LL.B.  Vth Semester (3yrs)
Course Code 5.1

CIVIL PROCEDURE CODE AND LIMITATION ACT

Pattern of Question Paper
+ The question paper shall consist of **80 marks**.
+ It consists of **TWELVE QUESTIONS** covering all the units in the syllabus, out of which Students are required to answer **EIGHT Questions** in all.
+ **Question No. 1 is compulsory** and it shall consist of **TEN Objective/Multiple Choice Questions**.
+ All Questions carry Equal Marks.


UNIT -II
Pleadings — Contents of pleadings — Forms of Pleading — Striking out / Amendment of Pleadings - Plaint — Essentials of Plaint - Return of Plaint — Rejection of Plaint—Production and marking of Documents— Written Statement — Counter claim — Set off — Framing of issues.

UNIT -III

UNIT IV
Suits in Particular Cases — Suits by or against Government — Suits relating to public matters; — Suits by or against minors, persons with unsound mind, - Suits by indigent persons
Interpleader suits Incidental and supplementary proceedings - Appeals, Reference, Review and Revision Appeals from Original Decrees Appeals from Appellate Decrees Appeals from Orders General Provisions Relating to Appeals.

UNIT V


Suggested Readings:-
Sarkars Commentary on The Civil Procedure Code, Dwivedi, Allahabad Law Agency.
AIR Commentaries on Limitation Act, W.W. Chitaley, AIR Ltd., Nagpur
Course Code 5.2

CRIMINAL PROCEDURE CODE, PROBATION OF OFFENDERS

ACT AND JUVENILE JUSTICE ACT

Pattern of Question Paper

+ The question paper shall consists of **80 marks**.
+ It consists of **TWELVE QUESTIONS** covering all the units in the syllabus, out of which Students are required to answer **EIGHT Questions** in all.
+ **Question No. 1 is compulsory** and it shall consists of **TEN Objective/Multiple Choice Questions**.
+ All Questions carry Equal Marks.


**UNIT II**: Search and Seizure — Search with and without warrant — Police search during investigation — General Principles of Search — Seizure — Constitutional aspects of validity of Search and Seizure proceedings.

**UNIT III** : Trial Process: Commencement of Proceedings — Dismissal of Complaint — Bail, Bailable and Non-bailable Offences — Cancellation of Bails — Anticipatory Bail —
General Principles concerning Bail Bond — Preliminary pleas to bar trial — Jurisdiction — Time Limitations — Pleas of Autrefois Acquit and Autrefois Convict — Fair Trial — Concept of fair trial — Presumption of innocence — Venue of trial — Jurisdiction of Criminal Courts — Rights of accused — Constitutional Interpretation of Article 21 as a right to speedy trial — Charge — Form and content of Charge — Trial before a Court of Session: Procedural steps and substantive rights.

UNIT -IV: Judgment: Form and content — Summary trial — Post-conviction orders in lieu of punishment — Modes of providing judgment copy — appeals, review and revisions — Reforms in Criminal Procedure Code


Suggested Readings:-


Course Code 5.3

Law of Evidence

<table>
<thead>
<tr>
<th>Pattern of Question Paper</th>
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UNIT-I:

The Indian Evidence Act, 1872  Salient features of the Act  Meaning and kinds of Evidence  Interpretation clause  May Presume, Shall presume and Conclusive proof - Fact, Fact in issue and Relevant facts  Distinction between Relevancy and Admissibility - Doctrine of Res Gestae  Motive, preparation and conduct  Conspiracy  When Facts not otherwise relevant become relevant  Right and custom  Facts showing the state of mind etc.

UNIT -II:

Admissions & Confessions: General Principles concerning Admissions .
Differences between "Admission" and "Confession"  Confessions obtained by inducement , threat or promise

Confessions made to police officer - Statement made in the custody of a police officer leading to the discovery of incriminating material  Admissibility of Confessions made by one accused person against co-accused.Dying Declarations and their evidentiary value  Other Statements by persons who cannot be called as Witnesses  Admissibility of evidence of witnesses in
previous judicial proceedings in subsequent judicial proceedings.

UNIT -III :

Relevancy of Judgments Opinion of witnesses Expert's opinion Opinion on Relationship especially proof of marriage Facts which need not be proved Oral and Documentary Evidence - General Principles concerning oral evidence and documentary evidence Primary and Secondary evidence Modes of proof of execution of documents Presumptions as to documents General Principles regarding Exclusion of Oral by Documentary Evidence.

