UNIT - V

Advances against Life Insurance policies, Advances against Fixed Deposit Receipts, Advances against Book Debt, Advances against Supply Bills

1. Dr. B.K. Akodeia  09/02/2023
- 2.
3. Dr. Shweta Anwaranshi 
4. Aditya Garg  09/02/23
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RAJA SHANKAR SHAH UNIVERSITY CHHINDWARA

B.A. LL.B. SEMESTER – VIII

PAPER IV CRIMINOLOGY & PENOLOGY (OPTIONAL)

UNIT-I

Criminology

2. The concept of Crime
3. Nature and scope of criminology
4. Schools of criminology

UNIT- II

1. Theories of crime demagogical theory, free wills theory, organic deficiency, mental deficiency theory, psycho- analytical theory, heredity theory, ecological theory

UNIT-III

1. Organized crimes- meaning, kinds
2. White collar Crime- Vohra committee
3. Alcoholism and crime report
4. Drug addiction and crime
5. Crime statistics

Penology

UNIT-IV

1. Theories of punishments- deterrent, preventive, retributive, reformatory and expiatory theory
2. Kinds of punishment and judicial sentencing
3. Capital punishment
4. The police system
5. Criminal laws Courts protection to the accused strict construction of penal statutes penal law not to be retrospective in operation

UNIT-V

1. The prison administration
2. Probation
3. Parole
4. Recidivism
5. Juvenile delinquency prohibition against double, prohibition against in crimination presumption of innocence of the aid accused speedy trial

1. Dr. B.K. Akochia 09/02/2023

2. Dr. Damyanti Katre 09/02/23

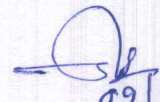
3. Dr. Shweta Amravanshi 9/2/23

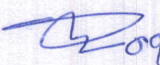
Dr. Sneha Kumari

4. Aditya Gang 09/02/23

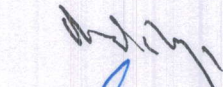
Select Bibliography

1. E. Sutherland, White collar Crime (1949).
2. Prof. N.V. Paranjape Criminology and penology.
3. Dr. Yamuna Shankar Sharma penology.
4. Om Prakash Shrivastava Principles of Criminal Law

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RAJA SHANKAR SHAH UNIVERSITY CHHINDWARA

B.A. LL.B. SEMESTER – VIII

PAPER IV HEALTH LAW (OPTIONAL)

UNIT-I

General- Interrelationship Between Law and Medicine; Right to Health- Constitutional Perspectives; Fundamental Right- Right to Life, Right to Health, Right to Clean Environment, Right to Emergency; Medical Care.; Directive Principles; Offences Affecting Public Health under IPC

UNIT-II

Medical Practitioners and Law -Doctor- Patient Relationship-Medical Ethics-Rights of Patients; Regulation of Medical Profession-Medical Education-Indian Medical Council and Association-Paramedical Professions-Liability for Professional Misconduct- Liability for Professional Negligence- Civil and Criminal-regulation of Manufacture, Storage and Sale of Medicines-Drugs and Cosmetics Act,1940-Advertisement Drugs and Magic Remedies Act, 1954 -Regulation of Bio-Medical Waste

UNIT-III

Public Health and Law-Overview of-AIDS and Law-The Pre-Conception and Pre-Natal Diagnostic Techniques Act, 1994-The Transplantation of Human Organs Act, 1994-The Medical Termination of Pregnancy Act, 1971-The Mental Health Act, 1987-Experimentation on Human Beings-Environment Pollution and the Law- Health Insurance and the Law

UNIT-IV

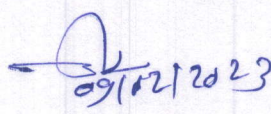
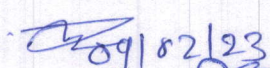

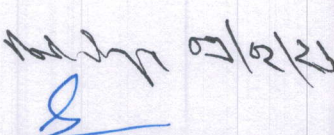
International Norms -World Health Organization-UNICEF-Non-Governmental Organizations Equitable access to Health Care-Medical Tourism

UNIT- V

Contemporary Issues-Surrogacy-Organ Trade- Stem Cell Therapy and Ethical Considerations-Mal-Nutrition and Health Issues- Genetic Engineering

Selected Bibliography

1. M.P.Jain, Indian Constitutional Law, Wadhwa & Co, Nagpur.
- 2 Dr.U.Chandra, Human Rights, Allahabad Law Agency.
3. Dr.Nandita Adhikari, Law and Medicine, Central Law Publications, Allahabad.
4. Shyam Divan, Armin Rosencranz, Environmental Law and Policy in India, Oxford University Press.
6. Dr.Lily Shrivastava, Law and Medicine, Paper Back

1. Dr. B.K. Akodia  09/02/2023
2. Dr. Damyanti Katre  09/02/23
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5. Dr. Sneha Kumari  07/02/23

RAJA SHANKAR SHAH UNIVERSITY CHHINDWARA

B.A. LL.B. SEMESTER – VIII

PAPER IV GENDER JUSTICE & FEMINIST JURISPRUDENCE (OPTIONAL)

UNIT – I

Women in Pre- Independence India

1. Social and legal inequality
2. Social reform movement in India
3. Gandhian movement
4. Nehru's views- joint family etc
5. Karachi congress- Fundamental Rights Resolution,
6. Equality of sexes

UNIT-II

Women in Post- Independence India

1. Preamble of the Constitution – Equality provisions in fundamental Rights and Directives principles of State Policy
2. Negative Aspects of the Constitutions – Exploitation of sex not mentioned in Article 23.
3. Different personal laws- unequal position of women
4. Uniform Civil Code towards gender justice
5. Indian tradition and family ideology: growth of feminism

UNIT -III

Sex Inequality in Inheritance Rights

1. Continuance of feudal Institutions of joint family – women's inheritance position under Hindu Law
2. Inheritance right of women under Christian law
3. Inheritance right of women under Parsi law
4. Inheritance right of women under Muslim law
5. Movement towards uniform Civil Code
6. Matrimonial Property
7. Separation of property
8. Maintenance different system of personal law
9. Division of assets on divorce

UNIT-IV

Social Welfare Laws for women

Non-implementation of protective labour legislation

1. Maternity benefits Act
2. Equal remuneration Act
3. Factories Act
4. Inequality in the work place
5. Additional burden of domestic responsibilities
6. Male bias
7. Lack of neutrality in law

1. Dr. B.K. Arodia 29/02/2023 3. Dr. Shweta Anuranshi
2. Dr. Damyanti Katre 20/02/23 4. Aditya Garg

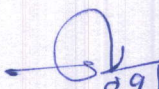
UNIT-V

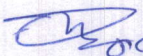
Criminal Law

1. Adultery
2. Rape
3. Dowry death
4. Cruelty to married women
5. Bigamy
6. Dowry prohibition
7. Amniocentesis

Selected Bibliography

1. Sivaramya B. matrimonial property law in India (1998), Oxford
2. Ratna Kapoor and Brinda Cossman, Subversive Sites: Feminist Engagements with law in India (1996), Sage
3. Patricia Smith (ed.) Feminist jurisprudence (1993), Oxford
4. 42nd Report Law Commission Dissenting Note Anna Chandy on provisions of adultery
5. towards Equality – Report of the Committee on the status of women (Govt. of India), Ch. IV and section IV : General Conclusions and recommendations
6. Lotika sakar: The Law of commission of India (1988)
7. Sathe, S.P. Towards Gender justice (1993), Research Centre for Women's studies


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RAJA SHANKAR SHAH UNIVERSITY CHHINDWARA

B.A. LL.B. SEMESTER – VIII

PAPER V PROFESSIONAL ETHICS, ACCOUNTABILITY FOR LAWYERS & BAR BENCH RELATION (CLINICAL COURSE)

Note:

1. The written exam of this paper will have 80 marks and the viva- voce / research paper for project or participation in Seminar will carry 20 marks
2. Written examination will be conducted by the University
3. Viva- voce will be conducted by the department of the Colleges

UNIT-I

History of Legal Profession in India: This unit contains the study of legal profession in India in ancient, medieval and especially the changes which the profession underwent during British rule and other related aspects essential to understand the history of legal profession in India. It also includes Legal education specially to track changes in pre and post globalization in Indian scenario

UNIT-II

Professional Ethics and Duties of Lawyers This unit includes issues like need and necessity of ethics in the legal profession. In addition, duties of lawyers towards –

- his clients,
- court including Bar and Bench relationship,
- public,
- his fellow attorneys,
- self,

society, etc., will also be undertaken for discussion. The unit will also include role played by a lawyer in the administration of justice and advocate's duty towards legal reform and duty to provide legal aid etc.