UNIT -IV:


UNIT -V :

Competency to testify Privileged communications - Testimony of Accomplice Examination in Chief, Cross examination and Re-examination Leading questions Lawful questions in cross examination Compulsion to answer questions put to witness Hostile witness Impeaching the credit of witness Refreshing memory Questions of corroboration Improper admission and rejection of evidence.

Suggested Readings:

Clinical Paper-I
Course Code 5.4
Alternative Dispute Resolution

The course will be taught through classroom instruction in association with the Practicing Lawyers. However there is no end semester theory examination for this Course. Students have to prepare a record covering the topics specified in Unit-I to III of Section -A and assigned to the students. The Student shall required to attend and observe the proceedings of Lok Adalats, Family Courts, Tribunals and other ADR Systems and shall record atleast 10 proceedings in the diary. The record and Report shall be submitted within the stipulated time to the evaluation Committee Constituted by the College with Full Time Teacher and Practicing Advocates.

The mode of Assessment is as follows:-

A) Record on Topics from Unit I to III .  
   (Internal marks to be awarded by the evaluation Committee)  
   40 Marks

B) Diary on Lok Adalat, Family Court, Tribunals & other ADR Proceedings  
   Marks ( to be awarded by both External & Internal Examiner jointly)  
   40 Marks

C) Viva Voce  
   ( to be awarded by both External & Internal Examiner jointly)  
   20 Marks

Note :- Student shall get atleast 45% of the marks in each of the above components.

Unit-I: Alternate Dispute Resolution Characteristics Advantages and Disadvantages Unilateral Bilateral Triadic (Third Party) Intervention Techniques and processes -- Negotiation Conciliation Arbitration Distinction between Arbitration, Conciliation and Negotiation.

Unit-III: Other Alternative Dispute Resolution Systems - Tribunals -- Lokpal and Lokayukta - Lok Adalats - Family Courts. Section 89 and Order X, Rules 1A, 1B and 1C of Civil Procedure Code.

Suggested Readings:

Clinical Paper-II :

Course Code 5.5

Professional Ethics & Professional Accounting system

The course will be taught through classroom instruction in association with the Practicing Lawyers. However there is no end semester theory examination for this Course. Students have to prepare a record covering the topics specified in Unit-I to IV of Section -A and assigned to the students & a Report on 50 select opinions of Disciplinary committee of Bar Council of India and 10 Major judgments of the Supreme Court relating to the Contempt of Court specified in Section -B. The record and Report shall be submitted within the stipulated time to the evaluation Committee Constituted by the College with Full Time Teacher and Practicing Advocates.

The mode of Assessment is as follows:-

D) Record on Topics from Unit I to IV . 40 Marks
   (Internal marks to be awarded by the evaluation Committee)

E) Report on opinions of Disciplinary committee 40 Marks
   of Bar Council of India & judgments of the Supreme Court
   ( to be awarded by both External & Internal Examiner jointly)

F) Viva Voce 20 Marks
   ( to be awarded by both External & Internal Examiner jointly)

Note :- Student shall get atleast 45% of the marks in each of the above components.

SECTION
A UNIT-I

The legal profession and its responsibilities; The equipment of the lawyer; Conduct in court; Professional conduct in general; Privileges of a lawyer;

UNIT-II

Seven lamps of advocacy . Advocates duties towards public, clients, court, and other advocates and legal aid ; Bar Council Code of Ethics.

UNIT-III
Disciplinary proceedings — Professional misconduct — Disqualifications — Functions of Bar Council of India/State Bar Councils in dealing with the disciplinary proceedings — Disciplinary Committees -- Powers and functions - Disqualification and removal from rolls.

Contempt of Court Act, 1972

UNIT-IV

Accountancy for lawyers:

Need for maintenance of accounts- Books of accounts that need to be maintained- Cash Book, journal and ledger Elementary aspects of bookkeeping: Meaning, object, journal, double entry system, closing of accounts The cash and bulk transaction- The Cash book- Journal proper especially with reference to client’s accounts- Ledger, Trial balance and final accounts- Commercial mathematics.