UNIT-III

ADVOCATES ACT, 1961 This Unit covers the Advocates Act, 1961 and relevant provisions of the Bar Council of India Rules. Special Emphasis to be given on:

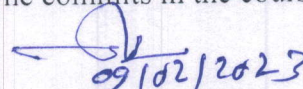
- Salient Features of the Act
- Admission and Enrolment of Advocates
- Disciplinary Actions
- Conduct of Advocates

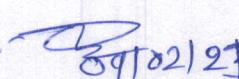
Rights And Limitations Of Such Rights The core contents are right to practice, right to argue his case, right over his professional fees. Decisions of courts on Advocate's right to strike will be subject of deliberation. Conflicts of interests, lawyer's versus client's interests and limitations of the rights of lawyers including restrictions on advertising, bar from carrying on other professions, etc. will also be taken up for discussion.


UNIT-IV

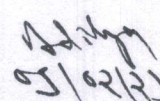
Liability For Deficiency In Service And Other Wrongs Committed By Lawyers


This module includes essential skills of a lawyer, case laws and relevant enactments like Consumer Protection Act, 2019; the Contempt of Court Act, 1971 etc. which imposes liability upon an advocate for the wrongs he commits in the course of his professional service.

1. Pr. B.K. Akochia  09/02/2023

2. Dr. Janyanti Katre  09/02/23

3. Dr. Shweta Anwaranshi 

4. Aditya Garg  05/02/23

5. Dr. Sneha Kumbhari 

UNIT-V

Impact Of Globalization On Legal Services In India

The following important topics will be taken up for class discussion during the course:

1. Impact of Globalization on legal profession,
2. Legal outsourcing in India,
3. Role of advocate in providing legal aid services,
4. Advocate's role in outside court/informal settlement of disputes and,
5. Age bare and entry into practice

Selected Bibliography

STATUTES, RULES AND REGULATIONS:

1. Advocates Act, 1961
2. Consumer Protection Act, 2019
3. The Contempt of Court Act, 1971
4. Bar Council of India Rules
5. The Legal Practitioners (Fees) Act, 1926

CASE LAWS:

- S. Ramachandra Rao v. S. Nagabhushana Rao (2022)
- Dilip Kundu And Another v. Mira Devi Agarwal and Others (2022)
- Thyssen Krupp Industries India Private Limited (S) v. Suresh Maruti Chougule And Others (2022)
- A.K. Balaji v. The Government of India (2018)
- Bar Council of India v. A.K. Balaji (2018)
- Ex-Capt. Harish Uppal vs Union of India & Anr (2002)
- Balraj Singh Malik vs Supreme Court of India (2012)

BOOKS

1. Raju Ramachandran, Professional Ethics: Changing Profession and Changing Ethics, LexisNexis, Butterworths. (2nd Edition, 2014)
2. P.B. Mukharji, Professional Ethics of the Advocate, University of Burdwan. (1975)
3. P. Ramanatha Aiyer, Legal & Professional Ethics- Legal Ethics, Duties & Privileges of a Lawyer, Wadhwa Publications, Nagpur. (3rd edition, 2010)
4. Justice V.R. Krishna Iyer, Law, Lawyers and Justice, B.R. Publishing Corp. Delhi.
5. Stephen Gillers, Regulation of Lawyers: Problems of Law & Ethics, Little, Brown & Com Boston Toronto, London. (12th edition, 2020)
6. Ross Grauston (ed.), Legal Ethics & Professional Responsibility, Clarendon Press, Oxford. (1996)
7. Gary Bellow & Bea Moulton, The Lawyering Process: Ethics and Professional Responsibility, The Foundation Press, Inc. (1981)
8. D.V. SubbaRao, Sanjiva Row's The Advocates Act, 1961, LexisNexis, Butterworths. (7th ed., 2005)
9. Nicolson and Webb, Professional Legal Ethics, Oxford University Press. (2000)
10. S.C. Sarkar, Hints on Modern Advocacy, Cross-Examination and Professional Ethics, India Law House, New Delhi. (2002)

1. Dr. B. K. Shrivastava 29/02/2023

2. 09/02/23

3. 9/2/23

4. 07/02/23

5. Dr. Sneha Kumari

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