SECTION B

Selected major judgments of the Supreme Court:

1. In the matter of D, An Advocate, AIR 1956 SC 102.
11 Any other recent judgments of Supreme Court selected and given by concerned teacher

Selected opinions of the Bar council of India

1. DC Appeal No. 16/93 1998 (Vol.1) IBR 135
2. BCI Tr. Case No.40/91 1998 (Vol.1) IBR 139
3. DC Appeal No. 8/94 1998 (Vol. 1) IBR 153
4. DC Appeal No. 20/94 1997 (Vol. 3 & 4) IBR 193
5 BCI Tr. Case No. 76/95 1997 (Vol. 3 & 4) IBR 201
6 DC Appeal No.43/96 1997 (Vol. 3 & 4) IBR 207
7 DC Appeal No.18/91 1997 (Vol. 1 & 2) IBR 271
8 DC Appeal No.24/90 1996 (Vol.1) IBR 135
9 DC Appeal No.19/93 1996 (Vol.1) IBR 152
10 BCI Tr. Case No.104/90 1996 (Vol.1) IBR 155
11 BCI Tr. Case No.52/89 1994 (Vol.1) IBR 187
12 BCI Tr. Case No.127/88 1992 (Vol. 3 & 4) IBR 125
13 BCI Tr. Case No.39/87 1992 (Vol. 3 & 4) IBR 147
14 BCI Tr. Case No.39/89 1992 (Vol. 3 & 4) IBR 149
15 BCI Tr. Case No.16/88 1989 (Vol.1) IBR 99
16 BCI Tr. Case No.2/88 1989 (Vol.1) IBR 102
17 BCI Tr. Case No.52/88 1989 (Vol.2) IBR 110
18 DC Appeal No.41/87 1989 (Vol.2) IBR 122
19 BCI Tr. Case No.29/81 1989 (Vol.2) IBR 245
20 DC Appeal No.14/88 1989 (Vol.2) IBR 258
21 BCI Tr. Case No.14/80 1989 (Vol.2) IBR 264
22 DC Appeal No.24/87 1989 (Vol.2) IBR 273
23 DC Appeal No.46/86 1989 (Vol.2) IBR 280
24 DC Appeal No.3/88 1989 (Vol.2) IBR 285
25 BCI Tr. Case No.2/80 1989 (Vol.2) IBR 289
26 BCI Tr. Case No.10/86 1989 (Vol.3 & 4) IBR 520
27 BCI Tr. Case No.101/88 1989 (Vol.3 & 4) IBR 524
28 DC Appeal No.23/88 1989 (Vol.3 & 4) IBR 532
29 DC Appeal No.35/87 1989 (Vol.3 & 4) IBR 536
30 BCI Tr. Case No.27/88 1989 (Vol.3 & 4) IBR 542
31 BCI Tr. Case No.6/84 1989 (Vol.3 & 4) IBR 560
32 BCI Tr. Case No.24/86 1989 (Vol.3 & 4) IBR 563
33 DC Appeal No.10/88 1989 (Vol.3 & 4) IBR 572
34 DC Appeal No.45/74 1988 (Vol.1 & 2) IBR 182
35 DC Appeal No.23/87 1989 (Vol.1& 2) IBR 187
36 DC Appeal No.6/81 1988 (Vol.1& 2) IBR 193
37 BCI Tr. Case No.16/86 1988 (Vol.1& 2) IBR 197
38 DC Appeal No.41/86 1988 (Vol.1& 2) IBR 200
39 DC Appeal No.33/86 1988 (Vol.3 & 4) IBR 354
40 DC Appeal No.21/85 1988 (Vol.3 & 4) IBR 359
41 BCI Tr. Case No.43/82 1988 (Vol.3 & 4) IBR 364
42 DC Appeal No.28/86 1988 (Vol.3& 4) IBR 374
43 DC Appeal No.64/74 1987 (Vol.2) IBR 314
44 DC Appeal No.30/84 1987 (Vol.2) IBR 319
45 DC Appeal No.40/86 1987 (Vol.3) IBR 488
46 DC Appeal No.10/86 & 10A/86 1987 (Vol.3) IBR 491
47 DC Appeal No.7/86 1987 (Vol.3) IBR 496
48 DC Appeal No.7/81 1987 (Vol.4) IBR 735
49 DC Appeal No.12/86 1987 (Vol.4) IBR 745
50 BCI Tr. Case No.57/87 1987 (Vol.4) IBR 753
51 Any other recent opinion/decision of Disciplinary committee of BCI, selected and given by concerned teacher

Prescribed Books:
1) K.V.Krishnaswamy Iyer- Professional Conduct and Advocacy.
2) B.S.Raman- Accountancy.
3) N. R. Madhava Menon- Clinical Legal Education.
4) Dr. B. Malik- Art of Lawyer (New Delhi, Universal Book Agency, 1999) Relevant articles
5) Contempt of Court Act, 1971


OPTIONAL PAPER-I
Course Code 5.6.1
Cyber Law

Pattern of Question Paper

+ The question paper shall consists of **80 marks**.
+ It consists of **TWELVE QUESTIONS**, out of which Students are required to answer **EIGHT** Questions in all.
+ **Question No. 1 is compulsory** and it shall consists of **TEN Objective/Multiple Choice Questions**.
+ All Questions carry Equal Marks.

UNIT-I

UNIT-II
**E-commerce-Legal issues**; Electronic Commerce Digital Signature - Meaning; Creation of Digital Signature; Understanding how digital signatures work, Role in Information Technology; technical issues; legal issues; Crimes relating to digital signature certificates; Case Study - Digital signature fraud; Electronic Contracts; E-taxation, E-banking, online publishing and online credit card payment

UNIT-III
**Cyber Crimes** - Meaning of Cyber Crimes Cyber crimes under IPC, Cr.P.C and Indian Evidence Law - Cyber crimes under the Information Technology Act, 2000 - Cyber crimes under International Law - Hacking Child Pornography, Cyber Stalking, Denial of service Attack, Virus Dissemination, Software Piracy, Internet Relay Chat (IRC) Crime, Credit Card Fraud, Net Extortion, Phishing etc - Cyber Terrorism - Violation of Privacy on Internet - Data Protection and Privacy; Concept of Social Networking - Legal Implications of Social Networking
UNIT-IV

**Intellectual Property Issues and Cyberspace - The Indian Perspective;** Overview of Intellectual Property related Legislation-Copyright law & Cyberspace;Trademark law & Cyberspace;Law relating to Semiconductor Layout & Design

UNIT-V


**Suggested Readings:**

1. Kamlesh N. & Murali D. Tiwari (Ed), *IT and Indian Legal System*, Macmillan India Ltd, New Delhi
7. Indian Law Institute, *Legal Dimensions of Cyber Space*, New Delhi
9. Farouq Ahmed, *Cyber Law in India*
OPTIONAL PAPER-II
Course Code 5.6.2
Right to Information

Pattern of Question Paper
+ The question paper shall consists of 80 marks.
+ It consists of TWELVE QUESTIONS, out of which Students are required to answer EIGHT Questions in all.
+ Question No. 1 is compulsory and it shall consists of TEN Objective/Multiple Choice Questions.
+ All Questions carry Equal Marks.

UNIT-I
Right to Information before Right to Information Act, 2005-Significance of RTI in democracy
-Constitutional basis for RTI-Supreme Court on right to information

UNIT-II
Public Authority-Definition- Criteria for Determination-Public Authority- Main function -Record Management-Identification and designation of PIOs/APIOs-Size and level of PIOs-Appellate Authority-Information Commission-Role of Appellate Authority-Dissemination of information-Determination of fees-Inspection of work/record/taking sample-Accounting procedure for the fees collected-Publication of details of PIOs and Appellate Authority-GUIDELINES FOR Information Officers-Non Applicability of the Act to certain State Organisatons

Unit III
Public Information Officer- Duties and responsibilities-Onus on the PIOs-Procedure and steps involved-Dealings with the APIOs and other Department- Right of the Citizen-Types of help to be extended to the citizen-Time Frame-Exemptions- Third Party Information-Special Skills of PIOs

UNIT IV
Information Commission-Powers and Functions - The Role and Responsibilities of the Information Commissions.- The relevant provisions in the RTI Act dealing with Complaints to the Information - Commission and the specifications thereof- The "Second Appeal" process and the Commissions' mandate for the same- The power of Information Commissions with regard to enforcing compliance of public authorities with the provisions of the RTI Act- Imposing penalty / recommending disciplinary action against erring PIOs etc.
UNIT -V

RTI and Good Governance- Role of Civil Society Organisations and Media- Records Management for Effective Information Management -The importance of records management.Best practices- A study of decisions rendered by state commissions and central Commission in the following areas of Police, Revenue, PWD, Irrigation, Secretariat, BSNL, Posts and Telegraphs, Scheduled Banks, CPWD, Income Tax Department, Central Excise Department, Local Authorities. The broad issues relating to the keeping, maintaining, managing and destructing.

Reference Books:-

1) N.K. Jain, Right to Information Concept, Law ,Practice, Regal Publication, New Delhi
2) Raj Kumar Pruthi, Manual of Right to Information Act, Pentagon Press, New Delhi
3) Prof(Dr) S. V. Joga Rao, Law Relating to Right to Information, Pentagon Press, New Delhi
4) N.K. Acharya, Right to Information Act, 2005,Edi 5th, Asia Law House, Hyderabad,
5) Dr. J. N. Barowalia, Commentry on Right to Information Act, 1st Edi 2006,Universal Law Publication , New Delhi
6) Right to Information Act, Bare Act